MINUTES
TOWN OF AMHERST
AMHERST PLANNING BOARD MEETING
September 23, 2021
6:30 PM

ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Robert J. Gilmour	Town of Amherst	Chair	Remote	
Michael Chmiel	Town of Amherst	Board Member	Remote	
Stephanie S. Gelber	Town of Amherst	Board Member	Remote	
Harbinder Gill	Town of Amherst	Board Member	Remote	
Dal Giuliani	Town of Amherst	Board Member	Remote	
Brittany Lee Penberthy	Town of Amherst	Board Member	Remote	
Joseph P. Raffaele Jr.	Town of Amherst	Board Member	Remote	
Dan Howard	Town of Amherst	Planning Director	Remote	
Daniel J. Ulatowski	Town of Amherst	Assistant Planning Director/ZEO	Remote	
Scott Marshall	Town of Amherst	Principal Planner	Remote	
Roberta Rappoccio	Town of Amherst	Associate Planner	Remote	
Thomas J. Voigt	Town of Amherst	Assistant Planner	Remote	
Amy Carrato	Town of Amherst	Sr. Clerk Typist	Remote	
Rachel Boerschig	Town of Amherst	Clerk-Typist	Remote	
Jacqualine Berger	Town of	Councilmember	Remote	

	Amherst			
Ann Demopoulos	Town of Amherst	Deputy Town Attorney	Remote	

NEW MEETING LOCATION

Virtual Meetings Resolution

1. VIRTUAL PUBLIC MEETINGS

Ms. Penberthy moved to approve the resolution. The motion was seconded by Mr. Raffaele and carried. Ayes 7, Noes 0.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brittany Lee Penberthy, Board Member
SECONDER:	Joseph P. Raffaele Jr., Board Member
AYES:	Gilmour, Chmiel, Gelber, Gill, Giuliani, Penberthy, Raffaele Jr.

Note: There will be no public hearing or opportunity to speak for the projects listed under the Unfinished Business section of this agenda.

Please note the following time limits for speakers at Planning Board hearings:

- **Presentation by Petitioner: 15 minutes**
- **Rebuttal by neighborhood/resident spokesperson: 15 minutes**
- **Individual speakers: 3 minutes**

PUBLIC HEARINGS

SITE PLANS & RELIEF FROM CONDITIONS OF SITE PLANS

2. PROPOSED ROADWAY FOR UBMD MEDICAL OFFICE BUILDING, SP-2020-09_B
Property located at 500 Maple Road (portion)
111 North Maplemere LLC, Petitioner

Construction of 770± lineal feet of proposed public roadway and reconfiguration of 530± lineal feet of public roadway and intersection realignments along with associated public utilities for water, sanitary and storm sewers to service a 163,200± sq. ft. medical building with parking for 816± vehicles.

Sean Hopkins, Esq., Hopkins Sorgi and McCarthy, represented the petitioner, explained the proposal and was available to answer questions from the Board. Erik Wagner, 111 North Maplemere, was also present.

No comments were heard on this proposal. The hearing was closed.

Following discussion, Mr. Giuliani moved to approve the Negative Declaration. The motion was seconded by Mr. Chmiel and carried. Ayes 7, Noes 0.

Following the approval of the Negative Declaration, Mr. Giuliani moved to approve the request based on the resolution. The motion was seconded by Ms. Gelber and carried. Ayes 7, Noes 0.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dal Giuliani, Board Member
SECONDER:	Stephanie S. Gelber, Board Member
AYES:	Gilmour, Chmiel, Gelber, Gill, Giuliani, Penberthy, Raffaele Jr.

3. PROPOSED RIDGE LEA BUSINESS PARK - PARKING EXPANSION AND FACADE UPGRADES, SP-1983-42_H (BCD)
Property located at 4224 Ridge Lea Road & 256 Meyer Road
Benderson Development Company LLC, Petitioner

The project consists of a parking lot reconfiguration/expansion, with the required pedestrian connections and landscaping, and an upgrade to the building façade. The new parking field will incorporate new landscaped islands, a center pedestrian walkway, lighting and a bioretention area. The existing parking area adjacent to the building will be updated to comply with the requirements of the Zoning Ordinance. The building façade changes include the construction of new entranceways to replace existing fabric awning structures using similar materials as the existing building. No new curb cuts are proposed.

James Boglioli, Esq., Benderson Development Company LLC., represented the petitioner, explained the proposal and was available to answer questions from the Board.

In response to the Board's questions, Mr. Boglioli stated there are no residential lots abutting this project.

Geri DiCosmo, 378 Meyer Rd., asked if the pavement will extend to Meyer Rd. and Susan Holt, 370 Meyer Rd., asked for the address of the property Benderson Development purchased.

No further comments were heard on this proposal. The hearing was closed.

Mr. Giuliani moved to approve the request based on the resolution. The motion was seconded by Ms. Gelber and carried. Ayes 6, Noes 0, Abstain 1 (Chmiel).

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Dal Giuliani, Board Member
SECONDER:	Stephanie S. Gelber, Board Member
AYES:	Gilmour, Gelber, Gill, Giuliani, Penberthy, Raffaele Jr.
ABSTAIN:	Chmiel

SUBDIVISIONS & RELIEF FROM CONDITIONS OF SUBDIVISIONS

None

REZONING & RELIEF FROM CONDITIONS OF REZONINGS

None

4. AMENDED REQUEST TO REZONE 6.7± ACRES OF LAND FROM SA TO R-3, Z-2020-15
Property located at 1789 Dodge Road
Joe Rubino, Petitioner

The purpose of this rezoning request is to allow construction of a proposed 16-lot single-family residential subdivision and related site improvements. The proposed development will consist of 15 detached single family homes and a stormwater management lot located in the eastern most portion of the property. A public roadway ending in a hammer-head turnaround and a single curb cut onto Dodge Road are proposed. Seventy-five feet of frontage along Dodge Road is proposed to remain as greenspace with the exception of the access roadway. Approximately 1.5± acres of the 6.7 acre site will remain as permanent open space.

Sean Hopkins, Esq., Hopkins Sorgi and McCarthy, represented the petitioner, explained the proposal and was available to answer questions from the Board. Joe Rubino was also present.

In response to the Board's questions, Mr. Hopkins stated open space was provided instead of increasing the size of the lots, the entrance to the subdivision was designed to give a rural feeling, the permanent open space is subject to oversight by the Homeowner's Association, and the Comprehensive Plan guides future development in this area.

William Pitz, 1815 Dodge Rd.; Nick Rockwell, 1765 Dodge Rd.; Sandy Mack, 1790 Dodge Rd.; Cheryl Anastasia, 1860 Dodge Rd.; Annalisa Capaccio, 1810 Dodge Rd.; and Merja Kenola, 1800 Dodge Rd. spoke in opposition of the proposal.

No further comments were heard on this proposal. The hearing was closed.

Mr. Giuliani moved to deny the request because it is not in character with the neighborhood. The motion was seconded by Mr. Gill and carried. Ayes 5, Noes 2.

RESULT:	**DENIED [5 TO 2]**
MOVER:	Dal Giuliani, Board Member
SECONDER:	Harbinder Gill, Board Member
AYES:	Chmiel, Gill, Giuliani, Penberthy, Raffaele Jr.
NAYS:	Gilmour, Gelber

MISCELLANEOUS

5. REQUEST TO AMEND THE COMPREHENSIVE PLAN, BCPA -2021-01
Property located at 4252-4258 Ridge Lea Road (BCD)
Benderson Development Co. LLC, Petitioner

The proposed request to amend the comprehensive plan is for the purpose of rezoning 14.81± acres of land from the Center -8 (CTR-8) zoning district to its previous zoning district of Research and Development (RD). The Town rezoned the property as part of a cluster of rezonings to implement the new mixed-use zoning districts. The rezoning from CTR-8 back to RD will allow for a proposed 108,000± sf warehouse building and its connection to an existing 21,736± sf warehouse building to the south along with additional parking, site utilities, drainage and landscaping.

James Boglioli, Esq., Benderson Development Company LLC. represented the petitioner, explained the proposal and was available to answer questions from the Board.

In response to the Board's questions, Mr. Boglioli reviewed the buffer location, stated the buffer will have a six foot tall fence near the parking lot and be heavily landscaped at the rear residential lots, and that there will be no business or loading in the front of the building.

Geri DiCosco, 378 Meyer Rd.; and William Clease, 378 Meyer Rd. spoke in opposition of the proposal.

No further comments were heard on this proposal. The hearing was closed.

Following later discussion, Mr. Giuliani moved to approve the request based on the resolution. The motion was seconded by Mr. Gilmour and carried. Ayes 6, Noes 0, Abstain 1 (Chmiel).

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Dal Giuliani, Board Member
SECONDER:	Robert J. Gilmour, Chair
AYES:	Gilmour, Gelber, Gill, Giuliani, Penberthy, Raffaele Jr.
ABSTAIN:	Chmiel

OTHER COMMUNICATIONS

All public hearings are completed and closed at the termination of public discussion for each agenda item unless otherwise specified by the Chair.

UNFINISHED BUSINESS

Note: All public hearings have been completed. There will be no public hearings for items listed under this section.

DIRECTOR'S REPORT

MINUTES APPROVAL

August 19, 2021
Mr. Giuliani moved to approve the minutes. The motion was seconded by Mr. Chmiel and carried. Ayes 7, Noes 0.

ADJOURNMENT

The Planning Board meeting of September 23, 2021 was adjourned at time 8:35 pm.

Virtual Meetings Resolution

Amherst Planning Board
5583 Main Street
Williamsville, NY 14221

ADOPTED

Meeting: 09/23/21 06:30 PM
Department: Planning
Category: Other Communications
Prepared By: Amy Carrato
Initiator: Dan Howard
Sponsors:
DOC ID: 24774

PLANNING BOARD ITEM (ID # 24774)

Virtual Public Meetings

Ms. Penberthy moved to approve the resolution. The motion was seconded by Mr. Raffaele and carried. Ayes 7, Noes 0.

ATTACHMENTS:

- Virtual Public Meeting 092321 (PDF)
- virtual meeting signed resolution 092321 (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brittany Lee Penberthy, Board Member
SECONDER:	Joseph P. Raffaele Jr., Board Member
AYES:	Gilmour, Chmiel, Gelber, Gill, Giuliani, Penberthy, Raffaele Jr.

DRAFT (09/23/21)
TOWN OF AMHERST
PLANNING BOARD
VIRTUAL MEETING RESOLUTION

WHEREAS, more than 2 million New York State residents have been affected by COVID-19 and the disease has killed more than 56,000 New Yorkers since May 2020; and

WHEREAS, it is necessary to contain the pandemic; and

WHEREAS, it is necessary to temporarily alter certain provisions of the Open Meetings Law (Article 7 of the Public Officers Law) to ensure that certain public bodies can hold their meetings in a manner that balances the public's health and safety with the public's right to observe and participate in the proceedings; NOW

THEREFORE, BE IT RESOLVED, that the Supervisor's Executive Order #1 provides authorization to any board, commission or local public party of the Town of Amherst as defined in General Construction Law §66, or committee or sub-committee of a similar body or entity of a political subdivision as defined in General Municipal Law §100, to take such action as authorized by law without permitting the public in-person access to the meetings; and

BE IT FURTHER RESOLVED, authorization is also given to hold such meetings remotely by conference or by similar service such as Zoom, provided that the public has the ability to view, participate or listen to such proceedings and that such meetings are recorded and later transcribed if requested; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately for the Planning Board meetings and

BE IT FURTHER RESOLVED, that said authority shall expire and be deemed repealed on January 15, 2022.

The foregoing resolution was adopted by the Town of Amherst Planning Board, _____; moved by - _____; seconded by - _____; ayes _, noes _; absent - ____.

_____ _____
Robert J. Gilmour, Chair Date

X:\Current_Planning\Planning Board\Resolutions\Virtual Public Meeting 092321.docx

Attachment: Virtual Public Meeting 092321 (24774 : Virtual Public Meetings)

TOWN OF AMHERST
PLANNING BOARD
VIRTUAL MEETING RESOLUTION

OCT 01 '21 AM 9:52 RCVD

WHEREAS, more than 2 million New York State residents have been affected by COVID-19 and the disease has killed more than 56,000 New Yorkers since May 2020; and

WHEREAS, it is necessary to contain the pandemic; and

WHEREAS, it is necessary to temporarily alter certain provisions of the Open Meetings Law (Article 7 of the Public Officers Law) to ensure that certain public bodies can hold their meetings in a manner that balances the public's health and safety with the public's right to observe and participate in the proceedings; NOW

THEREFORE, BE IT RESOLVED, that the Supervisor's Executive Order #1 provides authorization to any board, commission or local public party of the Town of Amherst as defined in General Construction Law §66, or committee or sub-committee of a similar body or entity of a political subdivision as defined in General Municipal Law §100, to take such action as authorized by law without permitting the public in-person access to the meetings; and

BE IT FURTHER RESOLVED, authorization is also given to hold such meetings remotely by conference or by similar service such as Zoom, provided that the public has the ability to view, participate or listen to such proceedings and that such meetings are recorded and later transcribed if requested; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately for the Planning Board meetings and

BE IT FURTHER RESOLVED, that said authority shall expire and be deemed repealed on January 15, 2022.

The foregoing resolution was adopted by the Town of Amherst Planning Board, September 23, 2021; moved by - Penberthy; seconded by - Raffaele; ayes 7, noes 0.

Robert J. Gilmour, Chair — 9-30-21 Date

X:\Current_Planning\Planning Board\Resolutions\Virtual Public Meeting 092321.docx

Attachment: virtual meeting signed resolution 092321 (24774 : Virtual Public Meetings)

Amherst Planning Board
5583 Main Street
Williamsville, NY 14221

Meeting: 09/23/21 06:30 PM
Department: Planning
Category: Site Plan and Relief from Conditions of Site Plan
Prepared By: Amy Carrato
Initiator: Dan Howard
Sponsors:
DOC ID: 23299 B

ADOPTED

PLANNING BOARD ITEM (ID # 23299)

Proposed Roadway for Ubmd Medical Office Building, Sp-2020-09_B

Property located at 500 Maple Road (portion)
111 North Maplemere LLC, Petitioner

Construction of 770± lineal feet of proposed public roadway and reconfiguration of 530± lineal feet of public roadway and intersection realignments along with associated public utilities for water, sanitary and storm sewers to service a 163,200± sq. ft. medical building with parking for 816± vehicles.

Sean Hopkins, Esq., Hopkins Sorgi and McCarthy, represented the petitioner, explained the proposal and was available to answer questions from the Board. Erik Wagner, 111 North Maplemere, was also present.

No comments were heard on this proposal. The hearing was closed.

Following discussion, Mr. Giuliani moved to approve the Negative Declaration. The motion was seconded by Mr. Chmiel and carried. Ayes 7, Noes 0.

Following the approval of the Negative Declaration, Mr. Giuliani moved to approve the request based on the resolution. The motion was seconded by Ms. Gelber and carried. Ayes 7, Noes 0.

ATTACHMENTS:

- SP-2020-09B application 092321 (PDF)
- SP-2020-09B drawings 092321(PDF)
- SP-2020-09_B_draft_SEQR_Neg_Declaration_092321 (PDF)
- SP-2020-09_B_draft_Resolution_092321 (PDF)
- SP-2020-09B signed neg dec 092321 (PDF)
- SP-2020-09B signed resolution 092321 (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dal Giuliani, Board Member
SECONDER:	Stephanie S. Gelber, Board Member
AYES:	Gilmour, Chmiel, Gelber, Gill, Giuliani, Penberthy, Raffaele Jr.

Application for Site Plan Amendment [SP-2020-09B]- Proposed UBMD Surgery Center and Medical Office Project - Portion of 500 Maple Road
Applicant: Audubon Park MOB, LLC

Prepared By: Sean Hopkins, Esq.
Hopkins Sorgi & McCarthy PLLC
5500 Main Street, Suite 343
Williamsville, NY 14221
Tel: 716.510-4338
E-mail: shopkins@hsr-legal.com

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Major Site Plan Review

For Official Use

File #: SP-2020-09B **Acreage** 14.91 acres **Fee $** 1215

Address Verified by Assessor's Office

VERIFIED BY DATE

Site Plan Review

		Fill in Applicable Fees
1 acre or less	$1,250.00	
Each Additional acre or fraction thereof	$ 650.00/acre	
Amendments to Site Plans	$1,200.00	$1.200.00
Request for Relief of / or Change to Conditions of Site Plan Approval	$1,200.00	
Request for Extension of Site Plan Approval	$ 450.00	
Stormwater Pollution Prevention Plan		
1-4.99 Acres	$ 500.00	
5-10 Acres	$ 750.00	
>10 Acres	$1,000.00	
Affidavit Fee for Public Hearing	$ 15.00	$15.00
	TOTAL FEE:	$ 1,215.00

Materials Received by Planning Department 8/13/2021
RECEIVED BY DATE

Materials Accepted by Town Clerk & Fee Paid
ACCEPTED BY DATE

RECEIVED
AUG 13 2021
TOWN OF AMHERST
PLANNING DEPT.

To Be Completed By Applicant

Petitioner: Name: 111 North Maplemere, LLC c/o Sean Hopkins, Esq.

Address: 5500 Main Street, Suite 343
Williamsville, NY 14221

city state zip code

Phone: 510-4338 Fax: _____ E Mail: shopkins@hsmlegal.com

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Representative (Architect, Engineer, Landscape Architect, Surveyor, or Attorney):

Name: Sean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC

Address: 5500 Main Street, Suite 343

Williamsville (city) NY (state) 14221 (zip code)

Phone: 716-510-4338 Fax:

E Mail: shopkins@hsmlegal.com

Project Location (must be verified by Town Assessor's Office):

Address: Portion of 500 Maple Road, Amherst, NY

SBL No(s): Portion of 55.04-1-6.1

Project Name: UBMD Surgery Center and Medical Office Building

Project Description: Amendment of the Site Plan approved by the Planning Board on May 2021 to include proposed public infrastructure improvements. A copy of the resolution adopeteed by the Planning Board on May 20, 2021 granting Site Plan Approval for the project is attached as Exhibit "2".

Town of Amherst Planning Department 5583 Main Street Williamsville-NY-14221
(716) 631-7051- Fax: (716) 631-7153

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

If this petition is an amendment to a previously approved site plan, please describe the proposed changes (include type and size of existing structures and number of existing parking spaces):

The proposed modifications to the Site Plan approved by the Planning Board for the project on on May 20, 2021 consists of including the proposed public infrastructure improvements that were not included with the Site Plan approved by the Planning Board at the request of the Town of Amherst. The proposed improvements are depicted on the PIP Plans prepared by Watts Architecture & Engineering consisting of Drawings C0150, C0151, C0152, C0153, CO161, C0-162, C0-163, C0251, C0252, C0-253, C0254, C0255 and C0560. A reduced size of the PIP Plans listed above is also attached as Exhibit "2".

Gross Floor Area (non-residential):	0 existing	163,200 sq. ft. proposed	163,200 sq. ft. total
Number of Residential Units:	0 existing	0 proposed	0 total
Number of Parking Spaces:	0 existing	816 proposed	816 total

Acreage of Parcel: 14.91 acres

Frontage on Public Roads: 70 ft. of frontage on southerly extension of Coventry Road (to be named)

Existing Zoning District(s) Community Facilities District ("CF")

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Exhibit 1 – Site Plan Approval Resolution Adopted by the Planning Board on May 20, 2021

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-09A

PETITIONER

111 North Maplemere, LLC
5500 Main Street, Suite 343
Williamsville, NY 14221

PROPERTY LOCATION

500 Maple Road (portion)

WHEREAS, the Town of Amherst Planning Board on Thursday, May 20, 2021 held a virtual public hearing on a Site Plan for a one and two story 163,200± sq. ft. surgery center and medical office building with 816 parking spaces, and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project, and

WHEREAS, the Site Plan was referred to the Town's various review agencies, and

WHEREAS a separate Site Plan will be filed and approved for the roadway system to service this development, and

WHEREAS, in accordance with Section 8-7-9 of the Zoning Ordinance, the Planning Board finds that:

A. The proposed site plan is consistent with the development plan if one is required.

B. The proposed site plan is consistent with the purpose and specific requirements of the Zoning Ordinance and generally consistent with the policies of the Comprehensive Plan.

C. Adequate services and utilities will be available prior to occupancy.

D. The site plan is consistent with all other applicable laws.

E. Pursuant to Local Law #3-82, as amended, the Planning Board has determined that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act may be waived. The 1.43± acre wetland area just east of the development site will not be impacted by the proposed project, and the project may proceed without a Jurisdictional Determination or Section 404 permit from the US Army Corps of Engineers, per the professional opinion of Earth Dimensions, Inc.

NOW THEREFORE BE IT RESOLVED that in accordance with 6 NYCRR, Part 617 and Local Law #3-82, as amended, the Planning Board has issued a Negative Declaration attached hereto, and

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board, in accordance with Section 8-7 of the Zoning Ordinance **approves** said Site Plan subject to the following conditions:

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-09A

PETITIONER

111 North Maplemere, LLC

PROPERTY LOCATION

500 Maple Road (portion)

1. That the consideration of signs is specifically excluded from this approval as they require a separate review and approval by the Town.

2. That all dumpsters/trash containers and all mechanical equipment, utility structures, multiple meter boards, generators, and similar appurtenances, including those which are mounted on any part of a primary structure shall be appropriately screened with a fence, wall, and/or landscaping. Provide gate on dumpster enclosure that shall be closed whenever dumpster is not being serviced, enclosure shall be high enough to screen the dumpster(s) within.

3. That as-built record drawings, including location of utilities, be provided to the Engineering Department prior to issuance of a Certificate of Occupancy by the Building Department.

4. That if requested by the Town Board, the petitioner shall enter into an agreement for shared parking between the subject development and the Town's Northtown Center. The terms and conditions of a shared parking agreement shall be subject to the review and approval of the petitioner and the Town.

5. That the petitioner provide a future 70 ft. wide right-of-way along the entire western property line of the subject site and along the east-west leg of the proposed UBMD Boulevard within the subject parcel for a future amended Site Plan for the roadways. The Town will coordinate with and solicit input from the petitioner in connection with design of the improvements within the future 70 ft. wide right-of-way. These areas are to be deeded to the Town upon completion of the future roadway by the petitioner.

6. That the petitioner provide written authorization for the Town, upon its completion of required engineering, to file for and obtain approval for an amended site plan for the roadway system within the 70 ft. wide rights-of-way, the intersection improvements at Millersport Highway and Amherst Manor Drive, and all associated improvements.

7. That subject to Town Board review and approval, the petitioner convey the southernmost portion of the project site adjacent to the northern terminus of North Maplemere Road to the Town, with the petitioner retaining an easement for emergency and construction access across the lands to be conveyed.

8. That the petitioner provide the legal description and exhibit for a 10-foot wide non-exclusive easement to be conveyed to the Town for the existing waterline. The easement shall be subject to review and approval by the Town.

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-09A

PETITIONER

111 North Maplemere, LLC

PROPERTY LOCATION

500 Maple Road (portion)

9. That the conditions in the Traffic Safety Board's letter dated May 6, 2021 are addressed to the satisfaction of that agency.

10. That the conditions in the Engineering Department's letter dated May 5, 2021 are addressed to the satisfaction of that department.

11. That the comments in the Amherst Fire Chief's Association Inc. letter dated May 5, 2021 are addressed to the satisfaction of that agency.

12. That the conditions and comments in the Planning Department's letter dated May 5, 2021 that include the Zoning Enforcement Officer and Landscape Architect's review are addressed to the satisfaction of those bodies.

13. That the concerns raised by the Town's Stormwater Management Officer in the letter dated May 20, 2021 are addressed to the satisfaction of that office.

14. That temporary construction access approval be obtained from the New York State Department of Transportation prior to issuance of a building permit.

15. That the conditions in the SUNOCO Pipeline letter dated September 17, 2020 are adhered to as they relate to the construction of the proposed building and parking prior to issuance of a building permit.

The foregoing resolution was adopted by the Town of Amherst Planning Board, May 20, 2021; moved by – Chmiel, seconded by – Gelber, ayes 7, noes 0.

Robert J. Gilmour, Chair — Date 5-27-21

SM/ac
X:\Current_Planning\Files\Site Plans\2020-09_A (500 Maple Rd portion)_2021\SP-2020-09_A_Resolution_052021.docx

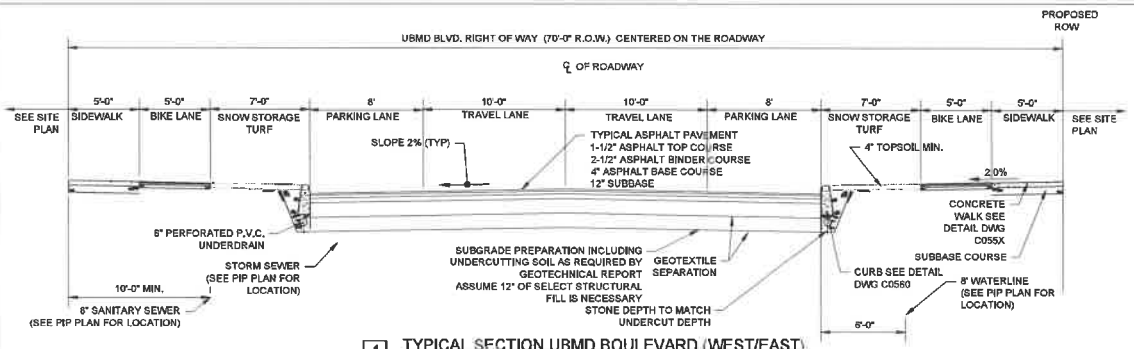
cc: Town Clerk
Commissioner of Building
Town Engineer
Fire Chiefs
Traffic/Safety
Highway Superintendent
ECDEP
NYSDOT
NYSDEC
Erik Wagner, Ciminelli Real Estate Corp., 50 Fountain Plaza, Suite 500, Buffalo, NY 14202
Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main St., Suite 343, Williamsville, NY 14221
Frank Sica, CannonDesign, 50 Fountain Plaza, Suite 200, Buffalo, NY 14202
Brad Sendlak, Watts Architectural & Engineering, 95 Perry St., Suite 200, Buffalo, NY 14203
Kristopher Winkler, Watts Architectural & Engineering, 95 Perry St., Suite 200, Buffalo, NY 14203

Approved Plan: March 22, April 28, 2021
Received: March 22, April 29 & 30, 2021

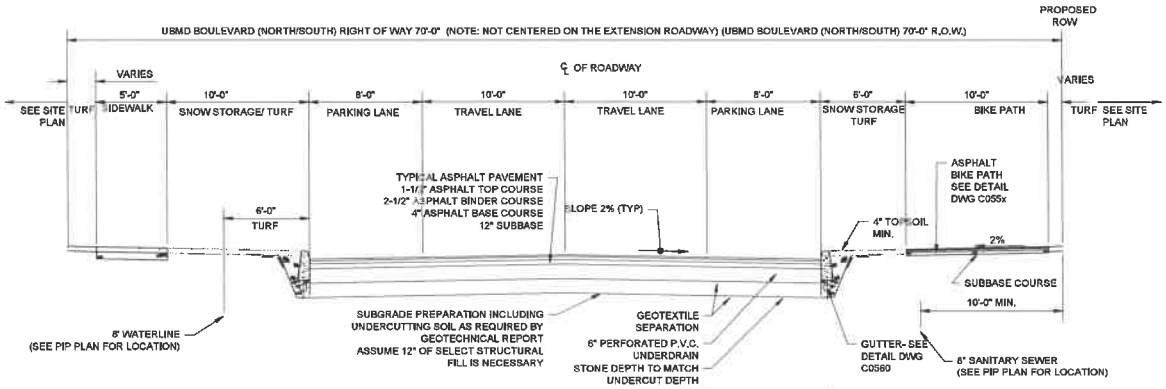
Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Exhibit 2 – Reduced Size Copy of PIP Plans as Prepared by Watts Architecture & Engineering

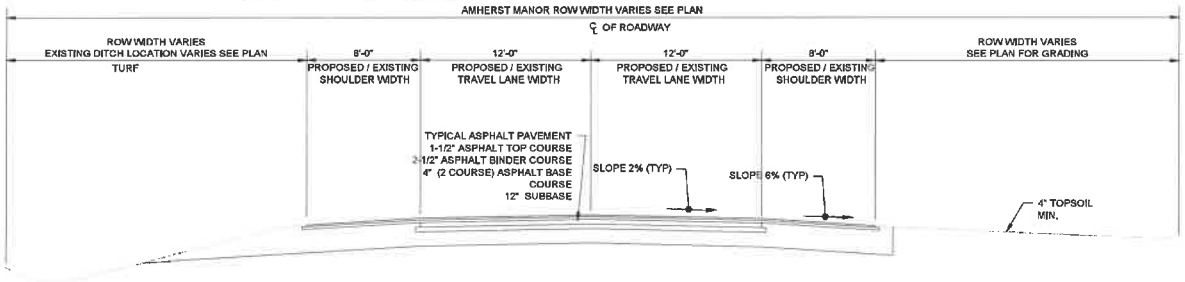
Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)



1 TYPICAL SECTION UBMD BOULEVARD (WEST/EAST) WITH PARKING (NO PARKING SIMILAR NOT SHOWN)



2 TYPICAL SECTION UBMD BOULEVARD (NORTH/SOUTH) WITH PARKING (NOPARKING SIMILAR NOT SHOWN)



3 TYPICAL SECTION AMHERST MANOR DRIVE

NOTES

1. REFER TO DRAWINGS C0560 FOR PAVING, CURB AND SIDEWALK DETAILS.

Ciminelli REAL ESTATE CORPORATION

Surgery Center and Medical Office Space

CANNONDESIGN
50 Fountain Plaza, Suite 200
Buffalo, NY 14202
P: 716.773.5900
F: 716.773.5909
www.cannondesign.com

Watts Architecture & Engineering
Civil Engineer
95 Perry St. #300
Buffalo, NY 14203
(716) 205-5100

B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP TYPICAL ROADWAY SECTIONS

Project No.: 006254.00 Checked by: KJN

C0150

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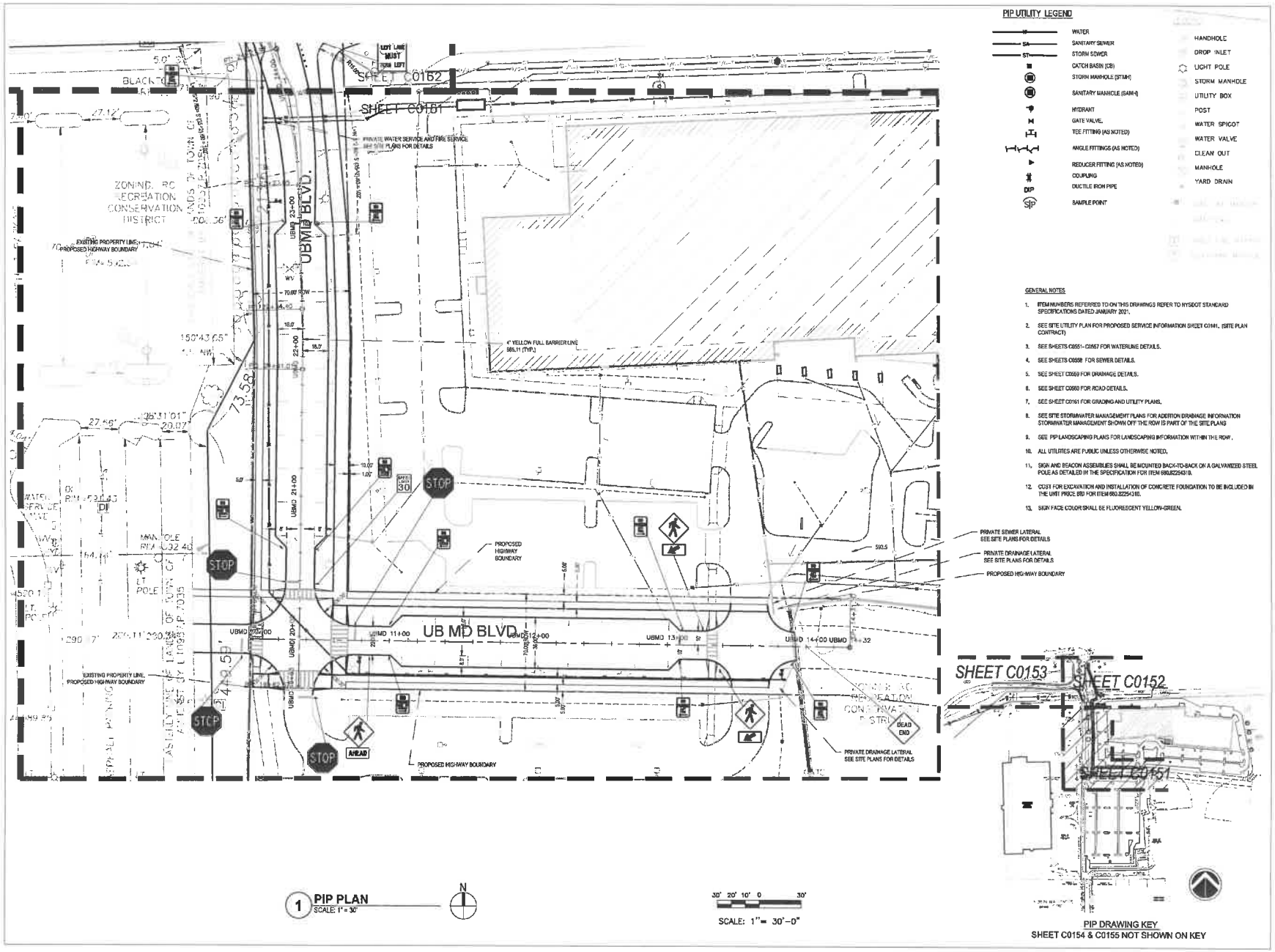
Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)



1 PIP PLAN
SCALE: 1" = 30'

N

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"

PIP DRAWING KEY
SHEET C0154 & C0155 NOT SHOWN ON KEY

PIP UTILITY LEGEND

- W — WATER
- SA — SANITARY SEWER
- ST — STORM SEWER
- CATCH BASIN (CB)
- STORM MANHOLE (STMH)
- SANITARY MANHOLE (SAMH)
- HYDRANT
- GATE VALVE
- TEE FITTING (AS NOTED)
- ANGLE FITTINGS (AS NOTED)
- REDUCER FITTING (AS NOTED)
- COUPLING
- DUCTILE IRON PIPE
- SP — SAMPLE POINT
- HANDHOLE
- DROP INLET
- LIGHT POLE
- STORM MANHOLE
- UTILITY BOX
- POST
- WATER SPIGOT
- WATER VALVE
- CLEAN OUT
- MANHOLE
- YARD DRAIN

GENERAL NOTES

1. ITEM NUMBERS REFERRED TO ON THIS DRAWINGS REFER TO NYSDOT STANDARD SPECIFICATIONS DATED JANUARY 2021.
2. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION SHEET C0141, (SITE PLAN CONTRACT)
3. SEE SHEETS C0551- C0567 FOR WATERLINE DETAILS.
4. SEE SHEETS C0558 FOR SEWER DETAILS.
5. SEE SHEET C0559 FOR DRAINAGE DETAILS.
6. SEE SHEET C0560 FOR ROAD DETAILS.
7. SEE SHEET C0161 FOR GRADING AND UTILITY PLANS.
8. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
9. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW.
10. ALL UTILITIES ARE PUBLIC UNLESS OTHERWISE NOTED.
11. SIGN AND BEACON ASSEMBLIES SHALL BE MOUNTED BACK-TO-BACK ON A GALVANIZED STEEL POLE AS DETAILED IN THE SPECIFICATION FOR ITEM 680.02254310.
12. COST FOR EXCAVATION AND INSTALLATION OF CONCRETE FOUNDATION TO BE INCLUDED IN THE UNIT PRICE BID FOR ITEM 680.02254310.
13. SIGN FACE COLOR SHALL BE FLUORESCENT YELLOW-GREEN.

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5	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- UBMD BLVD S PLAN

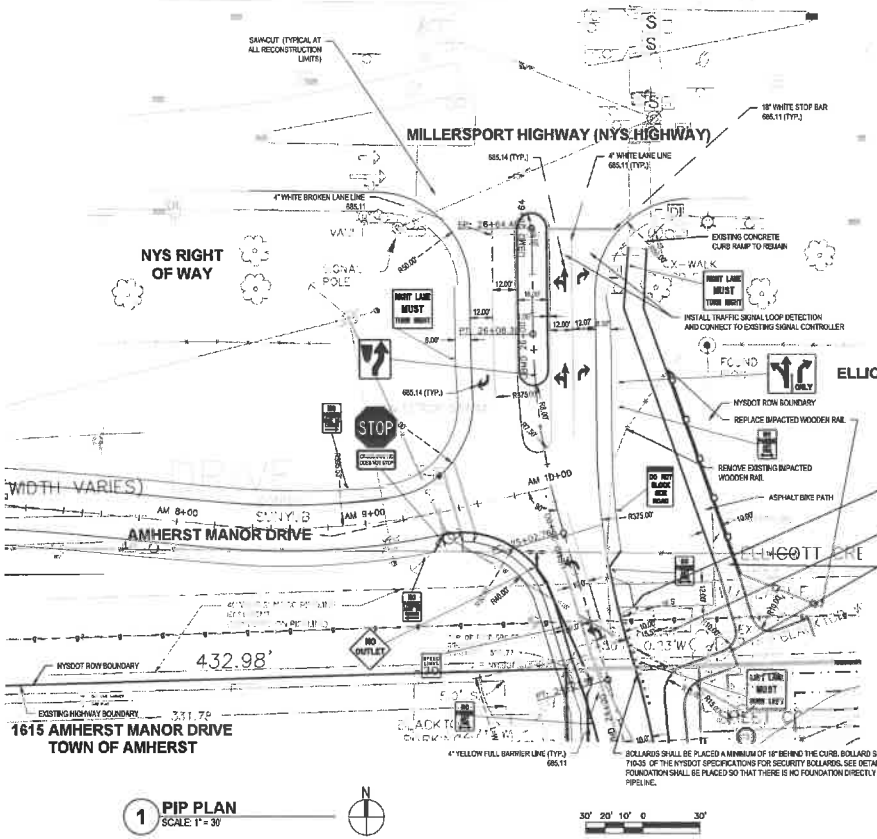
Project No.: 056254.00 Checked by: KAW

C0151

Packet Pg. 20

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

2.a



1 PIP PLAN
SCALE: 1" = 30'

SCALE: 1"= 30'-0"

PIP UTILITY LEGEND

W — WATER	HANDHOLE
SA — SANITARY SEWER	DROP INLET
ST — STORM SEWER	LIGHT POLE
CATCH BASIN (CB)	STORM MANHOLE
STORM MANHOLE (STMH)	UTILITY BOX
SANITARY MANHOLE (SAMH)	POST
HYDRANT	WATER SPIGOT
GATE VALVE,	WATER VALVE
TEE FITTING (AS NOTED)	CLEAN OUT
ANGLE FITTINGS (AS NOTED)	MANHOLE
REDUCER FITTING (AS NOTED)	YARD DRAIN
COUPLING	
DIP — DUCTILE IRON PIPE	
SAMPLE POINT	

GENERAL NOTES

1. ITEM NUMBERS REFERRED TO ON THIS DRAWINGS REFER TO NYSDOT STANDARD SPECIFICATIONS DATED JANUARY 2021.
2. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION SHEET C0142. (SITE PLAN CONTRACT)
3. SEE SHEETS C0551- C0557 FOR WATERLINE DETAILS.
4. SEE SHEETS C0558 FOR SEWER DETAILS.
5. SEE SHEET C0559 FOR DRAINAGE DETAILS.
6. SEE SHEET C0560 FOR ROAD DETAILS.
7. SEE SHEET C0162 FOR GRADING AND UTILITY PLANS.
8. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
9. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW.
10. ALL UTILITIES ARE PUBLIC UNLESS OTHERWISE NOTED.

PIP DRAWING KEY
SHEET C0154 & C0155 NOT SHOWN ON KEY

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP PLAN NORTHWEST

Project No.: 006254.00 Checked by: KJW

C0152

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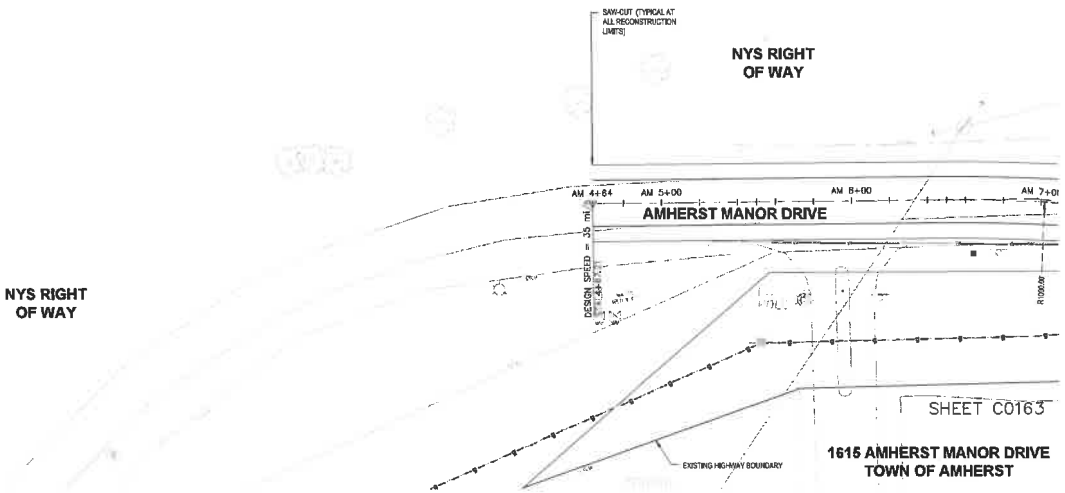


1 PIP PLAN
SCALE: 1" = 30'

N

30' 20' 10' 0 30'

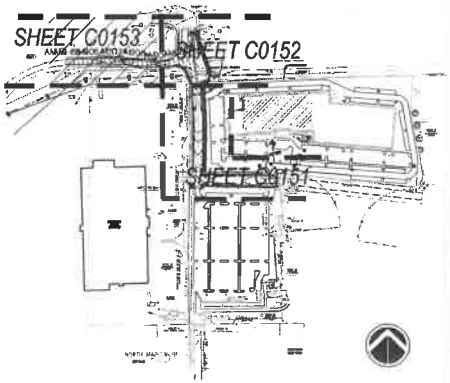
SCALE: 1"= 30'-0"

PIP UTILITY LEGEND

W — WATER	HANDHOLE
SA — SANITARY SEWER	DROP INLET
ST — STORM SEWER	LIGHT POLE
CATCH BASIN (CB)	STORM MANHOLE
STORM MANHOLE (STMH)	UTILITY BOX
SANITARY MANHOLE (SAMH)	POST
HYDRANT	WATER SPIGOT
GATE VALVE,	WATER VALVE
TEE FITTING (AS NOTED)	CLEAN OUT
ANGLE FITTINGS (AS NOTED)	MANHOLE
REDUCER FITTING (AS NOTED)	YARD DRAIN
COUPLING	
DIP DUCTILE IRON PIPE	
SP SAMPLE POINT	

GENERAL NOTES

1. ITEM NUMBERS REFERRED TO ON THIS DRAWINGS REFER TO NYSDOT STANDARD SPECIFICATIONS DATED JANUARY 2021.
2. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION SHEET C0143. (SITE PLAN CONTRACT)
3. SEE SHEETS C0551- C0557 FOR WATERLINE DETAILS.
4. SEE SHEETS C0558 FOR SEWER DETAILS.
5. SEE SHEET C0559 FOR DRAINAGE DETAILS.
6. SEE SHEET C0560 FOR ROAD DETAILS.
7. SEE SHEET C0163 FOR GRADING AND UTILITY PLANS.
8. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
9. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW .
10. ALL UTILITIES ARE PUBLIC UNLESS OTHERWISE NOTED.



PIP DRAWING KEY
SHEET C0154 & C0155 NOT SHOWN ON KEY

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP PLAN NORTHWEST

Project No.: 006254.00 Checked by: KW

C0153

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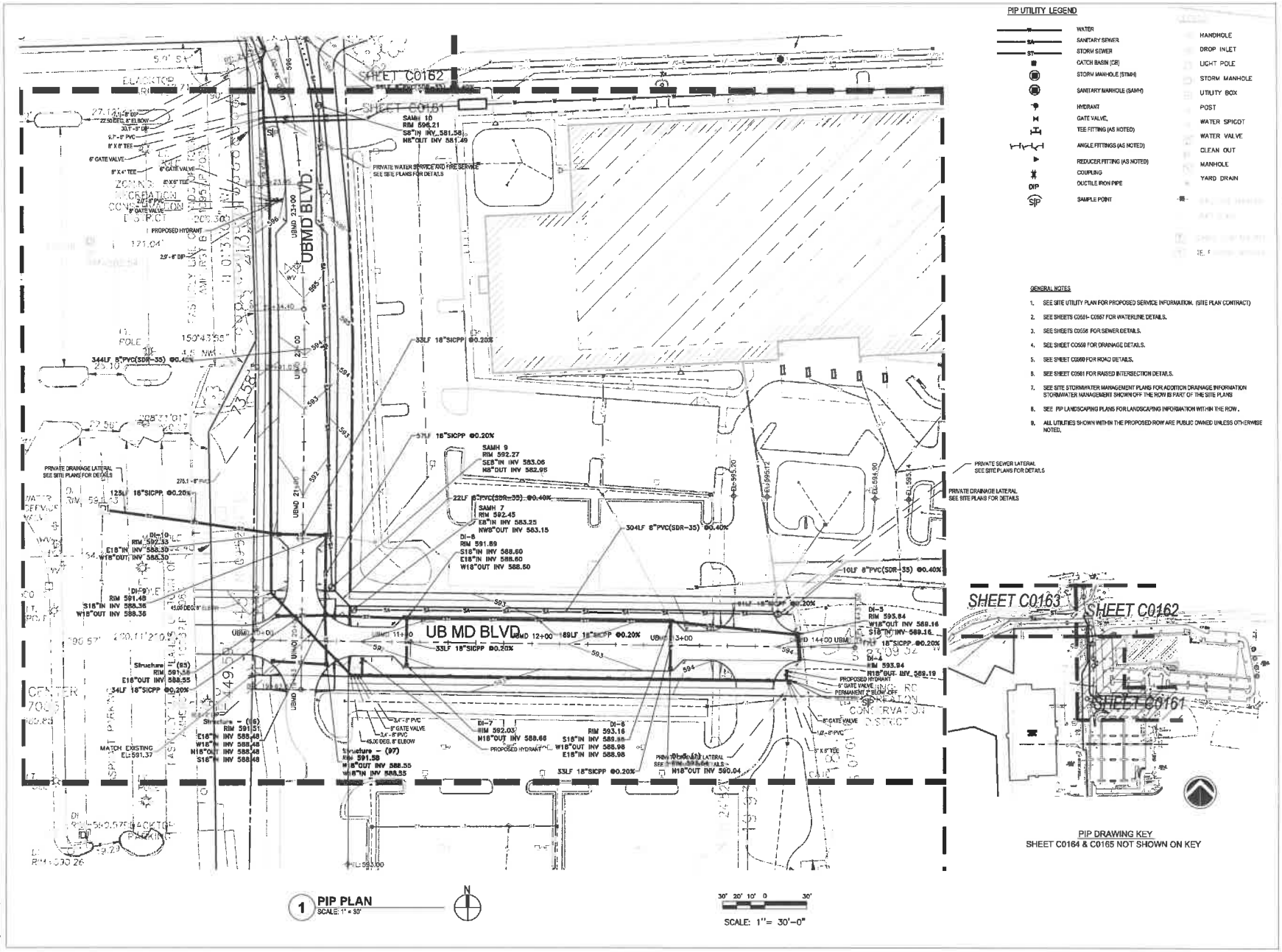

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

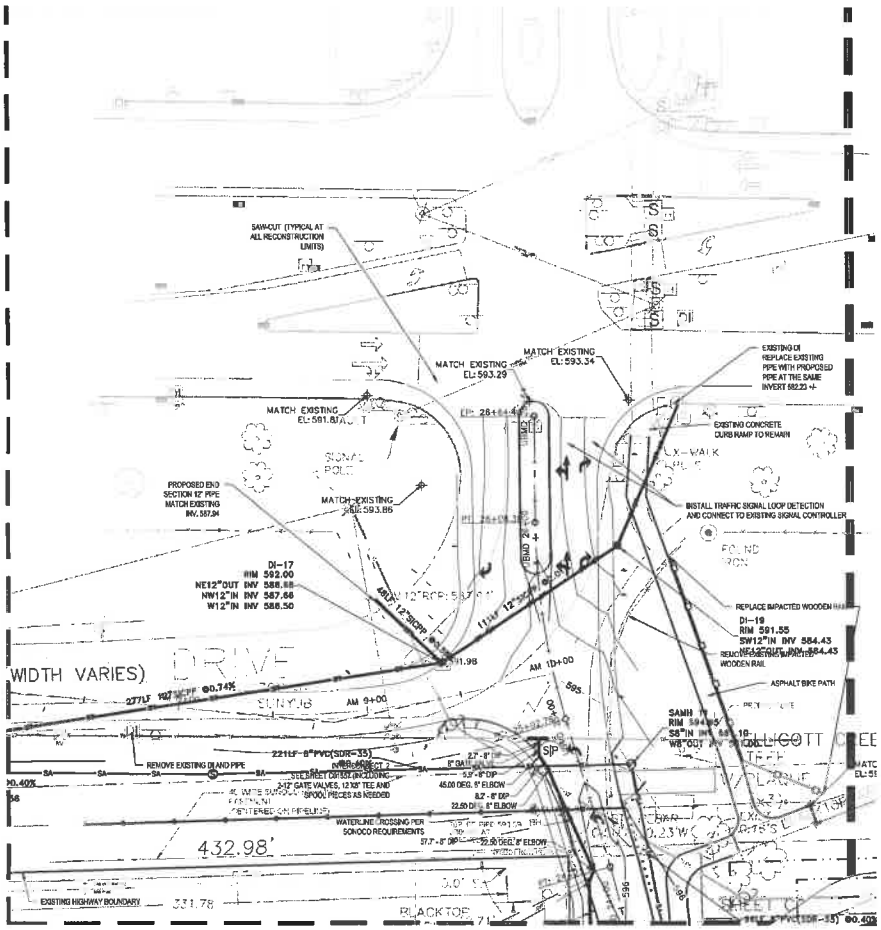
Drawing Title:

PIP- GRADING AND UTILITY PLAN UBMD BLVD. E PLAN

Project No.: 006254.00 Checked by: KJW

C0161

Packet Pg. 23
2.a
Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)



1 PIP PLAN
SCALE: 1" = 30'

N

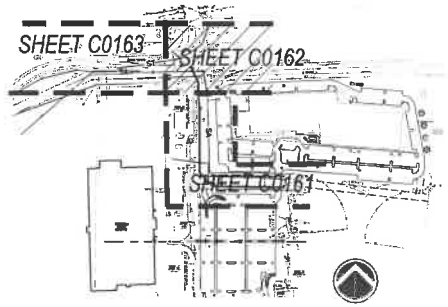
30' 20' 10' 0 30'
SCALE: 1" = 30'-0"

PIP UTILITY LEGEND

W	WATER
SA	SANITARY SEWER
ST	STORM SEWER
	CATCH BASIN (CB)
	STORM MANHOLE (STMH)
	SANITARY MANHOLE (SAMH)
	HYDRANT
	GATE VALVE,
	TEE FITTING (AS NOTED)
	ANGLE FITTINGS (AS NOTED)
	REDUCER FITTING (AS NOTED)
	COUPLING
DIP	DUCTILE IRON PIPE
SIP	SAMPLE POINT
	HANDHOLE
	DROP INLET
	LIGHT POLE
	STORM MANHOLE
	UTILITY BOX
	POST
	WATER SPIGOT
	WATER VALVE
	CLEAN OUT
	MANHOLE
	YARD DRAIN

GENERAL NOTES

1. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION. (SITE PLAN CONTRACT)
2. SEE SHEETS C0551- C0557 FOR WATERLINE DETAILS.
3. SEE SHEETS C0558 FOR SEWER DETAILS.
4. SEE SHEET C0559 FOR DRAINAGE DETAILS.
5. SEE SHEET C0560 FOR ROAD DETAILS.
6. SEE SHEET C0561 FOR RAISED INTERSECTION DETAILS.
7. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
8. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW.



PIP DRAWING KEY
SHEET C0164 & C0165 NOT SHOWN ON KEY

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP GRADING AND UTILITY PLAN UB MD BLVD. NORTH

Project No.: 006254.00 Checked by: KJW

C0162

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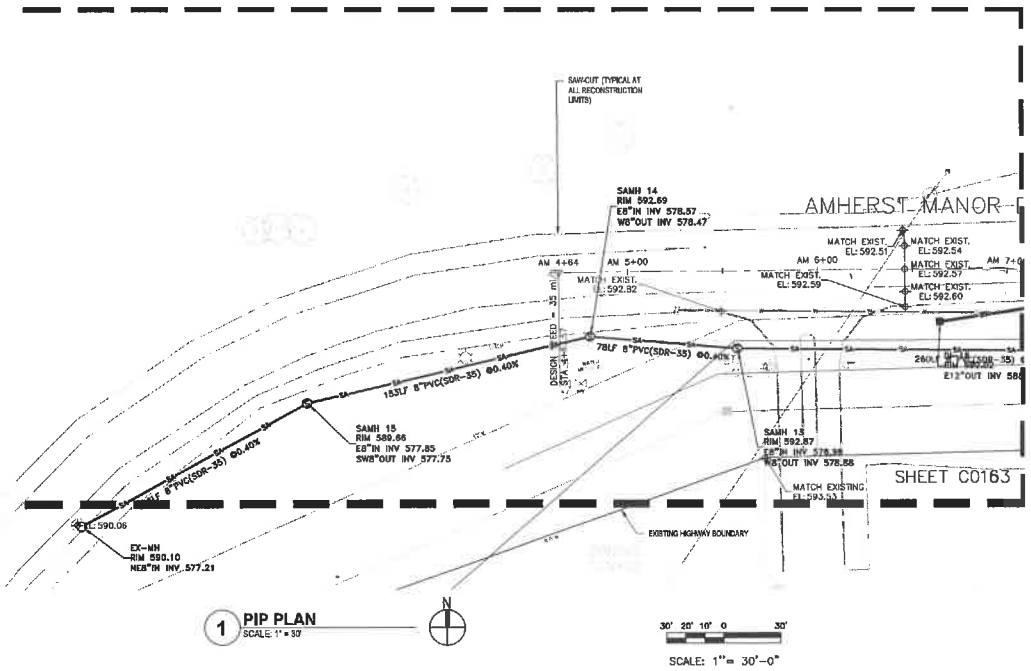
2.a

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)



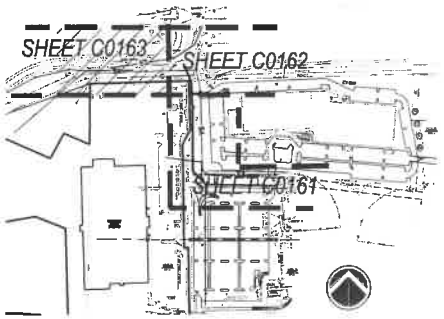
1 PIP PLAN
SCALE: 1" = 30'

PIP UTILITY LEGEND

WATER	HANDHOLE
SANITARY SEWER	DROP INLET
STORM SEWER	LIGHT POLE
CATCH BASIN (CB)	STORM MANHOLE
STORM MANHOLE (STMH)	UTILITY BOX
SANITARY MANHOLE (SAMH)	POST
HYDRANT	WATER SPIGOT
GATE VALVE,	WATER VALVE
TEE FITTING (AS NOTED)	CLEAN OUT
ANGLE FITTINGS (AS NOTED)	MANHOLE
REDUCER FITTING (AS NOTED)	YARD DRAIN
COUPLING	
DUCTILE IRON PIPE	
SAMPLE POINT	

GENERAL NOTES

1. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION. (SITE PLAN CONTRACT)
2. SEE SHEETS C0551 - C0557 FOR WATERLINE DETAILS.
3. SEE SHEETS C0558 FOR SEWER DETAILS.
4. SEE SHEET C0559 FOR DRAINAGE DETAILS.
5. SEE SHEET C0560 FOR ROAD DETAILS.
6. SEE SHEET C0561 FOR RAISED INTERSECTION DETAILS.
7. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
8. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW.



PIP DRAWING KEY
SHEET C0164 & C0165 NOT SHOWN ON KEY

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP GRADING AND UTILITY PLAN AMHERST MANOR DRIVE AND UB MD BLVD.

Project No.: 006254.00 Checked by: KJW

C0163

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Packet Pg. 25

2.a

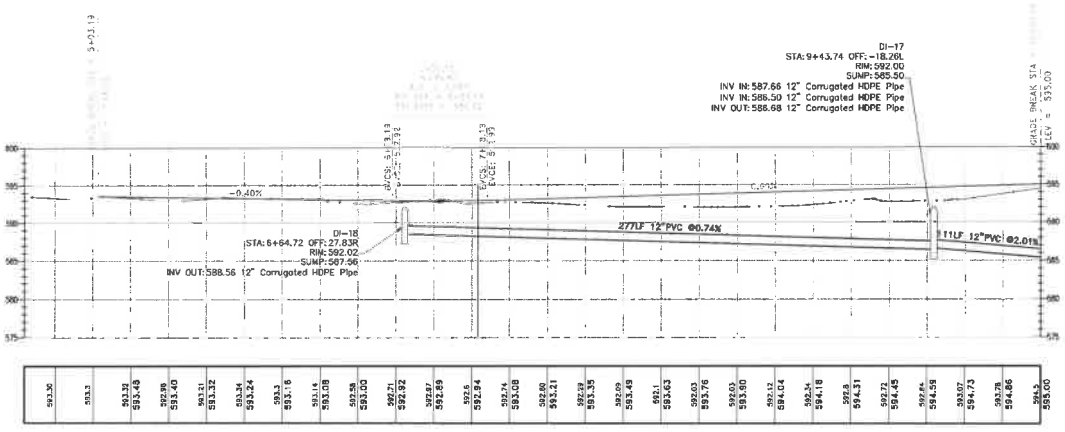
Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

PIP UTILITY LEGEND

W	WATER
SA	SANITARY SEWER
ST	STORM SEWER
	CATCH BASIN (CB)
	STORM MANHOLE (STMH)
	SANITARY MANHOLE (SAMH)
	HYDRANT
	GATE VALVE,
	TEE FITTING (AS NOTED)
	ANGLE FITTINGS (AS NOTED)
	REDUCER FITTING (AS NOTED)
	COUPLING
DIP	DUCTILE IRON PIPE
SP	SAMPLE POINT
	GAS LINE MARKER
	GAS FLAG
T	CABLE LINE MARKER
T	TELEPHONE MANHOLE

GENERAL NOTES

1. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION.
2. SEE GRADING PLAN FOR UTILITY LOCATIONS.



1 AMHERST MANOR PROFILE
SCALE: 1" = 30'

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- AMHERST MANOR PROFILE

Project No.: 006254.00 Checked by: KJW

C0251

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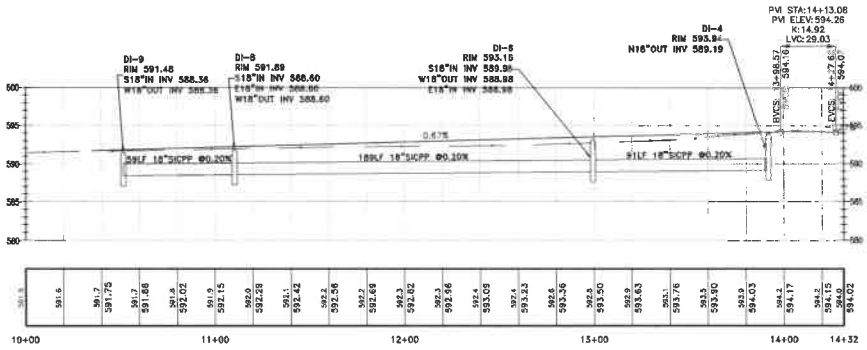
Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)



1 UB MD (W-E)PROFILE
SCALE: 1" = 30'

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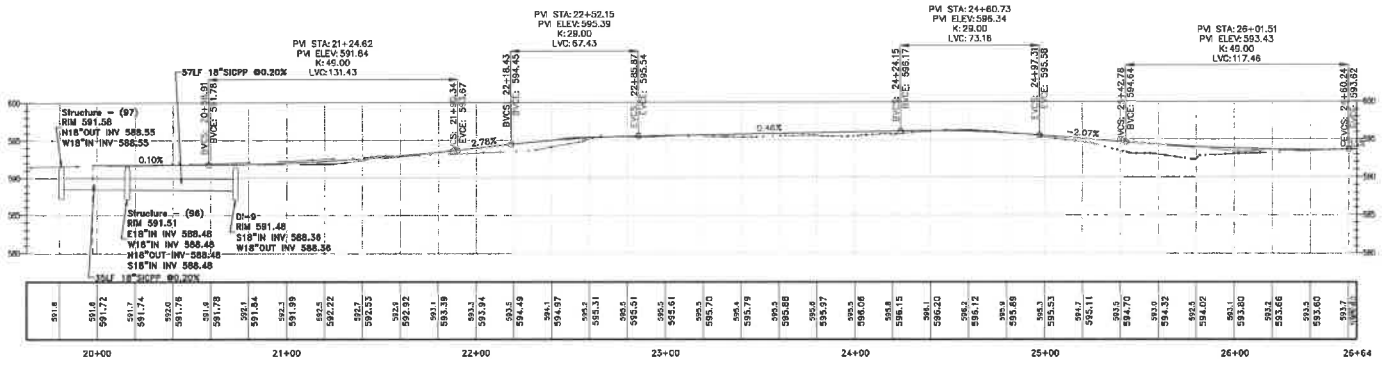
SCALE: 1"= 30'-0"



1 UB MD (N-S) PROFILE
SCALE: 1" = 30'

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"

PIP UTILITY LEGEND

- WATER
- SANITARY SEWER
- STORM SEWER
- CATCH BASIN (CB)
- STORM MANHOLE (STMH)
- SANITARY MANHOLE (SAMH)
- HYDRANT
- GATE VALVE.
- TEE FITTING (AS NOTED)
- ANGLE FITTINGS (AS NOTED)
- REDUCER FITTING (AS NOTED)
- COUPLING
- DUCTILE IRON PIPE
- SAMPLE POINT
- GAS LINE MARKER
- GAS FLAG
- CABLE LINE MARKER
- TELEPHONE MANHOLE

GENERAL NOTES

1. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION.
2. SEE GRADING PLAN FOR UTILITY LOCATIONS.

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- UB MD PROFILES

Project No.: 006254.00 Checked by: KJW

C0252

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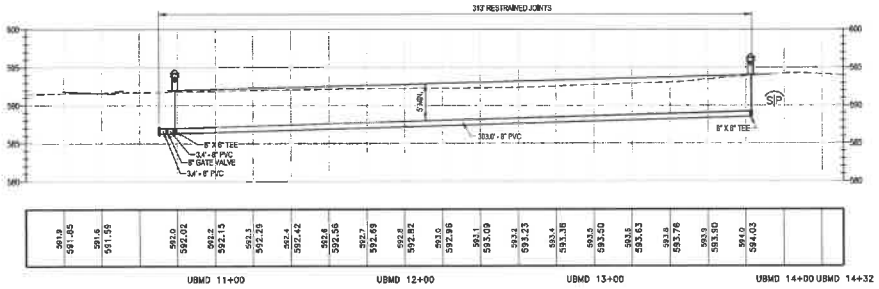
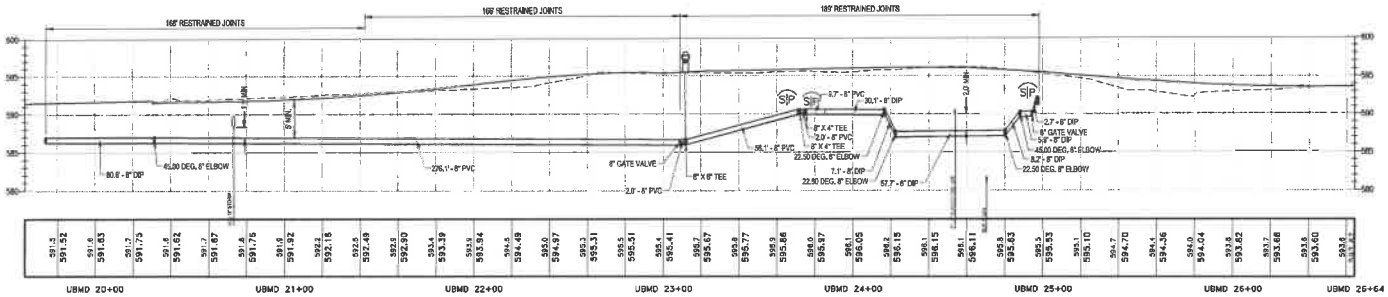


1 **UB MD (W-E) WATERLINE PROFILE**
SCALE: 1" = 7.5' V, 1"=30' H

PIP WATERLINE NOTES

1. SEE PIP PLAN FOR WATERLINE LOCATION.
2. WATERLINE MATERIAL SHALL BE DUCTILE IRON UNDER ALL ROADWAYS AND COMMERCIAL DRIVEWAYS. PVC MAY ONLY BE USED IN GRASS AND SIDEWALKS AREAS.



1 **UB MD (N-S) WATERLINE PROFILE**
SCALE: 1" = 7.5' V, 1"=30' H

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- N. MAPLEMERE WATER PROFILE

Project No.: 006254.00 Checked by: KJW

C0253

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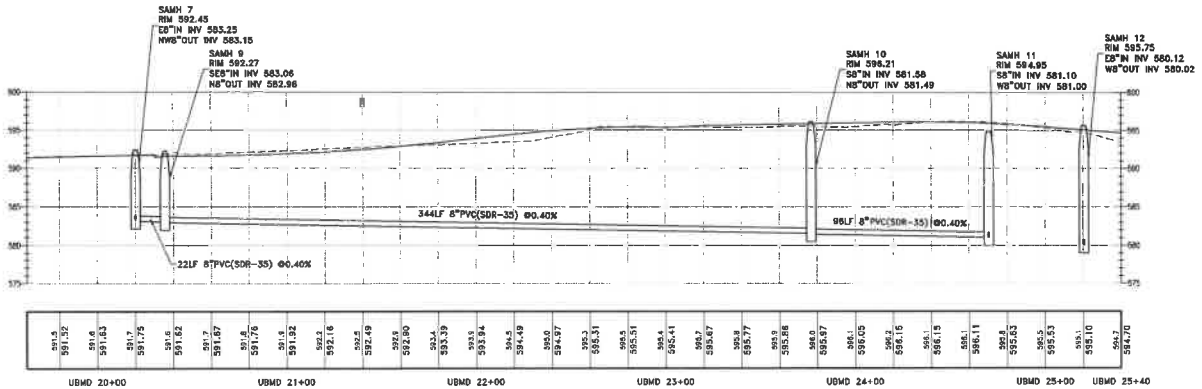
Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

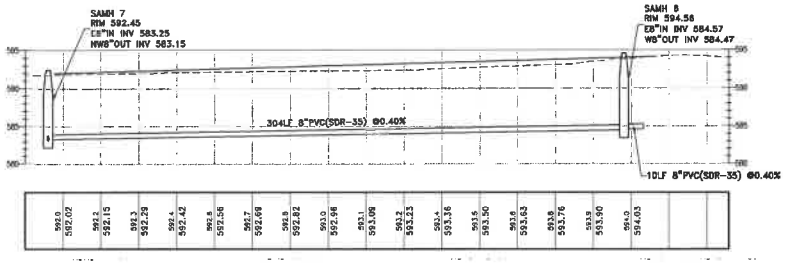


1 UB MD (N-S) SEWER PROFILE
SCALE: 1" = 7.5' V; 1" = 30' H

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"

PIP SANITARY SEWER NOTES

1. SEE PIP GRADING PLAN FOR SANITARY SEWER LOCATION
1. 8" SEWER IS RUN AT THE MINIMUM SLOPE OF 4% TO OUTLET AT THE EXISTING SEWER ELEVATION ON AMHERST MANOR DRIVE.



1 UB MD (W-E) SEWER PROFILE
SCALE: 1" = 7.5' V; 1" = 30' H

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"

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(716) 206-5100

B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP-UB MD SEWER PROFILE

Project No.: 092321.00 Checked by: KJW

C0254

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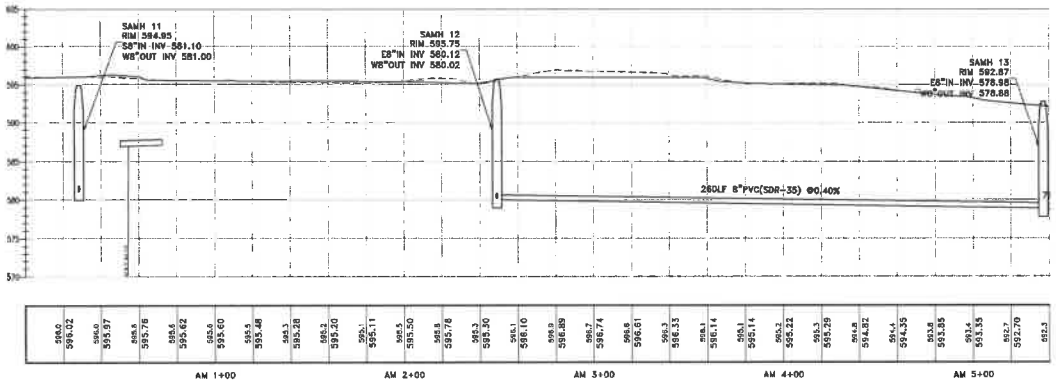
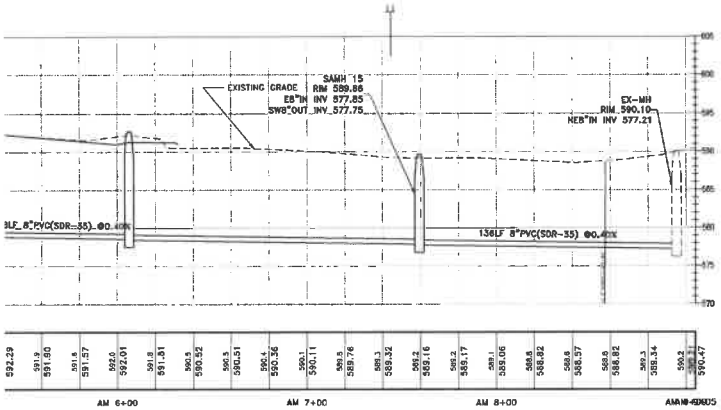
Plotted: 8/23/2021, 9:58 AM Drawn by: MVB CAD File: C0254 - PIP_UB_MD Plan Profile.dwg

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)



1 **AMHERST MANOR DR. SEWER PROFILE**
SCALE: 1" = 7.5V; 1"=30'H

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"



2 **AMHERST MANOR DR. SEWER PROFILE**
SCALE: 1" = 7.5V ; 1"= 20'H

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"

PIP SANITARY SEWER NOTES

1. SEE PIP GRADING PLAN FOR SANITARY SEWER LOCATION
2. 8" SEWER IS RUN AT THE MINIMUM SLOPE OF 4% TO OUTLET AT THE EXISTING SEWER ELEVATION ON AMHERST MANOR DRIVE.

Ciminelli
REAL ESTATE CORPORATION

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Medical Office Space

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- AMHERST MANOR DR. SEWER PROFILE

Project No.: 006254.00 Checked by: KJW

C0255

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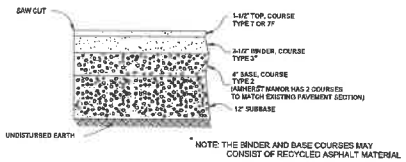
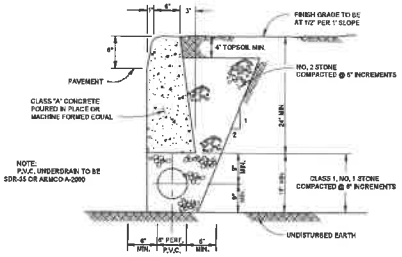
Packet Pg. 30

2.a

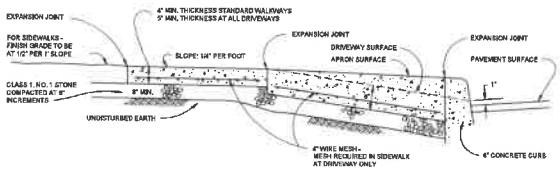
Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)



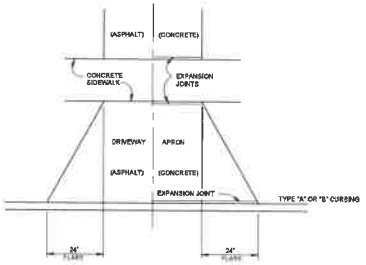
1 TYPICAL ROADWAY PAVEMENT SECTION
SCALE: NTS



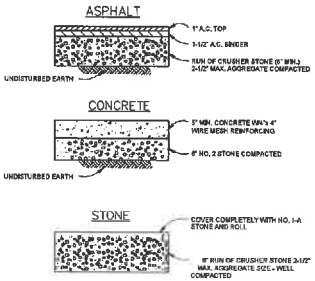
3 TYPE A CURB SECTION
SCALE: NTS



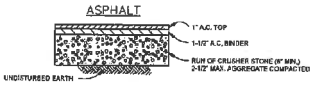
4 TYPICAL DRIVEWAY AND SIDEWALK DETAIL
SCALE: NTS



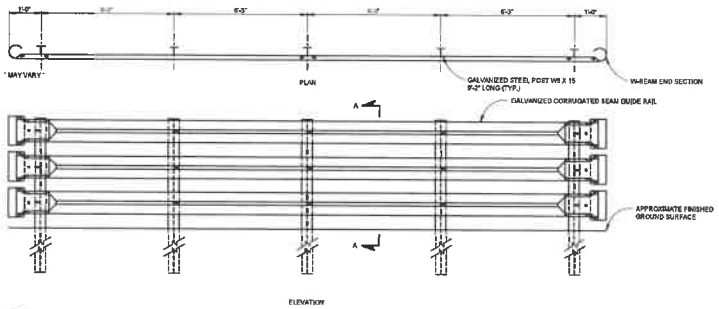
5 TYPICAL DRIVEWAY CURB CUTS DETAIL
SCALE: NTS



6 MINIMUM STANDARDS FOR DRIVEWAY INSTALLATION
SCALE: NTS



7 ASPHALT WALK INSTALLATION
SCALE: NTS



NOTES:
1. SIGNS, WHEN SPECIFIED, SHALL BE ERECTED ON SEPARATE SUPPORTS AND PAID FOR UNDER APPROPRIATE SIGN ITEMS, REFLECTING TYPE WARNING SIGNS CONFORMING TO THE NATIONAL MUTCD AND THE NEW YORK STATE SUPPLEMENT ARE REQUIRED.
2. ALTERNATE RED AND WHITE REFLECTIVE SHEETING STRIPES SHALL BE PROVIDED. THE STRIPES SHALL BE APPLIED IN THE PATTERN SHOWN FOR THE ROAD CLOSED BARRICADE IN THE NATIONAL MUTCD AND THE NEW YORK STATE SUPPLEMENT. THE SHEETING SHALL BE APPLIED TO A FLAT ALUMINUM SUBSTRATE AFFIXED TO THE RAILS IN A MANNER APPROVED BY THE ENGINEER.
3. POSTS SHALL BE EITHER STEEL OR WOOD AS SPECIFIED IN THE CONTRACT DOCUMENTS. STEEL POSTS SHALL BE W6 X 15. WOOD POSTS SHALL BE PRIMED WITH A WOOD STAIN SPECIFICALLY FORMULATED FOR THIS APPLICATION. SURFACE PREPARATION SHALL BE DONE IN ACCORDANCE WITH THE STAIN MANUFACTURER'S RECOMMENDATIONS.

8 HIGHWAY BARRICADE DETAIL
SCALE: NTS

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A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP ROADWAY DETAILS

Project No.: 000254.00 Checked by: KJW

C0560

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Aug 10, 2021, 1:45pm

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Exhibit 3 – Part 1 of Full Environmental Assessment Form dated August 13, 2021 with Attachments "A" and "B"

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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: UBMD Surgery Center and Medical Office Project		
Project Location (describe, and attach a general location map): Portion of 500 Maple Road [SBL No. 55.04-1-6.1] - Town of Amherst - Erie County		
Brief Description of Proposed Action (include purpose or need): The proposed project ("action") consists of a Site Plan Amendment for the UBMD surgery center and medical office space building project on a portion of 500 Maple Road for the public infrastructure improvement including roadways and utility infrastructure improvements and connections as depicted on the PIP Plans prepared by Watts Architecture and Engineering. The Planning Board granted Site Plan Approval on May 20, 2021 for the project without these improvements for the project consisting of 163,200 sq. ft. building and related site improvements. The project is a Type I action pursuant to State Environmental Quality Review Act ("SEQRA"). The Planning Board issued a negative declaration pursuant to SEQRA on May 20, 2021. A copy of the negative declaration issued by the Planning Board is provided at Attachment "A" of this Part 1 of the Full EAF.		
Name of Applicant/Sponsor: Audubon Park MOB, LLC c/o Ciminelli Real Estate Corporation	Telephone: 631-8000 E-Mail: ewagner@ciminelli.com	
Address: 50 Fountain Plaza, Suite 500		
City/PO: Buffalo	State: NY	Zip Code: 14202
Project Contact (if not same as sponsor; give name and title/role): Sean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC	Telephone: (716) 510-4338 E-Mail: shopkins@hsmlegal.com	
Address: 5500 Main Street, Suite 343		
City/PO: Williamsville	State: NY	Zip Code: 14221
Property Owner (if not same as sponsor): Town of Amherst	Telephone: E-Mail:	
Address: 5583 Main Street		
City/PO: Williamsville	State: NY	Zip Code: 14221

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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		
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Town of Amherst Planning Board - Site Plan Amendment	August 13, 2021
c. City, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☑Yes☐No	Building Dept. - Building Permits	Pending
e. County agencies ☐Yes☑No		
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	NYSDOT - Highway Work Permit	Highway Work Permit for Construction Access issued on August 12, 2021
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): [Note: The proposed project will not have any adverse impacts on the West Erie Canal Corridor.]

NYS Heritage Areas:West Erie Canal Corridor

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):

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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?
Community Facilities District ("CF"). The Town of Amherst Town Board amended the zoning classification of the Project Site to CF by a unanimous vote on July 6, 2020.

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? Sweet Home Central School District

b. What police or other public protection forces serve the project site?
Town of Amherst Police Department

c. Which fire protection and emergency medical services serve the project site?
Volunteer Fire Department

d. What parks serve the project site?
There are various parks that are within the Town of Amherst in relatively close proximity to the Project Site.

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)? UBMD surgery center and medical office building along with all related proposed site improvements.

b. a. Total acreage of the site of the proposed action? 14.91 acres
b. Total acreage to be physically disturbed? 14.1 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 14.91 acres
[The project also involves off-site Right-of-Way improvements as depicted on the engineered plans.]

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: 12-15 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: _____

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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 1 [UBMD surgery center and medical office building and parking structure]
ii. Dimensions (in feet) of largest proposed structure: 41' height; 233.18' width; and 743.26' length
iii. Approximate extent of building space to be heated or cooled: 163,400 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: Storm water management per applicable NYSDEC and Town of Amherst standards.
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑Other specify: Run-off from impervious surfaces on the Project Site.
iii. If other than water, identify the type of impounded/contained liquids and their source. Not applicable.
iv. Approximate size of the proposed impoundment. Volume: 0.22 million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: 300' height; 40' length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Earth fill.

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.

iv. 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):

[Note: A wetland investigation of the Project Site was conducted by Earth Dimensions. The wetland investigation confirmed there are not any wetlands subject to the jurisdiction of either the USACE or NYSDEC on the Project Site as described in the letter from Scott Livingstone to Ellen Kost of the Town of Amherst Planning Department dated March 22, 2020. A copy the wetland investigation letter is provided at Attachment "A" of this Part 1 of the Full EAF.]

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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: 13,400 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: ECWA Water Dsitrict
- 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: 13,400 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):
Sanitary wastewater.

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: Town of Amherst Wastewater Treatment Plant on Tonawanda Creek Road.
- Name of district: Town of Amherst Consolidated Sanitary Sewer 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

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

- 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 11.11 acres (impervious surface)

_____ Square feet or 14.91 acres (parcel size)

ii. Describe types of new point sources. Impervious surfaces including buildings, roadway, access aisles and parking spaces.

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)?

On-site stormwater management facilities.

- If to surface waters, identify receiving water bodies or wetlands: Not Applicable.
- 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)

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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? [An updated Traffic Impact Study prepared by Amy C. Dake, P.E., of SRF Associates has been submitted with the Site Plan Amendment Application.] ☐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: _____

To be determined

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

National Grid

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: 7:00 a.m. to 7:00 p.m.
- Saturday: 7:00 a.m. to 5:00 p.m.
- Sunday: As needed
- Holidays: As needed

ii. During Operations:

- Monday - Friday: 6:00 a.m. to 9:00 p.m
- Saturday: 6:00 a.m. to 9:00 p.m
- Sunday: 6:00 a.m. to 6:00 p.m
- Holidays: As needed

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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:

Construction equipment will generate temporary unavoidable noise impacts during construction of the project. Construction activities will occur during daytime hours and generally will occur during weekdays.

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:

Lighting to be installed on the Project Site per the lighting standards contained in Section 7-3 of the Town of Amherst Zoning Code. The Photometric Plan [Drawing E050-PH] provides information regarding the site lighting for the proposed project.

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: _____

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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): Northtown Center at Amherst and athletic fields

ii. If mix of uses, generally describe:

There are a mixture of uses in the vicinity of the Project Site including the Northtown Center and a Hampton Inn hotel to the west, duplexes on property zoned R-4 on North Maplemere Road to the south and offices on Maple Road.

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	.5	11.11	+10.61
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Decomissioned Athletic Fields and Greenspace	14.41	3.3 [Greenspace]	-11.11

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

c. Is the project site presently used by members of the community for public recreation? ☑ Yes ☐ No
i. If Yes: explain: Athletic fields located on the Project Site are utilized for public recreation including soccer, baseball and softball.

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:
The boundary of the North Campus of the University of Buffalo is within 1,500 ft. of the Project Site.

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): C915291, C915207

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
The Project Sponsor is not aware of the status of the above reference sites as referenced with being within 2,000 ft. of the Project Site.

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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? >15 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:

Lakemont	39.5 %
Odessa	60.5 %
	%

d. What is the average depth to the water table on the project site? Average: >5 feet

e. Drainage status of project site soils:
☐ Well Drained: _____ % of site
☐ Moderately Well Drained: _____ % of site
☑ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % 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? [Note: There are not any jurisdictional wetlands located on the Project Site per the wetland investigation letter provided at Attachment "A".] ☑ 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? [There are not any jurisdictional wetlands or waterbodies located on the Project Site.] ☑ 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 Federal Waters Approximate Size 0.00
- 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: _____

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

m. Identify the predominant wildlife species that occupy or use the project site:
Typical suburban species

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:

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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 [See Letter of Nancy Herter of SHPO at Attachment "B".]

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 Audubon Park MOB LLC Date August 13, 2021

Signature _____ Title Counsel for Project Sponsor

Sean W. Hopkins, Esq.

PRINT FORM

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

EAF Mapper Summary Report

Wednesday, March 18, 2020 1:07 AM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	C915291, C915207
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Attachment "A" of Part 1 of Full Environmental Assessment Form – Negative Declaration Issued by the Planning Board Pursuant to the State Environmental Quality Review Act on May 20, 2021

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Amherst
Town of Amherst Planning Department
Erie County, New York

Brian J. Kulpa
Supervisor

Daniel C. Howard, AICP
Planning Director

Ellen M. Kost, AICP
Assistant Planning Director

SEQR
Negative Declaration

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency: Town of Amherst
Planning Board

Project: SP-2020-09_A

Address: 5583 Main Street
Williamsville, NY 14221
(716) 631-7051

Date: May 20, 2021

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Site Plan Review

SEQR Status: Type 1

Description of Action: The construction of a 1 and 2-story 163,200± sq. ft. surgery center and medical office building in the northwestern portion of the Town's Audubon Recreation Center property. The project includes 816 parking spaces – 389 spaces surrounding the building and 427 in a surface parking lot south of the building. Work will include the site improvements not specifically stated above, including, stormwater, utilities, grading, lighting, paving, and landscaping.

The roadways and new intersection alignment are shown for reference only. The roadways will require a future site plan amendment and SEQR review.

Location: 500 Maple Road (portion), Amherst, Erie County

Petitioner: 111 North Maplemere, LLC

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Reasons Supporting This Determination

Based on information submitted by the applicant including a Full Environmental Assessment Form (EAF) - Part I, (as amended) and a complete site plan application, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that this action will not have a significant impact on the environment, as follows:

1. The project is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The Engineering Department on May 5, 2021 reviewed the Grading, Drainage and Utility Plans submitted on March 22, 2021 & April 30, 2021, Engineer's Report submitted on March 22, 2021, Erosion Control Plan submitted on March 22, 2021 & April 30, 2021 and Geotechnical Report prepared by Empire GEO Technical Engineering Services submitted on March 22, 2021.

   The Stormwater Pollution Prevention Plan (SWPPP) submitted on March 22, 2021 was also reviewed. Based on its review of these documents, the Department has determined that the project has or will have met all applicable requirements and has no objection to its approval.

2. The project will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. The Planning Department reviewed a Landscape Plan submitted on April 29, 2021 and determined that it meets or exceeds Zoning Ordinance requirements for greenspace. The Landscape Plan has or will have met all Zoning Ordinance and Town requirements for landscaping.

3. The project did conflict with the Comprehensive Plan, specifically Figure 6, Conceptual Land Use Plan, and Figure 21, University Focal Planning Area. A Comprehensive Plan amendment was approved by the Town Board on July 22, 2020 to accommodate the changes required for this site plan to occur. The Building Department in their review of March 26, 2021 and the Planning Department in their review of May 5, 2021 has reviewed the application documents, along with the Geotechnical Report submitted on March 22, 2021 and determined that the subject project has or will have met all International Building Code – 2015 and Zoning Ordinance regulations.

4. The project is within an area identified by the State as having potential archaeological or historical significance. The NYS Office of Parks, Recreation and Historic Preservation has reviewed the project and, as stated in their letter of June 7, 2019, determined that there will be no impact on these resources.

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

5. The project is located in the Community Facilities District (CF) zoning. It is bordered on the north by a strip of SUNY at Buffalo vacant land followed by the Ellicott Creek Trailway and Millersport Highway (unzoned), on the west by the Amherst Northtown Center zoned Recreation Conservation District (RC), and on the south by duplexes along North Maplemere Drive zoned Residential District Four (R-4). The one and two story 163,200± sq. ft. surgery center and medical office building and 389 parking spaces will be located in the northern portion of the project site with the 427 space surface parking lot in the southern portion of the project site. Therefore, the project is considered consistent with surrounding land use.

6. The proposed subject development will include a one- and two-story 163,200± sq. ft. surgery center and medical office building and 816 parking spaces which will cause a change in the use of either the quantity or type of energy. All utility infrastructure is or will be available prior to occupancy.

7. The project will not create any hazard to human health.

8. The project will cause a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses, however, he proposed one- and two-story 163,200± sq. ft. surgery center and medical office building and 816 parking spaces will be consistent with the scale of surrounding and future land uses.

9. The function of the proposed one- and two-story 163,200± sq. ft. surgery center and medical office building and 816 parking spaces will increase the number of people using the site over its previous level of use. All road and utility infrastructure is or will be in place prior to occupancy.

10. Review by the Town Traffic/Safety Board dated May 6, 2021, indicated that significant negative traffic impacts are not expected to result from the proposed one- and two-story 163,200± sq. ft. surgery center and medical office building and 816 parking spaces. Review of the Traffic Impact Study (TIS) prepared by SRF Associates submitted to the Planning Department on March 22, 2021 will be reviewed by the Town Traffic/Safety Board, Erie County Dept. of Public Works – Highways Division, and NYSDOT when a subsequent site plan is filed for the roadway network to be associated with the subject development. Identification and mitigation of any significant negative traffic impacts expected to result from the proposed project will be addressed at the time the roadway network is under review.

11. A coordinated review of the project has been undertaken by Town Departments including, in addition to those mentioned above, Highway on April 14, 2021, Assessor on March 25, 2021, Plumbing Division on March 26, 2021 and Right-of-Way Agent on May 7, 2021. These reviews did not identify any potential significant adverse environmental issues and indicated that the proposal will not have a significant damaging impact on the environment.

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

12. Issues not specifically mentioned above and/or those not specifically reviewed were not raised by Town departments, outside agencies or the public and are not determined to cause significant negative environmental impacts.

Planning Board Approval
Moved by: Chmiel; Seconded by: Gelber, Ayes; 7 Noes 0.

Ellen Most, Asst. Planning Director — 5/27/21
signature & title of ~~preparer~~ — Date

Robert J. Gilmour, Planning Board Chair — 5-27-21.
Date

SM/ac
X:\Current_Planning\Files\Site Plans\2020\SP-2020-09_A (500 Maple Rd portion)_2021\SP-2020-09_A_SEQR_Neg_Declaration_052021.docx

cc: Amherst Town Clerk
Building Department
Engineering
Fire Chiefs'
Highway
Traffic/Safety
ECDEP
NYSDEC
NYSDOT
Erik Wagner, Ciminelli Real Estate Corp., 50 Fountain Plaza, Suite 500, Buffalo, NY 14202
Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main St., Suite 343, Williamsville, NY 14221
Frank Sica, CannonDesign, 50 Fountain Plaza, Suite 200, Buffalo, NY 14202
Brad Sendlak, Watts Architectural & Engineering, 95 Perry St., Suite 200, Buffalo, NY 14203
Kristopher Winkler, Watts Architectural & Engineering, 95 Perry St., Suite 200, Buffalo, NY 14203

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Attachment "B" of Part 1 of Full Environmental Assessment Form – No Impact Determination Letter Issued by Nancy Herter of the NYS Office of Parks, Recreation and Historic Preservation dated June 7, 2019

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

NEW YORK STATE OF OPPORTUNITY.

Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Acting Commissioner

June 7, 2019

Ms. Maggie Hamilton Winship
Director of Strategic Planning, Office of the Supervisor
Town of Amherst and Village of Williamsville
5583 Main Street
Amherst, NY 14221

Re: SEQRA
Alienation of Audubon Park Complex, Only
Town of Amherst, Erie County, NY
19PR03816

Dear Ms. Hamilton Winship:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of OPRHP and relate only to Historic/Cultural resources.

Based on our review of the materials submitted for this project, we have no cultural resource concerns or comments.

Please be aware that if this project will involve state or federal permits, funding or licenses it may be subject to a more rigorous review by those agencies and this office for impacts to historic and archaeological resources under Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

If you have any questions, I can be reached at (518) 268-2179.

Sincerely,

Nancy Herter

Nancy Herter
Archaeology Unit Program Coordinator

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Division for Historic Preservation, Office of Parks, Recreation and Historic Preservation Office Review History (DHP)

Prepared by Nancy Herter, DHP Archaeology Unit Coordinator (June 13, 2019)
19PR03816

Westwood Parcel (12PR04942)

Identified Cultural Resources

Four archaeological sites were identified, 3 Native American sites and 1 Historic site. None of these sites were determined to be eligible for the State and Nation Registers of Historic Places. Two historic buildings were identified, and they were determined to be not eligible for the State and National Registers of Historic Places.

Cultural Resource Reports

Phase IA Cultural Resource Investigation Westwood Country Club Property, Town of Amherst, Erie County, New York

Phase IB Cultural Resource Investigation, Westwood Country Club, Town of Amherst, Erie County, New York

Preliminary Report on Phase 2 Cultural Resource Investigations Westwood Golf Course, Town of Amherst, Erie County, New York for Westwood Prehistoric 1 Site (02902.01323), Westwood Prehistoric 3 Site (02902.01325), Westwood Historic Site (02902.01326).

DHP Recommendations:

The DHP signed off on this parcel with a No Adverse Impact determination and we have no further cultural resource concerns.

Audubon Parcel (12PR04941)

Identified Cultural Resources

The DHP has no building concerns and no archaeological sites have been identified since only a *Phase IA Archaeological Literature Search and Sensitivity Assessment* have been performed.

Cultural Resource Reports

Phase IA Cultural Resource Investigation Audubon Golf Course Property, Town of Amherst Erie County New York

DHP Recommendations:

The DHP recommends archaeological testing only for proposed ground disturbing activities located within 50 m (165 ft) of Ellicott Creek.

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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: UBMD Surgery Center and Medical Office Project		
Project Location (describe, and attach a general location map): Portion of 500 Maple Road [SBL No. 55.04-1-6.1] - Town of Amherst - Erie County		
Brief Description of Proposed Action (include purpose or need): The proposed project ("action") consists of a Site Plan Amendment for the UBMD surgery center and medical office space building project on a portion of 500 Maple Road for the public infrastructure improvement including roadways and utility infrastructure improvements and connections as depicted on the PIP Plans prepared by Watts Architecture and Engineering. The Planning Board granted Site Plan Approval on May 20, 2021 for the project without these improvements for the project consisting of 163,200 sq. ft. building and related site improvements. The project is a Type I action pursuant to State Environmental Quality Review Act ("SEQRA"). The Planning Board issued a negative declaration pursuant to SEQRA on May 20, 2021. A copy of the negative declaration issued by the Planning Board is provided at Attachment "A" of this Part 1 of the Full EAF.		
Name of Applicant/Sponsor: Audubon Park MOB, LLC c/o Ciminelli Real Estate Corporation	Telephone: 631-8000 E-Mail: ewagner@ciminelli.com	
Address: 50 Fountain Plaza, Suite 500		
City/PO: Buffalo	State: NY	Zip Code: 14202
Project Contact (if not same as sponsor; give name and title/role): Sean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC	Telephone: (716) 510-4338 E-Mail: shopkins@hsmlegal.com	
Address: 5500 Main Street, Suite 343		
City/PO: Williamsville	State: NY	Zip Code: 14221
Property Owner (if not same as sponsor): Town of Amherst	Telephone: E-Mail:	
Address: 5583 Main Street		
City/PO: Williamsville	State: NY	Zip Code: 14221

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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		
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Town of Amherst Planning Board - Site Plan Amendment	August 13, 2021
c. City, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☑Yes☐No	Building Dept. - Building Permits	Pending
e. County agencies ☐Yes☑No		
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	NYSDOT - Highway Work Permit	Highway Work Permit for Construction Access issued on August 12, 2021
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): [Note: The proposed project will not have any adverse impacts on the West Erie Canal Corridor.]

NYS Heritage Areas:West Erie Canal Corridor

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):

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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?
Community Facilities District ("CF"). The Town of Amherst Town Board amended the zoning classification of the Project Site to CF by a unanimous vote on July 6, 2020.

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? Sweet Home Central School District

b. What police or other public protection forces serve the project site?
Town of Amherst Police Department

c. Which fire protection and emergency medical services serve the project site?
Volunteer Fire Department

d. What parks serve the project site?
There are various parks that are within the Town of Amherst in relatively close proximity to the Project Site.

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)? UBMD surgery center and medical office building along with all related proposed site improvements.

b. a. Total acreage of the site of the proposed action? 14.91 acres
b. Total acreage to be physically disturbed? 14.1 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 14.91 acres
[The project also involves off-site Right-of-Way improvements as depicted on the engineered plans.]

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: 12-15 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: _____

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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 1 [UBMD surgery center and medical office building and parking structure]
ii. Dimensions (in feet) of largest proposed structure: 41' height; 233.18' width; and 743.26' length
iii. Approximate extent of building space to be heated or cooled: 163,400 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: Storm water management per applicable NYSDEC and Town of Amherst standards.
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑Other specify: Run-off from impervious surfaces on the Project Site.
iii. If other than water, identify the type of impounded/contained liquids and their source. Not applicable.
iv. Approximate size of the proposed impoundment. Volume: 0.22 million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: 300' height; 40' length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Earth fill.

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.

iv. 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):

[Note: A wetland investigation of the Project Site was conducted by Earth Dimensions. The wetland investigation confirmed there are not any wetlands subject to the jurisdiction of either the USACE or NYSDEC on the Project Site as described in the letter from Scott Livingstone to Ellen Kost of the Town of Amherst Planning Department dated March 22, 2020. A copy the wetland investigation letter is provided at Attachment "A" of this Part 1 of the Full EAF.]

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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: 13,400 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: ECWA Water Dsitrict
- 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: 13,400 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):
Sanitary wastewater.

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: Town of Amherst Wastewater Treatment Plant on Tonawanda Creek Road.
- Name of district: Town of Amherst Consolidated Sanitary Sewer 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

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- 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 11.11 acres (impervious surface)

_____ Square feet or 14.91 acres (parcel size)

ii. Describe types of new point sources. Impervious surfaces including buildings, roadway, access aisles and parking spaces.

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)?

On-site stormwater management facilities.

- If to surface waters, identify receiving water bodies or wetlands: Not Applicable.
- 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)

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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? [An updated Traffic Impact Study prepared by Amy C. Dake, P.E., of SRF Associates has been submitted with the Site Plan Amendment Application.] ☐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: _____

To be determined

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

National Grid

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: 7:00 a.m. to 7:00 p.m.
- Saturday: 7:00 a.m. to 5:00 p.m.
- Sunday: As needed
- Holidays: As needed

ii. During Operations:

- Monday - Friday: 6:00 a.m. to 9:00 p.m
- Saturday: 6:00 a.m. to 9:00 p.m
- Sunday: 6:00 a.m. to 6:00 p.m
- Holidays: As needed

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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:

Construction equipment will generate temporary unavoidable noise impacts during construction of the project. Construction activities will occur during daytime hours and generally will occur during weekdays.

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:

Lighting to be installed on the Project Site per the lighting standards contained in Section 7-3 of the Town of Amherst Zoning Code. The Photometric Plan [Drawing E050-PH] provides information regarding the site lighting for the proposed project.

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: _____

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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): Northtown Center at Amherst and athletic fields

ii. If mix of uses, generally describe:

There are a mixture of uses in the vicinity of the Project Site including the Northtown Center and a Hampton Inn hotel to the west, duplexes on property zoned R-4 on North Maplemere Road to the south and offices on Maple Road.

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	.5	11.11	+10.61
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Decomissioned Athletic Fields and Greenspace	14.41	3.3 [Greenspace]	-11.11

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c. Is the project site presently used by members of the community for public recreation? ☑ Yes ☐ No
i. If Yes: explain: Athletic fields located on the Project Site are utilized for public recreation including soccer, baseball and softball.

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:
The boundary of the North Campus of the University of Buffalo is within 1,500 ft. of the Project Site.

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): C915291, C915207

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
The Project Sponsor is not aware of the status of the above reference sites as referenced with being within 2,000 ft. of the Project Site.

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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? >15 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:

Lakemont	39.5 %
Odessa	60.5 %
	%

d. What is the average depth to the water table on the project site? Average: >5 feet

e. Drainage status of project site soils:
☐ Well Drained: _____ % of site
☐ Moderately Well Drained: _____ % of site
☑ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % 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? [Note: There are not any jurisdictional wetlands located on the Project Site per the wetland investigation letter provided at Attachment "A".] ☑ 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? [There are not any jurisdictional wetlands or waterbodies located on the Project Site.] ☑ 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 Federal Waters Approximate Size 0.00
- 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: _____

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

m. Identify the predominant wildlife species that occupy or use the project site:
Typical suburban species

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:

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

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 [See Letter of Nancy Herter of SHPO at Attachment "B".]

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 Audubon Park MOB LLC Date August 13, 2021

Signature _____ Title Counsel for Project Sponsor

Sean W. Hopkins, Esq.

PRINT FORM

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

EAF Mapper Summary Report

Wednesday, March 18, 2020 1:07 AM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	C915291, C915207
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Attachment "A" of Part 1 of Full Environmental Assessment Form – Negative Declaration Issued by the Planning Board Pursuant to the State Environmental Quality Review Act on May 20, 2021

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Amherst
Town of Amherst Planning Department
Erie County, New York

Brian J. Kulpa
Supervisor

Daniel C. Howard, AICP
Planning Director

Ellen M. Kost, AICP
Assistant Planning Director

SEQR
Negative Declaration

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency: Town of Amherst
Planning Board

Project: SP-2020-09_A

Address: 5583 Main Street
Williamsville, NY 14221
(716) 631-7051

Date: May 20, 2021

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Site Plan Review

SEQR Status: Type 1

Description of Action: The construction of a 1 and 2-story 163,200± sq. ft. surgery center and medical office building in the northwestern portion of the Town's Audubon Recreation Center property. The project includes 816 parking spaces – 389 spaces surrounding the building and 427 in a surface parking lot south of the building. Work will include the site improvements not specifically stated above, including, stormwater, utilities, grading, lighting, paving, and landscaping.

The roadways and new intersection alignment are shown for reference only. The roadways will require a future site plan amendment and SEQR review.

Location: 500 Maple Road (portion), Amherst, Erie County

Petitioner: 111 North Maplemere, LLC

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Reasons Supporting This Determination

Based on information submitted by the applicant including a Full Environmental Assessment Form (EAF) - Part I, (as amended) and a complete site plan application, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that this action will not have a significant impact on the environment, as follows:

1. The project is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The Engineering Department on May 5, 2021 reviewed the Grading, Drainage and Utility Plans submitted on March 22, 2021 & April 30, 2021, Engineer's Report submitted on March 22, 2021, Erosion Control Plan submitted on March 22, 2021 & April 30, 2021 and Geotechnical Report prepared by Empire GEO Technical Engineering Services submitted on March 22, 2021.

   The Stormwater Pollution Prevention Plan (SWPPP) submitted on March 22, 2021 was also reviewed. Based on its review of these documents, the Department has determined that the project has or will have met all applicable requirements and has no objection to its approval.

2. The project will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. The Planning Department reviewed a Landscape Plan submitted on April 29, 2021 and determined that it meets or exceeds Zoning Ordinance requirements for greenspace. The Landscape Plan has or will have met all Zoning Ordinance and Town requirements for landscaping.

3. The project did conflict with the Comprehensive Plan, specifically Figure 6, Conceptual Land Use Plan, and Figure 21, University Focal Planning Area. A Comprehensive Plan amendment was approved by the Town Board on July 22, 2020 to accommodate the changes required for this site plan to occur. The Building Department in their review of March 26, 2021 and the Planning Department in their review of May 5, 2021 has reviewed the application documents, along with the Geotechnical Report submitted on March 22, 2021 and determined that the subject project has or will have met all International Building Code – 2015 and Zoning Ordinance regulations.

4. The project is within an area identified by the State as having potential archaeological or historical significance. The NYS Office of Parks, Recreation and Historic Preservation has reviewed the project and, as stated in their letter of June 7, 2019, determined that there will be no impact on these resources.

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

5. The project is located in the Community Facilities District (CF) zoning. It is bordered on the north by a strip of SUNY at Buffalo vacant land followed by the Ellicott Creek Trailway and Millersport Highway (unzoned), on the west by the Amherst Northtown Center zoned Recreation Conservation District (RC), and on the south by duplexes along North Maplemere Drive zoned Residential District Four (R-4). The one and two story 163,200± sq. ft. surgery center and medical office building and 389 parking spaces will be located in the northern portion of the project site with the 427 space surface parking lot in the southern portion of the project site. Therefore, the project is considered consistent with surrounding land use.

6. The proposed subject development will include a one- and two-story 163,200± sq. ft. surgery center and medical office building and 816 parking spaces which will cause a change in the use of either the quantity or type of energy. All utility infrastructure is or will be available prior to occupancy.

7. The project will not create any hazard to human health.

8. The project will cause a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses, however, he proposed one- and two-story 163,200± sq. ft. surgery center and medical office building and 816 parking spaces will be consistent with the scale of surrounding and future land uses.

9. The function of the proposed one- and two-story 163,200± sq. ft. surgery center and medical office building and 816 parking spaces will increase the number of people using the site over its previous level of use. All road and utility infrastructure is or will be in place prior to occupancy.

10. Review by the Town Traffic/Safety Board dated May 6, 2021, indicated that significant negative traffic impacts are not expected to result from the proposed one- and two-story 163,200± sq. ft. surgery center and medical office building and 816 parking spaces. Review of the Traffic Impact Study (TIS) prepared by SRF Associates submitted to the Planning Department on March 22, 2021 will be reviewed by the Town Traffic/Safety Board, Erie County Dept. of Public Works – Highways Division, and NYSDOT when a subsequent site plan is filed for the roadway network to be associated with the subject development. Identification and mitigation of any significant negative traffic impacts expected to result from the proposed project will be addressed at the time the roadway network is under review.

11. A coordinated review of the project has been undertaken by Town Departments including, in addition to those mentioned above, Highway on April 14, 2021, Assessor on March 25, 2021, Plumbing Division on March 26, 2021 and Right-of-Way Agent on May 7, 2021. These reviews did not identify any potential significant adverse environmental issues and indicated that the proposal will not have a significant damaging impact on the environment.

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

12. Issues not specifically mentioned above and/or those not specifically reviewed were not raised by Town departments, outside agencies or the public and are not determined to cause significant negative environmental impacts.

Planning Board Approval
Moved by: Chmiel; Seconded by: Gelber, Ayes; 7 Noes 0.

Ellen Mott, Asst. Planning Director 5/27/21
signature & title of ~~preparer~~ Date

Robert J. Gilmour, Planning Board Chair 5-27-21.
Date

SM/ac
X:\Current_Planning\Files\Site Plans\2020\SP-2020-09_A (500 Maple Rd portion)_2021\SP-2020-09_A_SEQR_Neg_Declaration_052021.docx

cc: Amherst Town Clerk
Building Department
Engineering
Fire Chiefs'
Highway
Traffic/Safety
ECDEP
NYSDEC
NYSDOT
Erik Wagner, Ciminelli Real Estate Corp., 50 Fountain Plaza, Suite 500, Buffalo, NY 14202
Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main St., Suite 343, Williamsville, NY 14221
Frank Sica, CannonDesign, 50 Fountain Plaza, Suite 200, Buffalo, NY 14202
Brad Sendlak, Watts Architectural & Engineering, 95 Perry St., Suite 200, Buffalo, NY 14203
Kristopher Winkler, Watts Architectural & Engineering, 95 Perry St., Suite 200, Buffalo, NY 14203

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Attachment "B" of Part 1 of Full Environmental Assessment Form – No Impact Determination Letter Issued by Nancy Herter of the NYS Office of Parks, Recreation and Historic Preservation dated June 7, 2019

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

NEW YORK STATE OF OPPORTUNITY.

Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Acting Commissioner

June 7, 2019

Ms. Maggie Hamilton Winship
Director of Strategic Planning, Office of the Supervisor
Town of Amherst and Village of Williamsville
5583 Main Street
Amherst, NY 14221

Re: SEQRA
Alienation of Audubon Park Complex, Only
Town of Amherst, Erie County, NY
19PR03816

Dear Ms. Hamilton Winship:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of OPRHP and relate only to Historic/Cultural resources.

Based on our review of the materials submitted for this project, we have no cultural resource concerns or comments.

Please be aware that if this project will involve state or federal permits, funding or licenses it may be subject to a more rigorous review by those agencies and this office for impacts to historic and archaeological resources under Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

If you have any questions, I can be reached at (518) 268-2179.

Sincerely,

Nancy Herter

Nancy Herter
Archaeology Unit Program Coordinator

Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)

Division for Historic Preservation, Office of Parks, Recreation and Historic Preservation Office Review History (DHP)

Prepared by Nancy Herter, DHP Archaeology Unit Coordinator (June 13, 2019)
19PR03816

Westwood Parcel (12PR04942)

Identified Cultural Resources

Four archaeological sites were identified, 3 Native American sites and 1 Historic site. None of these sites were determined to be eligible for the State and Nation Registers of Historic Places. Two historic buildings were identified, and they were determined to be not eligible for the State and National Registers of Historic Places.

Cultural Resource Reports

Phase IA Cultural Resource Investigation Westwood Country Club Property, Town of Amherst, Erie County, New York

Phase IB Cultural Resource Investigation, Westwood Country Club, Town of Amherst, Erie County, New York

Preliminary Report on Phase 2 Cultural Resource Investigations Westwood Golf Course, Town of Amherst, Erie County, New York for Westwood Prehistoric 1 Site (02902.01323), Westwood Prehistoric 3 Site (02902.01325), Westwood Historic Site (02902.01326).

DHP Recommendations:

The DHP signed off on this parcel with a No Adverse Impact determination and we have no further cultural resource concerns.

Audubon Parcel (12PR04941)

Identified Cultural Resources

The DHP has no building concerns and no archaeological sites have been identified since only a *Phase IA Archaeological Literature Search and Sensitivity Assessment* have been performed.

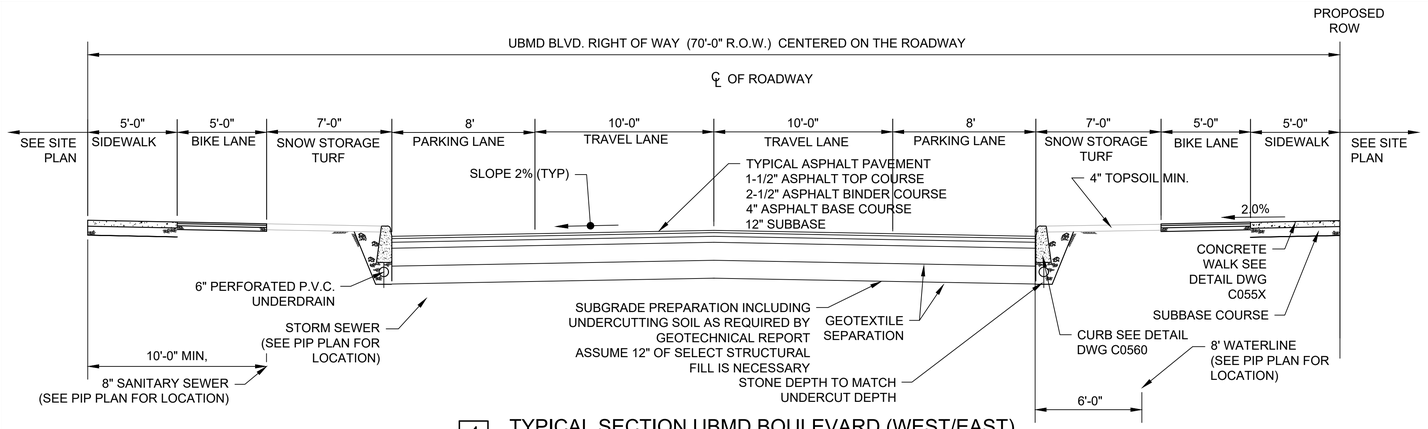
Cultural Resource Reports

Phase IA Cultural Resource Investigation Audubon Golf Course Property, Town of Amherst Erie County New York

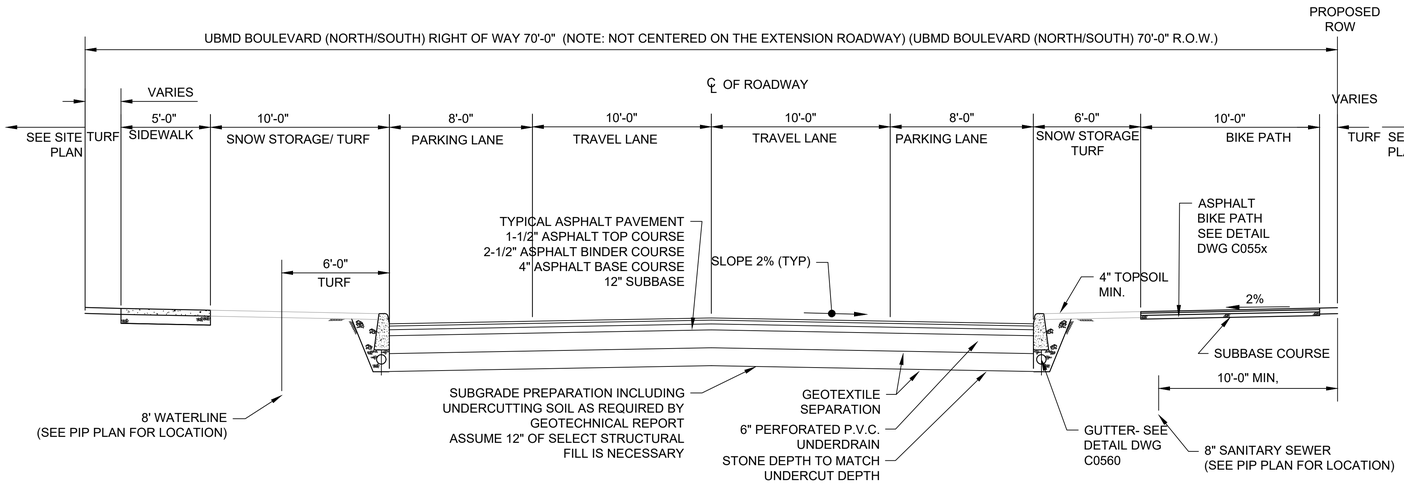
DHP Recommendations:

The DHP recommends archaeological testing only for proposed ground disturbing activities located within 50 m (165 ft) of Ellicott Creek.

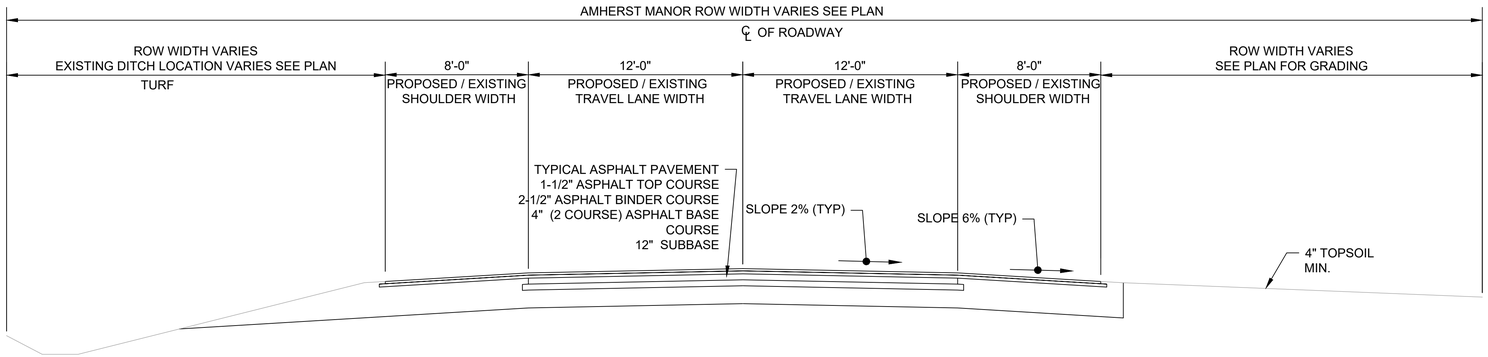
Attachment: SP-2020-09B application 092321 (23299 : Sp-2020-09_B)



1 TYPICAL SECTION UBMD BOULEVARD (WEST/EAST) WITH PARKING (NO PARKING SIMILAR NOT SHOWN)



2 TYPICAL SECTION UBMD BOULEVARD (NORTH/SOUTH) WITH PARKING (NOPARKING SIMILAR NOT SHOWN)



3 TYPICAL SECTION AMHERST MANOR DRIVE

NOTES

1. REFER TO DRAWINGS C0560 FOR PAVING, CURB AND SIDEWALK DETAILS.

Ciminelli REAL ESTATE CORPORATION

Surgery Center and Medical Office Space

CANNONDESIGN
50 Fountain Plaza, Suite 200
Buffalo, NY 14202
P: 716.773.6800
F: 716.773.5909

www.cannondesign.com

Watts Architecture & Engineering
Civil Engineer
95 Perry St #300
Buffalo, NY 14203
(716) 206-5100

B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP TYPICAL ROADWAY SECTIONS

Project No.: 006254.00 Checked by: KJW

C0150

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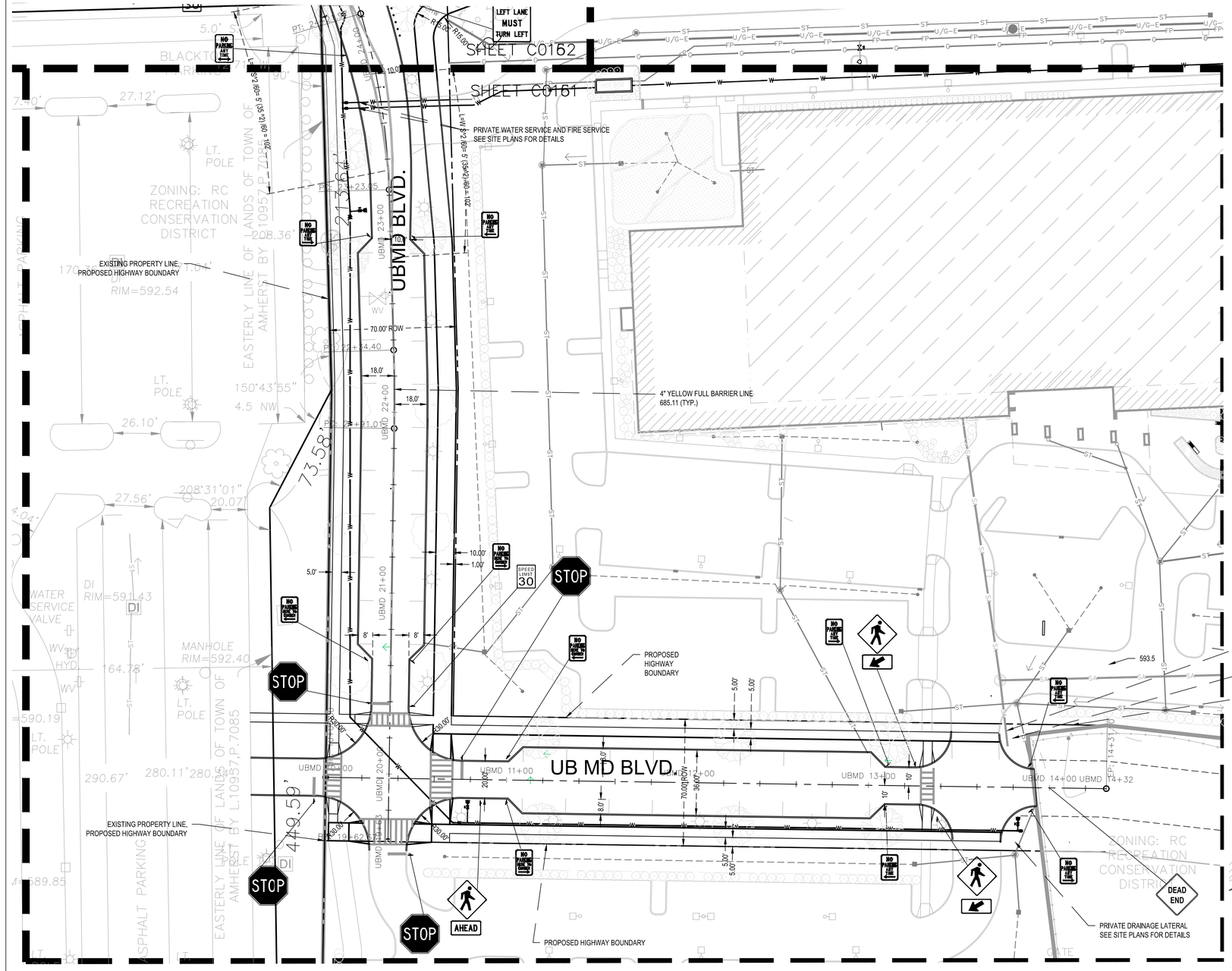
Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)



PIP UTILITY LEGEND

- W — WATER
- SA — SANITARY SEWER
- ST — STORM SEWER
- CATCH BASIN (CB)
- STORM MANHOLE (STMH)
- SANITARY MANHOLE (SAMH)
- HYDRANT
- GATE VALVE,
- TEE FITTING (AS NOTED)
- ANGLE FITTINGS (AS NOTED)
- REDUCER FITTING (AS NOTED)
- COUPLING
- DIP — DUCTILE IRON PIPE
- SP — SAMPLE POINT

LEGEND

- HANDHOLE
- DI — DROP INLET
- LIGHT POLE
- D — STORM MANHOLE
- UTILITY BOX
- POST
- WATER SPIGOT
- WV — WATER VALVE
- CO — CLEAN OUT
- MANHOLE
- YARD DRAIN
- GAS LINE MARKER
- GAS FLAG
- T — CABLE LINE MARKER
- T — TELEPHONE MANHOLE

GENERAL NOTES

1. ITEM NUMBERS REFERRED TO ON THIS DRAWINGS REFER TO NYSDOT STANDARD SPECIFICATIONS DATED JANUARY 2021.
2. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION SHEET C0141. (SITE PLAN CONTRACT)
3. SEE SHEETS C0551- C0557 FOR WATERLINE DETAILS.
4. SEE SHEETS C0558 FOR SEWER DETAILS.
5. SEE SHEET C0559 FOR DRAINAGE DETAILS.
6. SEE SHEET C0560 FOR ROAD DETAILS.
7. SEE SHEET C0161 FOR GRADING AND UTILITY PLANS.
8. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
9. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW .
10. ALL UTILITIES ARE PUBLIC UNLESS OTHERWISE NOTED.
11. SIGN AND BEACON ASSEMBLIES SHALL BE MOUNTED BACK-TO-BACK ON A GALVANIZED STEEL POLE AS DETAILED IN THE SPECIFICATION FOR ITEM 680.82254310.
12. COST FOR EXCAVATION AND INSTALLATION OF CONCRETE FOUNDATION TO BE INCLUDED IN THE UNIT PRICE BID FOR ITEM 680.82254310.
13. SIGN FACE COLOR SHALL BE FLUORESCENT YELLOW-GREEN.

1 PIP PLAN
SCALE: 1" = 30'

SCALE: 1"= 30'-0"

PIP DRAWING KEY
SHEET C0154 & C0155 NOT SHOWN ON KEY

Ciminelli REAL ESTATE CORPORATION

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Civil Engineer
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(716) 206-5100

Surgery Center and Medical Office Space

B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- UBMD BLVD S PLAN

Project No.: 006254.00 Checked by: KJW

C0151

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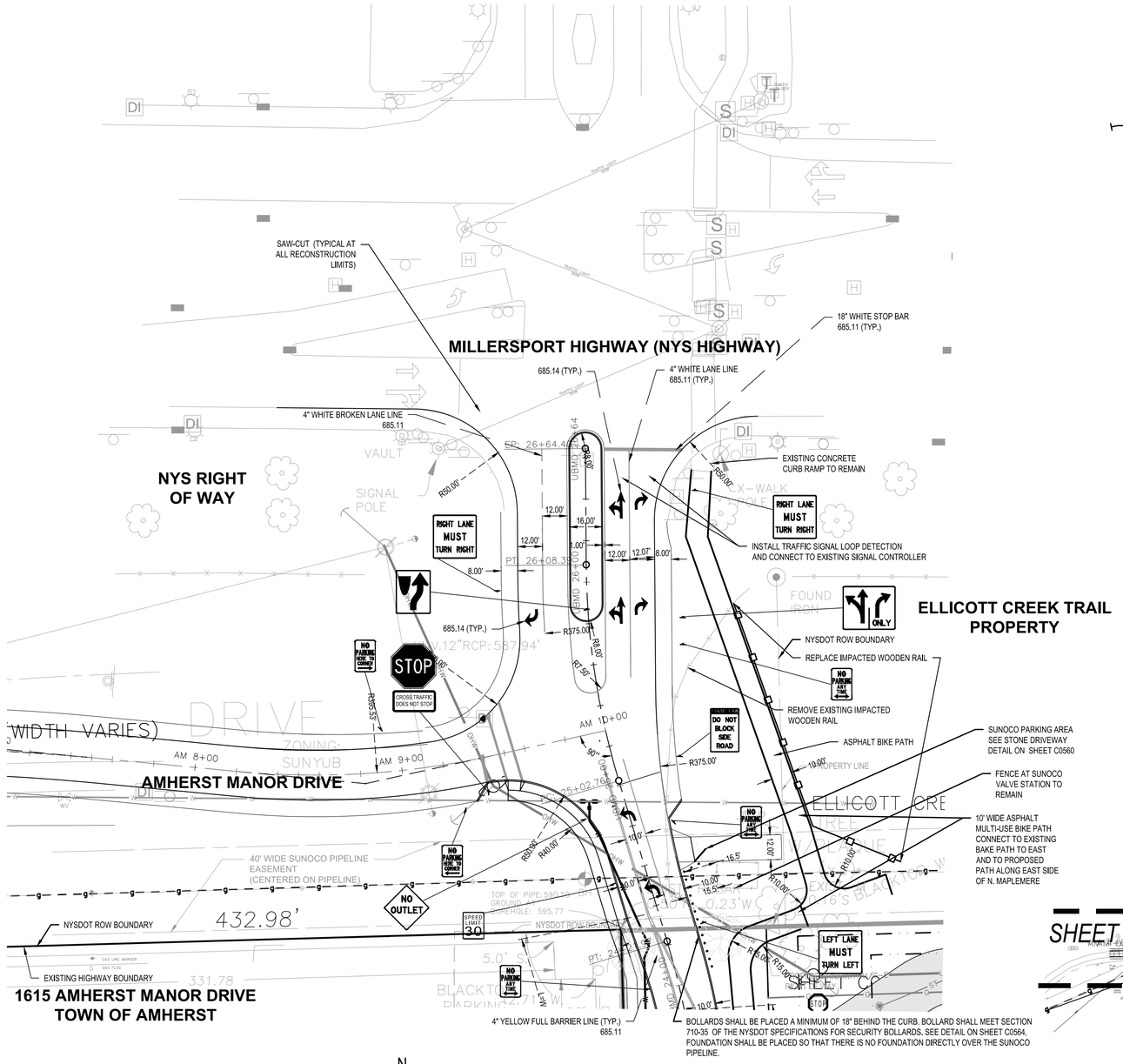
Aug 11, 2021, 1:03pm

Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09 B)



PIP UTILITY LEGEND

W	WATER
SA	SANITARY SEWER
ST	STORM SEWER
■	CATCH BASIN (CB)
■	STORM MANHOLE (STMH)
■	SANITARY MANHOLE (SAMH)
	HYDRANT
	GATE VALVE,
	TEE FITTING (AS NOTED)
	ANGLE FITTINGS (AS NOTED)
	REDUCER FITTING (AS NOTED)
	COUPLING
DIP	DUCTILE IRON PIPE
SP	SAMPLE POINT

LEGEND

H	HANDHOLE
DI	DROP INLET
	LIGHT POLE
D	STORM MANHOLE
	UTILITY BOX
	POST
	WATER SPIGOT
WV	WATER VALVE
CO	CLEAN OUT
	MANHOLE
	YARD DRAIN
	GAS LINE MARKER
	GAS FLAG
T	CABLE LINE MARKER
T	TELEPHONE MANHOLE

GENERAL NOTES

1. ITEM NUMBERS REFERRED TO ON THIS DRAWINGS REFER TO NYSDOT STANDARD SPECIFICATIONS DATED JANUARY 2021.
2. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION SHEET C0142. (SITE PLAN CONTRACT)
3. SEE SHEETS C0551- C0557 FOR WATERLINE DETAILS.
4. SEE SHEETS C0558 FOR SEWER DETAILS.
5. SEE SHEET C0559 FOR DRAINAGE DETAILS.
6. SEE SHEET C0560 FOR ROAD DETAILS.
7. SEE SHEET C0162 FOR GRADING AND UTILITY PLANS.
8. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
9. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW .
10. ALL UTILITIES ARE PUBLIC UNLESS OTHERWISE NOTED.

1 PIP PLAN
SCALE: 1" = 30'

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"

PIP DRAWING KEY
SHEET C0154 & C0155 NOT SHOWN ON KEY

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Surgery Center and Medical Office Space

B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP PLAN NORTHWEST

Project No.: 006254.00 Checked by: KJW

C0152

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Aug 11, 2021, 1:35pm

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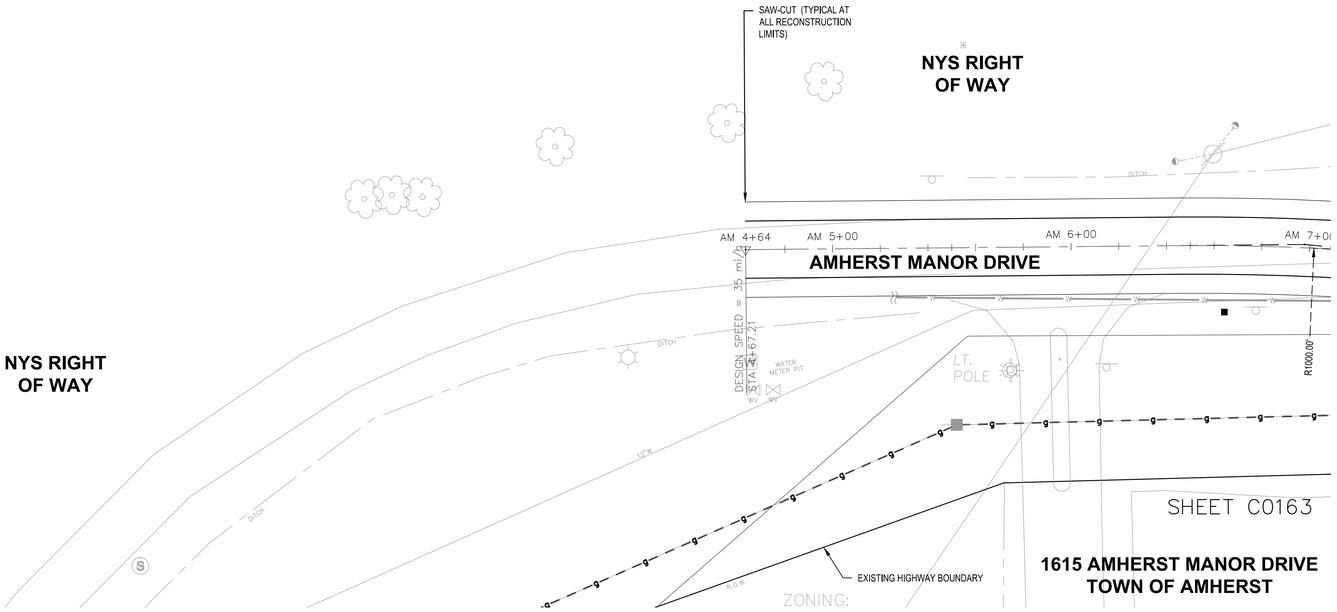
Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)

PIP UTILITY LEGEND

- WATER
- SANITARY SEWER
- STORM SEWER
- CATCH BASIN (CB)
- STORM MANHOLE (STMH)
- SANITARY MANHOLE (SAMH)
- HYDRANT
- GATE VALVE,
- TEE FITTING (AS NOTED)
- ANGLE FITTINGS (AS NOTED)
- REDUCER FITTING (AS NOTED)
- COUPLING
- DUCTILE IRON PIPE
- SAMPLE POINT

LEGEND

- HANDHOLE
- DROP INLET
- LIGHT POLE
- STORM MANHOLE
- UTILITY BOX
- POST
- WATER SPIGOT
- WATER VALVE
- CLEAN OUT
- MANHOLE
- YARD DRAIN
- GAS LINE MARKER
- GAS FLAG
- CABLE LINE MARKER
- TELEPHONE MANHOLE



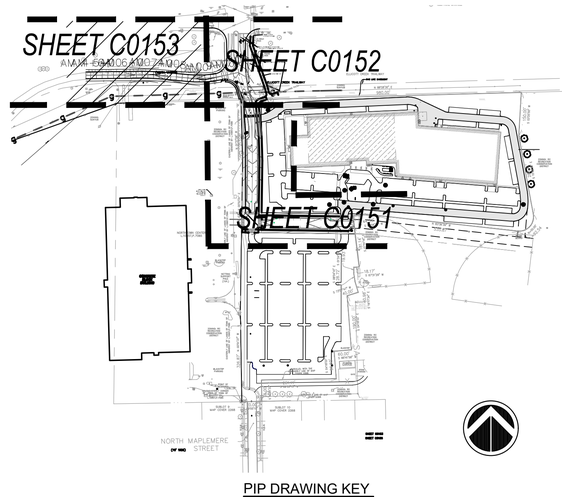
1 **PIP PLAN**
SCALE: 1" = 30'

30' 20' 10' 0 30'

SCALE: 1''= 30'–0"

GENERAL NOTES

1. ITEM NUMBERS REFERRED TO ON THIS DRAWINGS REFER TO NYSDOT STANDARD SPECIFICATIONS DATED JANUARY 2021.
2. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION SHEET C0143. (SITE PLAN CONTRACT)
3. SEE SHEETS C0551- C0557 FOR WATERLINE DETAILS.
4. SEE SHEETS C0558 FOR SEWER DETAILS.
5. SEE SHEET CO559 FOR DRAINAGE DETAILS.
6. SEE SHEET C0560 FOR ROAD DETAILS.
7. SEE SHEET C0163 FOR GRADING AND UTILITY PLANS.
8. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
9. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW .
10. ALL UTILITIES ARE PUBLIC UNLESS OTHERWISE NOTED.



PIP DRAWING KEY
SHEET C0154 & C0155 NOT SHOWN ON KEY

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B	**TOWN OF AMHERST REVISION**	**11 AUG 2021**
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP PLAN NORTHWEST

Project No.: 006254.00 Checked by: KJW

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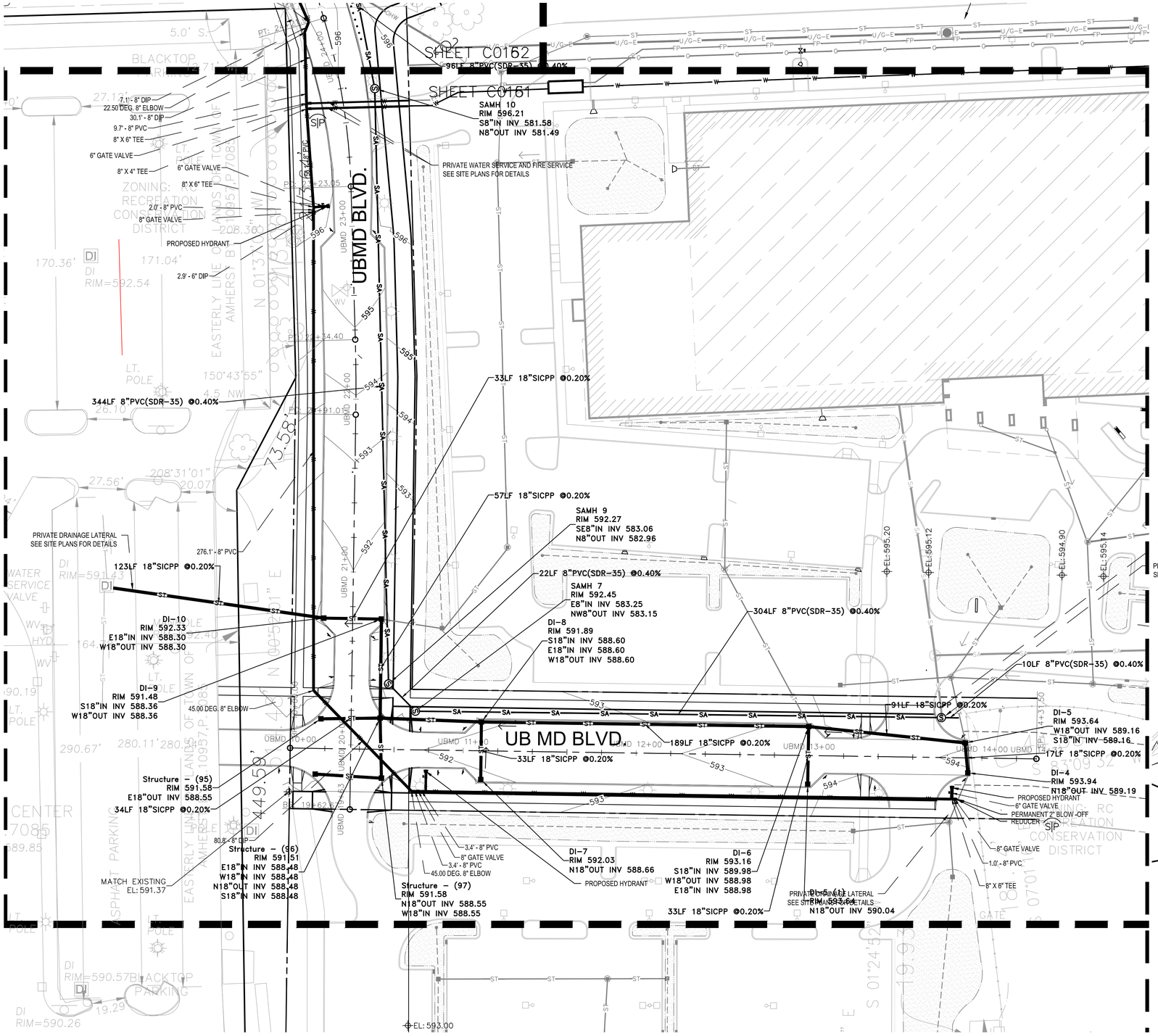
Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)



1 **PIP PLAN**
SCALE: 1" = 30'

N

30' 20' 10' 0 30'

SCALE: 1"= 30'-0"

PIP UTILITY LEGEND

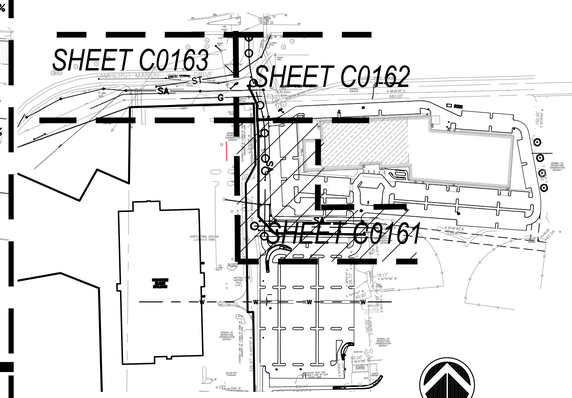
W	WATER
SA	SANITARY SEWER
ST	STORM SEWER
	CATCH BASIN (CB)
	STORM MANHOLE (STMH)
	SANITARY MANHOLE (SAMH)
	HYDRANT
	GATE VALVE,
	TEE FITTING (AS NOTED)
	ANGLE FITTINGS (AS NOTED)
	REDUCER FITTING (AS NOTED)
	COUPLING
DIP	DUCTILE IRON PIPE
SP	SAMPLE POINT

LEGEND

H	HANDHOLE
DI	DROP INLET
	LIGHT POLE
D	STORM MANHOLE
	UTILITY BOX
	POST
	WATER SPIGOT
WV	WATER VALVE
CO	CLEAN OUT
	MANHOLE
	YARD DRAIN
	GAS LINE MARKER
	GAS FLAG
T	CABLE LINE MARKER
T	TELEPHONE MANHOLE

GENERAL NOTES

1. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION. (SITE PLAN CONTRACT)
2. SEE SHEETS C0551- C0557 FOR WATERLINE DETAILS.
3. SEE SHEETS C0558 FOR SEWER DETAILS.
4. SEE SHEET C0559 FOR DRAINAGE DETAILS.
5. SEE SHEET C0560 FOR ROAD DETAILS.
6. SEE SHEET C0561 FOR RAISED INTERSECTION DETAILS.
7. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
8. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW .
9. ALL UTILITIES SHOWN WITHIN THE PROPOSED ROW ARE PUBLIC OWNED UNLESS OTHERWISE NOTED.



PIP DRAWING KEY
SHEET C0164 & C0165 NOT SHOWN ON KEY

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- GRADING AND UTILITY PLAN UBMD BLVD. E PLAN

Project No.: 006254.00 Checked by: KJW

C0161

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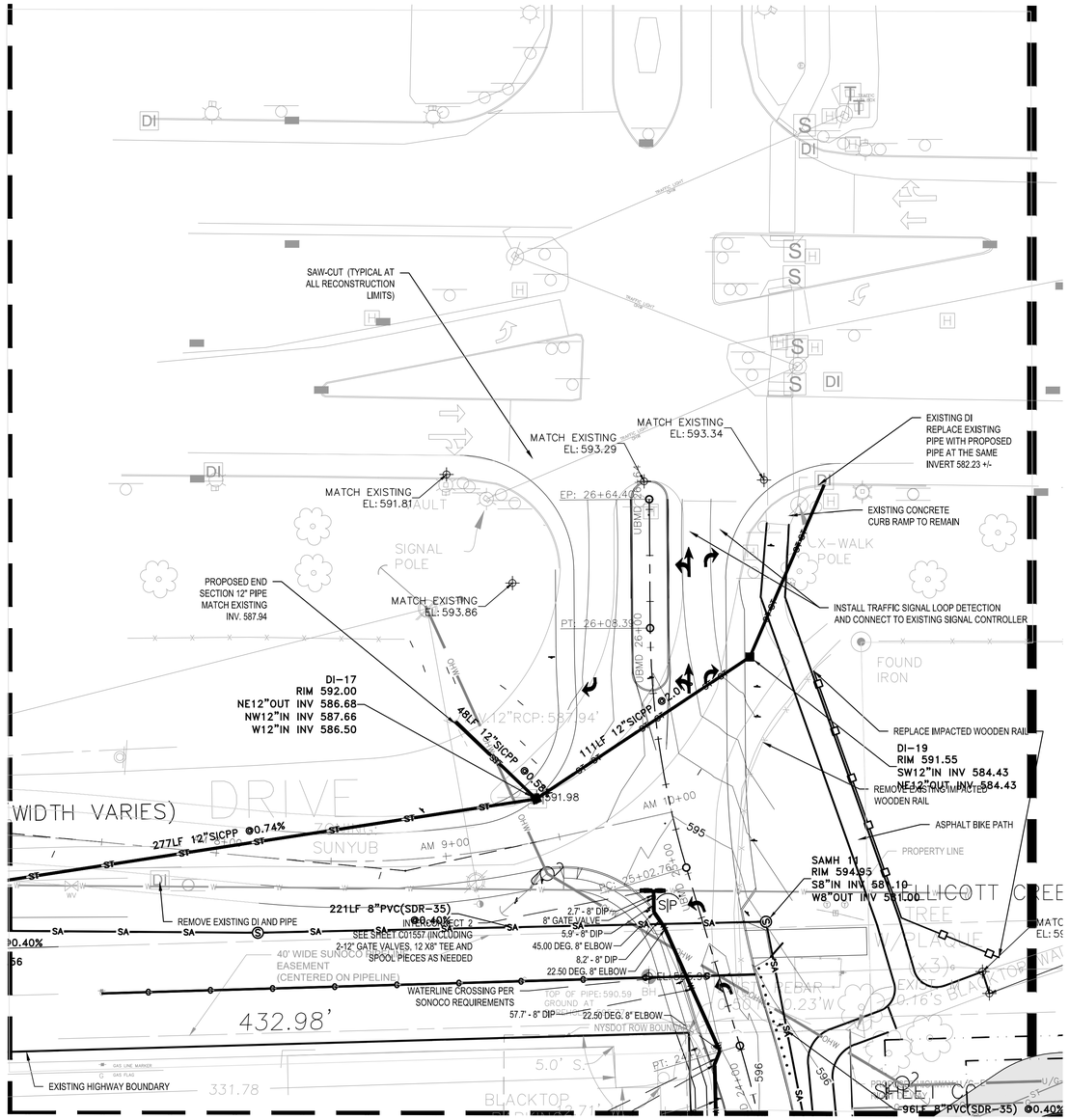
Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)



1 PIP PLAN
SCALE: 1" = 30'

N

30' 20' 10' 0 30'

SCALE: 1"= 30'-0"

PIP UTILITY LEGEND

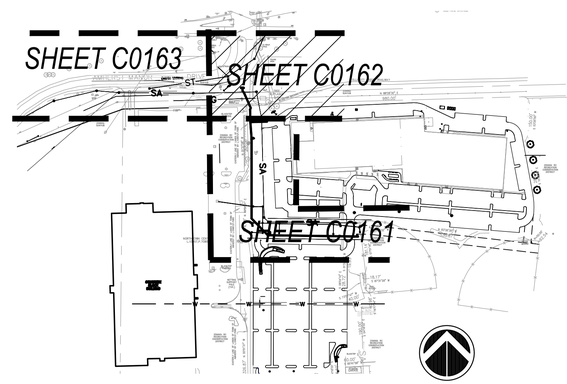
- W — WATER
- SA — SANITARY SEWER
- ST — STORM SEWER
- CATCH BASIN (CB)
- STORM MANHOLE (STMH)
- SANITARY MANHOLE (SAMH)
- HYDRANT
- GATE VALVE,
- TEE FITTING (AS NOTED)
- ANGLE FITTINGS (AS NOTED)
- REDUCER FITTING (AS NOTED)
- COUPLING
- DIP — DUCTILE IRON PIPE
- SP — SAMPLE POINT

LEGEND

- H — HANDHOLE
- DI — DROP INLET
- LIGHT POLE
- D — STORM MANHOLE
- UTILITY BOX
- POST
- WATER SPIGOT
- WV — WATER VALVE
- CO — CLEAN OUT
- MANHOLE
- YARD DRAIN
- GAS LINE MARKER
- GAS FLAG
- T — CABLE LINE MARKER
- T — TELEPHONE MANHOLE

GENERAL NOTES

1. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION. (SITE PLAN CONTRACT)
2. SEE SHEETS C0551- C0557 FOR WATERLINE DETAILS.
3. SEE SHEETS C0558 FOR SEWER DETAILS.
4. SEE SHEET C0559 FOR DRAINAGE DETAILS.
5. SEE SHEET C0560 FOR ROAD DETAILS.
6. SEE SHEET C0561 FOR RAISED INTERSECTION DETAILS.
7. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
8. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW .



PIP DRAWING KEY
SHEET C0164 & C0165 NOT SHOWN ON KEY

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP GRADING AND UTILITY PLAN UB MD BLVD. NORTH

Project No.: 006254.00 Checked by: KJW

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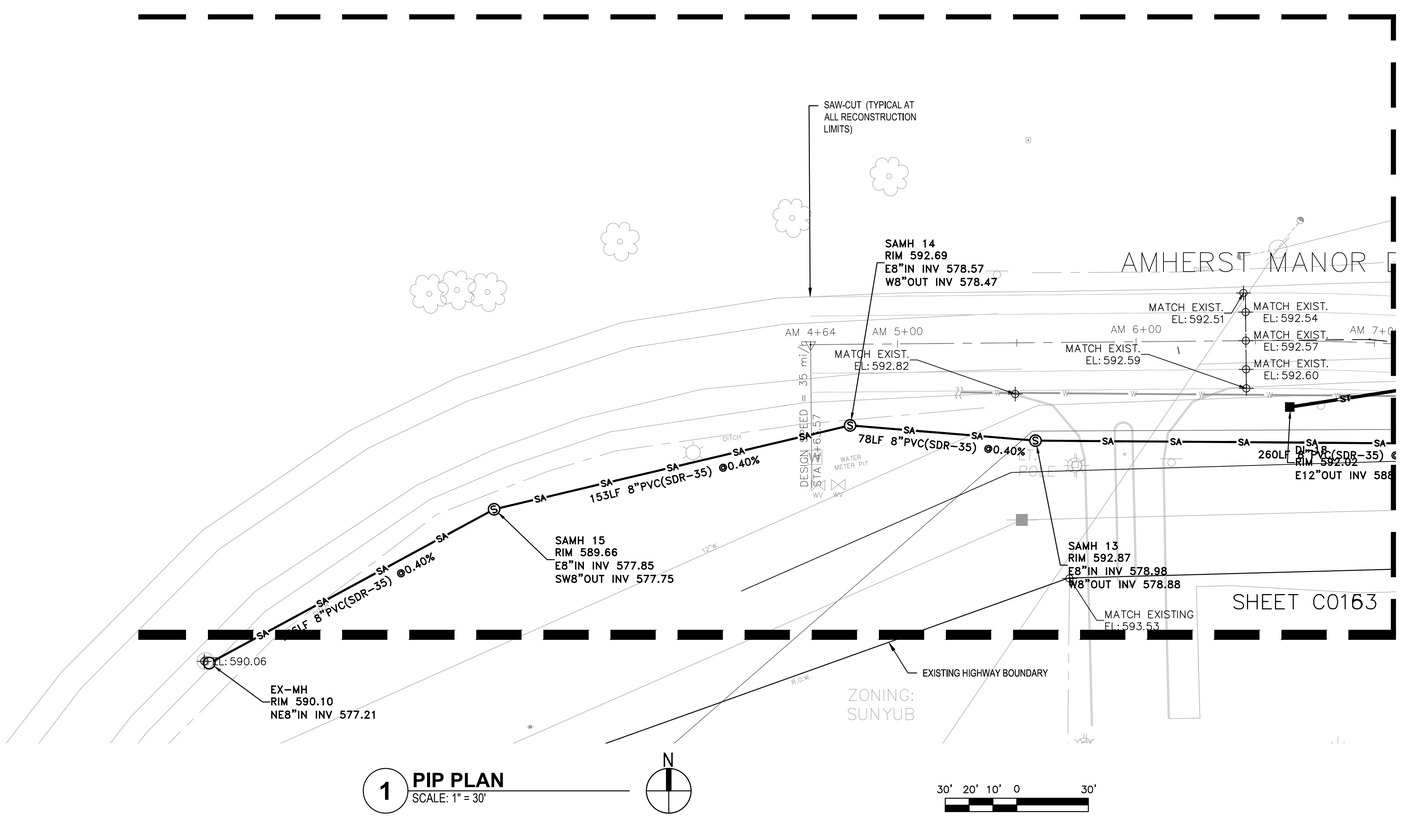
Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)

PIP UTILITY LEGEND

- W — WATER
- SA — SANITARY SEWER
- ST — STORM SEWER
- CATCH BASIN (CB)
- STORM MANHOLE (STMH)
- SANITARY MANHOLE (SAMH)
- HYDRANT
- GATE VALVE,
- TEE FITTING (AS NOTED)
- ANGLE FITTINGS (AS NOTED)
- REDUCER FITTING (AS NOTED)
- COUPLING
- DIP — DUCTILE IRON PIPE
- SP — SAMPLE POINT

LEGEND

- H — HANDHOLE
- DI — DROP INLET
- LIGHT POLE
- D — STORM MANHOLE
- UTILITY BOX
- POST
- WATER SPIGOT
- WV — WATER VALVE
- CO — CLEAN OUT
- MANHOLE
- YARD DRAIN
- GAS LINE MARKER
- GAS FLAG
- T — CABLE LINE MARKER
- T — TELEPHONE MANHOLE

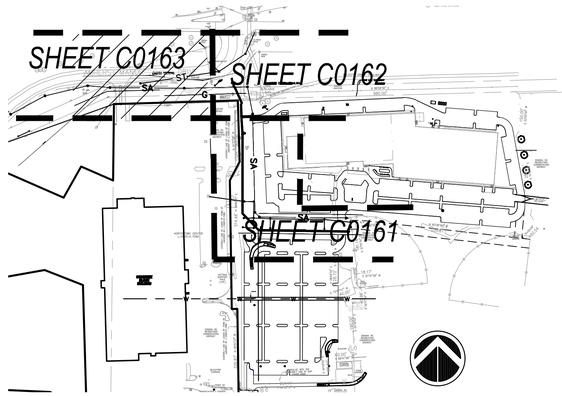


1 PIP PLAN
SCALE: 1" = 30'

SCALE: 1''= 30'–0"

GENERAL NOTES

1. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION. (SITE PLAN CONTRACT)
2. SEE SHEETS C0551- C0557 FOR WATERLINE DETAILS.
3. SEE SHEETS C0558 FOR SEWER DETAILS.
4. SEE SHEET C0559 FOR DRAINAGE DETAILS.
5. SEE SHEET C0560 FOR ROAD DETAILS.
6. SEE SHEET C0561 FOR RAISED INTERSECTION DETAILS.
7. SEE SITE STORMWATER MANAGEMENT PLANS FOR ADDITION DRAINAGE INFORMATION STORMWATER MANAGEMENT SHOWN OFF THE ROW IS PART OF THE SITE PLANS
8. SEE PIP LANDSCAPING PLANS FOR LANDSCAPING INFORMATION WITHIN THE ROW .



PIP DRAWING KEY
SHEET C0164 & C0165 NOT SHOWN ON KEY

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP GRADING AND UTILITY PLAN AMHERST MANOR DRIVE AND UB MD BLVD.

Project No.: 006254.00 Checked by: KJW

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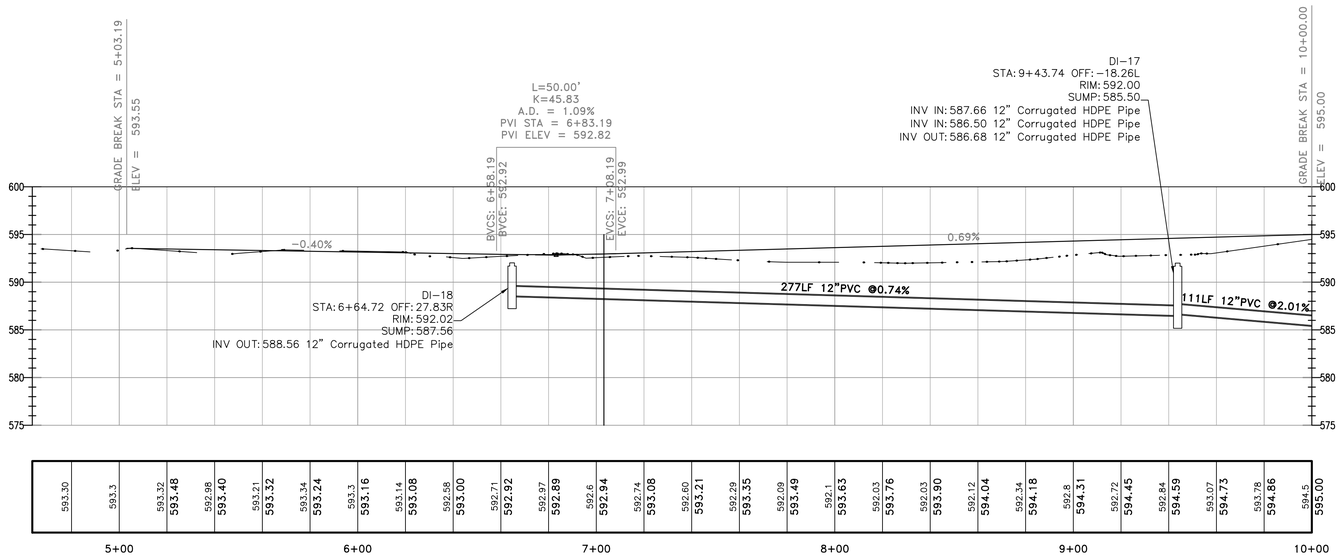
Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)

PIP UTILITY LEGEND

W	WATER
SA	SANITARY SEWER
ST	STORM SEWER
	CATCH BASIN (CB)
	STORM MANHOLE (STMH)
	SANITARY MANHOLE (SAMH)
	HYDRANT
	GATE VALVE,
	TEE FITTING (AS NOTED)
	ANGLE FITTINGS (AS NOTED)
	REDUCER FITTING (AS NOTED)
	COUPLING
DIP	DUCTILE IRON PIPE
SP	SAMPLE POINT
H	GAS LINE MARKER
DI	GAS FLAG
D	CABLE LINE MARKER
	TELEPHONE MANHOLE
WV	
CO	

GENERAL NOTES

1. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION.
2. SEE GRADING PLAN FOR UTILITY LOCATIONS.



1 AMHERST MANOR PROFILE
SCALE: 1" = 30'

30' 20' 10' 0 30'
SCALE: 1"= 30'-0"

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- AMHERST MANOR PROFILE

Project No.: 006254.00 Checked by: KJW

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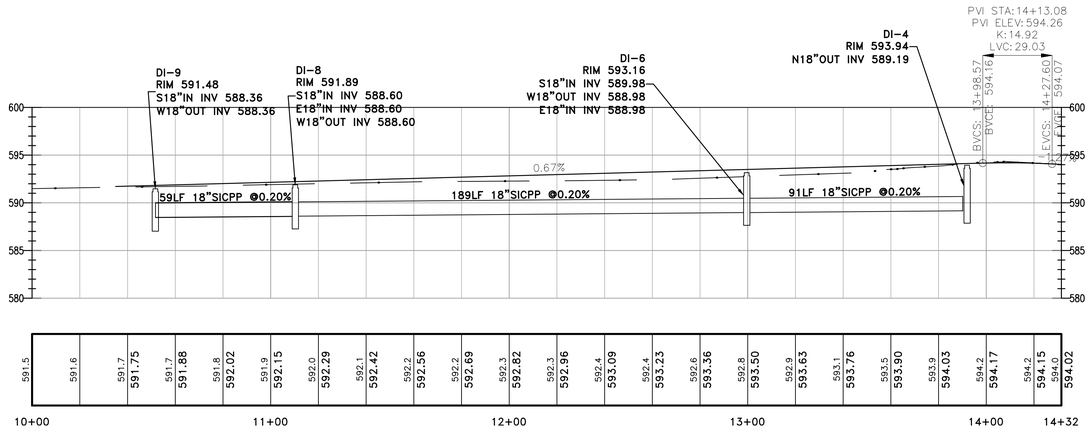
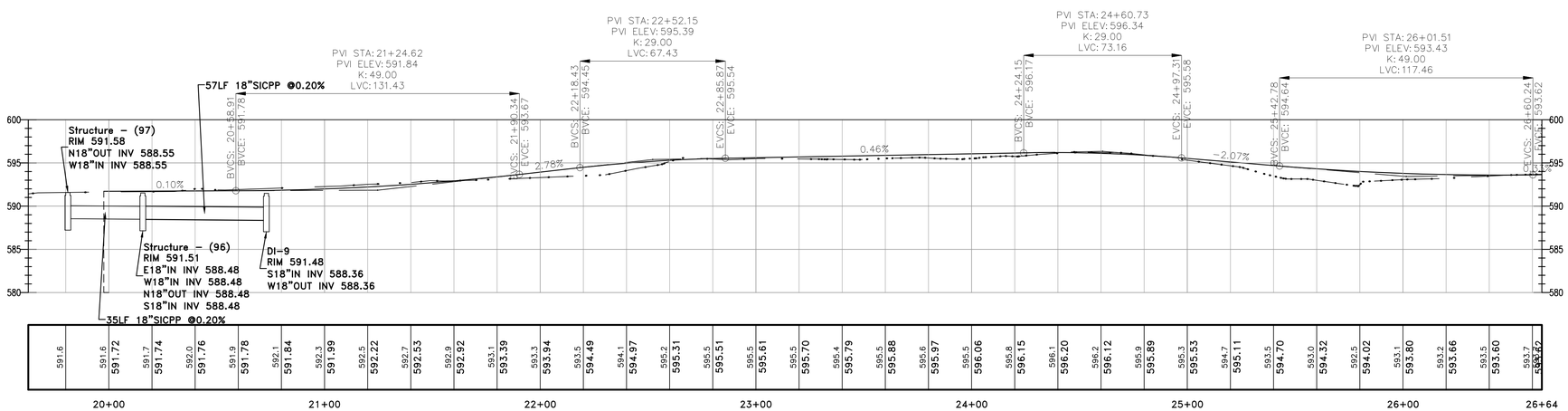


1 **UB MD (W-E)PROFILE**
SCALE: 1" = 30'

30' 20' 10' 0 30'
SCALE: 1''= 30'-0"



1 **UB MD (N-S) PROFILE**
SCALE: 1" = 30'

30' 20' 10' 0 30'
SCALE: 1''= 30'-0"

PIP UTILITY LEGEND

W	WATER
SA	SANITARY SEWER
ST	STORM SEWER
	CATCH BASIN (CB)
	STORM MANHOLE (STMH)
	SANITARY MANHOLE (SAMH)
	HYDRANT
	GATE VALVE,
	TEE FITTING (AS NOTED)
	ANGLE FITTINGS (AS NOTED)
	REDUCER FITTING (AS NOTED)
	COUPLING
DIP	DUCTILE IRON PIPE
SP	SAMPLE POINT
H	
DI	
D	
WV	
CO	
	GAS LINE MARKER
	GAS FLAG
T	CABLE LINE MARKER
T	TELEPHONE MANHOLE

GENERAL NOTES

1. SEE SITE UTILITY PLAN FOR PROPOSED SERVICE INFORMATION.
2. SEE GRADING PLAN FOR UTILITY LOCATIONS.

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Surgery Center and Medical Office Space

B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- UB MD PROFILES

Project No.: 006254.00 Checked by: KJW

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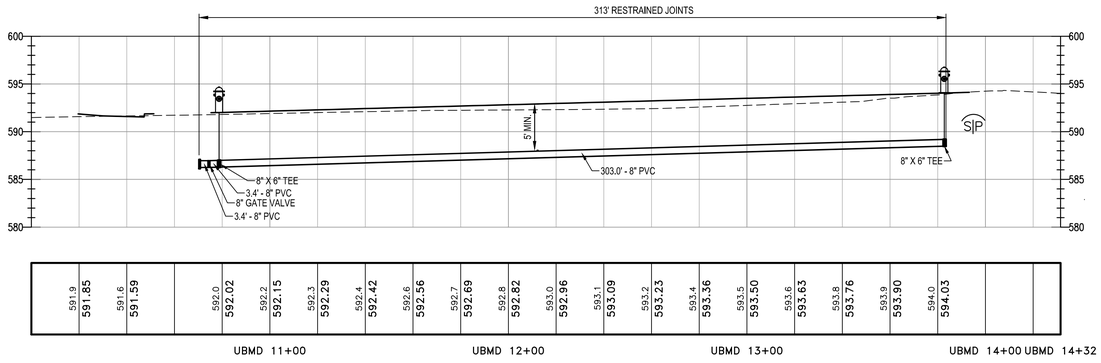
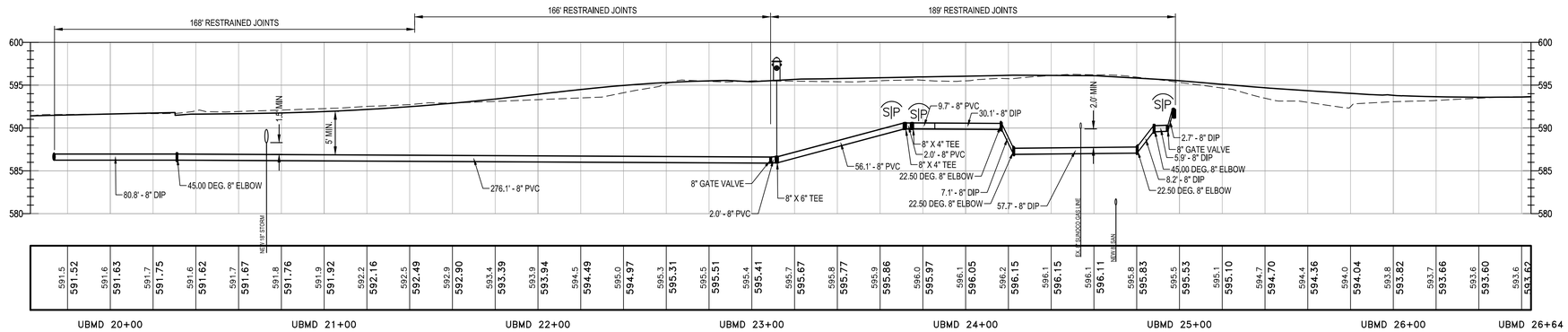
Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)



1 UB MD (W-E) WATERLINE PROFILE
SCALE: 1" = 7.5' V; 1"=30' H



1 UB MD (N-S) WATERLINE PROFILE
SCALE: 1" = 7.5' V; 1"=30' H

30' 20' 10' 0 30'
SCALE: 1''= 30'–0"

PIP WATERLINE NOTES

1. SEE PIP PLAN FOR WATERLINE LOCATION.
2. WATERLINE MATERIAL SHALL BE DUCTILE IRON UNDER ALL ROADWAYS AND COMMERSICIAL DRIVEWAYS. PVC MAY ONLY BE USED IN GRASS AND SIDEWALKS AREAS.

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- N. MAPLEMERE WATER PROFILE

Project No.: 006254.00 Checked by: KJW

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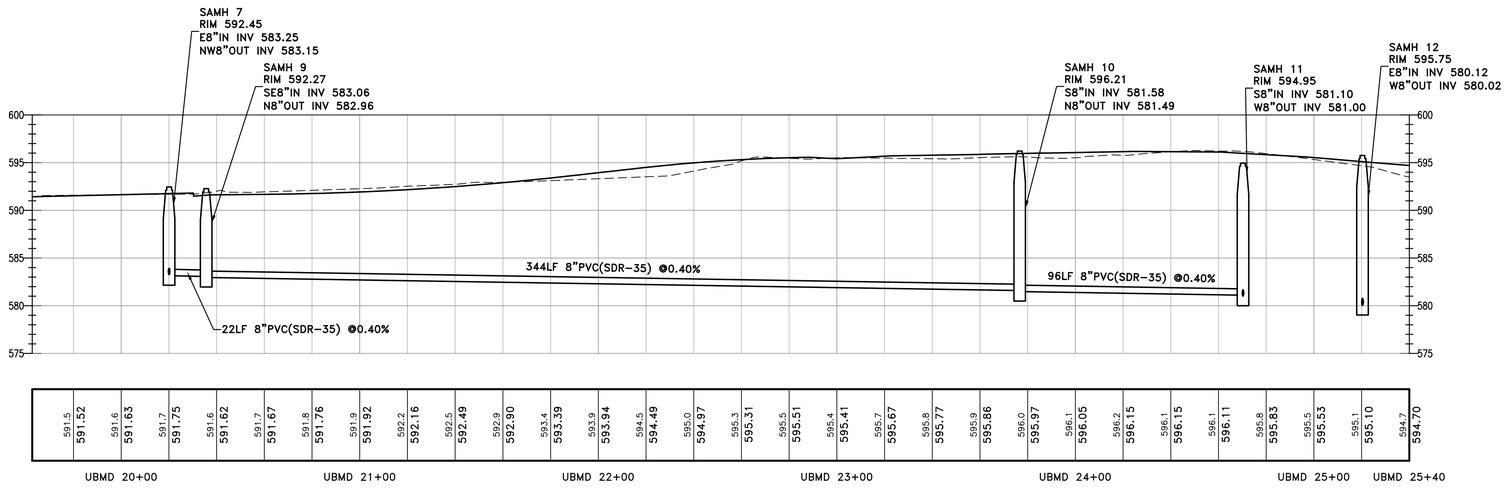
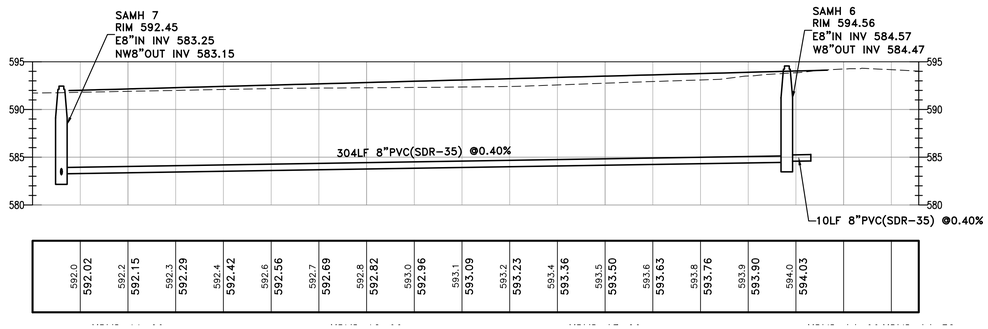


1 UB MD (N-S) SEWER PROFILE

SCALE: 1" = 7.5' V; 1" = 30' H

30' 20' 10' 0 30'

SCALE: 1''= 30'-0"



1 UB MD (W-E) SEWER PROFILE

SCALE: 1" = 7.5' V; 1" = 30' H

30' 20' 10' 0 30'

SCALE: 1''= 30'-0"

PIP SANITARY SEWER NOTES

1. SEE PIP GRADING PLAN FOR SANITARY SEWER LOCATION
1. 8" SEWER IS RUN AT THE MINIMUM SLOPE OF 4% TO OUTLET AT THE EXISTING SEWER ELEVATION ON AMHERST MANOR DRIVE.

Ciminelli REAL ESTATE CORPORATION

Surgery Center and Medical Office Space

CANNONDESIGN
50 Fountain Plaza, Suite 200
Buffalo, NY 14202
P: 716.773.6800
F: 716.773.5909

www.cannondesign.com

Watts Architecture & Engineering
Civil Engineer
95 Perry St #300
Buffalo, NY 14203
(716) 206-5100

B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP-UB MD SEWER PROFILE

Project No.: 006254.00 Checked by: KJW

C0254

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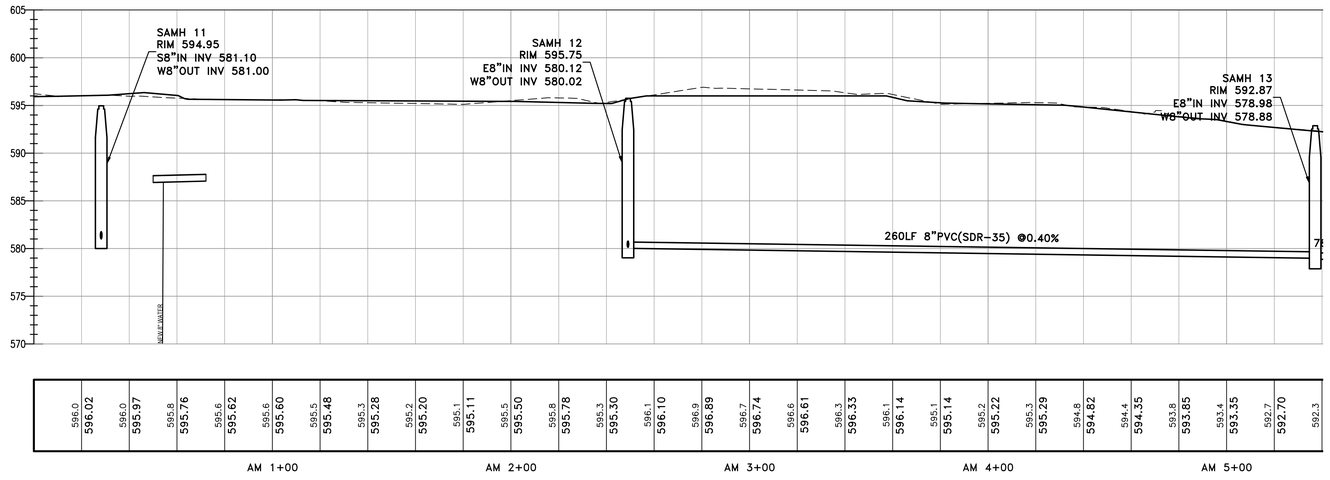
K:\3320\320075 Amherst\18 CAD\Civ\320075 -PIP_U4_profiles-newdwg
Aug 11, 2021 9:45am

Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)



1 AMHERST MANOR DR. SEWER PROFILE

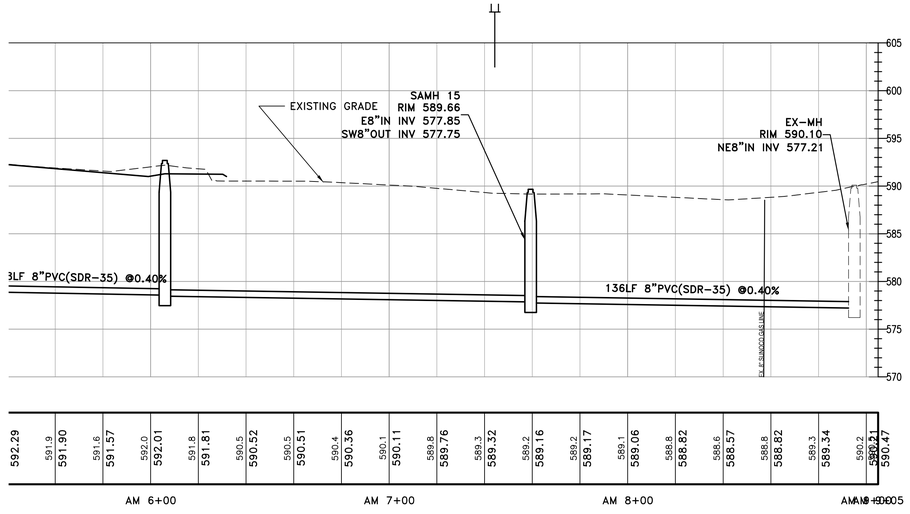
SCALE: 1" = 7.5'V; 1"=30'H

30' 20' 10' 0 30'

SCALE: 1''= 30'-0"

PIP SANITARY SEWER NOTES

1. SEE PIP GRADING PLAN FOR SANITARY SEWER LOCATION
2. 8" SEWER IS RUN AT THE MINIMUM SLOPE OF 4% TO OUTLET AT THE EXISTING SEWER ELEVATION ON AMHERST MANOR DRIVE.



2 AMHERST MANOR DR. SEWER PROFILE

SCALE: 1" = 7.5'V ; 1"= 20'H

30' 20' 10' 0 30'

SCALE: 1''= 30'-0"

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K:\32075\32075 Users Amherst\18 CAD\Civ\32075 -PIP_04_profiles-new.dwg
Aug 11, 2021 - 8:45am

Ciminelli REAL ESTATE CORPORATION

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B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP- AMHERST MANOR DR SEWER PROFILE

Project No.: 006254.00 Checked by: KJW

C0255

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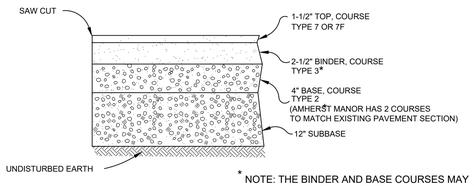
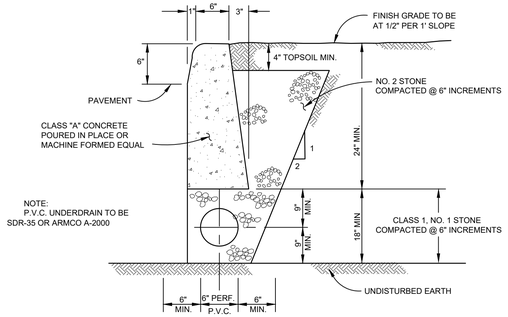
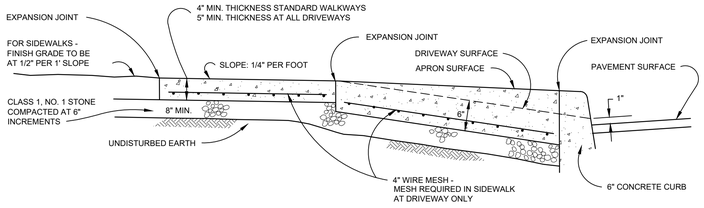
Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)



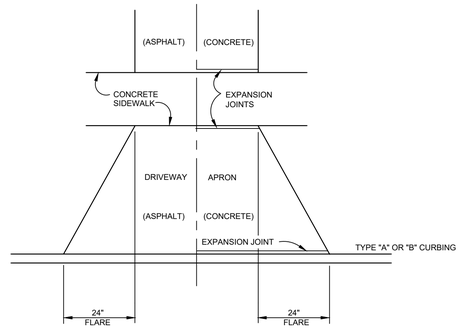
1 TYPICAL ROADWAY PAVEMENT SECTION
SCALE: NTS

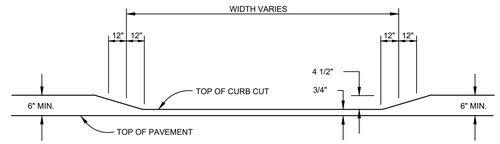


3 TYPE A CURB SECTION
SCALE : NTS

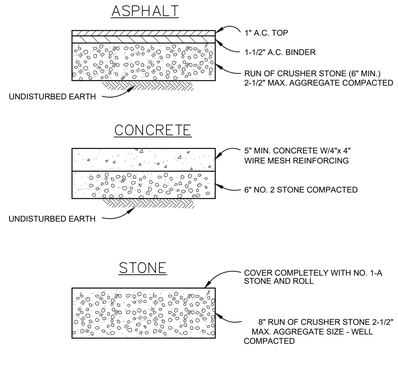


4 TYPICAL DRIVEWAY AND SIDEWALK DETAIL
SCALE : NTS

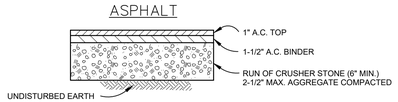




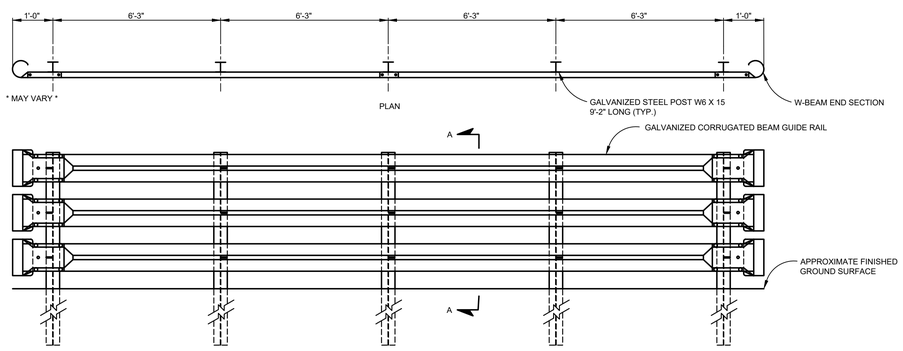
5 TYPICAL DRIVEWAY CURB CUTS DETAIL
SCALE : NTS



6 MINIMUM STANDARDS FOR DRIVEWAY INSTALLATION
SCALE : NTS



7 ASPHALT WALK INSTALLATION
SCALE : NTS



NOTES:
1. SIGNS, WHEN SPECIFIED, SHALL BE ERECTED ON SEPARATE SUPPORTS AND PAID FOR UNDER APPROPRIATE SIGN ITEMS. REFLECTING TYPE WARNING SIGNS CONFORMING TO THE NATIONAL MUTCD AND THE NEW YORK STATE SUPPLEMENT ARE REQUIRED.
2. ALTERNATE RED AND WHITE REFLECTIVE SHEETING STRIPES SHALL BE PROVIDED. THE STRIPES SHALL BE APPLIED IN THE PATTERN SHOWN FOR THE ROAD CLOSED BARRICADE IN THE NATIONAL MUTCD AND THE NEW YORK STATE SUPPLEMENT. THE SHEETING SHALL BE APPLIED TO A FLAT ALUMINUM SUBSTRATE AFFIXED TO THE RAILS IN A MANNER APPROVED BY THE ENGINEER.
3. POSTS SHALL BE EITHER STEEL OR WOOD AS SPECIFIED IN THE CONTRACT DOCUMENTS. STEEL POSTS SHALL BE W6 X 15. WOOD POSTS SHALL BE PRIMED WITH A WOOD STAIN SPECIFICALLY FORMULATED FOR THIS APPLICATION. SURFACE PREPARATION SHALL BE DONE IN ACCORDANCE WITH THE STAIN MANUFACTURER'S RECOMMENDATIONS.

8 HIGHWAY BARRICADE DETAIL
SCALE : NTS

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K:\3207\32075 Amherst\18 CAD\Civ\32075-PIP-sht.dwg
Aug 11, 2021 - 4:06pm

Ciminelli REAL ESTATE CORPORATION

Surgery Center and Medical Office Space

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(716) 206-5100

B	TOWN OF AMHERST REVISION	11 AUG 2021
A	PLANNING BOARD SUBMISSION	22 MAR 2021

Drawing Title:

PIP ROADWAY DETAILS

Project No.: 006254.00 Checked by: KJW

C0560

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Attachment: SP-2020-09B drawings 092321 (23299 : Sp-2020-09_B)

DRAFT

(09/23/21)

SEQR
Negative Declaration

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency: Town of Amherst Planning Board

Project: SP-2020-09_B

Address: 5583 Main Street
Williamsville, NY 14221
(716) 631-7051

Date:

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Site Plan Review

SEQR Status: Type I Action

Description of Action: Construction of 770± lineal feet of proposed public roadway and reconfiguration of 530± lineal feet of public roadway and intersection realignments along with the associated public utilities for water, sanitary and storm sewers to service a previously approved 163,200± sq. ft. medical building with parking for 816± vehicles. Work will include the site improvements not specifically stated above, including, stormwater, utilities, grading, lighting, paving, and landscaping.

Location: 500 Maple Road, Amherst, Erie County

Petitioner: 111 North Maplemere LLC

Attachment: SP-2020-09_B_draft_SEQR_Neg_Declaration_092321 (23299 : Sp-2020-09_B)

Reasons Supporting This Determination

Based on information submitted by the applicant including a Full Environmental Assessment Form (EAF) - Part I, (as amended) and a complete site plan application, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that this action will not have a significant impact on the environment, as follows:

1. The project is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The Engineering Department on **September 1, 2021** reviewed the PIP Grading, Drainage, Utility Plans and Roadway Sections and Profiles submitted on **August 13, 2021** for the roadway. Engineer's Report submitted on **March 22, 2021**, Erosion Control Plan submitted on **March 22, 2021 & April 30, 2021** and, Geotechnical Report prepared by Empire GEO Technical Engineering Services submitted on **March 22, 2021** with the previous application for the building and roadway.

   The Stormwater Pollution Prevention Plan (SWPPP) submitted on **March 22, 2021** with the previous application for the building and roadway was also reviewed. Based on its review of these documents, the Department has determined that the project has or will have met all applicable requirements and has no objection to its approval.

2. The project will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. The Planning Department reviewed a Landscape Plan submitted on **April 29, 2021** submitted with the previous application for the building and roadway and determined that it meets or exceeds Zoning Ordinance requirements for greenspace. The Landscape Plan has or will have met all Zoning Ordinance and Town requirements for landscaping.

3. The project did conflict with the Comprehensive Plan, specifically Figure 6, Conceptual Land Use Plan, and Figure 21, University Focal Planning Area. A Comprehensive Plan amendment was approved by the Town Board on July 22, 2020 to accommodate the changes required for this site plan to occur. The Building Department in their review of **August 31, 2021** and the Planning Department in their review of **August 30, 2021** has reviewed the application documents, along with the Geotechnical Report submitted on **March 22, 2021** and determined that the subject project has or will have met all International Building Code – 2018 and Zoning Ordinance regulations.

Attachment: SP-2020-09_B_draft_SEQR_Neg_Declaration_092321 (23299 : Sp-2020-09_B)

4. The project is within an area identified by the State as having potential archaeological or historical significance. The NYS Office of Parks, Recreation and Historic Preservation has reviewed the project and, as stated in their letter of June 7, 2019, determined that there will be no impact on these resources.

5. The project is considered consistent with surrounding land use. The site is located in the Community Facilities District (CF) zoning. It is bordered on the north by a strip of SUNY at Buffalo and adjacent the Ellicott Creek Trailway and Millersport Highway (unzoned), on the west by the Amherst Northtown Center zoned Recreation Conservation District (RC), and on the south by duplexes along North Maplemere Drive zoned Residential District Four (R-4). The proposed project is for the construction of 770± lineal feet of public roadway and reconfiguration of 530± lineal feet of public roadway and intersection realignments along with the associated public utilities for water, sanitary and storm sewers to service a previously approved 163,200± sq. ft. medical building with parking for 816± vehicles.

5. The proposed public roadway construction and reconfiguration along with associated public utilities for water, sanitary and storm sewers will not cause a major change in the use of either the quantity or type of energy.

6. The project will not create any hazard to human health. The Fire Chief's Association on _____, has reviewed the project and has no objection to the approval of the site plan, as all requirements of this agency has or will have been met.

7. The proposed public roadway construction and reconfiguration along with associated public utilities for water, sanitary and storm sewers will not cause a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses. The proposed project will be consistent with the scale of surrounding land uses.

8. The proposed public roadway construction and reconfiguration along with associated public utilities for water, sanitary and storm sewers will not significantly increase the number of people using the site over its previous level of use.

Attachment: SP-2020-09_B_draft_SEQR_Neg_Declaration_092321 (23299 : Sp-2020-09_B)

9. Review by the Town Traffic/Safety Board dated _____, Erie County Dept. of Public Works –Highways Division dated _____, NYSDOT dated_____
indicates that significant negative traffic impacts are not expected to result from the proposed public roadway and road reconfiguration project. Review of the Traffic Impact Study (TIS) prepared by SRF Associates submitted to the Planning Department on **March 22, 2021** and reviewed by the Town Traffic/Safety Board _____, Erie County Dept. of Public Works –Highways Division, _____, NYSDOT _____
indicates that significant negative traffic impacts are not expected to result from the proposed project.

10. A coordinated review of the project has been undertaken by Town Departments including, in addition to those mentioned above, Highway on **September 6, 2021**, Assessor on _____, Plumbing Division on **August 26, 2021** and Right-of-Way Agent on **September 1, 2021**. These reviews did not identify any potential significant adverse environmental issues and indicated that the proposal will not have a significant damaging impact on the environment.

11. Issues not specifically mentioned above and/or those not specifically reviewed were not raised by Town departments, outside agencies or the public and are not determined to cause significant negative environmental impacts.

Planning Board Approval
Moved by: ; Seconded by: Ayes; Noes Absent

_____ _____
signature & title of preparer Date

_____ _____
Robert J. Gilmour, Planning Board Chair Date

SM/bf
X:\Current_Planning\Files\Site Plans\2020\SP-2020-09_B (500 Maple Rd portion)_2021\SP-2020-09_B_Blurb_092321.doc
cc: Amherst Town Clerk
Building Department
Engineering
Fire Chiefs'

Attachment: SP-2020-09_B_draft_SEQR_Neg_Declaration_092321 (23299 : Sp-2020-09_B)

Highway
Traffic/Safety
ECDEP
NYSDOT
Erik Wagner, 111 North Maplemere, LLC, 50 Fountain Plaza, Suite 500, Buffalo, New York 14202
Sean Hopkins, Esq. Hopkins Sorgi & McCarthy PLLC, 5500 Main St., Ste. 343, Williamsville, NY 14221
Brad Sendlak, Watts Architecture & Engineering, 95 Perry St., Ste. 200, Buffalo, NY 14203
Kristopher J. Winkler, PE, Watts Architecture & Engineering, 95 Perry St., Ste. 200, Buffalo, NY 14203
Frank Sica, Cannon Design, 50 Fountain Plaza, Ste. 200, Buffalo, NY 14202

Attachment: SP-2020-09_B_draft_SEQR_Neg_Declaration_092321 (23299 : Sp-2020-09_B)

DRAFT (9/23/21)
TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-09B

PETITIONER

111 North Maplemere LLC
c/o Sean Hopkins, Esq.
5500 Main Street, Suite 343
Williamsville, NY 14221

PROPERTY LOCATION

500 Maple Road (portion)

WHEREAS, the Town of Amherst Planning Board on Thursday, September 23, 2021 held a public hearing on a Site Plan for proposed 770± lineal feet of public roadway and reconfiguration of 530± lineal feet of public roadway and intersection realignments along with the associate public utilities for water, sanitary and storm sewers to service a previously approved 163,200± sq. ft. medical building with parking for 816± vehicles, and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project, and

WHEREAS, the Site Plan was referred to the Town's various review agencies, and

WHEREAS, in accordance with Section 8-7-9 of the Zoning Ordinance, the Planning Board finds that:

A. The proposed site plan is consistent with the development plan if one is required.

B. The proposed site plan is consistent with the purpose and specific requirements of the Zoning Ordinance and generally consistent with the policies of the Comprehensive Plan.

C. Adequate services and utilities will be available prior to occupancy.

D. The site plan is consistent with all other applicable laws.

E. Pursuant to Local Law #3-82, as amended, the Planning Board has determined that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act may be waived. The 1.43± acre wetland area just east of the development site will not be impacted by the proposed project, and the project may proceed without a Jurisdictional Determination or Section 404 permit from the US Army Corps of Engineers, per the professional opinion of Earth Dimensions, Inc.

Attachment: SP-2020-09_B_draft_Resolution_092321 (23299 : Sp-2020-09_B)

DRAFT (9/23/21)
TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-09B

PETITIONER	PROPERTY LOCATION
111 North Maplemere LLC	500 Maple Road (portion)

NOW THEREFORE BE IT RESOLVED that in accordance with 6 NYCRR, Part 617 and Local Law #3-82, as amended, the Planning Board has issued a Negative Declaration attached hereto, and

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board, in accordance with Section 8-7 of the Zoning Ordinance **approves/denies** said Site Plan subject to the following conditions:

1. That the consideration of signs is specifically excluded from this approval as they require a separate review and approval by the Town.

2. That as-built record drawings, including location of utilities, be provided to the Engineering Department prior to issuance of a Certificate of Occupancy by the Building Department.

The foregoing resolution was adopted by the Town of Amherst Planning Board, _____; moved by - _____; seconded by - _____; ayes _, noes _; absent - ____.

_____ _____
Robert J. Gilmour, Chair Date

SM/bf
X:\Current_Planning\Files\Site Plans\2020\SP-2020-09_B (500 Maple Rd portion)_2021\SP-2020-09_B_Blurb_092321.doc

cc: Town Clerk
Commissioner of Building
Town Engineer
Fire Chiefs
Traffic/Safety
Highway Superintendent
ECDEP
NYSDOT
Erik Wagner, 111 North Maplemere, LLC, 50 Fountain Plaza, Suite 500, Buffalo, New York 14202
Sean Hopkins, Esq. Hopkins Sorgi & McCarthy PLLC, 5500 Main St., Ste. 343, Williamsville, NY 14221
Brad Sendlak, Watts Architecture & Engineering, 95 Perry St., Ste. 200, Buffalo, NY 14203
Kristopher J. Winkler, PE, Watts Architecture & Engineering, 95 Perry St., Ste. 200, Buffalo, NY 14203
Frank Sica, Cannon Design, 50 Fountain Plaza, Ste. 200, Buffalo, NY 14202

Approved Plan:
Received:

Attachment: SP-2020-09_B_draft_Resolution_092321 (23299 : Sp-2020-09_B)

OCT01'21 AM 9:53 RCVD

SEQR
Negative Declaration

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency:	Town of Amherst Planning Board	**Project:**	**SP-2020-09_B**
Address:	5583 Main Street Williamsville, NY 14221 (716) 631-7051	**Date:**	September 23, 2021

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Site Plan Review

SEQR Status: Type I Action

Description of Action: Construction of 770± lineal feet of proposed public roadway and reconfiguration of 530± lineal feet of public roadway and inte realignments along with the associated public utilities for water, sanitary and storm sewers to service a previously approved 163,200±

Attachment: SP-2020-09B signed neg dec 092321 (23299 :

this action will not have a significant impact on the environment, as follows:

1. The project is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The Engineering Department on September 1, 2021 reviewed the PIP Grading, Drainage, Utility Plans and Roadway Sections and Profiles submitted on August 13, 2021 for the roadway. Engineer's Report submitted on March 22, 2021, Erosion Control Plan submitted on March 22, 2021 & April 30, 2021 and, Geotechnical Report prepared by Empire GEO Technical Engineering Services submitted on March 22, 2021 with the previous application for the building and roadway.

   The Stormwater Pollution Prevention Plan (SWPPP) submitted on March 22, 2021 with the previous application for the building and roadway was also reviewed. Based on its review of these documents, the Department has determined that the project has or will have met all applicable requirements and has no objection to its approval.

2. The project will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. The Planning Department reviewed a Landscape Plan submitted on September 20, 2021 submitted with the previous application for the building and roadway and determined that it meets or exceeds Zoning Ordinance requirements for greenspace. The Landscape Plan has or will have met all Zoning Ordinance and Town requirements for landscaping.

3. The project did conflict with the Comprehensive Plan, specifically Figure 6, Conceptual Land Use Plan, and Figure 21, University Focal Planning Area. A Comprehensive Plan amendment was approved by the Town Board on July 22, 2020 to accommodate changes required for this site plan to occur. The Building Department in their review of

Attachment: SP-2020-09B signed neg dec 092321 (23299 :

Conservation District (RC), and on the south by duplexes along North Maplemere Drive zoned Residential District Four (R-4). The proposed project is for the construction of 770± lineal feet of public roadway and reconfiguration of 530± lineal feet of public roadway and intersection realignments along with the associated public utilities for water, sanitary and storm sewers to service a previously approved 163,200± sq. ft. medical building with parking for 816± vehicles.

5. The proposed public roadway construction and reconfiguration along with associated public utilities for water, sanitary and storm sewers will not cause a major change in the use of either the quantity or type of energy.

6. The project will not create any hazard to human health. The Fire Chief's Association will review the project, and all requirements of this agency has or will have been met.

7. The proposed public roadway construction and reconfiguration along with associated public utilities for water, sanitary and storm sewers will not cause a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses. The proposed project will be consistent with the scale of surrounding land uses.

8. The proposed public roadway construction and reconfiguration along with associated public utilities for water, sanitary and storm sewers will not significantly increase the number of people using the site over its previous level of use.

9. Review by the Town Traffic/Safety Board dated September 3. 2021, indicates that significant negative traffic impacts are not expected to result from the proposed public roadway and road reconfiguration project. Review of the Traffic Impact Study (TIS) prepared by SRF Associates submitted to the Planning Department on March 22, 2021 and reviewed by the Town Traffic/Safety Board September 3, 2021 indicates that

Attachment: SP-2020-09B signed neg dec 092321 (23299 :

Planning Board Approval
Moved by: Giuliani; Seconded by: Chmiel Ayes; 7 Noes 0.

signature & title of preparer — Date: 9/29/2021

Robert J. Gilmour, Planning Board Chair — Date: 9-30-21

SM/ac
X:\Current_Planning\Files\Site Plans\2020\SP-2020-09_B (500 Maple Rd portion)_2021\SP-2020-09_B_SEQR_Neg_Declaration_092321.docx

cc: Amherst Town Clerk
Building Department
Engineering
Fire Chiefs'
Highway
Traffic/Safety
ECDEP
NYSDOT
Erik Wagner, 111 North Maplemere, LLC, 50 Fountain Plaza, Suite 500, Buffalo, New York 14202
Sean Hopkins, Esq. Hopkins Sorgi & McCarthy PLLC, 5500 Main St., Ste. 343, Williamsville, NY 14221
Brad Sendlak, Watts Architecture & Engineering, 95 Perry St., Ste. 200, Buffalo, NY 14203
Kristopher J. Winkler, PE, Watts Architecture & Engineering, 95 Perry St., Ste. 200, Buffalo, NY 14203

Attachment: SP-2020-09B signed neg dec 092321 (23299 :

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-09_B

PETITIONER

111 North Maplemere LLC
c/o Sean Hopkins, Esq.
5500 Main Street, Suite 343
Williamsville, NY 14221

PROPERTY LOCATION

500 Maple Road (portion)

OCT 01 '21 AM 9:54 RCVD

WHEREAS, the Town of Amherst Planning Board on Thursday, September 23, 2021 held a public hearing on a Site Plan for proposed 770± lineal feet of public roadway and reconfiguration of 530± lineal feet of public roadway and intersection realignments along with the associate public utilities for water, sanitary and storm sewers to service a previously approved 163,200± sq. ft. medical building with parking for 816± vehicles, and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project, and

WHEREAS, the Site Plan was referred to the Town's various review agencies, and

WHEREAS, in accordance with Section 8-7-9 of the Zoning Ordinance, the Planning Board finds that:

A. The proposed site plan is consistent with the development plan if one is required.

B. The proposed site plan is consistent with the purpose and specific requirements of the Zoning Ordinance and generally consistent with the policies of the Comprehensive Plan.

C. Adequate services and utilities will be available prior to occupancy.

D. The site plan is consistent with all other applicable laws.

E. Pursuant to Local Law #3-82, as amended, the Planning Board has determined that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act may be waived. The 1.43± acre wetland area just east of the development site will not be impacted by the proposed project, and the project may proceed without a Jurisdictional Determination or Section 404 permit from the US Army Corps of Engineers, per the professional opinion of Earth Dimensions, Inc.

NOW THEREFORE BE IT RESOLVED that in accordance with 6 NYCRR, Part 617 and Local Law #3-82, as amended, the Planning Board has issued a Negative Declaration attached hereto, and

Attachment: SP-2020-09B signed resolution 092321 (23299 : Sp-2020-09_B)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-09_B

PETITIONER

111 North Maplemere LLC

PROPERTY LOCATION

500 Maple Road (portion)

OCT 01 '21 AM 9:55 RCVD

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board, in accordance with Section 8-7 of the Zoning Ordinance approves said Site Plan subject to the following conditions:

1. That the consideration of development building and site signage is specifically excluded from this approval as they require a separate review and approval by the Town.

2. That all dumpsters/trash containers and all mechanical equipment, utility structures, multiple meter boards, generators, and similar appurtenances, including those which are mounted on any part of a primary structure shall be appropriately screened with a fence, wall, and/or landscaping. Provide gate on dumpster enclosure that shall be closed whenever dumpster is not being serviced, enclosure shall be high enough to screen the dumpster(s) within.

3. That as-built record drawings, including location of utilities, be provided to the Engineering Department prior to issuance of a Certificate of Occupancy by the Building Department.

4. That if requested by the Town Board, the petitioner shall enter into an agreement for shared parking between the subject development and the Town's Northtown Center. The terms and conditions of a shared parking agreement shall be subject to the review and approval of the petitioner and the Town.

5. That subject to Town Board review and approval, the petitioner convey the southernmost portion of the project site adjacent to the northern terminus of North Maplemere Road to the Town, with the petitioner retaining an easement for emergency and construction access across the lands to be conveyed.

6. That the concerns raised in the Traffic Safety Board's letter dated September 3, 2021 are addressed to the satisfaction of that agency.

7. That the conditions in the Engineering Department's letter dated July 9, 2021 relating to the building and parking and their letter dated September 1, 2021 relating to the roadway are addressed to the satisfaction of that department.

8. That the comments in the Amherst Fire Chief's Association Inc. letter dated September 15, 2021 related to the building and parking are addressed to the satisfaction of that agency.

9. That the comments in the Planning Department's letter dated September 23, 2021 that include the Zoning Enforcement Officer and Landscape Architect's review are addressed to the satisfaction of the respective parties.

Attachment: SP-2020-09B signed resolution 092321 (23299 : Sp-2020-09_B)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-09_B

PETITIONER

111 North Maplemere LLC

PROPERTY LOCATION

500 Maple Road (portion)

OCT 01 '21 AM 9:55 RCVD

10. That the concerns raised by the Town's Stormwater Management Officer in the letter dated May 20, 2021 are addressed to the satisfaction of that office.

11. That the petitioner and or his/her contractor obtain any required permits from the New York State Department of Transportation for any and all work within the Amherst Manor/Millersport Highway right-of-way prior to Issuance of P.I.P.'s by the Town.

12. That the conditions in the SUNOCO Pipeline letter dated September 17, 2020 are adhered to as they relate to the construction of the proposed building parking and roadway prior to issuance of a building permit.

The foregoing resolution was adopted by the Town of Amherst Planning Board, September 23, 2021; moved by – Giuliani; seconded by – Gelber; ayes 7, noes 0.

Robert J. Gilmour, Chair — Date 9-30-21

SM/ac
X:\Current_Planning\Files\Site Plans\2020\SP-2020-09_B (500 Maple Rd portion)_2021\SP-2020-09_B_Resolution_092321.docx

cc: Town Clerk
Commissioner of Building
Town Engineer
Fire Chiefs
Traffic/Safety
Highway Superintendent
ECDEP
NYSDOT
Erik Wagner, 111 North Maplemere, LLC, 50 Fountain Plaza, Suite 500, Buffalo, New York 14202
Sean Hopkins, Esq. Hopkins Sorgi & McCarthy PLLC, 5500 Main St., Ste. 343, Williamsville, NY 14221
Brad Sendlak, Watts Architecture & Engineering, 95 Perry St., Ste. 200, Buffalo, NY 14203
Kristopher J. Winkler, PE, Watts Architecture & Engineering, 95 Perry St., Ste. 200, Buffalo, NY 14203
Frank Sica, Cannon Design, 50 Fountain Plaza, Ste. 200, Buffalo, NY 14202

Approved Plan: September 23, 2021
Received: September 20, 2021

Attachment: SP-2020-09B signed resolution 092321 (23299 : Sp-2020-09_B)

Amherst Planning Board
5583 Main Street
Williamsville, NY 14221

Meeting: 09/23/21 06:30 PM
Department: Planning
Category: Site Plan and Relief from Conditions of Site Plan
Prepared By: Amy Carrato
Initiator: Dan Howard
Sponsors:
DOC ID: 24575 A

ADOPTED

PLANNING BOARD ITEM (ID # 24575)

Proposed Ridge Lea Business Park - Parking Expansion and Facade Upgrades, SP-1983-42_H (BCD)

Property located at 4224 Ridge Lea Road & 256 Meyer Road
Benderson Development Company LLC, Petitioner

The project consists of a parking lot reconfiguration/expansion, with the required pedestrian connections and landscaping, and an upgrade to the building façade. The new parking field will incorporate new landscaped islands, a center pedestrian walkway, lighting and a bioretention area. The existing parking area adjacent to the building will be updated to comply with the requirements of the Zoning Ordinance. The building façade changes include the construction of new entranceways to replace existing fabric awning structures using similar materials as the existing building. No new curb cuts are proposed.

James Boglioli, Esq., Benderson Development Company LLC., represented the petitioner, explained the proposal and was available to answer questions from the Board.

In response to the Board's questions, Mr. Boglioli stated there are no residential lots abutting this project.

Geri DiCosmo, 378 Meyer Rd., asked if the pavement will extend to Meyer Rd. and Susan Holt, 370 Meyer Rd., asked for the address of the property Benderson Development purchased.

No further comments were heard on this proposal. The hearing was closed.

Mr. Giuliani moved to approve the request based on the resolution. The motion was seconded by Ms. Gelber and carried. Ayes 6, Noes 0, Abstain 1 (Chmiel).

ATTACHMENTS:

- SP-1983-42H applicaiton 092321 (PDF)
- SP-1983-42H drawings 092321 (PDF)
- SP-1983-42_H_draft_Resolution_092321 (PDF)
- SP-1983-42H signed resolution 092321 (PDF)

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Dal Giuliani, Board Member
SECONDER:	Stephanie S. Gelber, Board Member
AYES:	Gilmour, Gelber, Gill, Giuliani, Penberthy, Raffaele Jr.
ABSTAIN:	Michael Chmiel

TOWN OF AMHERST PLANNING BOARD
MAJOR SITE PLAN REVIEW AND APPROVAL PROCEDURE

This application package includes the following:

- Application Procedures
- Application Form & Checklist
- Stormwater Prevention Pollution Plan Checklist
- Full Environmental Assessment Form (EAF)
- Appendix A Engineering EAF Requirements
- Appendix B Criteria for Required 8½" x 11" Sketches
- Appendix C Erie Sewer District No. 5 – Commercial / Industrial New & Existing Buildings Requirements

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- IMPORTANT-

1. **A pre-submittal consultation with Planning Department staff is *strongly recommended* prior to submitting an application. The pre-submittal meeting gives the applicant an opportunity to discuss with staff such items as:**
   - **classifying the action as a major site plan, minor site plan, or minor adjustment**
   - **determining what specific information will be required to be submitted with the application**
   - **identifying and discussing issues that must be addressed as part of the SEQR review.**

   An appointment is required for all meetings with Staff.

2. **This site plan petition is subject to the requirements of 6 NYCRR Part 617, State Environmental Quality Review Act (SEQR) and Chapter 104 of the Town of Amherst Code, as amended. The Planning Board cannot make a SEQR determination unless a complete Full Environmental Assessment Form (EAF) is submitted. This includes completing Part 1-A.3.a on Page 5a and submittal of any required supplementary information, such as traffic impact studies, archaeological reports, wetland delineations or geotechnical reports. SEQR issues may be discussed with Planning Department staff at a recommended pre-submittal meeting.**

3. **The application shall be executed or consented to in writing by the owner of the property.**

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

4. **Any variances that must be approved by the Zoning Board of Appeals, or any decision that is required by the Town Board (e.g. removal of deed restrictions), must be obtained prior to action on a Site Plan application.**

5. **Submittal of an application grants permission to Town staff and the Planning Board to access the parcel(s) under consideration.**

6. **All site plan drawings must be prepared by a Registered Architect, Professional Engineer, Landscape Architect, or Land Surveyor (as applicable) licensed to practice in New York State.**

7. **If you wish to include a Coordinated Sign Plan application with the site plan petition, a separate application must be completed. Contact the Planning Department for a copy of a Coordinated Sign Plan application package.**

8. **All drawings should be no larger than 24 in. x 36 in. in size. If certain site characteristics warrant larger plan sheets, they may be accepted subject to Planning Department concurrence.**

APPLICATION PROCEDURES

1. Applicant secures application package from the Planning Department, 5583 Main Street, Williamsville, NY 14221. (716) 631-7051. Forms are also available online at: www.amherst.ny.us, keyword "Planning Department".

2. Applicant prepares information as required on the Site Plan Submittal Checklist, attached. NOTE: Some proposals may not require all items on the checklist; please verify with the Planning Department.

3. Applicant schedules an application review appointment with the Planning Department.

4. At the review appointment, the applicant submits the following:

   - one (1) complete set of plan drawings (no larger than 24" x 36" in size)
   - Full Environmental Assessment Form (EAF)
   - any supporting reports and materials
   - verification from the Town Assessor that the address is correct

5. Applicant schedules an application submittal appointment with the Planning Department. NO SITE PLAN WILL BE ACCEPTED FOR REVIEW WITHOUT A PRE-SET SUBMITTAL APPOINTMENT.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

6. At the submittal appointment, the applicant must provide thirteen (13) complete and collated sets of drawings and application information to the Planning Department **(materials will not be accepted unless folded into 9" x 12" in size),** including**:**
   - application form
   - Full Environmental Assessment Form (EAF) and supporting materials
   - complete set of site plan drawings (**at least one (1) set of drawings must bear a raised or wet seal and signature of the design professional** that prepared the plans; the remaining review copies may be submitted with a facsimile of the seal and signature)

7. After approval for filing by the Planning Department, the applicant shall pay all necessary fees to the Town Clerk. **(See Schedule of Fees on first page of application and make checks payable to: Town of Amherst.)**

   The Planning Department transmits remaining twelve (12) copies of the application and data for a review by:
   - Assessor
   - Commissioner of Building
   - Town Engineer
   - Superintendent of Highways
   - Traffic/Safety Board
   - Fire Chiefs' Association
   - Plumbing Division
   - Right-of-Way Agent
   - Police Department (if applicable)
   - Other agencies, as applicable

   Within 30 days of its receipt of the complete application for Site Plan approval, each agency shall complete its review and notify the Planning Department in writing of its comments or recommendations as required by Ordinance.

8. The applicant may be required to submit revised plans, reports, or materials to address review agency comments. The procedures for submittal of revised plans are as follows:

   - A cover letter addressing all comments received to date is required.
   - "Highlight" the area of change on the drawings and provide a notation describing the change.
   - Ten (10) complete sets of the revised materials are required. Recommend that Planning staff be contacted to determine if fewer sets are needed.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

9. The Planning Board reviews the environmental assessment to determine whether a Draft Environmental Impact Statement (EIS) is required. The petitioner will be advised in the event that a draft EIS is required and afforded the opportunity to prepare it. If the petitioner declines, the Planning Board will prepare the draft EIS at the petitioner's expense. The public hearing will be held on the EIS concurrently with the Planning Board hearing on the application.

10. Planning Board Meeting Procedures:

    The applicant or his / her representative must present the project at the public hearing before the Planning Board and be available to answer any questions at the meeting. The Planning Board may take any of the following actions:

    - Adjourn the hearing to a future Planning Board meeting.
    - Close the hearing and table action on the site plan to the next Planning Board meeting. (The Planning Board may remove the item from their agenda until such time as all required information is provided).
    - Close the public hearing and make a decision on the site plan.

    All determinations on matters before the Board are made after all public hearings on that meeting's agenda are completed.

11. A copy of the Planning Board's determination will be forwarded to the applicant, his / her representative, the Building Commissioner and the Town Clerk.

12. When the Planning Department has determined that all conditions of the Planning Board's approval have been satisfactorily addressed, **seven (7) additional copies** of all site plan drawings, including landscape, utility and grading and drainage plans must be submitted and folded into 9" x 12". These drawings will be stamped and signed "Approved" by the Planning Director and transmitted to Town Departments.

    An electronic copy of final plans must be sent to the Senior Fire Inspector at randrews@amherst.ny.us.

13. A building permit will not be issued prior to approval of the Site Plan by the Planning Board and issuance of approved site plan drawings by the Planning Director.

NOTE: The last day to file a Site Plan review submittal with the Town Clerk is approximately 30 days prior to the next Planning Board meeting. Please check with the Planning Department to determine the exact deadline date. Due to the public hearing notice requirements and department reviews, no site plan application will be placed on the Planning Board agenda after the deadline for filing has closed. Agenda scheduling may be delayed if an application is incomplete or due to the number of other matters previously scheduled for Board action.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Major Site Plan Review

For Official Use

File #: _____ **Acreage** _____ **Fee $** _____

Address Verified by Assessor's Office _____ VERIFIED BY _____ DATE

Site Plan Review

		Fill In Applicable Fees
1 acre or less	$1,250.00	_____
Each Additional acre or fraction thereof	$ 650.00/acre	_____
Amendments to Site Plans	$1,200.00	_____
Request for Relief of / or Change to Conditions of Site Plan Approval	$1,200.00	_____
Request for Extension of Site Plan Approval	$ 450.00	_____

Stormwater Pollution Prevention Plan

1-4.99 Acres	$ 500.00	_____
5-10 Acres	$ 750.00	_____
>10 Acres	$1,000.00	_____

Affidavit Fee for Public Hearing $ 15.00 _____

TOTAL FEE: $_____

Materials Received by Planning Department _____ RECEIVED BY _____ DATE

Materials Accepted by Town Clerk & Fee Paid _____ ACCEPTED BY _____ DATE

To Be Completed By Applicant

Petitioner: Name: Benderson Development Company, LLC

Address: 570 Delaware Avenue

Buffalo, New York 14202
city state zip code

Phone: 716-878-9626 Fax: 716-886-1026 E Mail: jmb@benderson.com

Town of Amherst Planning Department 5583 Main Street Williamsville-NY-14221
(716) 631-7051- Fax: (716) 631-7153

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

MAJOR SITE PLAN APPLICATION con't. PAGE 2

Representative (Architect, Engineer, Landscape Architect, Surveyor, or Attorney)**:**

Name: James A. Boglioli

Address: 570 Delaware Avenue

city state zip code

Phone: 716-878-9626 Fax: 716-886-1026

E Mail: jmb@benderson.com

Project Location (must be verified by Town Assessor's Office)**:**

Address: 4224 - 4256 Ridge Lea

SBL No(s):

Project Name: Proposed Parking expansion and facade revisions.

Project Description: Please see attached Letter of Intent.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

MAJOR SITE PLAN APPLICATION con't. PAGE 3

If this petition is an amendment to a previously approved site plan, please describe the proposed changes (include type and size of existing structures and number of existing parking spaces):

See attached letter

	existing	proposed	total
Gross Floor Area (non-residential):	N/A	N/A	N/A
Number of Residential Units:	N/A	N/A	N/A
Number of Parking Spaces:		1,630	1,630

Acreage of Parcel: 1.65+/-

Frontage on Public Roads:

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Town of Amherst Planning Department 5583 Main Street Williamsville-NY-14221
(716) 631-7051- Fax: (716) 631-7153

Site Plan Submittal Requirements and Checklist

The following checklist outlines the information required by the Planning Department to accept a Site Plan application for review. ***It is strongly recommended that you make an appointment with Planning Staff to determine which items apply to your application***.

Item No.	Item	Submitted	Official use
I Drawing Information			
1.0	**Drawing size not to exceed 24" x 36"**		
2.0	**Title of Drawing**		
3.0	**Name and address of Applicant**		
4.0	**Name of person preparing drawing**		
5.0	**Wet seal/raised seal and signature of NYS licensed architect, engineer, landscape architect, or surveyor (as applicable)**		
6.0	**Project address**		
7.0	**Zoning of subject property and adjacent parcels**		
8.0	**North point, scale, date, and revision date(s)**		
II Structures, Paved Areas, & Open Space			
1.0	**Existing and Proposed Streets**		
1.1	Names of all existing and proposed streets		
1.2	Width and radii of proposed curb-cuts		
1.3	Existing curb-cuts on adjacent and opposite properties		
1.4	Show ROW width, pavement dimensions, lane widths, pavement markings, and proposed signage on proposed streets		
1.5	Show proposed ROW consistent with planned NYSDOT, Erie County, or Town road projects (if applicable)		
1.6	Show location of proposed cross access to adjacent parcels along with a draft easement		
1.7	Designation of Fire Lanes (if applicable)		
1.8	Fire apparatus access roads		
1.9	Label any proposed roads as public or private		
1.10	Location and dimensions of sidewalks		
1.11	Typical cross sections and profiles of proposed streets, pedestrian walkways, and bikeways		
2.0	**Proposed Structures**		
2.1	Location and complete dimensions of proposed structures		
2.2	Setback dimensions of structure(s) to all property lines		
2.3	Proposed use of structures		
2.4	Gross square feet area of each structure		
2.5	Location of all building entrances		
2.6	Indicate type of roof construction/materials		
2.7	Location, height, and design detail of existing and proposed fences and walls		
2.8	Location of light standards and building mounted lights		
2.9	Location of dumpster and detail of dumpster enclosure with gate		
2.10	Layout and dimensions of the lot(s) proposed for development		

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Town of Amherst Planning Department 5583 Main Street Williamsville-NY-14221
(716) 631-7051- Fax: (716) 631-7153

Item No.	Item	Submitted	Official use
II Structures, Paved Areas, & Open Space (cont'd)			
3.0	**Floor Plans with individual rooms and spaces labeled** (fully dimensioned)		
4.0	**Building elevations with height dimensions from finished grade to the highest point of the roof and to midpoint of gable or hip of a pitched roof.** (fully dimensioned)		
4.1	Show screening of mechanical equipment		
5.0	**Parking/Loading/Stacking Areas**		
5.1	Location and complete dimensions of all paved areas		
5.2	Setback dimensions of all paved areas to property lines		
5.3	Dimension of typical parking space and drive aisles		
5.4	Location and layout of handicapped parking spaces & access aisles		
5.5	Detail of vertical signage for handicapped parking and access aisles		
5.6	Indicate minimum parking requirement & number of spaces provided		
5.7	Proposed signage for directing and guiding traffic		
5.8	Curb cut permits from NYS, Erie County, or Town (if applicable)		
6.0	**Location and proposed development of all open spaces, including parks, playgrounds, and open reservations**		
III Utilities and Drainage			
1.0	**Engineers Report**		
1.1	Stamped/sealed and signed by NYS licensed architect or professional engineer		
1.2	Proposed water service sizing calculations		
1.3	Proposed sanitary sewer facility load calculations (avg. & peak flows)		
1.4	Proposed storm drainage facility calculations (see information included with this application)		
2.0	**Grading Plan**		
2.1	Existing and proposed grades indicated		
3.0	**Water Service**		
3.1	Location, size and material of existing and proposed facilities		
3.2	Location of existing and proposed fire hydrant location(s)		
3.3	Indicate use of sprinklers, location of Fire Department connection, and proposed fire protection systems		
3.4	Existing and proposed meter/RPZ size and location		
3.5	Applicable construction details		
4.0	**Sanitary Sewers**		
4.1	Locations, sizes, slopes, inverts, and materials of all existing and proposed facilities		
4.2	Applicable construction details		
4.3	Proposed water/oil/grease interceptor sizing calculations by a professional engineer (if applicable)		
5.0	**Storm Drainage**		
5.1	Locations, sizes, slopes, inverts, and materials of existing and proposed storm drainage facilities		

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Town of Amherst Planning Department 5583 Main Street Williamsville-NY-14221
(716) 631-7051- Fax: (716) 631-7153

Item No.		Submitted	Official use
III Utilities and Drainage (cont'd)			
5.2	Connection of roof drains to proposed drainage system		
5.3	Applicable construction details		
5.4	Existing and proposed swales and ditches		
5.5	Detention area cross-section and high-level elevations		
5.6	County and State approval for tie-in to existing sewers		
6.0	**Stormwater Pollution Prevention Plan (SWPPP) as applicable. See attached checklist.**		
7.0	**Natural Gas Service**		
8.0	**Location of transformers, generators and other mechanical equipment; include detail drawings (if applicable)**		
IV Lighting Plan			
1.0	**Photometric plan showing light spread in foot candles at property lines**		
1.1	Detail of all light standards, including dimension of height from finished grade		
1.2	Detail of all exterior lighting fixtures		
V Landscape Plan			
1.0	**Wet/raised seal and signature of a licensed Landscape Architect**		
2.0	**Provide a calculation of the total Parking area and a calculation of interior parking area in square feet and as a percentage**		
3.0	**Indicate location, size, number and type of proposed landscape materials**		
4.0	**Indicate location, type and size of <u>all</u> existing trees 4" caliper or larger and indicate which will be removed or retained**		
VI Other Required Information/General Requirements			
1.0	**Complete boundary survey that includes all existing structures, acreage, legal description with reference to a property line, street, or other known feature, and easements plotted to scale by a NYS licensed land surveyor**		
2.0	**Topographic Survey with a 30 ft. buffer outside all property lines by a NYS licensed land surveyor**		
3.0	**Draft of any deed restrictions, covenants, provisions for home associations and common ownership, and reciprocal easement agreements (as applicable).**		
4.0	**For assessment purposes, state intent to apply for condominium status (if applicable).**		
5.0	**<u>Complete and signed</u> Long Environmental Assessment Form** (copy included with application materials)		
5.1	Soil boring report and geotechnical report prepared by a qualified Professional Engineer (if applicable)		
5.2	Traffic Impact Study (if applicable)		
5.3	Archaeological survey (if applicable		
5.4	Wetland Delineation report (if applicable)		

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Town of Amherst Planning Department 5583 Main Street Williamsville-NY-14221
(716) 631-7051- Fax: (716) 631-7153

Item No.		Submitted	Official use
VI Other Required Information/General Requirements (cont'd)			
6.0	**Show existing zoning(s) of both the subject property and adjacent parcels on the Site Plan and the Landscape Plan**		
7.0	**Location of NYSDEC wetlands (including buffer area) and/or federal wetlands; indicate jurisdictional status**		
8.0	**Location of Floodway and floodplain** (if applicable)		
9.0	**Documentation pertaining to any conditions of zonings, including copies of required deed restrictions; indicate date of rezoning and the parcel address under which it was rezoned (if applicable)**		
10.0	**Documentation related to any required variances granted by the ZBA**		
11.0	**For residential site plans, provide a statement from the appropriate school district that adequate school sites and facilities are available.**		
12.0	**8 1/2" X 11" reduction of primary site plan drawing (see appendix "B" of application package for specifications)**		
13.0	**A CD containing a PDF of all site plan drawings (Must also be provided with revised drawings)**		

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Town of Amherst
SWPPP Review Checklist

Reviewed by: _____ Date: _____
Project Name: _____
TOA Job No.: _____ Applicant: _____
Project Address: _____

Required Documents and Notifications			
Acceptability			
Yes	No	N/A	
			Notice of Intent (filed with NYSDEC)
			Owner's contact information
			Contact information for co-permittees (operators or contractors)
			Owner certification and signature
			Anticipated date of construction commencement

SWPPP Contents			
Acceptability			
Yes	No	N/A	
			Identification of contractor
			Certification statement by contractor
			Requirement for all sub-contractors to sign certification statement
			Statement that SWPPP will be kept on site during all phases of construction
			"SWPPP Manager" identified by name, title, company (contact information)
			Legal description of site (including address)
			Description of on-site activities
			Total acreage of site identified
			Total acreage of are to be disturbed identified
			Runoff coefficient of site after construction completion
			Inspection and maintenance schedule identified, including responsible parties
			Existing soils data
			Receiving waters and ultimate receiving waters identified
			Quantitative stormwater discharge data
			SITE MAP
			Vicinity map and site map (includes North arrow)
			Existing and proposed topography (contours & critical spot elevations)
			Drainage pattern identified (temporary and permanent) (including off-site drainage)
			Approximate slopes after major grading activities
			Areas of soil disturbance identified & consistent with verbiage
			Locations of major structural and non-structural control plans
			Surface waters (including wetlands)
			Location of stormwater discharge to surface water
			Equipment and materials storage areas

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Acceptability			
Yes	No	N/A	
			Upstream diversions, downslope and sideslope perimeter controls installed prior to land disturbing activities
			Description of intended sequence of activities (Phasing plan with 5 acre threshold limits shown)
			Street profiles, utility locations, property boundaries and easement delineations shown
			Construction site parking identified
			Stabilized construction entrance(s) include details
			Other traffic controls identified
			Construction materials storage
			Washout area controls (including specs)
			Equipment fueling areas identified (including specs)
			Cover or stabilize disturbed areas (methods & timing)
			Construction timing to limit impact on seasonal weather changes
			Infiltration/filtration methods used
			Statement of areas disturbed for more than 14 days to be stabilized
			Existing vegetation preserved where appropriate
			Description of stabilization methods (including quantities of materials and specs, seeding rates, mulch material rates, etc.)
			Soil stockpile stabilization methods and timing
			Description of construction site waste disposal methods
			Sanitary waste disposal methods
			Structural Controls (circle methods used)
			Silt fences, earth dikes, brush barriers, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforce soil retaining systems, gabions, temporary or permanent sediment basins, rolled erosion control products (RECP's)
			Detailed specifications provided for all above methods
			Max created slope no steeper than 2' horizontal to 1' vertical
			Sediment basins provide at least 3,600ft^3 of storage per acre
			Positive drainage maintained
			Flow grades stabilized
			Permanent Stormwater Management Controls
			Description of post-construction controls
			Retention ponds, detention ponds, infiltration measure, sequential systems, vegetated swales, natural depressions (including calcs)
			Velocity dissipation devices
			Other Comments

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

PART 1—PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effe on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considere as part of the application for approval and may be subject to further verification and public review. Provide any addition information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involv new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and speci each instance.

NAME OF ACTION		
LOCATION OF ACTION (Include Street Address, Municipality and County)		
NAME OF APPLICANT/SPONSOR	BUSINESS TELEPHONE ( )	
ADDRESS		
CITY/PO	STATE	ZIP CODE
NAME OF OWNER (If different)	BUSINESS TELEPHONE ( )	
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION		

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐Urban ☐Industrial ☐Commercial ☐Residential (suburban) ☐Rural (non-farm
☐Forest ☐Agriculture ☐Other _____

2. Total acreage of project area: _____ acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	_____ acres	_____ acres
Other (Indicate type)_____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? _____
   a. Soil drainage: ☐Well drained _____ % of site ☐Moderately well drained _____ % of site
   ☐Poorly drained _____ % of site
   b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☐Yes ☐No
   a. What is depth to bedrock? _____ (in feet)

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

5. Approximate percentage of proposed project site with slopes: ☐0-10% _____ % ☐10-15% _____ %
   ☐15% or greater _____ %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the Nat l Registers of Historic Places? ☐Yes ☐No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐Yes o

8. What is the depth of the water table? _____ (in feet)

9. Is site located over a primary, principal, or sole source aquifer? ☐Yes ☐No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐Yes ☐No

11. Does project site contain any species of plant or animal life that is identified as threatened or endang ?
    ☐Yes ☐No According to _____
    Identify each species _____

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological format)
    ☐Yes ☐No Describe _____
    _____

13. Is the project site presently used by the community or neighborhood as an open space or recreation a
    ☐Yes ☐No If yes, explain _____

14. Does the present site include scenic views known to be important to the community?
    ☐Yes ☐No

15. Streams within or contiguous to project area: _____
    a. Name of Stream and name of River to which it is tributary _____
    _____

16. Lakes, ponds, wetland areas within or contiguous to project area:
    a. Name _____ b. Size (In acres) _____

17. Is the site served by existing public utilities? ☐Yes ☐No
    a) If Yes, does sufficient capacity exist to allow connection? ☐Yes ☐No
    b) If Yes, will improvements be necessary to allow connection? ☐Yes ☐No

18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25- Section 303 and 304? ☐Yes ☐No

19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Articl of the ECL, and 6 NYCRR 617? ☐Yes ☐No

20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐Yes ☐No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
   a. Total contiguous acreage owned or controlled by project sponsor _____ acres.
   b. Project acreage to be developed: _____ acres initially; _____ acres ultimately.
   c. Project acreage to remain undeveloped _____ acres.
   d. Length of project, in miles: _____ (If appropriate)
   e. If the project is an expansion, indicate percent of expansion proposed _____ %;
   f. Number of off-street parking spaces existing _____; proposed _____.
   g. Maximum vehicular trips generated per hour _____ (upon completion of project)?
   h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	_____	_____	_____	_____
Ultimately	_____	_____	_____	_____

   i. Dimensions (in feet) of largest proposed structure _____ height; _____ width; _____ length.
   j. Linear feet of frontage along a public thoroughfare project will occupy is? _____ ft.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? _____ tons/cubic yard
3. Will disturbed areas be reclaimed? ☐Yes ☐No ☐N/A
   a. If yes, for what intended purpose is the site being reclaimed? _____
   b. Will topsoil be stockpiled for reclamation? ☐Yes ☐No
   c. Will upper subsoil be stockpiled for reclamation? ☐Yes ☐No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? _____ acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? ☐Yes ☐No
6. If single phase project: Anticipated period of construction _____ months, (including demolition).
7. If multi-phased:
   a. Total number of phases anticipated _____ (number).
   b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition
   c. Approximate completion date of final phase _____ month _____ year.
   d. Is phase 1 functionally dependent on subsequent phases? ☐Yes ☐No
8. Will blasting occur during construction? ☐Yes ☐No
9. Number of jobs generated: during construction _____; after project is complete _____.
10. Number of jobs eliminated by this project _____.
11. Will project require relocation of any projects or facilities? ☐Yes ☐No If yes, explain _____
12. Is surface liquid waste disposal involved? ☐Yes ☐No
    a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
    b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? ☐Yes ☐No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? ☐Yes ☐No
    Explain _____
15. Is project or any portion of project located in a 100 year flood plain? ☐Yes ☐No
16. Will the project generate solid waste? ☐Yes ☐No
    a. If yes, what is the amount per month _____ tons
    b. If yes, will an existing solid waste facility be used? ☐Yes ☐No
    c. If yes, give name _____; location _____
    d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐Yes ☐No
    e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? ☐Yes ☐No
    a. If yes, what is the anticipated rate of disposal? _____ tons/month.
    b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? ☐Yes ☐No
19. Will project routinely produce odors (more than one hour per day)? ☐Yes ☐No
20. Will project produce operating noise exceeding the local ambient noise levels? ☐Yes ☐No
21. Will project result in an increase in energy use? ☐Yes ☐No
    If yes , indicate type(s) _____
22. If water supply is from wells, indicate pumping capacity _____ gallons/minute.
23. Total anticipated water usage per day _____ gallons/day.
24. Does project involve Local, State or Federal funding? ☐Yes ☐No
    If Yes, explain _____

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

25. Approvals Required:

			Type	Subm Da
City, Town, Village Board	☐Yes	☐No		
City, Town, Village Planning Board	☐Yes	☐No		
City, Town Zoning Board	☐Yes	☐No		
City, County Health Department	☐Yes	☐No		
Other Local Agencies	☐Yes	☐No		
Other Regional Agencies	☐Yes	☐No		
State Agencies	☐Yes	☐No		
Federal Agencies	☐Yes	☐No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☐Yes ☐No
   If Yes, indicate decision required:
   ☐zoning amendment ☐zoning variance ☐special use permit ☐subdivision ☐site plan
   ☐new/revision of master plan ☐resource management plan ☐other _____
2. What is the zoning classification(s)of the site? _____
3. What is the maximum potential development of the site if developed as permitted by the present zoning?
   _____
4. What is the proposed zoning of the site? _____
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
   _____
6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☐Yes
7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?
   _____
8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☐Yes
9. If the proposed action is the subdivision of land, how many lots are proposed? _____
   a. What is the minimum lot size proposed? _____
10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐Yes
11. Will the proposed action create a demand for any community provided services (recreation, education, pc fire protection)? ☐Yes ☐No
    a. If yes, is existing capacity sufficient to handle projected demand? ☐Yes ☐No
12. Will the proposed action result in the generation of traffic significantly above present levels? ☐Yes
    a. If yes, is the existing road network adequate to handle the additional traffic? ☐Yes ☐No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adv impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigat avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment For with this assessment.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

TOWN OF AMHERST ATTACHMENT
State Environment Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Part I-A.3.a. For each applicable category of proposed new structures, including additions to existing structures, provide the following information for all soil types on the project site *(according to Soil Survey of Erie County, NY; Table 11, Building Site Development,pp.294-305)*:

Soil Name	Shallow excavations	Dwellings without basements	Dwellings with basements	Small commercial buildings	Local roads and streets

If the Soil Survey indicates either "severe" or "moderate" suitability for the proposed types of construction, a geotechnical and hydrological analysis based on one test per 3.5 acres of project area must be provided (per Town Board resolution, 3/17/03, amended 6/16/03).

___ Geotechnical report attached
___ Not applicable

Part I-A.17 Is your property located: On Youngs Road between Dodge and Klein Roads? ( ) Yes ( ) No
OR
On Wehrle Drive between Spindrift Drive and Oakwood Road? ( ) Yes ( ) No

If so, the property may be within an area of the Town that is affected by a moratorium on connections to the sanitary sewer system.

Part I-C.13 Are there alternative locations on the site for this project? ( ) Yes ( ) No

Part I-C.14 Location and size of real property owned by petitioner in the near vicinity of subject proposal.

_____

_____

Are you aware of current or future plans or intentions by others in the Town of Amherst to develop property within 1000± ft. of the present project request? ( ) Yes ( ) No

Describe _____

_____ *

* Potential environmental impacts from adjacent or nearby projects undergoing the approval process will receive a coordinated environmental review to determine cumulative effects on common receivers (e.g. traffic and drainage corridors) and other relevant environmental concerns.

E/Dianne/docs:site plan application
3/90, 6/01, 5/03, 7/03

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

TOWN OF AMHERST
ENGINEERING DEPARTMENT
ERIE COUNTY NEW YORK
PAUL M. BOWERS, P.E., TOWN ENGINEER

MEMORANDUM October 8, 1998

To: Charles O. Brown – Planning Director

From: Paul M. Bowers, P.E. – Town Engineer

Re: Site Plan / Subdivision Submittals
Environmental Assessment Forms

For submissions to the Engineering Department, Items 12, 12a, 12b of Part B of the EAF are required for proposed sanitary sewage usage amounts.

Please inform petitioners of this fact.

Thank you for your consideration.

WJC/jk

cc: Thomas C. Ketchum, PE. – Building Commissioner
James I. Johnson, P.E. – Assistant Town Engineer
Technical Staff

ENGINEERING OFFICE • SEWER MAINTENANCE
1100 N. FOREST ROAD
WILLIAMSVILLE, N.Y. 14221
(716) 631-7154 • FAX (716) 631-7222

WASTEWATER TREATMENT FACILITY • ENVIRONMENTAL CONTROL
455 TONAWANDA CREEK ROAD
AMHERST, N.Y. 14228
(716) 691-9771 • FAX (716) 691-4496

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

CRITERIA FOR THE REQUIRED 8½" X 11" REQUIRED DRAWING REDUCTIONS

Graphic Standards:

- This BLACK and WHITE drawing will be used as an overhead presentation displayed during the Planning Board's monthly meeting as well as copied for distribution to each Planning Board member, and filed for public review. Clarity and legibility of this graphic are essential.
- Two (2) copies of an 8½" x 11" Concept or Site Plan are required for **ALL** Site Plan, Subdivision, and Open Development Area submittals in addition to the standard size copies of plans required by the application.
- Site Plan submittals shall also include 8½" x 11" reductions of the Landscape Plan and building elevations.
- Each time a revision is made to standard size Concept or Site Plan drawings submitted for approval, two (2) revised 8½" x 11" graphics must also be submitted.
- Two (2) copies of an 8½" x 11" Concept Plan are required for Rezoning submittals which include standard size Concept Plans.
- The Town of Amherst Planning Department reserves the right to require additional information or modify the submitted drawing for presentation purposes.
- Each submitted drawing becomes the property of the Town of Amherst.
- Illegible 8½" x 11" graphics may result in rejection of the submittal by the Planning Department or may result in removal from the Planning Board agenda.

Information to be provided and clearly labeled:

- ALL labels, dimensions, and other notations must be clear and legible at 8 ½ x 11" size.
- ALL existing and proposed building footprints.
- Significant natural and man-made site and building features.
- ALL existing and proposed street names.
- Property lines.
- North arrow, date of preparation, and latest revision date for each sheet.
- Retention/Detention ponds.
- State and Federal wetlands.
- Berms

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Additional information to be provided but not labeled:

- Parking, loading, and stacking layouts (directional arrows – optional).
- Curb cuts for developed properties on opposite sides of street.
- Landscaping should be included in a manner not to interfere with presentation clarity.
- ALL existing and proposed sidewalks, paths, and bikeways.

Information NOT to be provided on 8½" x 11" graphic unless specifically requested:

- Utility information/data.
- Contour lines/elevation data.
- Dimension lines.
- Shading for any site feature(s).
- Site data/calculations.
- Plant lists.
- Building elevations, drainage profiles, sign graphics, etc.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

TOWN OF AMHERST
ENGINEERING DEPARTMENT
ERIE COUNTY, NEW YORK
PAUL M. BOWERS, P.E., TOWN ENGINEER

September 24, 1999

TO: TECHNICAL STAFF

FROM: Paul M. Bowers, P.E.

RE: ERIE SEWER DISTRICT NO. 5 – COMMERCIAL/INDUSTRIAL NEW AND EXISTING BUILDINGS

Attached is a copy of the letter from ECSD #5 regarding the above subject. This would apply to all site plan reviews and construction which might occur on the Amherst side of ECSD #5.

The essence of their request is to make sure that petitioners apply as early as possible (earliest rezoning stage), but certainly as early as the site plan review stage, to the Erie County's Division of Sewerage Management (DSM). By submitting building and plumbing plans early in the review process to the County (DSM), petitioners will not be denied nor delayed in seeking access while current reviews are being held.

If you review any rezonings and site plans for those areas along Transit Road within ECSD #5, petitioners should be advised that early submittal (of building and plumbing plans) to the DSM is necessary.

PMB:rb
Att.
Cc & Att: Thomas C. Ketchum, P.E., Building Commissioner
Richard Gillert, Planning Director

RECEIVED
SEP 28 1999
TOWN OF AMHERST
PLANNING DEPT.

ENGINEERING OFFICE · SEWER MAINTENANCE
110 N. FOREST ROAD
WILLIAMSVILLE, NY 14221

WASTEWATER TREATMENT FACILITY · ENVIRONMENTAL CONTROL
455 TONAWANDA CREEK ROAD
AMHERST, NY 14228

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

TOWN OF AMHERST
ENGINEERING
DEPARTMENT
JUL 12 2 04 PM '99

County of Erie

DENNIS T. GORSKI
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT AND PLANNING

RICHARD M. TOBE
COMMISSIONER

CHARLES J. ALESSI, P.E.
DEPUTY COMMISSIONER
Sewerage Management

July 9, 1999

Amherst Town Board
5583 Main Street
Williamsville, New York 14221

RE: Erie County Sewer District No. 5
Commercial/Industrial New and Existing Building
Construction and Change in Existing Establishments

Honorable Town Board:

This letter is written to remind you that any new commercial and/or industrial buildings or a change in use of an existing building within your service area requires the submittal of an Industrial Waste Survey (IWS), complete with detailed plans, to Erie County's Division of Sewerage Management (DSM) for review and approval.

Your community, as a member of the Erie County Sewer District No. 5 (ECSD #5), is required to participate in the District's EPA Approved Pretreatment Program. This program, mandated under federal law, requires review and inventory of all new non-residential facilities in the service area to determine if they fall under the pretreatment program. This review will also determine if the new facilities require an Industrial Wastewater Discharge Permit. Furthermore, as part of ECSD #5, your community must comply with The Rules and Regulations for Erie County Sewer Districts. These Rules and Regulations include additional requirements for non-residential facilities connecting to the sanitary sewer within the service area. The review of the plans for new facilities will insure compliance.

While there has not been a problem with new buildings incorporating new sewer connections, it is becoming more of a problem with existing commercial establishments that have changed ownership, expanded, and/or been renovated for a different use, without any review by the DSM. This includes such projects as: (a) where a building is demolished and a new facility is built at

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

ERIE COUNTY OFFICE BUILDING, 95 FRANKLIN STREET, BUFFALO, NEW YORK 14202 (716) 858-8383

the same location; and (b) establishments that change their use such as a store turned into a bakery or a gas station turned into a restaurant.

A specific problem that tends to reoccur is the question of grease traps. The District requires all food serving establishments to have exterior grease traps installed. Some Towns only require the under the sink traps. However, the District has found them to be generally inadequate in most situations.

The District suggests that in the future, completion of the Industrial Waste Survey and review of plans be done by the DSM prior to approval and issuance of building permits for non-residential buildings. Currently, there is no fee required by the DSM for this review. The review is vital for the District's Industrial Waste section to maintain the proper inventory of non-residential facilities in the service area pursuant to federal regulations. Failure to do so could result in substantial costs to property owners to bring their facilities into compliance if construction occurs prior to plan approval.

In a related matter, it is extremely important that where existing sewer laterals are not being reused, they are properly capped and sealed. It has been our experience that if the old sewers are not properly capped, it allows excessive inflow and infiltration into the sewers and unwanted debris. This can cause problems such as unnecessary surcharging and/or plugging of sewers and flooded basements or the undermining of paved areas such as sidewalks, roads and parking areas. Proper capping of sanitary sewer laterals is also required under the District's Rules and Regulations. If the existing sewer laterals are to be reused by a new building, they need to be inspected and tested to see that they are still structurally sound.

It is the District's hope that by working in a cooperative manner, the integrity of the entire sewerage system will ultimately improve, thereby reducing inflow and infiltration, and thus saving money for both your community and the District.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

If you have any questions, please feel free to contact me at 858-7537.

Very truly yours,

Charles J. Alessi, P.E.
Deputy Commissioner

CJA/ss
cc: ECSD #5 Board of Managers
Susan Grelick, Supervisor, Amherst
Paul Bower, Tn. Engineer, Amherst
Town of Amherst Building Inspector
L. Pohl
G. Absolom
G. Devlin/L. Sedita/File
SS006

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:
Proposed Parking Lot Expansion

Project Location (describe, and attach a location map):
4224 - 4256 Ridge Lea Road, Town of Amherst, Erie County

Brief Description of Proposed Action:
The proposed action is a parking lot expansion to the south of the existing Key Bank office building along with replacing the existing lights with new LED fixtures

Name of Applicant or Sponsor:	Telephone: 716-878-9626
Benderson Development Company, LLC	E-Mail: jamesboglioli@benderson.com

Address:
570 Delaware Ave

City/PO:	State:	Zip Code:
Buffalo	NY	14202

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

3. a. Total acreage of the site of the proposed action? 47.31 acres
   b. Total acreage to be physically disturbed? 1.65 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
☐ Parkland

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	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES
If Yes, identify: _____	☑	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES
	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☑
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☑
10. Will the proposed action connect to an existing public/private water supply?	NO	YES
If No, describe method for providing potable water: _____ N/A - parking lot expansion _____	☑	☐
11. Will the proposed action connect to existing wastewater utilities?	NO	YES
If No, describe method for providing wastewater treatment: _____ N/A - parking lot expansion _____	☑	☐
12. a. 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?	NO	YES
	☑	☐
b. 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?	☑	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES
	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____		

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☑ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☐	☑
If Yes,		
a. Will storm water discharges flow to adjacent properties?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☑
If Yes, briefly describe: Drains into existing on site storm sewer		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☑	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Matthew J. Oates, P.E. Date: 07/12/2021

Signature: _____ Title: Director, Engineering

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

PRINT FORM

Carmina · Wood · Morris DPC

487 Main Street Suite 600 Buffalo, New York 14203 P: 716.842.3165 F: 716.842.0263 W: cwm-ae.com

Architecture Engineering Interior Design

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORMWATER POLLUTION PREVENTION PLAN
for
CONSTRUCTION ACTIVITIES
At

Proposed Parking Expansion
4224 Ridge Lea Rd
Town of Amherst, Erie County, New York

Prepared for

Benderson Development Company, LLC

570 Delaware Ave
Buffalo, NY 14202

Prepared by

Carmina Wood Morris, D.P.C.

487 Main Street, Suite 500
Buffalo, NY 14203

Telephone: (716) 842-3165
Fax: (716) 842-0263

August 2021

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Section 807 - Indian Country Lands

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STORM WATER POLLUTION PREVENTION PROGRAM

801 SCOPE

A. **PURPOSE: Benderson Development LLC** has placed an emphasis on following **the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit for Stormwater Discharges from Construction Activity** governing storm water discharges during construction, and in accordance with erosion control practices. The Contractor's participation in this program is mandatory and its non-compliance is subject to various remedies, including without limitation, monetary set-offs, withholding payments; reimbursement for costs, expenses (including reasonable attorney's fees), fines and civil penalties incurred by **Benderson Development LLC*;*** and/or liquidated damages. This section provides a descriptive explanation of **Benderson Development LLC's** Storm Water Pollution Prevention Program and required Contractor participation.

The Engineer of record for this project certifies that this SWPPP meets the requirements and is in compliance with the New York State Stormwater Management Design Manual and latest NYSDEC Phase II stormwater regulation requirements.

B. **SPDES General Permit for Stormwater Discharges from Construction Activity:** Regulations promulgated by the NYSDEC to regulate the discharge of storm water from construction activities on sites where more than **one (1)** acre of soil is disturbed. One of the ways to comply with these regulations for affected sites is to request coverage under the General Permit for Construction Activities for New York State. In order to use the General Permit, a Notice of Intent (NOI) form must be completed and mailed to the **NYSDEC** at least ***5 business days*** prior to any earth-disturbing activities (this time frame may increase to 60 business days if a full review of the SWPPP is determined necessary by the NYSDEC) and a Storm Water Pollution Prevention Plan (SWPPP) for the site must be prepared and followed during the construction activities.

Approval from a regulated, traditional land use control MS4:

1. An *owner or operator* of a *construction activity* that is <u>not</u> subject to the requirements of a *regulated, traditional land use control MS4* must first develop a SWPPP in accordance with all applicable requirements of this permit and then submit a completed NOI form to the NYSDEC.

2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* must first develop a SWPPP in accordance with all applicable requirements of this permit and then have its SWPPP reviewed and accepted by the *MS4* prior to submitting the NOI to the NYSDEC. The *owner or operator* shall have the "MS4 SWPPP Acceptance" form signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4*, or by a duly authorized representative of that person, and then submit that form along with the NOI to the address referenced under "Notice of Intent (NOI) Submittal".

C. **RESPONSIBILITIES OF THE CONTRACTOR:** The Contractor shall manage the discharge of storm water from the site in accordance with the **NYSDEC** General Permit for Construction Activities conditions and the following provisions of this section. The Operator shall be responsible for conducting the storm water management practices in accordance with the permit. The Contractor shall be responsible for providing qualified inspectors to conduct the inspections required by the SWPPP. The Contractor shall be responsible for any enforcement action taken or imposed by federal, state, or local agencies, including the cost of fines, construction delays, and remedial actions resulting from the Contractor's failure to comply with the permit provisions. **It shall be the responsibility of the Contractor to make any changes to the SWPPP necessary when the Contractor or any of his subcontractors elects to use borrow or fill or material storage sites, either contiguous to or remote from the construction site, when such sites are used solely for this construction site. Such sites are considered to be part of the construction site covered by the permit and this SWPPP. Off-site borrow, fill, or material storage sites which are used for multiple construction projects are not subject to this requirement, unless specifically required by state or local jurisdictional entity regulations. The Contractor should consider this requirement in negotiating with earthwork subcontractors, since the choice of an off-site borrow, fill, or material storage**

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site may impact their duty to implement, make changes to, and perform inspections required by the SWPPP for the site.

D. **NOTICE OF INTENT:** The Operator has petitioned the **NYSDEC** for coverage under the storm water discharges during construction at this site to be covered by the **SPDES** General Permit for Construction Activity for the State of **New York.** A Notice of Intent (NOI) for coverage under this permit has been filed by the Operator. The SWPPP must be prepared prior to submittal of the NOI form. The Operator will require the Contractor to be a co-permittee with the Operator. The Contractor will be required to post the NOI at the construction site along with any building permits.

E. **CONTRACTOR CERTIFICATION & TRAINING**: Certification and Training of the Contractor's Project Manager and Superintendent will be performed at the Pre-Construction Meeting and administered by the **Operator's Project Manager** and/or **Operator's Engineer**. This Certification and Training Program has been developed to stress the importance of the following topics:

- Erosion and sediment control for water quality protection
- Implementation of erosion and sediment control plans
- The importance to proper installation of erosion and sediment control measures
- Regular inspection by the **owner/operator** and a **Qualified Professional** of erosion and sediment control measures
- Diligent maintenance of erosion and sediment control measures
- Expedient preparation of accurate and complete records regarding inspection and maintenance of erosion and sediment control measures
- Record-keeping for inspections and maintenance activities

Upon completion of the certification and training program, the project will receive a *SWPPP Ledger* for use by the Contractor's Project Manager and Superintendent with all required certifications and record keeping forms involved with the installation and/or maintenance of erosion and sediment control measures. The Operator's certification and training shall be in addition to any federal, state or local certifications or training required or available to comply with SPDES stormwater permit requirements by the Contractor.

F. **REQUIREMENTS FOR THE GENERAL CONTRACTOR AND SUBCONTRACTOR(S):** The *SWPPP Ledger* shall provide a **"Contractor's Certification Log" (Form SWPPP-1)** for both the General Contractor and Subcontractor(s) identifying the Company Name, Business Address and Telephone Number along with the Responsible Person for the Contractor and all subcontractors' who will implement the measures identified in the SWPPP. **The General Contractor and Subcontractor(s) shall also sign the "Contractor's Certification Statement" (Form SWPPP-2)** verifying they have been instructed on how to comply with and fully understand the requirements of the **SPDES** General Permit for Construction Activity for the State of **New York** and the SWPPP. These certifications must be signed, by a responsible corporate officer or other party meeting the "Signatory Requirements" of the SPDES General Permit, on behalf of each entity, prior to the beginning of any construction activities and shall be filed in the project's *SWPPP Ledger*. A Signatory Authorization Designation **(Form SWPPP-11)** must be filled out by each entity giving the authorization for the individual to sign on behalf of the entity.

G. **STORM WATER POLLUTION PREVENTION PROGRAM LOCATION REQUIREMENTS:** The *SWPPP Ledger* is meant to be a working document that shall be maintained at the site of the Construction Activities at all times throughout the project, shall be readily available upon request by the Operator's personnel or **NYSDEC** or any other agency with regulatory authority over storm water issues, and shall be kept on-site until the site complies with the Final Stabilization section of this document. **A sign or other notice must be posted near the main entrance of the construction site which contains a completed NOI, the location of the SWPPP and the name and phone number of a contact person responsible for scheduling SWPPP viewing times, and any other state specific requirements.**

H. **SWPPP LEDGER:** The SWPPP Ledger shall be a three (3) ring binder, the Ledger shall be tabbed and indexed for the following sections:

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- **Table of Contents**
- **Written SWPPP**
- **Site Map**
- **Erosion and Sedimentation Control Plan(s)**
- **Signed NYSDEC Notice of Intent (NOI)**
- **Copy of Notice of Permit Coverage**
- **Copy of the NYSDEC SPDES General Permit for Construction Activity for the State of New York**
- **Blank Copy of NOI and Notice of Termination (NOT)**
- **Contractor's Certification Log (Form SWPPP-1)**
- **Contractor's Certification Statement (Form SWPPP-2)**
- **Inspection Report(s) (Form SWPPP-3)**
- **Stabilization Schedule (Form SWPPP-4)**
- **Final Stabilization/Termination Checklist (Form SWPPP-5)**
- **Project Rainfall Log (Form SWPPP-6)**
- **Requested Changes to the SWPPP (Form SWPPP-7)**
- **Monthly Training Log (Form SWPPP-8)**
- **Reportable Quantity Release Form (Form SWPPP-9)**
- **Implementation Schedule (Form SWPPP-10)**
- **Signatory Authorization Designation (SWPPP-11)**
- **Owner's Certification (SWPPP-12)**
- **Engineer's Certification (SWPPP-13)**
- **Sample Forms**

The Operator's Project Manager must review and evaluate for compliance the *SWPPP Ledger* at each Project Review. All Inspection and Maintenance Forms must be **signed** by the Operator's Project Manager **(or other duly authorized representative)** at this review and be submitted with the Contractor's Monthly Application for Payment. The approval of the Contractor's Application for Payment will be withheld until the *SWPPP Ledger* is deemed in compliance and all SWPPP Inspection and Maintenance Forms and have been submitted to the satisfaction of the Operator.

I. INSPECTIONS AND RECORD-KEEPING:

A. General Construction Site Inspection and Maintenance Requirements

1. The *owner or operator* must ensure that all erosion and sediment control practices and all post-construction stormwater management practices identified in the SWPPP are maintained in effective operating condition at all times.

2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York, or protect the public health and safety and/or the environment.

B. Owner or Operator Maintenance Inspection Requirements

1. The *owner or operator* shall inspect, in accordance with the requirements in the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, the erosion and sediment controls identified in the SWPPP to ensure that they are being maintained in effective operating condition at all times.

2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the *owner or operator* can stop conducting the maintenance inspections. The *owner or operator* shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of the General Permit as soon as soil

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disturbance activities resume.

3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *owner or operator* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

C. **Qualified Inspector Inspection Requirements**

The *owner or operator* shall have a *qualified inspector* conduct site inspections in conformance with the following requirements:

Note: The *trained contractor* identified in Part III.A.6 of the General Permit **cannot** conduct the *qualified inspector* site inspections unless they meet the *qualified inspector* qualifications included in Appendix A of the General Permit. In order to perform these inspections, the *trained contractor* would have to be a:

- Licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- Registered Landscape Architect, or
- Someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity.

1. A *qualified inspector* shall conduct site inspections for all construction activities identified in Tables 1 and 2 of Appendix B of the General Permit, with the exception of:

   a. The construction of a single family residential subdivision with 25% or less impervious cover at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C of the General Permit and not directly discharging to one of the 303(d) segments listed in Appendix E of the General Permit;

   b. The construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E of the General Permit;

   c. Construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and

   d. Construction activities located in the watersheds identified in Appendix D of the General Permit that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land.

2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:

   a. For construction sites where soil disturbance activities are on-going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.

   b. For construction sites where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part II.C.3 of the General Permit to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

   c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter

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shutdown) and temporary stabilization measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* shall notify the Regional Office stormwater contact person (see contact information in Appendix F of the General Permit) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the MS4 (provided the MS4 is not the *owner or operator* of the construction activity) in writing prior to reducing the frequency of inspections.

d. For construction sites where soil disturbance activities have been shut down with partial project completion, the *qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the Regional Office stormwater contact person or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the MS4 (provided the MS4 is not the *owner or operator* of the construction activity). in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* shall have the *qualified inspector* perform a final inspection and certify that all disturbed areas have achieved *final stabilization,* and all temporary, structural erosion and sediment control measures have been removed*;* and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice" certification statements on the NOT. The *owner or operator* shall then submit the completed NOT form to the address in Part II.A.1 of the General Permit.

3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization,* all points of discharge to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site, and all points of discharge from the construction site.

4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:

   a. Date and time of inspection;

   b. Name and title of person(s) performing inspection;

   c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;

   d. A description of the condition of the runoff at all points of discharge from the construction site. This shall include identification of any *discharges* of sediment from the construction site. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;

   e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. This shall include identification of any *discharges* of sediment to the surface waterbody;

   f. Identification of all erosion and sediment control practices that need repair or maintenance;

   g. Identification of all erosion and sediment control practices that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;

   h. Description and sketch of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since the last inspection;

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i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;

j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s); and

k. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.

5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III.A.6. of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.

6. All inspection reports shall be signed by the *qualified inspector*. Pursuant to Part II.C.2 of the General Permit, the inspection reports shall be maintained on site with the SWPPP.

Record Retention - The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the site achieves *final stabilization*. This period may be extended by the Department, in its sole discretion, at any time upon written notification.

- **Form SWPPP-3** **Inspection Report**
- **Form SWPPP-4** **Stabilization Schedule**
- **Form SWPPP-5** **Final Stabilization/Termination Checklist**
- **Form SWPPP-6** **Project Rainfall Log**
- **Form SWPPP-7** **Requested Changes to the SWPPP**
- **Form SWPPP-8** **Monthly Training Log**
- **Form SWPPP-9** **Reportable Quantity Release Form**
- **Form SWPPP-10** **Implementation Schedule**
- **Form SWPPP-11** **Signatory Authorization Designation**
- **Form SWPPP-12** **Owner's Certification**
- **Form SWPPP-13** **Engineer's Certification**

J. **SWPPP MODIFICATIONS:** The inspection report should also identify if any revisions to the SWPPP are warranted due to unexpected conditions. The SWPPP is meant to be a dynamic working guide that is to be kept current and amended whenever there is a change in design, construction, operation, or maintenance at the construction site that has or could have a significant effect on the discharge of pollutants or when the plan proves to be ineffective in eliminating or significantly minimizing pollutant discharges. Any such changes to the SWPPP must be made in writing on the "**Requested Changes to the SWPPP" (Form SWPPP-7)** within 7 days of the date of such modification or amendment is made. The Contractor's failure to modify or report deficiencies to the Operator will result in the Contractor being liable for fines and construction delays resulting from any federal, state, or local agency enforcement action.

K. **CONTRACTOR'S MONTHLY TRAINING:** The Contractor shall provide monthly training sessions for all entities and subcontractors involved with installing, applying, performing, maintaining and inspection of the SWPPP. Logs of each monthly training shall be kept by the Contractor on the "Monthly Training Log" **(Form SWPPP-8)**, in the *SWPPP Ledger*. Training shall educate the attendees on the topics of:

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- The Location and Type of Control Measures
- The Construction Requirements for the Control Measures
- Maintenance Procedures for each of the Control Measures
- Spill Prevention and Cleanup Measures
- Inspection and Maintenance Record Keeping Requirements

L. **FINAL STABILIZATION AND TERMINATION OF PERMIT COVERAGE:** A site can be considered finally stabilized when all soil disturbing activities have been completed and a uniform perennial vegetative cover with a density of **85%** for the unpaved areas and areas not covered by permanent structures has been established or equivalent permanent stabilization measures have been established and the facility no longer discharges storm water associated with construction activities and a Notice of Termination (NOT) form filed by the Operator(s) with the NYSDEC. The Operator's Project Manager must complete the NOT. The NOT must be signed by the signatory (or equivalent position) on the NOI and subsequently submitted to the appropriate agency. The Operator's Project Manager must provide a completed copy of the NOT to the Contractor for inclusion in the SWPPP, which will then be optically scanned into the final SWPPP document as required. This filing terminates coverage under the General Permit and terminates the Contractor's responsibility to implement the SWPPP, but the requirements of the SWPPP, including periodic inspections, must be continued until the NOT is filed. The owner or operator shall also have the qualified inspector perform a final site inspection prior to submitting the NOT to the Department. In addition, the qualified inspector must verify during the final inspection that all Town of Amherst requirements for Final Stabilization have been satisfied prior to Town of Amherst signature of the NOT. Upon achieving this milestone, the Contractor shall also submit "Final Stabilization Certification/Termination Checklist" **(Form SWPPP-5)**. Final payment and/or the release of retainage will be withheld until all provisions of the SWPPP have been submitted, completed and accepted by the Operator.

802 PROJECT NAME AND LOCATION

Proposed Parking Expansion
4224 Ridge Lea Rd
Town of Amherst, NY 14226
42.997°N, 78.814°W
Estimated Area of Site ≈ 26.1+/- acres
Estimated Area to be Disturbed by Construction Activities ≈ 1.9+/- acres

A general location map is included as Appendix A.

803 OPERATOR'S NAME AND ADDRESS

Benderson Development LLC
570 Delaware Ave
Buffalo, NY 14202
Contact Person: Matt Oates
Telephone: 716-878-9397

804 PROJECT DESCRIPTION

This project is an expansion of an existing parking lot area located within the existing Amherst Commercial Park (4224-2456 Ridge Lea Rd) on the east side of North Bailey Ave and south of Route 290 in the Town of Amherst. The existing parking lot is located on the south side of building #4224 Ridge Lea Rd. The overall project area is approximately 3.59+/- acres and will consist of the construction of new curbed landscape islands, sidewalks, pavement areas, milling/overlay of existing pavement areas and parking area restriping. Anticipated full soil disturbance area will total approximately 1.93 +/- acres. Currently the majority of the project area consists of existing paved parking areas or remnants of old impervious surfaces.

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Soil disturbing activities will include:

A. Construction of temporary construction exit point
B. Clearing & grubbing of the site within disturbance limits
C. Construction of bioretention area
D. Installation of storm sewer pipes and inlets
E. Construction of utilities
F. Construction of driveways and parking lot
G. Final grading & landscaping
H. N/A

This project is owned by **Benderson Development LLC** and will be developed by **Benderson Development LLC**. The work area consists of approximately 1.9+/- acres for which erosion and sediment controls have been developed and fully addressed in this written plan and the Erosion and Sediment Control Plans. See the construction documents for additional details

805 RUNOFF COEFFICIENT, SOILS, AND RAINFALL INFORMATION

The initial runoff curve number for the pre-construction site is "CN" = 95. The post-construction runoff curve number for the site will be "CN" = 95. Approximately 1.9+/- acres will be disturbed by construction activities.

See soils information located in Appendix D

The site is in Erie County, which receives an average of approximately 35 inches rainfall annually with the highest amounts of rainfall received in the months of May thru September. Annual snow for this area is approximately 100 inches.

806 WATERS

The runoff generated from this site will discharge north to an existing detention pond offsite and the I-290 NYSDOT open/closed stormwater drainage system and then ultimately to Ellicott Creek and the Niagara River.

807 INDIAN COUNTRY LANDS

This project is not located on Indian Lands.

808 ENDANGERED AND THREATENED SPECIES

No endangered/threatened species have been determined to be on the site.

809 CRITICAL HABITAT

No critical habitats have been determined to be on the site.

810 HISTORIC PLACES

The assessed property is not listed in the National Register of Historical Places.

811 WETLANDS AND/OR OTHER SURFACE WATERS

No wetlands are located on the site.

812 EROSION AND SEDIMENT CONTROLS

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812.1 STABILIZATION PRACTICES

Stabilization practices for this site include:

A. Land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed.
B. Use of stabilization method for all slopes having a slope greater than 1V:3H.
C. Permanent seeding and planting of all unpaved areas using the hydromulching grass seeding technique.
D. Mulching exposed areas.
E. Vegetation preservation in undisturbed areas.
F. Frequent watering to minimize wind erosion during construction.

a. For sites where **5 acres or more** are disturbed at any one time: In areas where soil disturbance activity has been temporarily or permanently ceased, temporary and/or permanent soil stabilization measures shall be installed and/or implemented within seven (7) days from the date the soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the most current version of the *New York Standards and Specifications for Erosion and Sediment Control.*
b. The owner or operator shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.
c. The owner or operator shall install any additional measures needed to protect water quality.

812.2 STRUCTURAL PRACTICES

Structural practices for this site include:

A. Inlet protection using a method detailed in the Construction Documents.
B. Perimeter protection using temporary silt fence.
C. Outlet protection using rip-rap stone and end sections.
D. Stabilized Construction Entrance.
E. Temporary stone wash off areas.
F. Storm sewer, curb/gutter.
G. Sediment traps and basins.

812.3 SEQUENCE OF MAJOR ACTIVITIES

The Contractor will be responsible for implementing the following erosion control and storm water management control measures. The Contractor may designate these tasks to certain subcontractors as he sees fit, but the ultimate responsibility for implementing these controls and ensuring their proper functioning remains with the Contractor. The order of activities will be as follows:

A. Construct temporary construction exits at locations shown on the Demolition & Erosion Control Plan Sheet.
B. Install perimeter silt fences in the locations shown on the Demolition & Erosion Control Plan Sheet.
C. Clear & Grub site.
D. Construction of bioretention area.
E. Commence site grading.
F. Disturbed areas of the site where construction activity has ceased for more than 14 days shall be temporarily seeded and watered.
G. Installation of proposed utilities
H. Finalize pavement subgrade preparation.
I. Construct all curb, drainage inlets, storm sewer pipes and storm sewer manholes, as shown on the plans. Install temporary inlet protection at the locations of all inlets.
J. Dust control.

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K. Remove inlet protection around inlets and manholes no more than 48 hours prior to placing stabilized base course.
L. Install base material as required for pavement.
M. Carry out final grading and seeding and planting.
N. Clean storm system following construction.
O. Remove silt fencing only after all paving is complete and exposed surfaces are stabilized.
P. Remove temporary construction exits only prior to pavement construction in these areas.

A schedule for implementation for the activities identified above is included as Form SWPPP-4 of the SWPPP.

Note: Sediment control storage during construction (traps & basins) during construction shall be 134cy per acre of disturbance per NYSDEC requirements.

812.4 STORM WATER MANAGEMENT: See Appendix D, Engineer's Report

813 OTHER CONTROLS

813.1 OFF-SITE VEHICLE TRACKING

A stabilized construction exit will be provided to help reduce vehicle tracking of sediments. Existing paved areas will remain as long as possible and will be used for vehicle wash areas and to further aid in the reduction of vehicle tracking of sediments. The paved streets adjacent to the site entrance shall be inspected daily and swept as necessary to remove any excess mud, dirt, or rock tracked from the site. Dump trucks hauling material to/from the construction site will be covered with a tarpaulin. The job site superintendent will be responsible for seeing that these procedures are followed.

813.2 EXCAVATION SPOIL MATERIALS

Excavation spoil materials are generated during the excavation of the development's building and utilities installation. These materials must be properly managed to prevent them from contributing to storm water discharges. The materials generated from the development of this project will be hauled off-site or stockpiled for re-use in designated areas which will have temporary erosion & sediment control measures installed. Any removal from site will be done under the necessary permits required by the local governing agencies.

813.3 DUST CONTROL

Minimizing wind erosion and controlling dust will be accomplished by one or more of the following methods:
A. Frequent watering of excavation and fill areas.
B. Providing gravel or paving at entrance/exit drives, parking areas and transit paths.

813.4 WASTE DISPOSAL

If needed, all waste materials will be collected and stored in securely lidded metal dumpsters rented from an approved waste management company. The dumpster will comply with all local and state solid waste management regulations.

All trash and construction debris from the site will be deposited in the dumpsters. The dumpsters will be emptied when full and then hauled to a NYSDEC approved landfill for proper disposal. No construction waste will be buried on-site. All personnel will be instructed regarding the correct procedures for waste disposal.

813.5 SANITARY WASTE

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

If needed, portable toilet units or field offices with toilet facilities connected to the municipal sanitary sewer will be used for sanitary purposes. All portable toilet units will be emptied a minimum of once per week by a licensed portable facility provided in compliance with local and state regulations.

813.6 CONCRETE WASTE FROM CONCRETE TRUCKS

A. Emptying of excess unhardened concrete and/or washout from concrete delivery trucks will be allowed on the job site, but in either (1) specifically designated diked areas which have been prepared to prevent contact between concrete and/or washout and storm water which will be discharged from the site or (2) in locations where waste concrete will be poured into forms to make rip-rap or other useful concrete products.

B. Hardened waste concrete from the designated diked areas described above will be disposed of in accordance with applicable local and state regulations with regards to disposal of construction debris.

813.7 HAZARDOUS SUBSTANCES & HAVARDOUS WASTE

A. All hazardous waste materials will be disposed of by the Contractor in the manner specified by local, state, and/or federal regulations and by the manufacturer of such products. Site personnel will be instructed in these practices by the job superintendent, who will also be responsible for seeing these practices are followed. Material Safety Data Sheets (MSDS's) for each substance with hazardous properties that is used on the job site will be obtained and used for the proper management of potential wastes that may result from these products. An MSDS will be posted in the immediate area where such products are stored and/or used and another copy of each MSDS will be maintained in the SWPPP file at the job site construction office. Each employee who must handle a substance with hazardous properties will be instructed on the use of MSDS sheets and the specific information in the applicable MSDS for the product he/she is using, particularly regarding spill control techniques.

B. The contractor will implement the Spill Prevention Control and Countermeasures (SPCC) Plan found within this SWPPP and will train all personnel in the proper cleanup and handling of spilled materials. No spilled hazardous materials of hazardous wastes will be allowed to come in contact with storm water discharges. If such contact occurs, the storm water discharge shall be contained on site until appropriate measures in compliance with state and federal regulations are taken to dispose of such contaminated storm water. It shall be the responsibility of the job superintendent to properly train all personnel in the use of the SPCC plan.

C. Any spills of hazardous materials which are in excess of the Reportable Quantities as defined by the EPA regulations shall be immediately reported to the EPA National Response Center at 1-800-424-8802. From SWPPP-9 "Reportable Quantity Release Form" must be filled out.

D. In order to minimize the potential for a spill of hazardous materials to come in contact with storm water, the following steps will be implemented:

1. All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, cleaning solvents, additives for soil stabilization, concrete curing compounds and additives, etc.) will be stored in a secure location, under cover, when not in use.
2. The minimum practical quantity of all such materials will be kept on the job site.
3. A spill control and containment kit (containing for example, absorbent such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.
4. All of the product in a container will be used before the container is disposed of. All such containers will be triple rinsed with water prior to disposal. The rinse water used in these

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containers will be disposed of in a manner in compliance with state and federal regulations and will not be allowed to mix with storm water discharges.

5. All products will be stored in and used from the original container with the original product label.
6. All products will be used in strict compliance with instructions on the product label.
7. The disposal of excess or used products will be in strict compliance with instructions on the product label.

813.8 CONTAMINATED SOILS

A. Any contaminated soils (resulting from spills of materials with hazardous properties) which may result from construction activities will be contained and cleaned up immediately in accordance with the procedures given in the Spill Prevention Control and Countermeasures (SPCC) Plan and in accordance with applicable state and federal regulations.

B. The job site superintendent will be responsible for seeing that these procedures are followed.

814 COMPLIANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS

The Contractor will obtain copies of any and all local and state regulations which are applicable to storm water management, erosion control, and pollution minimization at this job site and will comply fully with such regulations. The Contractor will submit written evidence of such compliance if requested by the Operator or any agent of a regulatory body. The Contractor will comply with all conditions of the **SPDES** General Permit for Construction Activity for the State of **New York**, including the conditions related to maintaining the SWPPP and evidence of compliance with the SWPPP at the job site and allowing regulatory personnel access to the job site and to records in order to determine compliance.

815 INSPECTION AND MAINTENANCE PROCEDURES

The following inspection and maintenance practices will be used to maintain erosion and sediment controls and stabilization measures.

1. All control measures will be inspected by the **owner/operator** at least weekly and shall continue until the site complies with the Final Stabilization section of this document (See Section 816)

2. All control measures will be inspected by a **Qualified Professional** twice a week separated by at least two (2) full calendar days and shall continue until the site complies with the Final Stabilization section of this document (See Section 816)

3. All measures will be maintained in good working order; if repairs or other measures are found to be necessary, they will be initiated within 24 hours of report.

4. Built up sediment will be removed from silt fence when it has reached one-third the height of the fence.

5. Silt fences will be inspected for depth of sediment, tears, etc., to see if the fabric is securely attached to the fence posts, and to see that the fence posts are securely in the ground.

6. Inlet protection and the stabilized construction entrance shall be inspected to see if these measures are functioning properly or if maintenance is required.

7. Temporary and permanent seeding and all other stabilization measures will be inspected for bare spots, washouts, and healthy growth.

8. A maintenance inspection report will be made after each inspection. Copies of the report forms to be completed by the inspector are included in this SWPPP.

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9. The job site superintendent will be responsible for selecting and training the individuals who will be responsible for these inspections, maintenance and repair activities, and filling out inspection and maintenance reports.

10. Personnel selected for the inspection and maintenance responsibilities will receive training from the job site superintendent. They will be trained in all the inspection and maintenance practices necessary for keeping the erosion and sediment controls that are used onsite in good working order. They will also be trained in the completion of, initiation of actions required by, and the filing of the inspection forms. Documentation of this personnel training will be kept on site with the SWPPP.

11. Disturbed areas and materials storage areas will be inspected for evidence of or potential for pollutants entering stormwater systems.

12. Report to the NYSDEC within 24 hours any noncompliance with the SWPPP that will endanger public health or the environment. Follow up with a written report within 5 days of the noncompliance event. The following events require 24 hour reporting: a) any unanticipated bypass which exceeds any effluent limitation in the permit, b) any upset which exceeds any effluent limitation in the permit, and c) a violation of a maximum daily discharge limitation for any of the pollutants listed by the NYSDEC in the permit to be reported within 24 hours. The written submission must contain a description of the non-compliance and its cause; the period of non-compliance, including exact dates and times, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the non-compliance.

13. Releases of hazardous substances or oil in excess of reportable quantities (as established under 40 CFR 110, 40 CFR 117 or 40 CFR 302) must be reported.

Upon completion of construction, the property owner is responsible for ensuring that the stormwater facilities are regularly inspected and maintained. Maintenance and inspection procedures are as follows.

1. On a quarterly basis and following significant rainfall events or snow-melts, perform the following:
   - Inspect catch basins, storm manholes, treatment structures, storm piping and stormwater ponds for debris and accumulation of sediment.
   - Remove and properly dispose of any collected debris and sediment in accordance with applicable state, federal and local regulations.
   - Flush piping with water if necessary to remove accumulated sediment.
   - Clean treatment structures per manufacturer's recommendations
   - Check all stone outfall structures for erosion and re-stone if necessary to prevent further erosion.
   - Inspect grassed/landscaped areas for un-vegetated areas or areas with less than 80% healthy stand of grass and reseed and mulch as necessary. Water daily if reseeded in July and August.
   - A record of all inspections should be kept.
2. Maintain all lawn areas by regular mowing, including the grassed slopes of the stormwater ponds and any grass swales. Any eroded areas shall be regarded, seeded and mulched immediately.

816 INSPECTION AND MAINTENANCE REPORT FORMS

Once installation of any required or optional erosion control device or measure has been implemented, inspections shall be performed by a Qualified Professional at least once every seven (7) calendar days. For construction sites where soil disturbance activities are on-going and the owner or operator has received authorization in accordance with Part II.C.3 of the General Permit to disturb greater than five (5) acres of soil at any one time, the qualified inspector shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days. The owner and contractor shall obtain from the MS4 an approval for disturbing more than five-acres at any given time. For construction sites where active construction has been suspended, inspection frequency under the general permit can be reduced to once every 30 days, provided temporary stabilization measures have been applied to all disturbed areas. The forms found in this SWPPP shall be used by the inspectors to inventory and report the

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condition of each measure to assist in maintaining the erosion and sediment control measures in good working order.

These report forms shall become an integral part of the SWPPP and shall be made readily accessible to governmental inspection officials, the Operator's Engineer, and the Operator for review upon request during visits to the project site. In addition, copies of the reports shall be provided to any of these persons, upon request, via mail or facsimile transmission. Inspection and maintenance report forms are to be maintained by the permittee for five years following the final stabilization of the site.

THE TOWN OF AMHERST IS TO BE PROVIDED WITH A COPY OF ALL SWPPP INSPECTIONS WITHIN ONE WORKING DAY OF PERFORMING THE INSPECTION.

817 OTHER RECORD-KEEPING REQUIREMENTS

The Contractor shall keep the following records related to construction activities at the site:

- Dates when major grading activities occur and the areas which were graded
- Dates and details concerning the installation of structural controls
- Dates when construction activities cease in an area
- Dates when an areas is stabilized, either temporarily or permanently
- Dates of rainfall and the amount of rainfall
- Dates and descriptions of the character and amount of any spills of hazardous materials
- Records of reports filed with regulatory agencies if reportable quantities of hazardous materials spilled

818 SPILL PREVENTION CONTROL AND COUNTERMEASURES (SPCC) PLAN

818.1 MATERIALS COVERED

The following materials or substances are expected to be present onsite during construction:

Concrete/Additives/Wastes	Cleaning solvents
Detergents	Petroleum based products
Paints/Solvents	Pesticides
Acids	Fertilizers
Solid and construction wastes	Sanitary wastes
Soil stabilization additives	

818.2 MATERIAL MANAGEMENT PRACTICES

The following are the material management practices that will be used to reduce the risk of spills or other accidental exposure of materials and substances to stormwater runoff. The job site superintendent will be responsible for ensuring that these procedures are followed.

A. Good Housekeeping

The following good housekeeping practices will be followed onsite during the construction project.

1. An effort will be made to store only enough products required to do the job.
2. All materials stored onsite will be stored in a neat, orderly manner and, if possible, under a roof or in a containment area. At a minimum, all containers will be stored with their lids on when not in use. Drip pans shall be provided under all dispensers.
3. Products will be kept in their original containers with the original manufacturer's label in legible condition.
4. Substances will not be mixed with one another unless recommended by the manufacturer.
5. Whenever possible, all of a product will be used up before disposing of the container.

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6. Manufacturer's recommendations for proper use and disposal will be followed.
7. The job site superintendent will be responsible for daily inspections to ensure proper use and disposal of materials.

B. Hazardous Products

These practices will be used to reduce the risks associated with hazardous materials. Material Safety Data Sheets (MSDS's) for each substance with hazardous properties that is used on the job site will be obtained and used for the proper management of potential wastes that may result from these products. An MSDS will be posted in the immediate area where such product is stored and/or used and another copy of each MSDS will be maintained in the SWPPP file at the job site construction trailer office. Each employee who must handle a substance with hazardous properties will be instructed on the use of MSDS sheets and the specific information in the applicable MSDS for the product he/she is using, particularly regarding spill control techniques.

1. Products will be kept in original containers with the original labels in legible condition.
2. Original labels and material safety data sheets (MSDS's) will be procured and used for each material.
3. If surplus product must be disposed of, manufacturer's or local/state/federal recommended methods for proper disposal will be followed.
4. A spill control and containment kit (containing for example, absorbent such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.
5. All of the product in a container will be used before the container is disposed of. All such containers will be triple rinsed with water prior to disposal. The rinse water used in these containers will be disposed of in a manner in compliance with state and federal regulations and will not be allowed to mix with storm water discharges.

C. Hazardous Waste

All hazardous waste materials will be disposed of by the Contractor in the manner specified by local, state, and/or federal regulations and by the manufacturer of such products. Site personnel will be instructed in these practices by the job site superintendent, who will also be responsible for seeing that these practices are followed.

D. Product Specific Practices

The following product specific practices will be followed on the job site.

1. Petroleum Products

All onsite vehicles will be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed containers which are clearly labeled. **Any petroleum storage tanks stored onsite will be located within a containment area that is designed with an impervious surface between the tank and the ground. The secondary containment must be designed to provide a containment volume that is equal to 110% of the volume of the largest tank.** Drip pans shall be provided for all dispensers. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations. The location of any fuel tanks and/or equipment storage areas must be identified on a plan by the contractor once the locations have been determined.

2. Fertilizers

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Fertilizers will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked in the soil to limit exposure to stormwater. Storage will be in a covered shed. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

3. Paints, Paint Solvents, and Cleaning Solvents

All containers will be tightly sealed and stored when not in use. Excess paint and solvents will not be discharged to the storm sewer system but will be properly disposed of according to manufacturer's instructions or state and federal regulations.

4. Concrete Wastes

Concrete trucks will be allowed to wash out or discharge surplus concrete or drum wash water on the site, but only in either (1) specifically designated diked areas which have been prepared to prevent contact between the concrete and/or wash out and storm water which will be discharged from the site or (2) in locations where waste concrete can be poured into forms to make riprap or other useful concrete products.

The hardened residue from the concrete wash out diked areas will be disposed of in the same manner as other non-hazardous construction waste materials or may be broken up and used on site as deemed appropriate by the Contractor. The job site superintendent will be responsible for seeing that these procedures are followed.

All concrete wash out areas will be located in an area where the likelihood of the area contributing to storm water discharges is negligible. If required, additional BMPs must be implemented to prevent concrete wastes from contributing to storm water discharges. The location of concrete wash out area(s) must be identified on a plan by the contractor once the locations have been determined. In addition, a standard detail on the construction of the concrete wash out shall be included on this plan.

E. Solid and Construction Wastes

All waste materials will be collected and stored in an appropriately covered container and/or securely lidded metal dumpster rented from a local waste management company which must be a solid waste management company licensed to do business in New York and the Town of Amherst. The dumpster will comply with all local and state solid waste management regulations.

All trash and construction debris from the site will be deposited in the dumpster. The dumpster will be emptied a minimum of twice per week or more often if necessary, and the trash will be hauled to a landfill approved by the NYSDEC. No construction waste materials will be buried on site. All personnel will be instructed regarding the correct procedures for waste disposal.

All waste dumpsters and roll-off containers will be located in an area where the likelihood of the containers contributing to storm water discharges is negligible. If required, additional BMPs must be implemented, such as sandbags around the base, to prevent wastes from contributing to storm water discharges. The location of waste dumpsters and roll-off containers must be identified on a plan by the contractor once the locations have been determined.

F. Sanitary Wastes

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Portable toilet units or field offices with toilet facilities connected to the municipal sanitary sewer will be used for sanitary purposes. All portable toilet units will be emptied a minimum of once per week by a licensed portable facility provided in compliance with local and state regulations.

All sanitary waste units will be located in an area where the likelihood of the unit contributing to storm water discharges is negligible. If required, additional BMPs must be implemented, such as sandbags around the base, to prevent wastes from contributing to storm water discharges. The location of sanitary waste units must be identified on a plan by the contractor once the locations have been determined.

G. Contaminated Soils

Any contaminated soils (resulting from spills of materials with hazardous properties) which may result from construction activities will be contained and cleaned up immediately in accordance with the procedures given in the Materials Management Plan and in accordance with applicable state and federal regulations.

818.3 SPILL PREVENTION AND RESPONSE PROCEDURES

The Contractor will train all personnel in the proper handling and cleanup of spilled materials. No spilled hazardous materials or hazardous wastes will be allowed to come in contact with storm water discharges. If such contact occurs, the storm water discharge will be contained on site until appropriate measures in compliance with state and federal regulations are taken to dispose of such contaminated storm water. It shall be the responsibility of the job site superintendent to properly train all personnel in spill prevention and clean up procedures.

A. In order to minimize the potential for a spill of hazardous materials to come into contact with storm water, the following steps will be implemented:

1. All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, cleaning solvents, additives for soil stabilization, concrete curing compounds and additives, etc.) will be stored in a secure location, with their lids on, preferably under cover, when not in use.

2. The minimum practical quantity of all such materials will be kept on the job site.

3. A spill control and containment kit (containing, for example, absorbent materials, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.

4. Manufacturer's recommended methods for spill cleanup will be clearly posted and site personnel will be trained regarding these procedures and the location of the information and cleanup supplies.

B. In the event of a spill, the following procedures should be followed

1. All spills will be cleaned up immediately after discovery.

2. The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with the hazardous substances.

3. The project manager and the Engineer of Record will be notified immediately.

Spills of toxic or hazardous materials will be reported to the appropriate federal, state, and/or local government agency, regardless of the size of the spill. Spills of amounts that exceed

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Reportable Quantities of certain substances specifically mentioned in federal regulations (40 CFR 110, 40 CFR 117, and 40 CFR 302) must be immediately reported to the EPA National Response Center, telephone 1-800-424-8802. From SWPPP-9 "Reportable Quantity Release Form" must be filled out.

4. If the spill exceeds a Reportable Quantity, the SWPPP must be modified within seven (7) calendar days of knowledge of the discharge to provide a description of the release, the circumstances leading to the release, and the date of the release. The plans must identify measures to prevent the recurrence of such releases and to respond to such releases.

C. The job site superintendent will be the spill prevention and response coordinator. He will designate the individuals who will receive spill prevention and response training. These individuals will each become responsible for a particular phase of prevention and response. The names of these personnel will be posted in the material storage area and in the office trailer onsite.

819 CONTROL OF NON-STORM WATER DISCHARGES

Certain types of discharges are allowable under the **NYSDEC SPDES** General Permit for Construction Activity for the State of **New York**, and it is the intent of this SWPPP to allow such discharges. These types of discharges will be allowed under the conditions that no pollutants will be allowed to come in contact with the water prior to or after its discharge. The control measures which have been outlined previously in this SWPPP will be strictly followed to ensure that no contamination of these non-storm water discharges takes place. The following allowable non-storm water discharges which may occur at the job site include:

A. Discharges from fire fighting activities.
B. Fire hydrant flushings (see note below)
C. Waters used to wash vehicles or control dust in order to minimize offsite sediment tracking.
D. Routine external building washdown which does not use detergents.
E. Pavement washwaters where spills or leaks of hazardous materials have not occurred or detergents have not been used.
F. Air conditioning condensate.
G. Springs or other uncontaminated groundwater, including dewatering ground water infiltration.
H. Foundation or footing drains where no contamination with process materials such as solvents is present.

Note: The Contractor shall discharge any super-chlorinated water from water distribution pipe disinfection activities into sanitary sewer system

820 STORM WATER CONTROL FACILITY MAINTENANCE

The proposed stormwater drainage system area shall be inspected 2 times per year (spring and fall) for removal of silt and debris. See Appendix H: StormTech Maintenance and Bioretention Operation, Maintenance and Inspection Checklist.

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Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Appendix A

Site Location Maps:

ERIE COUNTY GIS

GOOGLE AERIAL

SHPO

FEMA

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Erie County On-Line Mapping Application

Legend

- Parcels
- Streets and Highways
  - Interstate
  - Primary State Road
  - Secondary State Road
  - County Road
  - Local Road

0.04 0.1 Miles

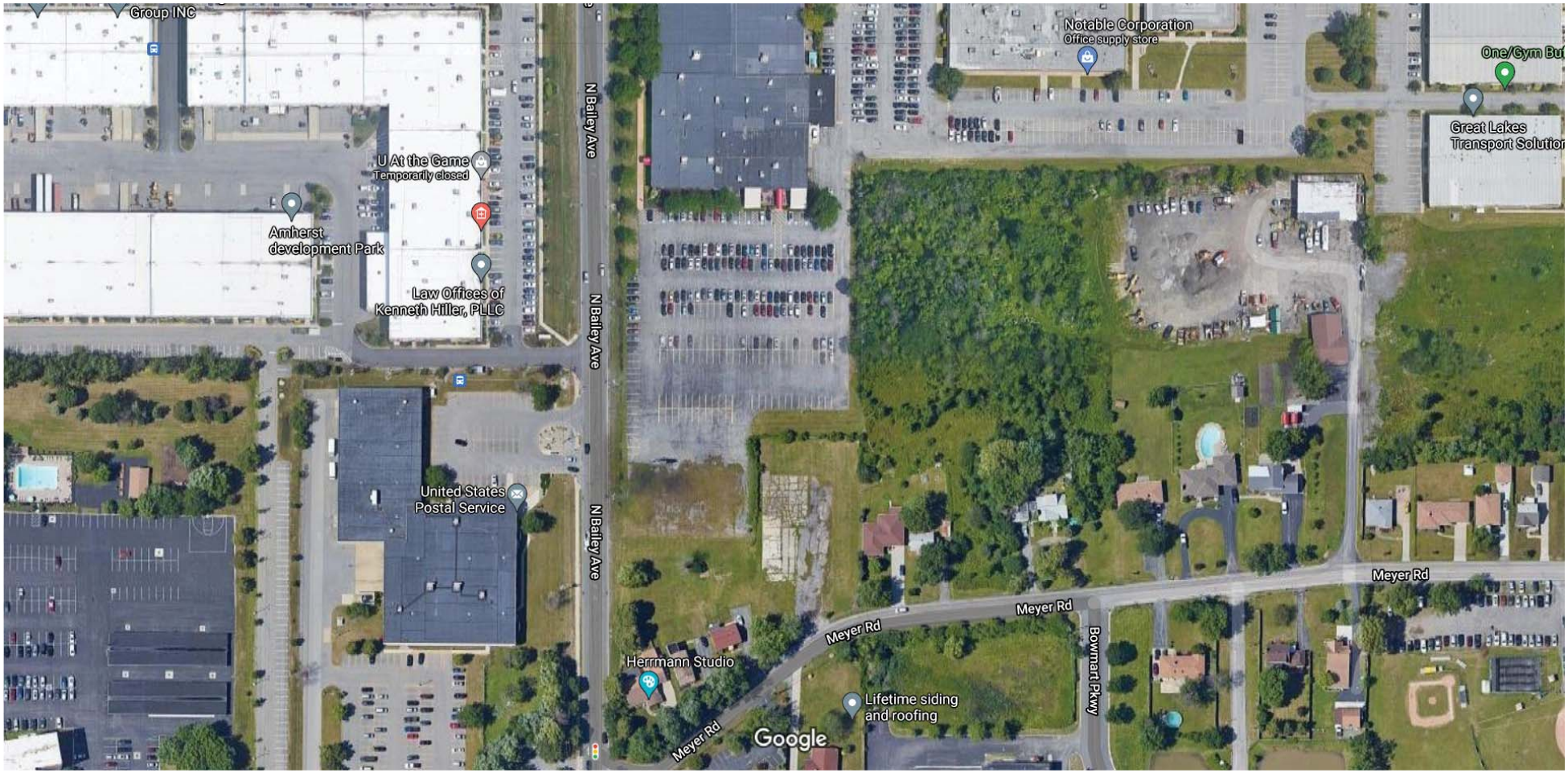
VGS_1984_Web_Mercator_Auxiliary_Sphere

HIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 2,257



Imagery ©2021 Maxar Technologies, New York GIS, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 100 ft

CRIS Cultural Resource Information System

HOME SUBMIT SEARCH COMMUNICATE

Welcome Guest User | Contact Us | FAQ | Help | Sign Out

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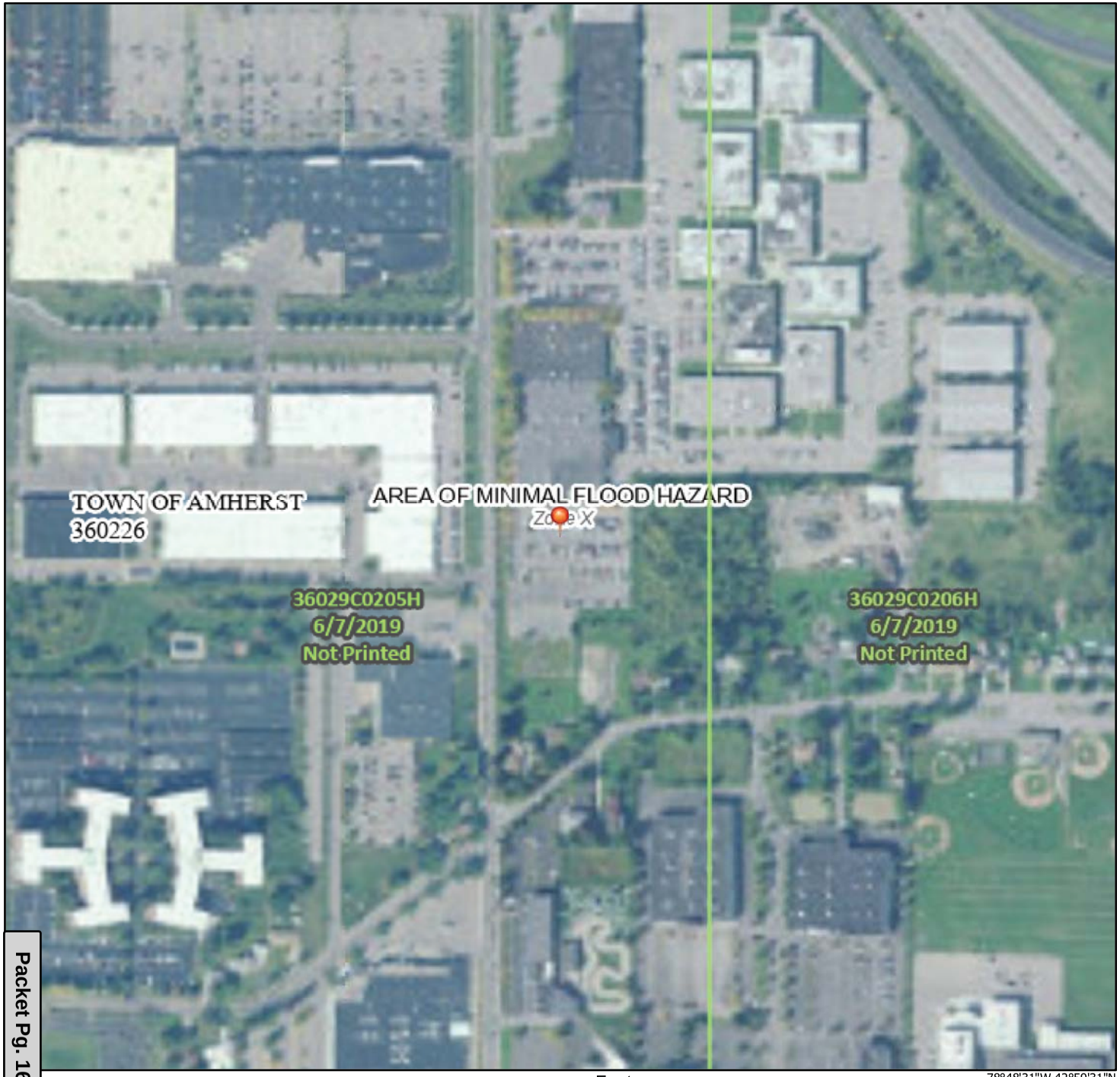
Version 1.2.10, July 31st, 2020

National Flood Hazard Layer FIRMette

78°49'9"W 42°59'58"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 Cross Sections with 1% Annual Chance / Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/20/2021 at 1:09 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following r elements do not appear: basemap imagery, flood zone labe legend, scale bar, map creation date, community identifiers FIRM panel number, and FIRM effective date. Map images for

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Appendix B

NYSDEC Notice of Intent (NOI)

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

NOTICE OF INTENT

New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

NYR _____ (for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-20-001

All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

-IMPORTANT-
RETURN THIS FORM TO THE ADDRESS ABOVE

OWNER/OPERATOR MUST SIGN FORM

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)
Benderson Development Company

Owner/Operator Contact Person Last Name (NOT CONSULTANT)
Oates

Owner/Operator Contact Person First Name
Matt

Owner/Operator Mailing Address
570 Delaware Ave

City
Buffalo

State: NY
Zip: 14202-____

Phone (Owner/Operator): 716-878-9397
Fax (Owner/Operator): ___-___-____

Email (Owner/Operator)
MattOates@benderson.com

FED TAX ID
__-_____ (not required for individuals)

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Project Site Information

Project/Site Name

Proposed Parking Expansion

Street Address (NOT P.O. BOX)

4224 Ridge Lea Rd

Side of Street

○ **North** ○ **South** ● **East** ○ **West**

City/Town/Village (THAT ISSUES BUILDING PERMIT)

Town of Amherst

State: NY

Zip: 14226 -

County: Erie

DEC Region: 9

Name of Nearest Cross Street

North Bailey Ave

Distance to Nearest Cross Street (Feet)

0

Project In Relation to Cross Street

○ **North** ○ **South** ● **East** ○ **West**

Tax Map Numbers
Section-Block-Parcel

54.02-1-44.2

Tax Map Numbers

1. Provide the Geographic Coordinates for the project site. To do this, go to the NYSDEC Stormwater Interactive Map on the DEC website at:

https://gisservices.dec.ny.gov/gis/stormwater/

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located the centroid of your project site, go to the bottom right hand corner of the map for the X, Y coordinates. Enter the coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting)

-7 8814

Ex. -73.749

Y Coordinates (Northing)

42997

Ex. 42.652

2. What is the nature of this construction project?

○ **New Construction**

● **Redevelopment with increase in impervious area**

○ **Redevelopment with no increase in impervious area**

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

3. Select the predominant land use for both pre and post development conditions.
SELECT ONLY ONE CHOICE FOR EACH

Pre-Development Existing Land Use

- ○ FOREST
- ○ PASTURE/OPEN LAND
- ○ CULTIVATED LAND
- ○ SINGLE FAMILY HOME
- ○ SINGLE FAMILY SUBDIVISION
- ○ TOWN HOME RESIDENTIAL
- ○ MULTIFAMILY RESIDENTIAL
- ○ INSTITUTIONAL/SCHOOL
- ○ INDUSTRIAL
- ● COMMERCIAL
- ○ ROAD/HIGHWAY
- ○ RECREATIONAL/SPORTS FIELD
- ○ BIKE PATH/TRAIL
- ○ LINEAR UTILITY
- ○ PARKING LOT
- ○ OTHER

Post-Development Future Land Use

- ○ SINGLE FAMILY HOME
- ○ SINGLE FAMILY SUBDIVISION — Number of Lots
- ○ TOWN HOME RESIDENTIAL
- ○ MULTIFAMILY RESIDENTIAL
- ○ INSTITUTIONAL/SCHOOL
- ○ INDUSTRIAL
- ● COMMERCIAL
- ○ MUNICIPAL
- ○ ROAD/HIGHWAY
- ○ RECREATIONAL/SPORTS FIELD
- ○ BIKE PATH/TRAIL
- ○ LINEAR UTILITY (water, sewer, gas, etc.)
- ○ PARKING LOT
- ○ CLEARING/GRADING ONLY
- ○ DEMOLITION, NO REDEVELOPMENT
- ○ WELL DRILLING ACTIVITY *(Oil, Gas, etc.)
- ○ OTHER

***Note**: for gas well drilling, non-high volume hydraulic fractured wells only

4. In accordance with the larger common plan of development or sale, enter the total project site area; the total area to be disturbed; existing impervious area to be disturbed (for redevelopment activities); and the future impervious area constructed within the disturbed area. (Round to the nearest tenth of an acre.)

Total Site Area	Total Area To Be Disturbed	Existing Impervious Area To Be Disturbed	Future Impervious Area Within Disturbed Area
26.1	1.9	1.3	1.5

5. Do you plan to disturb more than 5 acres of soil at any one time? ○ **Yes** ● **No**

6. Indicate the percentage of each Hydrologic Soil Group(HSG) at the site.

A	B	C	D
0 %	0 %	0 %	100 %

7. Is this a phased project? ○ **Yes** ● **No**

8. Enter the planned start and end dates of the disturbance activities.

Start Date	End Date
01/01/2022	06/01/2022

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9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.

Name: Offsite Detention Pond

9a. Type of waterbody identified in Question 9?

- ○ Wetland / State Jurisdiction On Site (Answer 9b)
- ○ Wetland / State Jurisdiction Off Site
- ○ Wetland / Federal Jurisdiction On Site (Answer 9b)
- ○ Wetland / Federal Jurisdiction Off Site
- ○ Stream / Creek On Site
- ○ Stream / Creek Off Site
- ○ River On Site
- ○ River Off Site
- ○ Lake On Site
- ○ Lake Off Site
- ○ Other Type On Site
- ● Other Type Off Site: Detention Pond

9b. How was the wetland identified?

- ○ Regulatory Map
- ○ Delineated by Consultant
- ○ Delineated by Army Corps of Engineers
- ○ Other (identify)

10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-20-001? ○ **Yes** ● **No**

11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-20-001? ○ **Yes** ● **No**

12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters? ○ **Yes** ● **No**
If no, skip question 13.

13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey? ○ **Yes** ● **No**
If Yes, what is the acreage to be disturbed?

14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area? ○ **Yes** ● **No**

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15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? ● Yes ○ No ○ Unknown

16. What is the name of the municipality/entity that owns the separate storm sewer system?

NYSDOT open/closed

stormwater drainage system

17. Does any runoff from the site enter a sewer classified as a Combined Sewer? ○ Yes ● No ○ Unknown

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? ○ Yes ● No

19. Is this property owned by a state authority, state agency, federal government or local government? ○ Yes ● No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) ○ Yes ● No

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? ● Yes ○ No

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? ● Yes ○ No
If No, skip questions 23 and 27-39.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? ● Yes ○ No

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24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:

- ● **Professional Engineer (P.E.)**
- ○ **Soil and Water Conservation District (SWCD)**
- ○ **Registered Landscape Architect (R.L.A)**
- ○ **Certified Professional in Erosion and Sediment Control (CPESC)**
- ○ **Owner/Operator**
- ○ **Other**

SWPPP Preparer

Carmina Wood Morris, DPC

Contact Name (Last, Space, First)

Wood, Christopher

Mailing Address

487 Main Street Suite 600

City

Buffalo

State NY Zip 14203 -

Phone 716 - 842 - 3165

Fax 716 - 842 - 0263

Email

cwood@cwm-ae.com

SWPPP Preparer Certification

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-20-001. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

First Name Christopher **MI**

Last Name Wood

Signature

Date 08 / 03 / 2021

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25. Has a construction sequence schedule for the planned management practices been prepared? ● Yes ○ No

26. Select **all** of the erosion and sediment control practices that will be employed on the project site:

Temporary Structural

- ○ Check Dams
- ○ Construction Road Stabilization
- ● Dust Control
- ○ Earth Dike
- ○ Level Spreader
- ○ Perimeter Dike/Swale
- ○ Pipe Slope Drain
- ○ Portable Sediment Tank
- ○ Rock Dam
- ○ Sediment Basin
- ○ Sediment Traps
- ● Silt Fence
- ● Stabilized Construction Entrance
- ○ Storm Drain Inlet Protection
- ○ Straw/Hay Bale Dike
- ○ Temporary Access Waterway Crossing
- ○ Temporary Stormdrain Diversion
- ○ Temporary Swale
- ○ Turbidity Curtain
- ○ Water bars

Biotechnical

- ○ Brush Matting
- ○ Wattling

Vegetative Measures

- ○ Brush Matting
- ○ Dune Stabilization
- ○ Grassed Waterway
- ● Mulching
- ○ Protecting Vegetation
- ○ Recreation Area Improvement
- ● Seeding
- ● Sodding
- ○ Straw/Hay Bale Dike
- ○ Streambank Protection
- ○ Temporary Swale
- ● Topsoiling
- ○ Vegetating Waterways

Permanent Structural

- ○ Debris Basin
- ○ Diversion
- ○ Grade Stabilization Structure
- ○ Land Grading
- ○ Lined Waterway (Rock)
- ○ Paved Channel (Concrete)
- ○ Paved Flume
- ○ Retaining Wall
- ○ Riprap Slope Protection
- ○ Rock Outlet Protection
- ○ Streambank Protection

Other

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Post-construction Stormwater Management Practice (SMP) Requirements

Important: Completion of Questions 27-39 is not required if response to Question 22 is No.

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

- ○ **Preservation of Undisturbed Areas**
- ○ **Preservation of Buffers**
- ○ **Reduction of Clearing and Grading**
- ● **Locating Development in Less Sensitive Areas**
- ○ **Roadway Reduction**
- ○ **Sidewalk Reduction**
- ○ **Driveway Reduction**
- ○ **Cul-de-sac Reduction**
- ○ **Building Footprint Reduction**
- ○ **Parking Reduction**

27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).

- ● All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
- ○ Compacted areas were considered as impervious cover when calculating the **WQv Required**, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

Total WQv Required

0.052 **acre-feet**

29. Identify the RR techniques (Area Reduction), RR techniques(Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required(#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

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Table 1 - Runoff Reduction (RR) Techniques and Standard Stormwater Management Practices (SMPs)

	Total Contributing Area (acres)		Total Contributing Impervious Area(acres)	
RR Techniques (Area Reduction)				
○ Conservation of Natural Areas (RR-1)		and/or		
○ Sheetflow to Riparian Buffers/Filters Strips (RR-2)		and/or		
○ Tree Planting/Tree Pit (RR-3)		and/or		
○ Disconnection of Rooftop Runoff (RR-4)		and/or		
RR Techniques (Volume Reduction)				
○ Vegetated Swale (RR-5)				
○ Rain Garden (RR-6)				
○ Stormwater Planter (RR-7)				
○ Rain Barrel/Cistern (RR-8)				
○ Porous Pavement (RR-9)				
○ Green Roof (RR-10)				
Standard SMPs with RRv Capacity				
○ Infiltration Trench (I-1)				
○ Infiltration Basin (I-2)				
○ Dry Well (I-3)				
○ Underground Infiltration System (I-4)				
○ Bioretention (F-5)			1.5	
○ Dry Swale (O-1)				
Standard SMPs				
○ Micropool Extended Detention (P-1)				
○ Wet Pond (P-2)				
○ Wet Extended Detention (P-3)				
○ Multiple Pond System (P-4)				
○ Pocket Pond (P-5)				
○ Surface Sand Filter (F-1)				
○ Underground Sand Filter (F-2)				
○ Perimeter Sand Filter (F-3)				
○ Organic Filter (F-4)				
○ Shallow Wetland (W-1)				
○ Extended Detention Wetland (W-2)				
○ Pond/Wetland System (W-3)				
○ Pocket Wetland (W-4)				
○ Wet Swale (O-2)				

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Table 2 - Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)

Alternative SMP	Total Contributing Impervious Area(acres)
○ Hydrodynamic	
○ Wet Vault	
○ Media Filter	
○ Other _____	

Provide the name and manufacturer of the Alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.

Name

Manufacturer

Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29.

Total RRv provided

0.021 **acre-feet**

31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28).

○ **Yes** ● **No**

If Yes, go to question 36.
If No, go to question 32.

32. Provide the Minimum RRv required based on HSG.
[Minimum RRv Required = (P)(0.95)(Ai)/12, Ai=(S)(Aic)]

Minimum RRv Required

0.004 **acre-feet**

32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?

● **Yes** ○ **No**

If Yes, go to question 33.
Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.
If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

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33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv(=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total impervious area that contributes runoff to each practice selected.

Note: Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29.

WQv Provided

0.031 **acre-feet**

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual)

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).

0.052

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? ● **Yes** ○ **No**

If Yes, go to question 36.
If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

36. Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable.

CPv Required

0.074 **acre-feet**

CPv Provided

0.074 **acre-feet**

36a. The need to provide channel protection has been waived because:

○ Site discharges directly to tidal waters or a fifth order or larger stream.

○ Reduction of the total CPv is achieved on site through runoff reduction techniques or infiltration systems.

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (37a), if applicable.

Total Overbank Flood Control Criteria (Qp)

Pre-Development

13.82 **CFS**

Post-development

10.89 **CFS**

Total Extreme Flood Control Criteria (Qf)

Pre-Development

23.60 **CFS**

Post-development

18.62 **CFS**

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37a. The need to meet the Qp and Qf criteria has been waived because:

- ○ Site discharges directly to tidal waters or a fifth order or larger stream.
- ○ Downstream analysis reveals that the Qp and Qf controls are not required

38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed? ● Yes ○ No

If Yes, Identify the entity responsible for the long term Operation and Maintenance

Benderson Development Company

39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required(#28). (See question 32a) This space can also be used for other pertinent project information.

RRv criteria is not required for redevelopment activities & onsite soils with slow infiltration rates

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40. Identify other DEC permits, existing and new, that are required for this project/facility.

- ○ Air Pollution Control
- ○ Coastal Erosion
- ○ Hazardous Waste
- ○ Long Island Wells
- ○ Mined Land Reclamation
- ○ Solid Waste
- ○ Navigable Waters Protection / Article 15
- ○ Water Quality Certificate
- ○ Dam Safety
- ○ Water Supply
- ○ Freshwater Wetlands/Article 24
- ○ Tidal Wetlands
- ○ Wild, Scenic and Recreational Rivers
- ○ Stream Bed or Bank Protection / Article 15
- ○ Endangered or Threatened Species(Incidental Take Permit)
- ○ Individual SPDES
- ○ SPDES Multi-Sector GP [N][Y][R][ ][ ][ ][ ][ ][ ]
- ○ Other [ ]
- ● None

41. Does this project require a US Army Corps of Engineers Wetland Permit? ○ **Yes** ● **No**
If Yes, Indicate Size of Impact. [ ][ ][ ][ ][ ][ ].[ ]

42. Is this project subject to the requirements of a regulated, traditional land use control MS4? ● **Yes** ○ **No**
(If No, skip question 43)

43. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI? ● **Yes** ○ **No**

44. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned. [N][Y][R][ ][ ][ ][ ][ ][ ]

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Owner/Operator Certification

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Print First Name: Matt

MI:

Print Last Name: Oates

Owner/Operator Signature:

Date: / /

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Appendix C

MS4 SWPPP Acceptance Form

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

NYS Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form

for

Construction Activities Seeking Authorization Under SPDES General Permit

*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

I. Project Owner/Operator Information	
1. Owner/Operator Name:	Benderson Development Company
2. Contact Person:	Matt Oates
3. Street Address:	570 Delaware Ave
4. City/State/Zip:	Buffalo, NY 14202
II. Project Site Information	
5. Project/Site Name:	Proposed Parking Expansion
6. Street Address:	4224 Ridge Lea Rd
7. City/State/Zip:	Amherst, NY 14226
III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information	
8. SWPPP Reviewed by:	
9. Title/Position:	
10. Date Final SWPPP Reviewed and Accepted:	
IV. Regulated MS4 Information	
11. Name of MS4:	Town of Amherst
12. MS4 SPDES Permit Identification Number: NYR20A	
13. Contact Person:	
14. Street Address:	
15. City/State/Zip:	
16. Telephone Number:	

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

MS4 SWPPP Acceptance Form - continued

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

VI. Additional Information

(NYS DEC - MS4 SWPPP Acceptance Form - January 2015)

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Appendix D

Engineer's Report

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Carmina · Wood · Morris DPC

487 Main Street Suite 600 Buffalo, New York 14203 P: 716.842.3165 F: 716.842.0263 W: cwm-ae.com

Architecture Engineering Interior Design

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

ENGINEER'S REPORT
for

Proposed Parking Expansion

4224 Ridge Lea Rd
Town of Amherst, Erie County, New York

Prepared for

Benderson Development Company, LLC

570 Delaware Ave
Buffalo, NY 14202

Prepared by

Carmina Wood Morris, D.P.C.

487 Main Street, Suite 500
Buffalo, NY 14203

Telephone: (716) 842-3165
Fax: (716) 842-0263

August 2021

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Section 2 – Stormwater Drainage System

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Appendix A – Stormwater Drainage Analysis

Appendix B – Stormwater Drainage Analysis - HydroCAD

Appendix C – Soils Information

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Proposed Parking Expansion
4224 Ridge Lea Rd
Amherst, NY 14226

8/2/2021

Section 1 – Location & Description

This project is an expansion of an existing parking lot area located within the existing Amherst Commercial Park (4224-2456 Ridge Lea Rd) on the east side of North Bailey Ave and south of Route 290 in the Town of Amherst. The existing parking lot is located on the south side of building #4224 Ridge Lea Rd. The overall project area is approximately 3.59+/- acres and will consist of the construction of new curbed landscape islands, sidewalks, pavement areas, milling/overlay of existing pavement areas and parking area restriping. Anticipated full soil disturbance area will total approximately 1.93 +/- acres. Currently the majority of the project area consists of existing paved parking areas or remnants of old impervious surfaces.

Section 2 – Stormwater Drainage System

The existing parking lot area is relatively flat and contains existing catch basins and stormwater drainage pipe. The southeast corner of the project area is approximately 4-5 ft higher in elevation and sheet drains into the existing parking lot. The stormwater runoff collected by the existing stormwater drainage system conveys runoff north through the commercial park and discharges into an existing detention pond north of the overall site property.

For purposes of the runoff analysis and the stormwater drainage system design, portions of the project site were classified as “Redevelopment” per NYSDEC Stormwater Management Design Manual Chapter 9 requirements. The nature of this construction project will be a “Redevelopment” with increase in impervious area. The proposed hydrology of the parking expansion will remain similar to existing hydrology conditions. The proposed project area will consist of a combination of overland sheet flow and pipe channel flow connected by a series of catch basins and manholes located throughout the project area. The majority of the runoff from the north and east portions of the site will continue to be collected by a series of catch basins and conveyed directly to the existing piped drainage system that drains to the north. The remaining southwest project area will be routed through a bioretention area and underground detention system. The underground detention system (UGD) will consist of (135) opened bottom ADS StormTech SC-740 chambers embedded in stone and wrapped in geotextile fabric and will discharge into an existing manhole located near the west property line via a 6” HDPE outlet pipe. The UGD system was designed with an outlet control pipe to attenuate proposed runoff to existing conditions prior to discharge. The bioretention area will provide Runoff Reduction and Water Quality volume requirements. The filter area planting soil depth varies throughout the bioretention area but maintains a minimum of at least 2.5 feet of soil. A series of 6” underdrains below the planting soil will be located throughout the bioretention area

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

connected by overflow catch basins to convey runoff to the UGD and outlet control pipe.

The NYSDEC Stormwater Management Design Manual requires a five-step process for Stormwater Management Planning as outlined in Chapter 3. The five steps include:

1. *Site planning to preserve natural features and reduce impervious cover.*
   - Minimal natural existing features are located onsite and the site is located in a less sensitive area.
2. *Calculation of Water Quality Volume (WQv) for site.*
   - See "Stormwater Drainage Analysis".
3. *Incorporation of Green Infrastructure techniques and standard SMPs with Runoff Reduction Volume (RRv) capacity.*
   - A bioretention area was incorporated into the site design to provide required RRv. See "Stormwater Drainage Analysis".
4. *Use of standard SMPs where applicable, to treat the portion of water quality volume not addressed by green infrastructure techniques and standard SMPs with RRv capacity.*
   - 100% of required Water Quality was addressed by the bioretention area. See "Stormwater Drainage Analysis".
5. *Design of volume and peak rate control practices where required.*
   - See "Stormwater Drainage Analysis".

The NYSDEC Stormwater Management Design Manual requires (5) five different criteria be considered when designing a stormwater management system. Those criteria are Water Quality, Runoff Reduction Volume, Channel Protection, Overbank Flooding and Extreme Storm Protection. Below is a summary of each item and how it is incorporated into this project.

Water Quality:
The NYSDEC requires water quality treatment prior to discharge. This will be achieved by the application of a bioretention area. The total WQv provided was 2,277 cf and greater than the required WQv of 2,270 cf.

Runoff Reduction Volume:
The NYSDEC requires reduction of the total water quality volume by green infrastructure techniques and SMPs to replicate pre-development hydrology. A bioretention area was incorporated into the site layout to provide the required RRv for contributing runoff areas in the WQv. The RRv provided was 911 cf and greater than the required RRv min. of 186 cf.

100% of the required WQv was not reduced due to the followings site specific limitations: *RRv criteria is not required for redevelopment activities & onsite soils*

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with slow infiltration rates. In addition, below is a summary of how each green infrastructure technique was evaluated and determined to be feasible or infeasible:

1) Conservation of natural areas: the site development is located in a less sensitive area.
2) Sheetflow to riparian buffers or filter strips: no riparian buffers possible on the site; filter strips not feasible given the limited area for development.
3) Vegetated Open Swales: swales are not feasible given the limited area for development.
4) Tree Plantings: new trees were planted throughout the site.
5) Disconnection of Roof Top Runoff: existing roof top runoff drainage will remain.
6) Stream Daylighting: not feasible given the limited area for development.
7) Rain Garden: method is not recommended for this type of projects.
8) Green Roof: existing roof top runoff drainage will remain.
9) Stormwater Planter: method is not recommended for this types of project.
10) Rain Barrels & Cisterns: collected water would not be used for irrigation.
11) Porous Pavement: porous pavement is not recommended for areas with sediment laden runoff (salting in winter months).

Channel Protection:
The NYSDEC requires that 24-Hour extended detention be provided for the proposed 1-year storm event. A volume of 3,244 cf (0.074 ac-ft) will be accommodated in the UGD onsite.

Overbank Flooding:
The NYSDEC requires that the 10-year proposed storm event be attenuated with detention and that the outlet be restricted to the 10-year existing storm event. Storage of this storm will be provided within the UGD onsite. At this storm event the stormwater drainage system will allow discharge of 10.89 cfs, which is below the existing peak 10-year runoff of 13.82 cfs.

Extreme Storm Protection:
The NYSDEC requires that the 100-year proposed storm event be attenuated with detention and that the outlet be restricted to the 100-year existing storm event. Storage of this storm will be provided within the UGD onsite. At this storm event the stormwater drainage system will allow discharge of 18.62 cfs, which is below the existing peak 100-year runoff of 23.60 cfs.

Town of Amherst:
The Town of Amherst requires that the 25-year proposed storm event be attenuated with detention and that the outlet be restricted to the 10-year existing

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storm event. Storage will be provided within the UGD onsite. At the 25-year storm event the stormwater drainage system will allow discharge of 13.54 cfs, which is below the existing peak 10-year runoff of 13.82 cfs.

Design Criteria:
Storm pipes: 10-year storm
Detention:

- Comparison of the existing 1-year vs. the proposed 1-year runoff
- Comparison of the existing 10-year vs. the proposed 10-year runoff
- Comparison of the existing 100-year vs. the proposed 100-year runoff
- Comparison of the existing 10-year vs. the proposed 25-year runoff

Bioretention: RRv = 100% of post-development water quality volumes

RUNOFF ANALYSIS OF PROPOSED DEVELOPMENT AREA:

STORM EVENT	EXISTING RUNOFF	PROPOSED RUNOFF
1 YEAR	7.35 CFS	5.67 CFS
10 YEAR	13.82 CFS	10.89 CFS
25 YEAR	17.17 CFS	13.54 CFS
100 YEAR	23.60 CFS	18.62 CFS

WATER QUALITY SUMMARY:
WQv REQUIRED = 2,270 CF (0.052 AC-FT)
RRv MIN. REQUIRED = 186 CF (0.004 AC-FT)
RRv PROVIDED WITHIN BIORETENTION AREA = 911 CF (0.021 AC-FT)
WQv PROVIDED WITHIN BIORETENTION AREA = 2,277 CF (0.052 AC-FT)

BIORETENTION FILTER AREA & ELEVATION SUMMARY:
FILTER AREA = 2,070 SF

See attached “Stormwater Drainage Analysis” for additional information.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Appendix A

STORMWATER DRAINAGE ANALYSIS

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

WATER QUALITY REQUIRED FOR PROPOSED DEVELOPMENT AREA Area, Acres = 1.93
(Note: Reference Chap. 9 NYSDEC Stormwater Design Manual)

"Redevelopment Activity", Acres = 1.27 "New development", Acres = 0.66
(existing, disturbed impervious area)

Total proposed impervious, Acres = 1.54 Adjusted impervious, Acres = 0.59
"New" impervious, Acres = 0.27 (25% redevelopment, 100% new development)

Water Quality Volume (WQv) WQv=P*R*A/12

Where:	P=90% Rainfall Event Number	P= 1
	Rv= 0.05+0.009*(I)	Rv= 0.32
	IC=Impervious Cover, Acres	IC= 0.59
	I=Impervious Cover (%)	I= 30
	A=Runoff Area, Acres	A= 1.93

WQv (ac-ft)= 0.052
WQv (cf)= 2270

Note: Runoff Reduction Volume (RRv) sizing criteria not required for "Redevelopment Activity" portion of project.
See attached Bioretention Worksheet for RRv sizing for "New Development" portion of project.

RRv PROVIDED FOR PROPOSED DEVELOPMENT AREA (See NYSDEC worksheets)

		WQv, cf	RRv, cf
Min. RRv Req'd, cf = 186	RRv, Bioretention Area	2,277	911
Min. RRv Req'd, ac-ft = 0.004			
	TOTAL, cf	2277	911
	TOTAL, ac-ft	0.052	0.021

WQ & RR SUMMARY (ac-ft):

TOTAL WATER QUALITY PROVIDED FOR PROPOSED DEVELOPMENT AREA 0.052

IS WATER QUALITY VOLUME REQUIREMENT MET? Yes
(WQv provided equal to or greater than WQv required)

IS RUNOFF REDUCTION VOLUME REQUIREMENT MET? Yes
(RRv provided equal to or greater than Min. RRv required)

Revised _/_/_

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Total Water Quality Volume Calculation
WQv(acre-feet) = [(P)(Rv)(A)] /12

Is this project subject to Chapter 10 of the NYS Design Manual (i.e. WQv is equal to post-development 1 year runoff volume)?.....	No

Design Point:		
P=	1.00	*inch*

Manually enter P, Total Area and Impervious Cover.

Breakdown of Subcatchments

Catchment Number	Total Area *(Acres)*	Impervious Area *(Acres)*	Percent Impervious *%*	Rv	WQv *(ft^3)*	Description
1	0.66	0.27	41%	0.42	1,002	
2						
3						
4						
5						
6						
7						
8						
9						
10						
Subtotal (1-30)	0.66	0.27	41%	0.42	**1,002**	**Subtotal 1**
Total	0.66	0.27	41%	0.42	**1,002**	**Initial WQv**

Identify Runoff Reduction Techniques By Area

Technique	Total Contributing Area *(Acre)*	Contributing Impervious Area *(Acre)*	Notes
Conservation of Natural Areas	0.00	0.00	*minimum 10,000 sf*
Riparian Buffers	0.00	0.00	*maximum contributing length 75 feet to 150 feet*
Filter Strips	0.00	0.00	
Tree Planting	0.66	0.27	*Up to 100 sf directly connected impervious area may be subtracted per tree*
Total	**0.66**	**0.27**	

Recalculate WQv after application of Area Reduction Techniques

	Total Area *(Acres)*	Impervious Area *(Acres)*	Percent Impervious *%*	Runoff Coefficient Rv	WQv *(ft^3)*
"<<Initial WQv"	0.66	0.27	41%	0.42	1,002
Subtract Area	-0.66	-0.27			
WQv adjusted after Area Reductions	**0.00**	**0.00**	0%	0.05	0
Disconnection of Rooftops		0.00			
Adjusted WQv after Area Reduction and Rooftop Disconnect	0.00	0.00	0%	0.05	**0**

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Minimum RRv

Enter the Soils Data for the site		
Soil Group	Acres	S
A		55%
B		40%
C		30%
D	**0.27**	20%
Total Area	0.27	
Calculate the Minimum RRv		
S =	**0.20**	
Impervious =	0.27	*acre*
Precipitation	1	*in*
Rv	0.95	
Minimum RRv	**186**	***ft3***
	0.00	af

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Bioretention Worksheet

(For use on HSG C or D Soils with underdrains)

Af=WQv*(df)/[k*(hf+df)(tf)]

Af	Required Surface Area (ft2)
WQv	Water Quality Volume (ft3)
df	Depth of the Soil Medium (feet)
hf	Average height of water above the planter bed
tf	Volume Through the Filter Media (days)

k — The hydraulic conductivity [ft/day], can be varied depending on the properties of the soil media. Some reported conductivity values are: ***Sand*** - 3.5 ft/day (City of Austin 1988); ***Peat*** - 2.0 ft/day (Galli 1990); ***Leaf Compost*** - 8.7 ft/day (Claytor and Schueler, 1996); ***Bioretention Soil*** (0.5 ft/day (Claytor &

Design Point:	

Enter Site Data For Drainage Area to be Treated by Practice							
Catchment Number	**Total Area** *(Acres)*	**Impervious Area** *(Acres)*	**Percent Impervious** *%*	**Rv**	**WQv** *(ft^3)*	**Precipitation** *(in)*	**Description**
1	0.66	0.27	0.41	0.42	1001.88	1.00	
Enter Impervious Area Reduced by Disconnection of Rooftops			41%	0.42	1,002	<<WQv after adjusting for Disconnected Rooftops	
Enter the portion of the WQv that is not reduced for all practices routed to this practice.						*ft^3*	

Soil Information			
Soil Group	D		
Soil Infiltration Rate		*in/hour*	
Using Underdrains?	Yes	*Okay*	

Calculate the Minimum Filter Area				
		Value	Units	Notes
WQv		1,002	*ft^3*	
Enter Depth of Soil Media	*df*	2.5	*ft*	*2.5-4 ft*
Enter Hydraulic Conductivity	*k*	0.5	*ft/day*	
Enter Average Height of Ponding	*hf*	0.25	*ft*	*6 inches max.*
Enter Filter Time	*tf*	2	*days*	
Required Filter Area	***Af***	**911**	***ft^2***	

Determine Actual Bio-Retention Area			
Filter Width	45	*ft*	
Filter Length	46	*ft*	
Filter Area	2070	*ft^2*	
Actual Volume Provided	2277	*ft^3*	

Determine Runoff Reduction				
Is the Bioretention contributing flow to another practice?			Select Practice	N/A
RRv	911			
RRv applied	**911**	***ft^3***	***This is 40% of the storage provided or WQv whichever is less.***	
Volume Treated	91	*ft^3*	*This is the portion of the WQv that is not reduced in the practice.*	
Volume Directed	0	*ft^3*	This volume is directed another practice	

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Extreme Precipitation Tables

Northeast Regional Climate Center

Data represents point estimates calculated from partial duration series. All precipitation amounts are displayed in inches.

Smoothing	Yes
State	New York
Location	
Longitude	78.814 degrees West
Latitude	42.997 degrees North
Elevation	0 feet
Date/Time	Mon, 26 Jul 2021 10:45:09 -0400

Extreme Precipitation Estimates

	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.26	0.41	0.50	0.66	0.82	1.01	**1yr**	0.71	0.93	1.13	1.34	1.56	1.80	2.09	**1yr**	1.60	2.01	2.42	2.92	3.39	**1yr**
2yr	0.30	0.47	0.58	0.77	0.96	1.18	**2yr**	0.83	1.08	1.34	1.59	1.87	2.18	2.46	**2yr**	1.93	2.36	2.79	3.31	3.80	**2yr**
5yr	0.36	0.56	0.70	0.94	1.20	1.48	**5yr**	1.03	1.35	1.67	1.98	2.30	2.65	3.00	**5yr**	2.34	2.89	3.38	3.97	4.54	**5yr**
10yr	0.40	0.63	0.80	1.09	1.42	1.76	**10yr**	1.22	1.61	1.99	2.34	2.70	3.07	3.49	**10yr**	2.72	3.36	3.91	4.56	5.19	**10yr**
25yr	0.48	0.76	0.97	1.33	1.77	2.20	**25yr**	1.53	2.02	2.48	2.90	3.32	3.74	4.27	**25yr**	3.31	4.11	4.74	5.48	6.20	**25yr**
50yr	0.54	0.87	1.11	1.56	2.10	2.61	**50yr**	1.81	2.39	2.94	3.43	3.89	4.33	4.97	**50yr**	3.84	4.78	5.49	6.30	7.10	**50yr**
100yr	0.61	0.99	1.28	1.82	2.48	3.10	**100yr**	2.14	2.85	3.50	4.05	4.56	5.04	5.79	**100yr**	4.46	5.57	6.36	7.24	8.13	**100yr**
200yr	0.71	1.15	1.49	2.14	2.95	3.68	**200yr**	2.54	3.39	4.15	4.77	5.34	5.86	6.75	**200yr**	5.18	6.50	7.37	8.33	9.32	**200yr**
500yr	0.85	1.39	1.82	2.64	3.70	4.63	**500yr**	3.20	4.28	5.20	5.94	6.58	7.15	8.27	**500yr**	6.33	7.96	8.97	10.03	11.15	**500yr**

Lower Confidence Limits

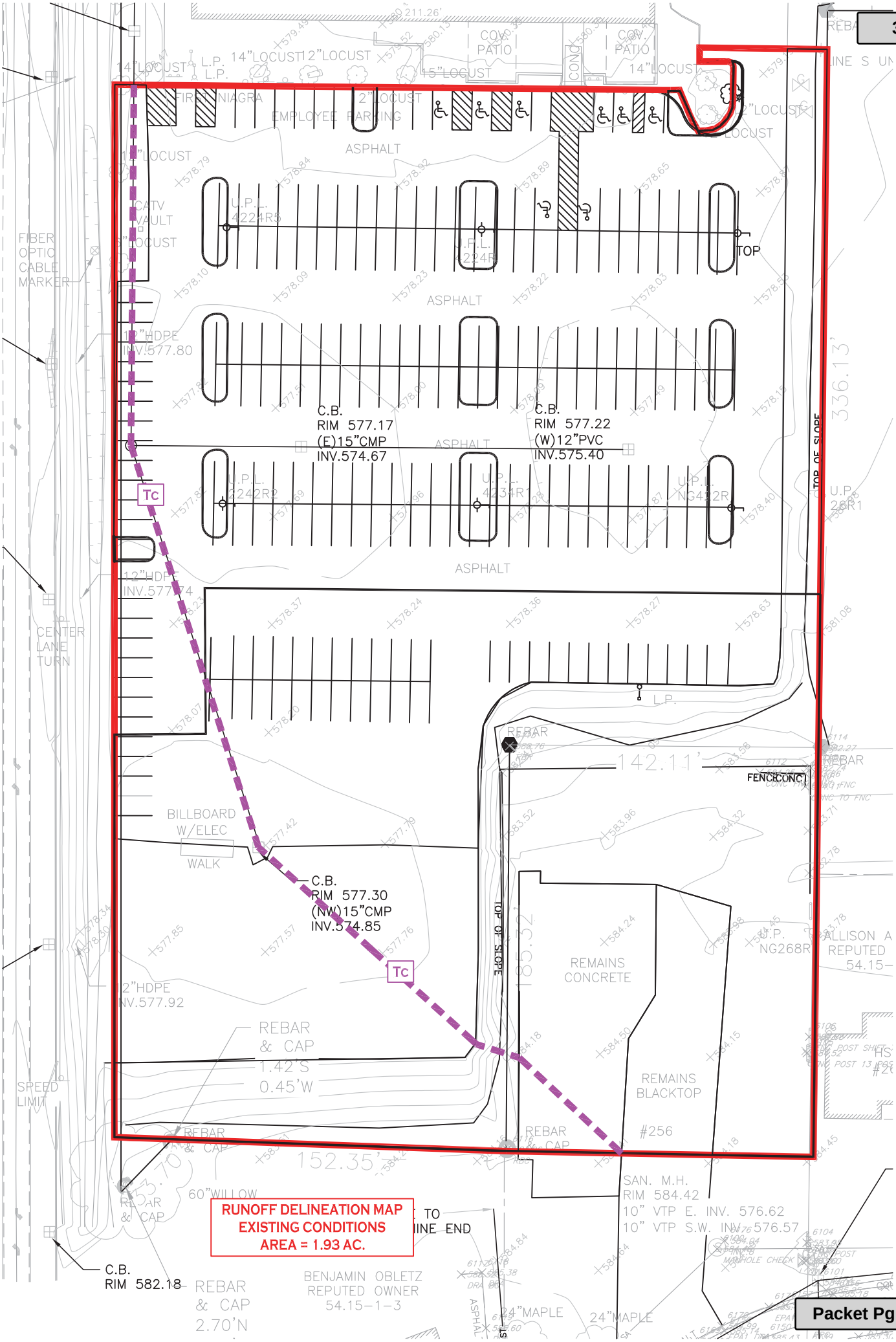
	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.23	0.35	0.43	0.57	0.70	0.87	**1yr**	0.61	0.86	0.86	1.15	1.45	1.63	1.90	**1yr**	1.44	1.83	2.07	2.61	3.09	**1yr**
2yr	0.29	0.45	0.55	0.75	0.93	1.06	**2yr**	0.80	1.04	1.17	1.42	1.71	2.10	2.35	**2yr**	1.86	2.26	2.67	3.19	3.66	**2yr**
5yr	0.33	0.51	0.63	0.86	1.10	1.26	**5yr**	0.95	1.23	1.39	1.67	2.01	2.44	2.71	**5yr**	2.16	2.61	3.04	3.62	4.09	**5yr**
10yr	0.36	0.55	0.68	0.96	1.23	1.42	**10yr**	1.07	1.39	1.56	1.88	2.27	2.71	3.02	**10yr**	2.40	2.90	3.34	3.96	4.40	**10yr**
25yr	0.41	0.62	0.77	1.11	1.46	1.68	**25yr**	1.26	1.64	1.81	2.18	2.64	3.12	3.46	**25yr**	2.76	3.33	3.75	4.44	4.82	**25yr**
50yr	0.45	0.68	0.85	1.22	1.64	1.89	**50yr**	1.42	1.85	2.02	2.43	2.96	3.47	3.84	**50yr**	3.07	3.70	4.08	4.86	5.15	**50yr**
100yr	0.49	0.74	0.93	1.34	1.83	2.13	**100yr**	1.58	2.08	2.25	2.71	3.32	3.87	4.25	**100yr**	3.43	4.08	4.43	5.30	5.48	**100yr**
200yr	0.54	0.81	1.02	1.48	2.07	2.41	**200yr**	1.78	2.36	2.50	3.00	3.70	4.34	4.70	**200yr**	3.84	4.52	4.78	5.76	5.80	**200yr**
500yr	0.61	0.90	1.16	1.69	2.40	2.82	**500yr**	2.07	2.76	2.84	3.42	4.25	5.07	5.39	**500yr**	4.48	5.19	5.25	6.42	6.19	**500yr**

Upper Confidence Limits

	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.30	0.46	0.56	0.75	0.93	1.07	**1yr**	0.80	1.05	1.20	1.41	1.70	1.93	2.33	**1yr**	1.71	2.24	2.61	3.09	3.64	**1yr**
2yr	0.32	0.49	0.60	0.81	1.00	1.16	**2yr**	0.87	1.13	1.29	1.56	1.86	2.28	2.58	**2yr**	2.02	2.48	2.95	3.47	4.04	**2yr**
5yr	0.39	0.60	0.74	1.02	1.30	1.53	**5yr**	1.12	1.50	1.69	2.06	2.44	2.88	3.31	**5yr**	2.55	3.18	3.75	4.36	5.03	**5yr**
10yr	0.46	0.71	0.88	1.22	1.58	1.89	**10yr**	1.37	1.85	2.10	2.55	3.02	3.45	4.01	**10yr**	3.06	3.86	4.52	5.17	6.01	**10yr**
25yr	0.58	0.89	1.10	1.58	2.07	2.51	**25yr**	1.79	2.45	2.79	3.40	3.98	4.41	5.18	**25yr**	3.91	4.98	5.83	6.53	7.61	**25yr**
50yr	0.69	1.05	1.31	1.88	2.53	3.12	**50yr**	2.18	3.05	3.48	4.23	4.92	5.31	6.28	**50yr**	4.70	6.04	7.08	7.80	9.14	**50yr**
100yr	0.83	1.25	1.56	2.26	3.10	3.86	**100yr**	2.67	3.78	4.34	5.26	6.08	6.37	7.62	**100yr**	5.63	7.33	8.58	9.32	10.94	**100yr**
200yr	0.99	1.48	1.88	2.72	3.79	4.79	**200yr**	3.27	4.68	5.44	6.56	7.51	7.63	9.24	**200yr**	6.75	8.88	10.42	11.15	13.14	**200yr**
500yr	1.25	1.87	2.40	3.49	4.96	6.38	**500yr**	4.28	6.24	7.32	8.78	9.96	9.71	11.94	**500yr**	8.60	11.48	13.54	14.16	16.69	**500yr**

Powered by ACIS Northeast Regional Climate Center

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

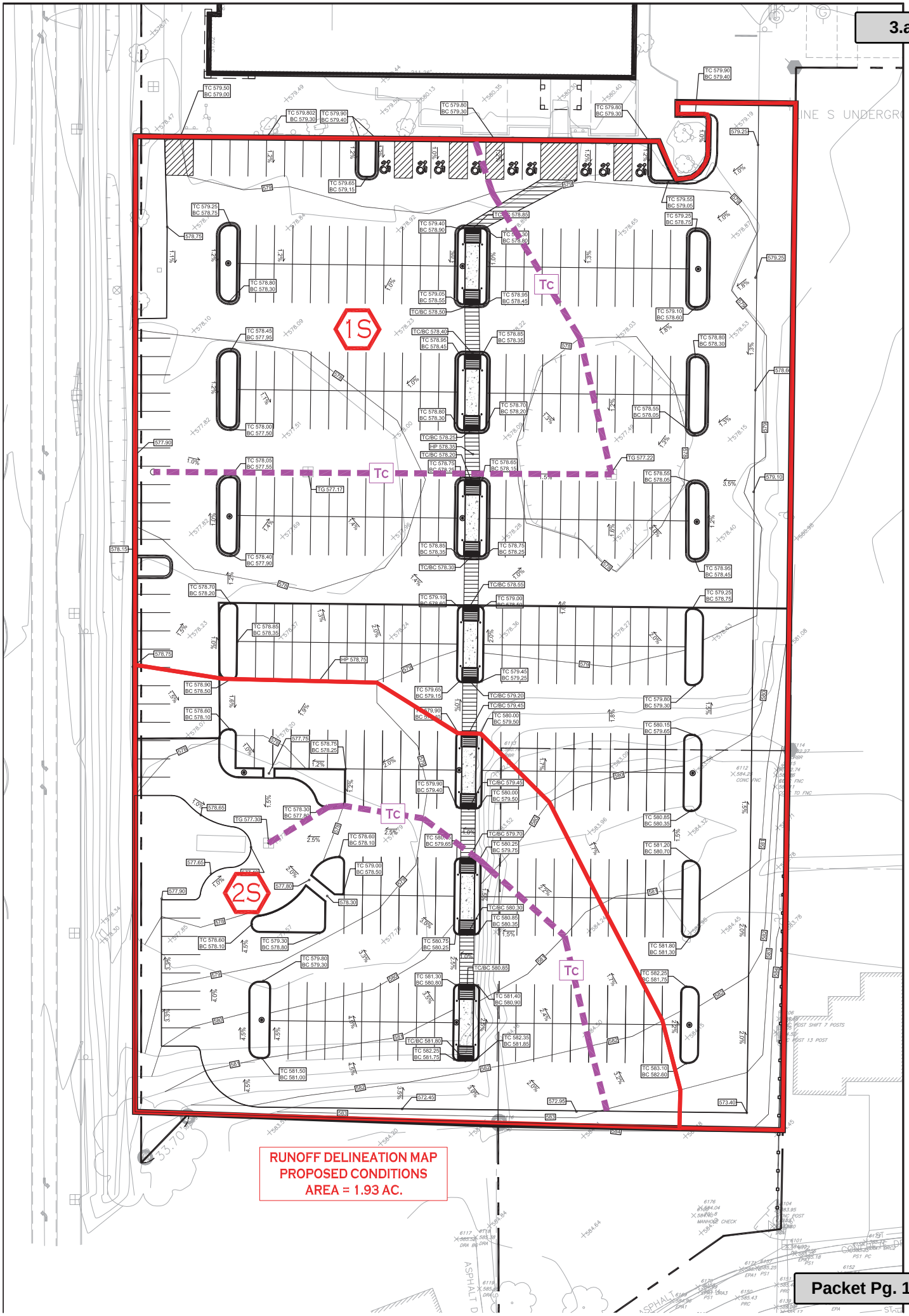


Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Events for Subcatchment 1S: Existing Site

Event	Runoff (cfs)	Volume (acre-feet)	Depth (inches)
1-Year	7.35	0.384	1.28
2-Year	9.33	0.495	1.65
5-Year	11.71	0.631	2.11
10-Year	13.82	0.753	2.52
25-Year	17.17	0.950	3.17
50-Year	20.09	1.124	3.76
100-Year	**23.60**	**1.334**	**4.46**

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)



RUNOFF DELINEATION MAP
PROPOSED CONDITIONS
AREA = 1.93 AC.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Events for Link 1L: Proposed Runoff

Event	Inflow (cfs)	Primary (cfs)	Elevation (feet)
1-Year	5.67	5.67	**0.00**
2-Year	7.20	7.20	0.00
5-Year	9.17	9.17	0.00
10-Year	10.89	10.89	0.00
25-Year	13.54	13.54	0.00
50-Year	15.86	15.86	0.00
100-Year	**18.62**	**18.62**	0.00

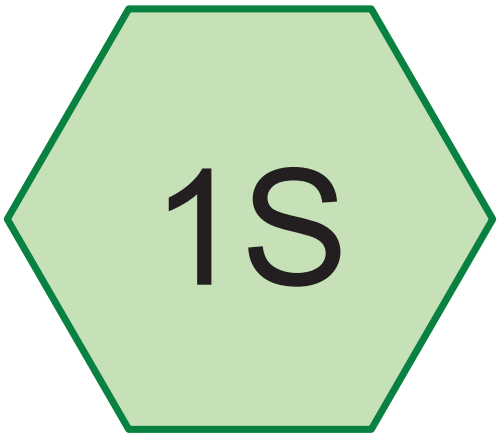
Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Appendix B

STORMWATER DRAINAGE ANALYSIS

HydroCAD

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)



Existing Site

Subcat Reach Pond Link

Routing Diagram for 21.151 Existing
Prepared by HP Inc., Printed 7/29/2021
HydroCAD® 10.00-18 s/n 05021 © 2016 HydroCAD Software Solutions LLC

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.800	84	50-75% Grass cover, Fair, HSG D (1S)
2.790	98	Impervious (1S)
3.590	**95**	**TOTAL AREA**

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
0.000	HSG C	
0.800	HSG D	1S
2.790	Other	1S
3.590		**TOTAL AREA**

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	0.000	0.000	0.800	0.000	0.800	50-75% Grass cover, Fair	1S
0.000	0.000	0.000	0.000	2.790	2.790	Impervious	1S
0.000	**0.000**	**0.000**	**0.800**	**2.790**	**3.590**	**TOTAL AREA**	

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Time span=0.00-50.00 hrs, dt=0.05 hrs, 1001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Existing Site Runoff Area=3.590 ac 77.72% Impervious Runoff Depth=1.28"
Flow Length=575' Tc=7.5 min CN=95 Runoff=7.35 cfs 0.384 af

Total Runoff Area = 3.590 ac Runoff Volume = 0.384 af Average Runoff Depth = 1.28"
22.28% Pervious = 0.800 ac 77.72% Impervious = 2.790 ac

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 1S: Existing Site

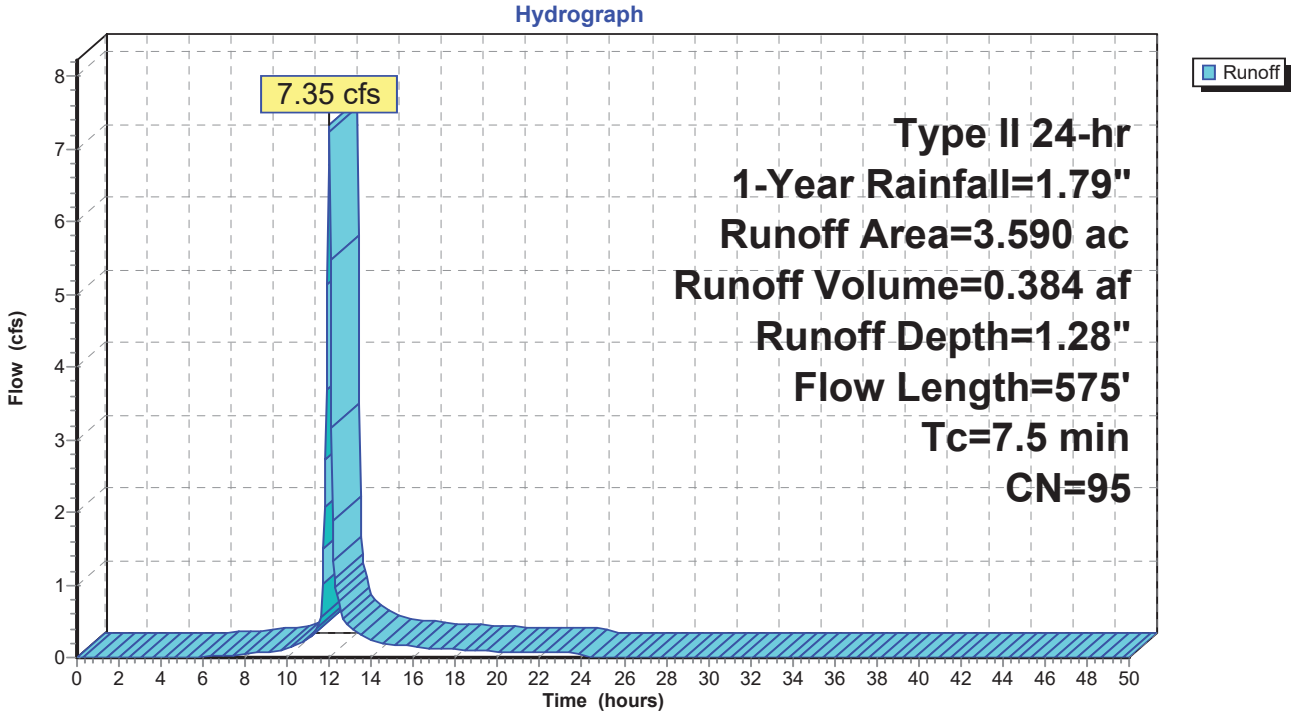
Runoff = 7.35 cfs @ 11.99 hrs, Volume= 0.384 af, Depth= 1.28"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type II 24-hr 1-Year Rainfall=1.79"

	Area (ac)	CN	Description
	0.800	84	50-75% Grass cover, Fair, HSG D
*	2.790	98	Impervious
	3.590	95	Weighted Average
	0.800		22.28% Pervious Area
	2.790		77.72% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.8	64	0.0040	0.58		**Sheet Flow, Overland - Pvmt** Smooth surfaces n= 0.011 P2= 2.50"
1.2	21	0.2400	0.30		**Sheet Flow, Overland - Grass** Grass: Short n= 0.150 P2= 2.50"
1.7	65	0.0050	0.64		**Sheet Flow, Overland - Pvmt** Smooth surfaces n= 0.011 P2= 2.50"
0.8	68	0.0050	1.44		**Shallow Concentrated Flow, Overland - Pvmt** Paved Kv= 20.3 fps
2.0	357		3.00		**Direct Entry, Pipe Flow**
7.5	575	Total			

Subcatchment 1S: Existing Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Time span=0.00-50.00 hrs, dt=0.05 hrs, 1001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Existing Site Runoff Area=3.590 ac 77.72% Impervious Runoff Depth=2.52"
Flow Length=575' Tc=7.5 min CN=95 Runoff=13.82 cfs 0.753 af

Total Runoff Area = 3.590 ac Runoff Volume = 0.753 af Average Runoff Depth = 2.52"
22.28% Pervious = 0.800 ac 77.72% Impervious = 2.790 ac

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 1S: Existing Site

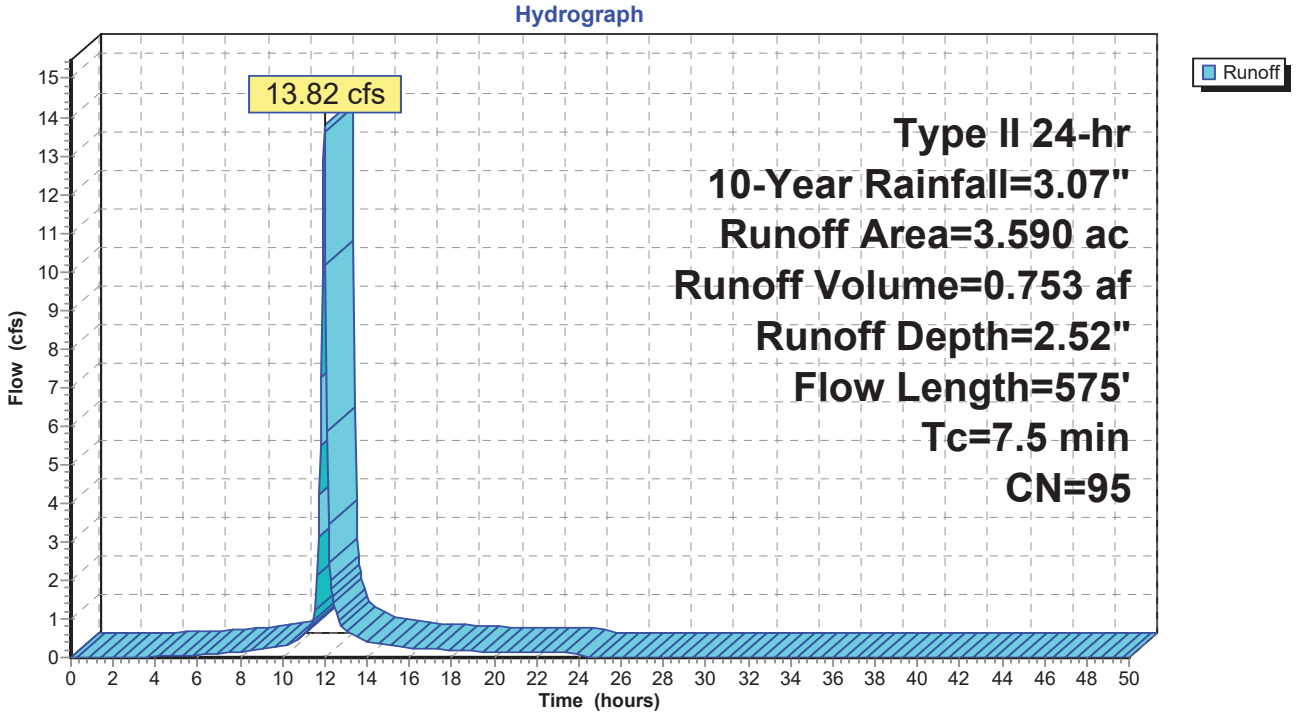
Runoff = 13.82 cfs @ 11.98 hrs, Volume= 0.753 af, Depth= 2.52"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type II 24-hr 10-Year Rainfall=3.07"

	Area (ac)	CN	Description
	0.800	84	50-75% Grass cover, Fair, HSG D
*	2.790	98	Impervious
	3.590	95	Weighted Average
	0.800		22.28% Pervious Area
	2.790		77.72% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.8	64	0.0040	0.58		**Sheet Flow, Overland - Pvmt** Smooth surfaces n= 0.011 P2= 2.50"
1.2	21	0.2400	0.30		**Sheet Flow, Overland - Grass** Grass: Short n= 0.150 P2= 2.50"
1.7	65	0.0050	0.64		**Sheet Flow, Overland - Pvmt** Smooth surfaces n= 0.011 P2= 2.50"
0.8	68	0.0050	1.44		**Shallow Concentrated Flow, Overland - Pvmt** Paved Kv= 20.3 fps
2.0	357		3.00		**Direct Entry, Pipe Flow**
7.5	575	Total			

Subcatchment 1S: Existing Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Time span=0.00-50.00 hrs, dt=0.05 hrs, 1001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Existing Site Runoff Area=3.590 ac 77.72% Impervious Runoff Depth=3.17"
Flow Length=575' Tc=7.5 min CN=95 Runoff=17.17 cfs 0.950 af

Total Runoff Area = 3.590 ac Runoff Volume = 0.950 af Average Runoff Depth = 3.17"
22.28% Pervious = 0.800 ac 77.72% Impervious = 2.790 ac

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 1S: Existing Site

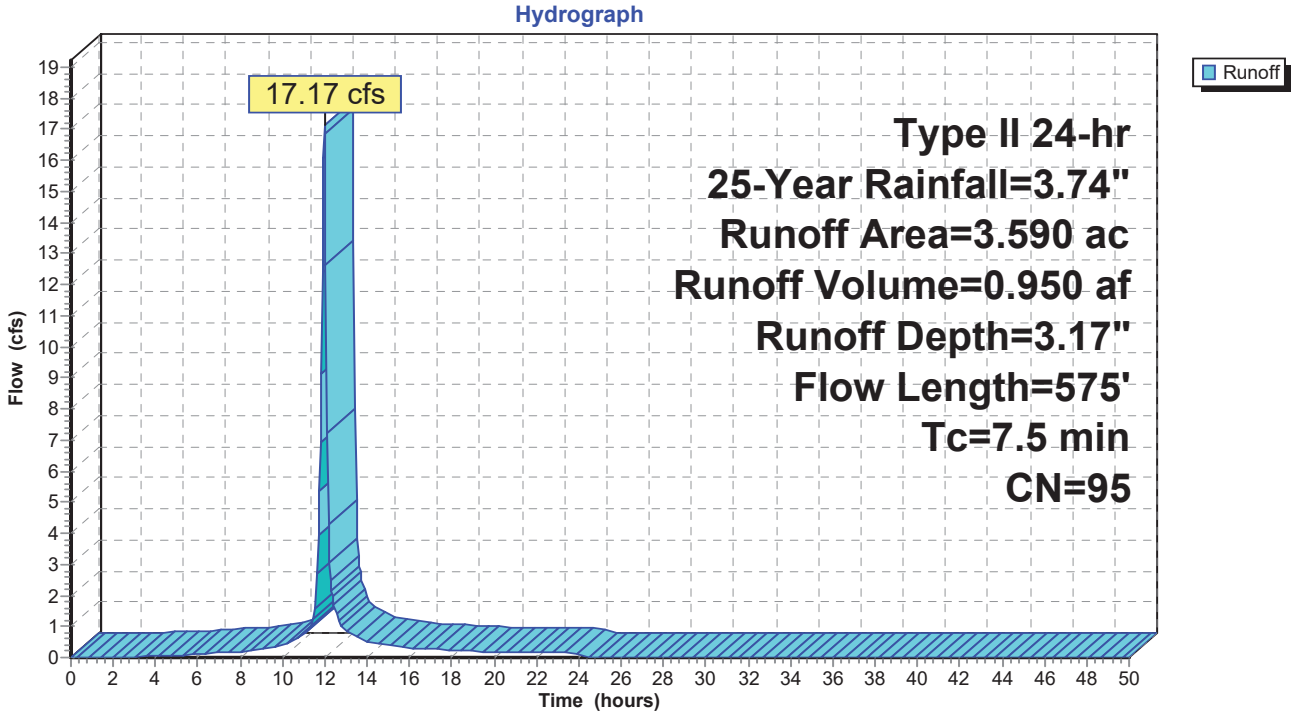
Runoff = 17.17 cfs @ 11.98 hrs, Volume= 0.950 af, Depth= 3.17"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type II 24-hr 25-Year Rainfall=3.74"

	Area (ac)	CN	Description
	0.800	84	50-75% Grass cover, Fair, HSG D
*	2.790	98	Impervious
	3.590	95	Weighted Average
	0.800		22.28% Pervious Area
	2.790		77.72% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.8	64	0.0040	0.58		**Sheet Flow, Overland - Pvmt** Smooth surfaces n= 0.011 P2= 2.50"
1.2	21	0.2400	0.30		**Sheet Flow, Overland - Grass** Grass: Short n= 0.150 P2= 2.50"
1.7	65	0.0050	0.64		**Sheet Flow, Overland - Pvmt** Smooth surfaces n= 0.011 P2= 2.50"
0.8	68	0.0050	1.44		**Shallow Concentrated Flow, Overland - Pvmt** Paved Kv= 20.3 fps
2.0	357		3.00		**Direct Entry, Pipe Flow**
7.5	575	Total			

Subcatchment 1S: Existing Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Time span=0.00-50.00 hrs, dt=0.05 hrs, 1001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Existing Site Runoff Area=3.590 ac 77.72% Impervious Runoff Depth=4.46"
Flow Length=575' Tc=7.5 min CN=95 Runoff=23.60 cfs 1.334 af

Total Runoff Area = 3.590 ac Runoff Volume = 1.334 af Average Runoff Depth = 4.46"
22.28% Pervious = 0.800 ac 77.72% Impervious = 2.790 ac

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 1S: Existing Site

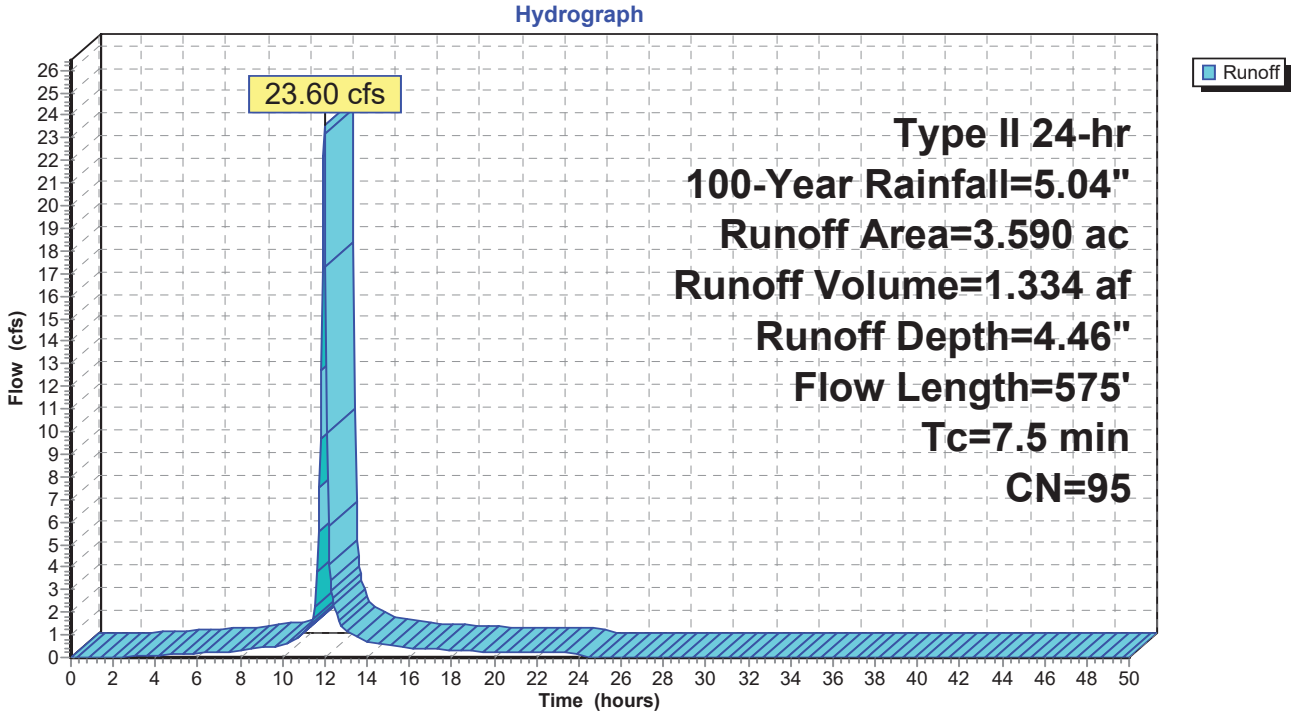
Runoff = 23.60 cfs @ 11.98 hrs, Volume= 1.334 af, Depth= 4.46"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type II 24-hr 100-Year Rainfall=5.04"

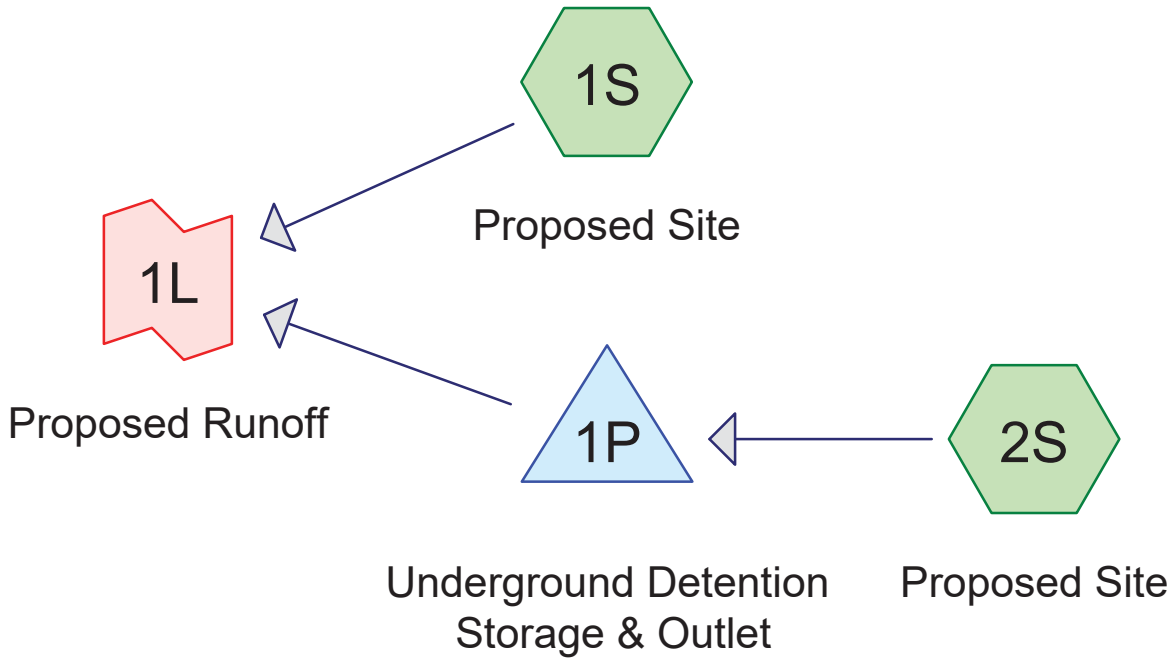
	Area (ac)	CN	Description
	0.800	84	50-75% Grass cover, Fair, HSG D
*	2.790	98	Impervious
	3.590	95	Weighted Average
	0.800		22.28% Pervious Area
	2.790		77.72% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.8	64	0.0040	0.58		**Sheet Flow, Overland - Pvmt** Smooth surfaces n= 0.011 P2= 2.50"
1.2	21	0.2400	0.30		**Sheet Flow, Overland - Grass** Grass: Short n= 0.150 P2= 2.50"
1.7	65	0.0050	0.64		**Sheet Flow, Overland - Pvmt** Smooth surfaces n= 0.011 P2= 2.50"
0.8	68	0.0050	1.44		**Shallow Concentrated Flow, Overland - Pvmt** Paved Kv= 20.3 fps
2.0	357		3.00		**Direct Entry, Pipe Flow**
7.5	575	Total			

Subcatchment 1S: Existing Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)



Subcat Reach Pond Link

Routing Diagram for 21.151 Proposed
Prepared by HP Inc., Printed 7/29/2021
HydroCAD® 10.00-18 s/n 05021 © 2016 HydroCAD Software Solutions LLC

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.530	80	>75% Grass cover, Good, HSG D (1S, 2S)
3.060	98	Impervious, HSG D (1S, 2S)
3.590	**95**	**TOTAL AREA**

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
0.000	HSG C	
3.590	HSG D	1S, 2S
0.000	Other	
3.590		**TOTAL AREA**

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	0.000	0.000	0.530	0.000	0.530	>75% Grass cover, Good	1S, 2S
0.000	0.000	0.000	3.060	0.000	3.060	Impervious	1S, 2S
0.000	**0.000**	**0.000**	**3.590**	**0.000**	**3.590**	**TOTAL AREA**	

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Pipe Listing (all nodes)

Line#	Node Number	In-Invert (feet)	Out-Invert (feet)	Length (feet)	Slope (ft/ft)	n	Diam/Width (inches)	Height (inches)	Inside-Fill (inches)
1	1P	574.50	574.33	84.0	0.0020	0.013	6.0	0.0	0.0

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Proposed Site Runoff Area=2.490 ac 85.94% Impervious Runoff Depth=1.29"
Flow Length=404' Slope=0.0120 '/' Tc=5.0 min CN=95 Runoff=5.67 cfs 0.268 af

Subcatchment 2S: Proposed Site Runoff Area=1.100 ac 83.64% Impervious Runoff Depth=1.29"
Flow Length=260' Slope=0.0220 '/' Tc=5.0 min CN=95 Runoff=2.50 cfs 0.119 af

Pond 1P: Underground Detention Storage & Peak Elev=574.81' Storage=3,244 cf Inflow=2.50 cfs 0.119 af
6.0" Round Culvert n=0.013 L=84.0' S=0.0020 '/' Outflow=0.12 cfs 0.070 af

Link 1L: Proposed Runoff Inflow=5.67 cfs 0.338 af
Primary=5.67 cfs 0.338 af

Total Runoff Area = 3.590 ac Runoff Volume = 0.387 af Average Runoff Depth = 1.29"
14.76% Pervious = 0.530 ac 85.24% Impervious = 3.060 ac

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 1S: Proposed Site

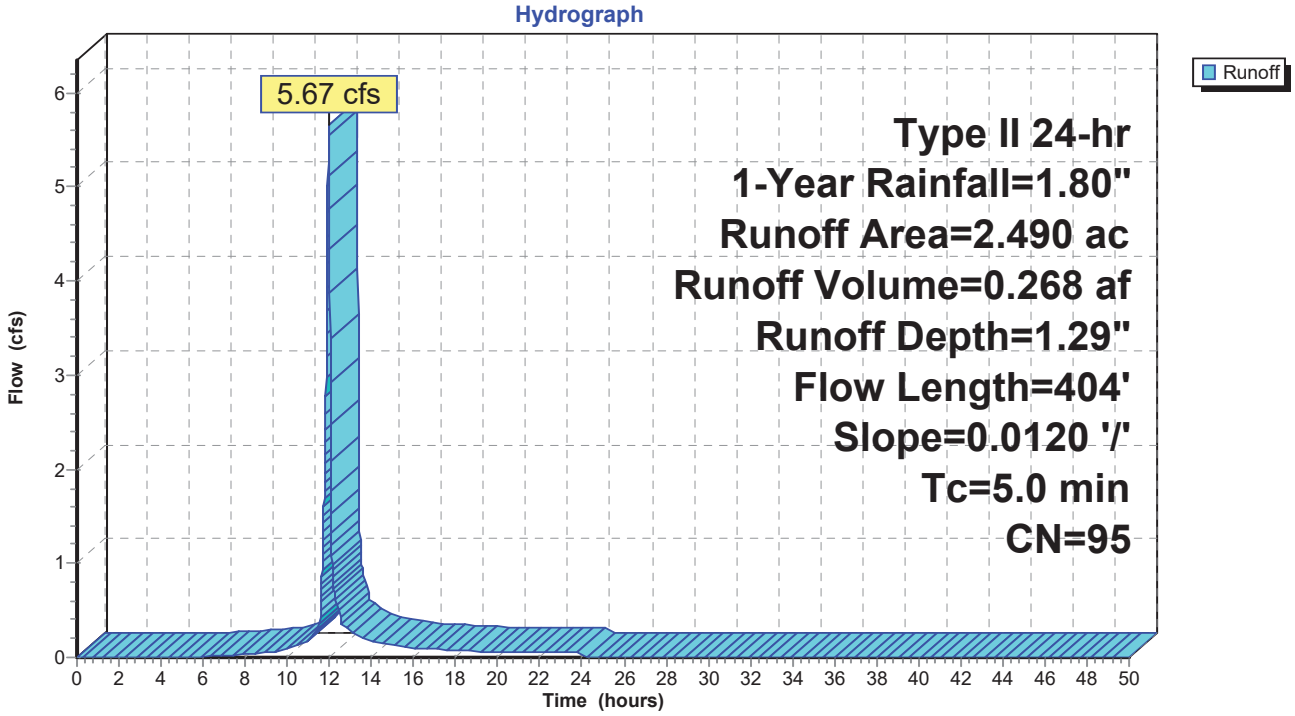
Runoff = 5.67 cfs @ 11.96 hrs, Volume= 0.268 af, Depth= 1.29"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type II 24-hr 1-Year Rainfall=1.80"

	Area (ac)	CN	Description
	0.350	80	>75% Grass cover, Good, HSG D
*	2.140	98	Impervious, HSG D
	2.490	95	Weighted Average
	0.350		14.06% Pervious Area
	2.140		85.94% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.7	100	0.0120	0.99		**Sheet Flow, Overland - Pvmt.** Smooth surfaces n= 0.011 P2= 2.50"
0.6	79	0.0120	2.22		**Shallow Concentrated Flow, Overland - Pvmt.** Paved Kv= 20.3 fps
1.2	225		3.00		**Direct Entry, Pipe Flow**
3.6	404	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: Proposed Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 2S: Proposed Site

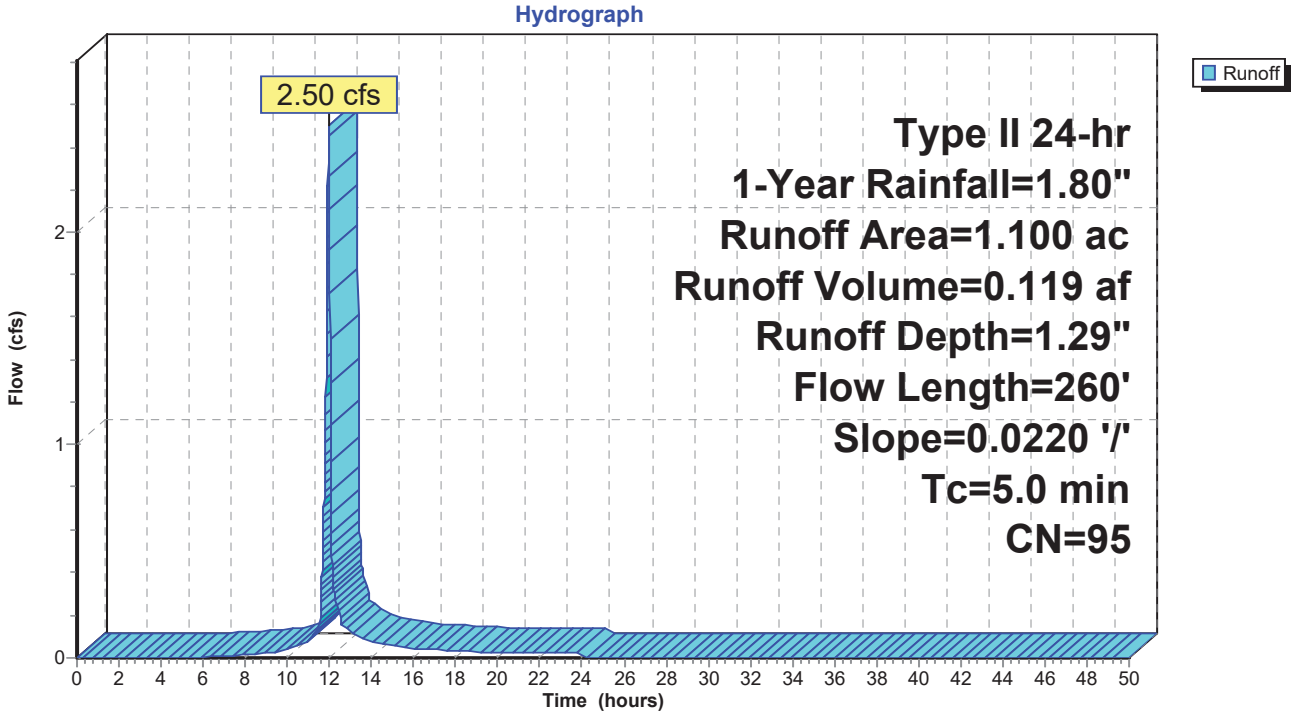
Runoff = 2.50 cfs @ 11.96 hrs, Volume= 0.119 af, Depth= 1.29"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type II 24-hr 1-Year Rainfall=1.80"

	Area (ac)	CN	Description
	0.180	80	>75% Grass cover, Good, HSG D
*	0.920	98	Impervious, HSG D
	1.100	95	Weighted Average
	0.180		16.36% Pervious Area
	0.920		83.64% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.3	100	0.0220	1.26		**Sheet Flow, Overland - Pvmt.** Smooth surfaces n= 0.011 P2= 2.50"
0.9	160	0.0220	3.01		**Shallow Concentrated Flow, Overland - Pvmt.** Paved Kv= 20.3 fps
2.2	260	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 2S: Proposed Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Pond 1P: Underground Detention Storage & Outlet

Inflow Area = 1.100 ac, 83.64% Impervious, Inflow Depth = 1.29" for 1-Year event
Inflow = 2.50 cfs @ 11.96 hrs, Volume= 0.119 af
Outflow = 0.12 cfs @ 13.00 hrs, Volume= 0.070 af, Atten= 95%, Lag= 62.3 min
Primary = 0.12 cfs @ 13.00 hrs, Volume= 0.070 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Peak Elev= 574.81' @ 13.00 hrs Surf.Area= 4,925 sf Storage= 3,244 cf

Plug-Flow detention time= 419.6 min calculated for 0.070 af (59% of inflow)
Center-of-Mass det. time= 313.1 min (1,109.4 - 796.4)

Volume	Invert	Avail.Storage	Storage Description
#1A	573.75'	4,414 cf	**72.75'W x 67.70'L x 3.50'H Field A** 17,237 cf Overall - 6,202 cf Embedded = 11,035 cf x 40.0% Voids
#2A	574.25'	6,202 cf	**ADS_StormTech SC-740 +Cap** x 135 Inside #1 Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap 15 Rows of 9 Chambers
		10,616 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	574.50'	**6.0" Round Outlet Pipe** L= 84.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 574.50' / 574.33' S= 0.0020 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.12 cfs @ 13.00 hrs HW=574.81' TW=0.00' (Dynamic Tailwater)
1=Outlet Pipe (Barrel Controls 0.12 cfs @ 1.35 fps)

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Pond 1P: Underground Detention Storage & Outlet - Chamber Wizard Field A

Chamber Model = ADS_StormTech SC-740 +Cap (ADS StormTech® SC-740 with cap length)
Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf
Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap

51.0" Wide + 6.0" Spacing = 57.0" C-C Row Spacing

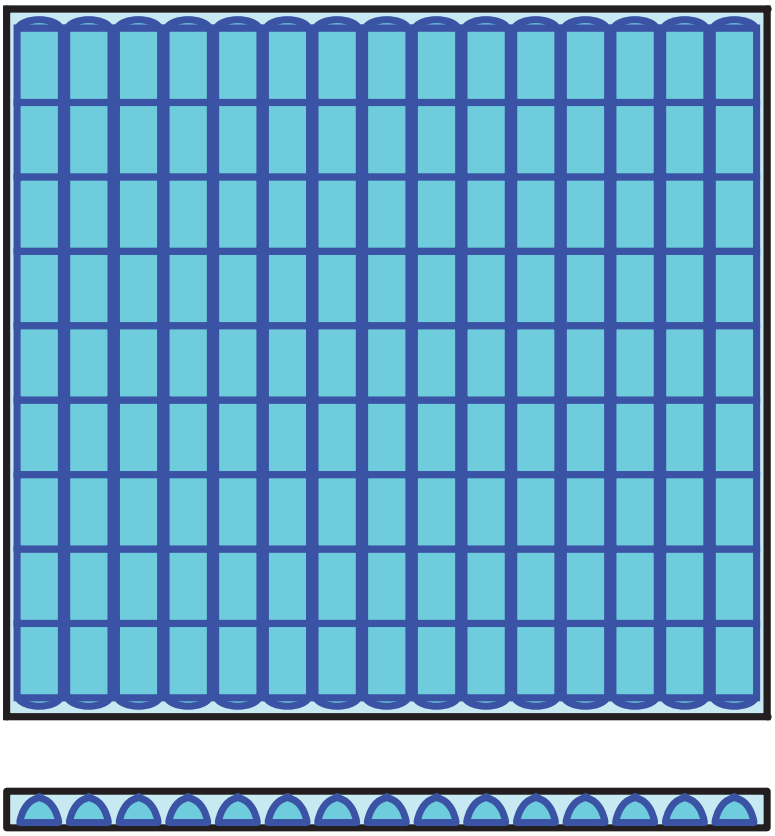
9 Chambers/Row x 7.12' Long +0.81' Cap Length x 2 = 65.70' Row Length +12.0" End Stone x 2 = 67.70' Base Length
15 Rows x 51.0" Wide + 6.0" Spacing x 14 + 12.0" Side Stone x 2 = 72.75' Base Width
6.0" Base + 30.0" Chamber Height + 6.0" Cover = 3.50' Field Height

135 Chambers x 45.9 cf = 6,201.9 cf Chamber Storage

17,237.3 cf Field - 6,201.9 cf Chambers = 11,035.4 cf Stone x 40.0% Voids = 4,414.1 cf Stone Storage

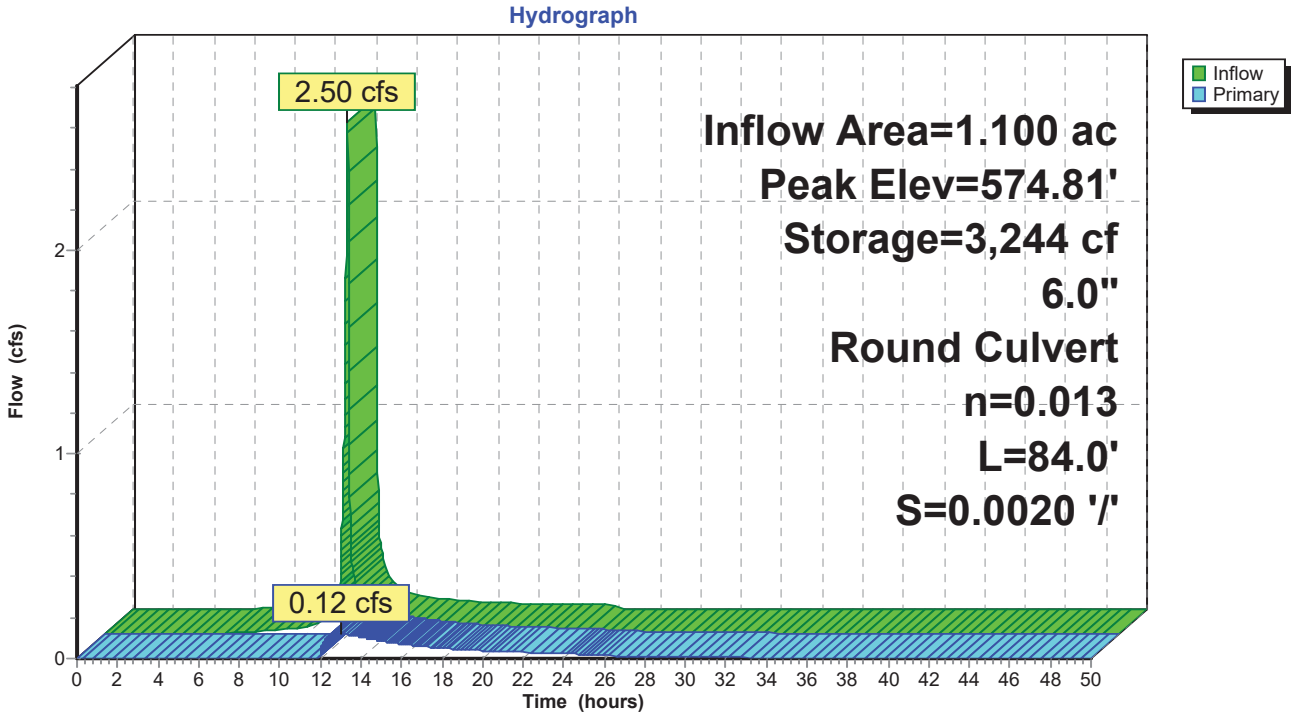
Chamber Storage + Stone Storage = 10,616.0 cf = 0.244 af
Overall Storage Efficiency = 61.6%
Overall System Size = 67.70' x 72.75' x 3.50'

135 Chambers
638.4 cy Field
408.7 cy Stone



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Pond 1P: Underground Detention Storage & Outlet



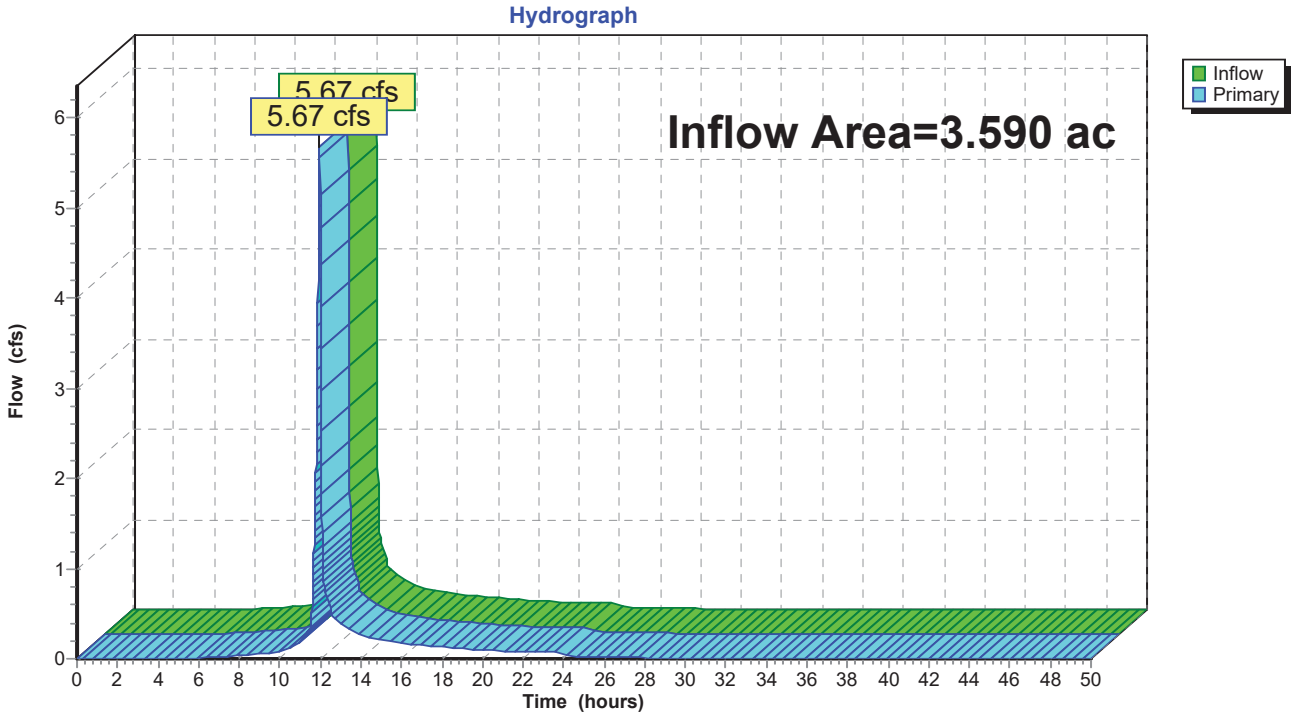
Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Link 1L: Proposed Runoff

Inflow Area = 3.590 ac, 85.24% Impervious, Inflow Depth > 1.13" for 1-Year event
Inflow = 5.67 cfs @ 11.96 hrs, Volume= 0.338 af
Primary = 5.67 cfs @ 11.96 hrs, Volume= 0.338 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs

Link 1L: Proposed Runoff



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Proposed Site Runoff Area=2.490 ac 85.94% Impervious Runoff Depth=2.52"
Flow Length=404' Slope=0.0120 '/' Tc=5.0 min CN=95 Runoff=10.56 cfs 0.522 af

Subcatchment 2S: Proposed Site Runoff Area=1.100 ac 83.64% Impervious Runoff Depth=2.52"
Flow Length=260' Slope=0.0220 '/' Tc=5.0 min CN=95 Runoff=4.66 cfs 0.231 af

Pond 1P: Underground Detention Storage & Peak Elev=575.50' Storage=5,890 cf Inflow=4.66 cfs 0.231 af
6.0" Round Culvert n=0.013 L=84.0' S=0.0020 '/' Outflow=0.45 cfs 0.182 af

Link 1L: Proposed Runoff Inflow=10.89 cfs 0.704 af
Primary=10.89 cfs 0.704 af

Total Runoff Area = 3.590 ac Runoff Volume = 0.753 af Average Runoff Depth = 2.52"
14.76% Pervious = 0.530 ac 85.24% Impervious = 3.060 ac

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 1S: Proposed Site

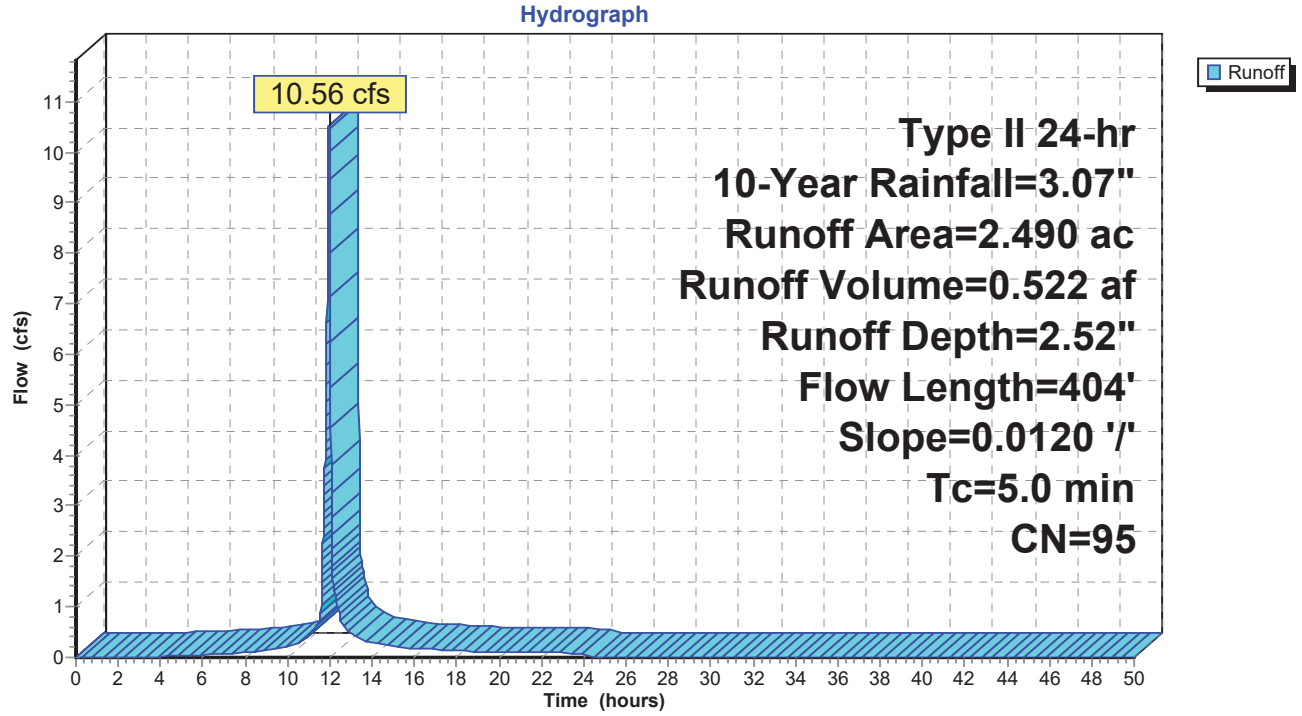
Runoff = 10.56 cfs @ 11.96 hrs, Volume= 0.522 af, Depth= 2.52"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type II 24-hr 10-Year Rainfall=3.07"

	Area (ac)	CN	Description
	0.350	80	>75% Grass cover, Good, HSG D
*	2.140	98	Impervious, HSG D
	2.490	95	Weighted Average
	0.350		14.06% Pervious Area
	2.140		85.94% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.7	100	0.0120	0.99		**Sheet Flow, Overland - Pvmt.** Smooth surfaces n= 0.011 P2= 2.50"
0.6	79	0.0120	2.22		**Shallow Concentrated Flow, Overland - Pvmt.** Paved Kv= 20.3 fps
1.2	225		3.00		**Direct Entry, Pipe Flow**
3.6	404	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: Proposed Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 2S: Proposed Site

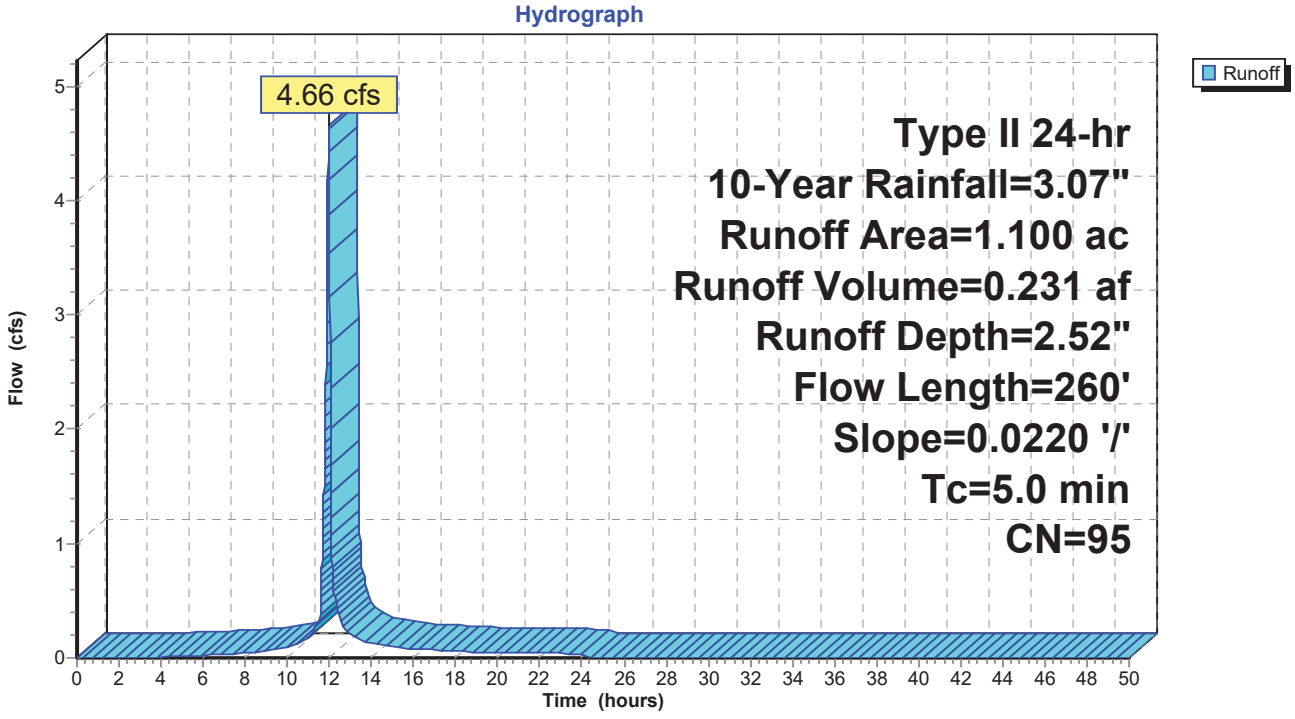
Runoff = 4.66 cfs @ 11.96 hrs, Volume= 0.231 af, Depth= 2.52"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type II 24-hr 10-Year Rainfall=3.07"

	Area (ac)	CN	Description
	0.180	80	>75% Grass cover, Good, HSG D
*	0.920	98	Impervious, HSG D
	1.100	95	Weighted Average
	0.180		16.36% Pervious Area
	0.920		83.64% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.3	100	0.0220	1.26		**Sheet Flow, Overland - Pvmt.** Smooth surfaces n= 0.011 P2= 2.50"
0.9	160	0.0220	3.01		**Shallow Concentrated Flow, Overland - Pvmt.** Paved Kv= 20.3 fps
2.2	260	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 2S: Proposed Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Pond 1P: Underground Detention Storage & Outlet

Inflow Area = 1.100 ac, 83.64% Impervious, Inflow Depth = 2.52" for 10-Year event
Inflow = 4.66 cfs @ 11.96 hrs, Volume= 0.231 af
Outflow = 0.45 cfs @ 12.35 hrs, Volume= 0.182 af, Atten= 90%, Lag= 23.8 min
Primary = 0.45 cfs @ 12.35 hrs, Volume= 0.182 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Peak Elev= 575.50' @ 12.35 hrs Surf.Area= 4,925 sf Storage= 5,890 cf

Plug-Flow detention time= 292.1 min calculated for 0.182 af (79% of inflow)
Center-of-Mass det. time= 209.8 min (987.8 - 778.0)

Volume	Invert	Avail.Storage	Storage Description
#1A	573.75'	4,414 cf	**72.75'W x 67.70'L x 3.50'H Field A** 17,237 cf Overall - 6,202 cf Embedded = 11,035 cf x 40.0% Voids
#2A	574.25'	6,202 cf	**ADS_StormTech SC-740 +Cap** x 135 Inside #1 Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap 15 Rows of 9 Chambers
		10,616 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	574.50'	**6.0" Round Outlet Pipe** L= 84.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 574.50' / 574.33' S= 0.0020 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.45 cfs @ 12.35 hrs HW=575.50' TW=0.00' (Dynamic Tailwater)
1=Outlet Pipe (Barrel Controls 0.45 cfs @ 2.30 fps)

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Pond 1P: Underground Detention Storage & Outlet - Chamber Wizard Field A

Chamber Model = ADS_StormTech SC-740 +Cap (ADS StormTech® SC-740 with cap length)
Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf
Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap

51.0" Wide + 6.0" Spacing = 57.0" C-C Row Spacing

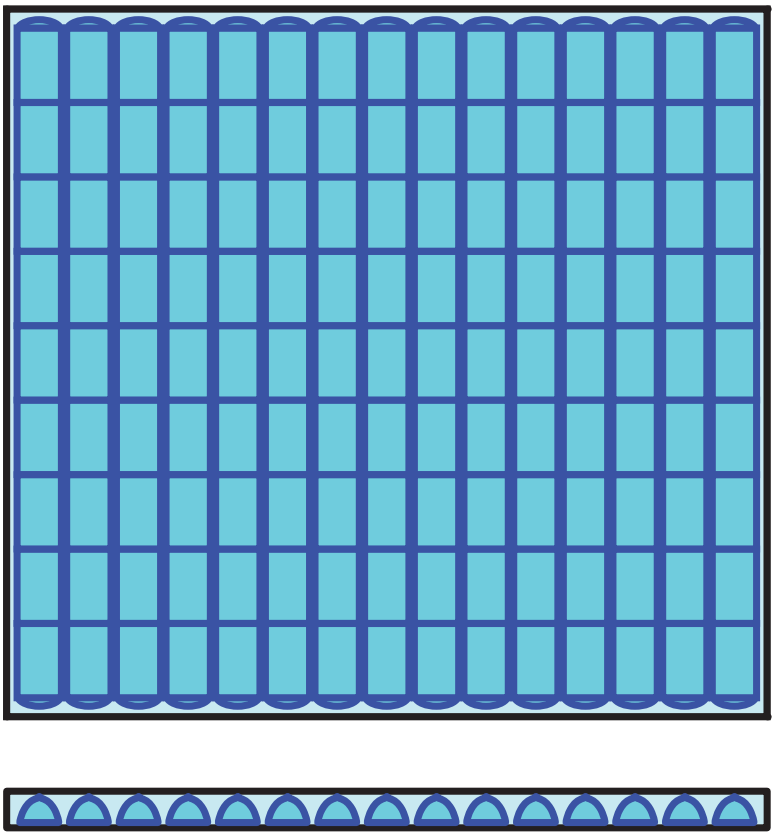
9 Chambers/Row x 7.12' Long +0.81' Cap Length x 2 = 65.70' Row Length +12.0" End Stone x 2 = 67.70' Base Length
15 Rows x 51.0" Wide + 6.0" Spacing x 14 + 12.0" Side Stone x 2 = 72.75' Base Width
6.0" Base + 30.0" Chamber Height + 6.0" Cover = 3.50' Field Height

135 Chambers x 45.9 cf = 6,201.9 cf Chamber Storage

17,237.3 cf Field - 6,201.9 cf Chambers = 11,035.4 cf Stone x 40.0% Voids = 4,414.1 cf Stone Storage

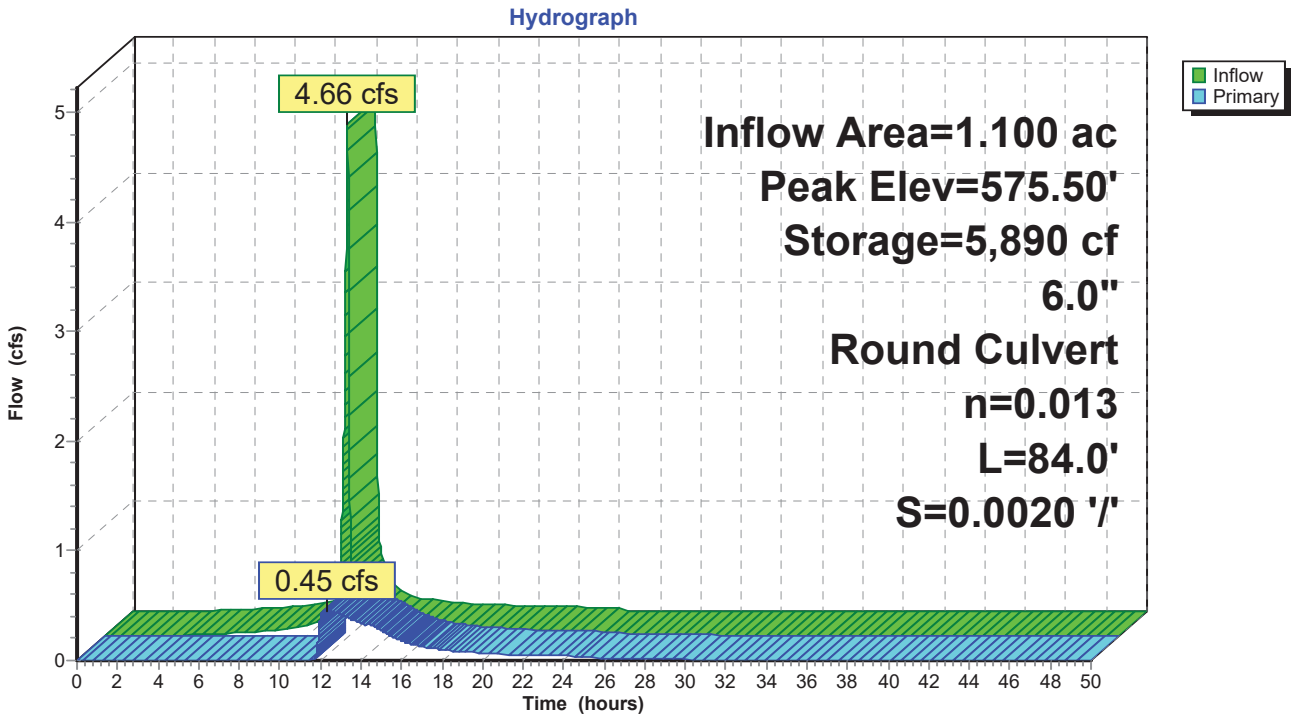
Chamber Storage + Stone Storage = 10,616.0 cf = 0.244 af
Overall Storage Efficiency = 61.6%
Overall System Size = 67.70' x 72.75' x 3.50'

135 Chambers
638.4 cy Field
408.7 cy Stone



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Pond 1P: Underground Detention Storage & Outlet



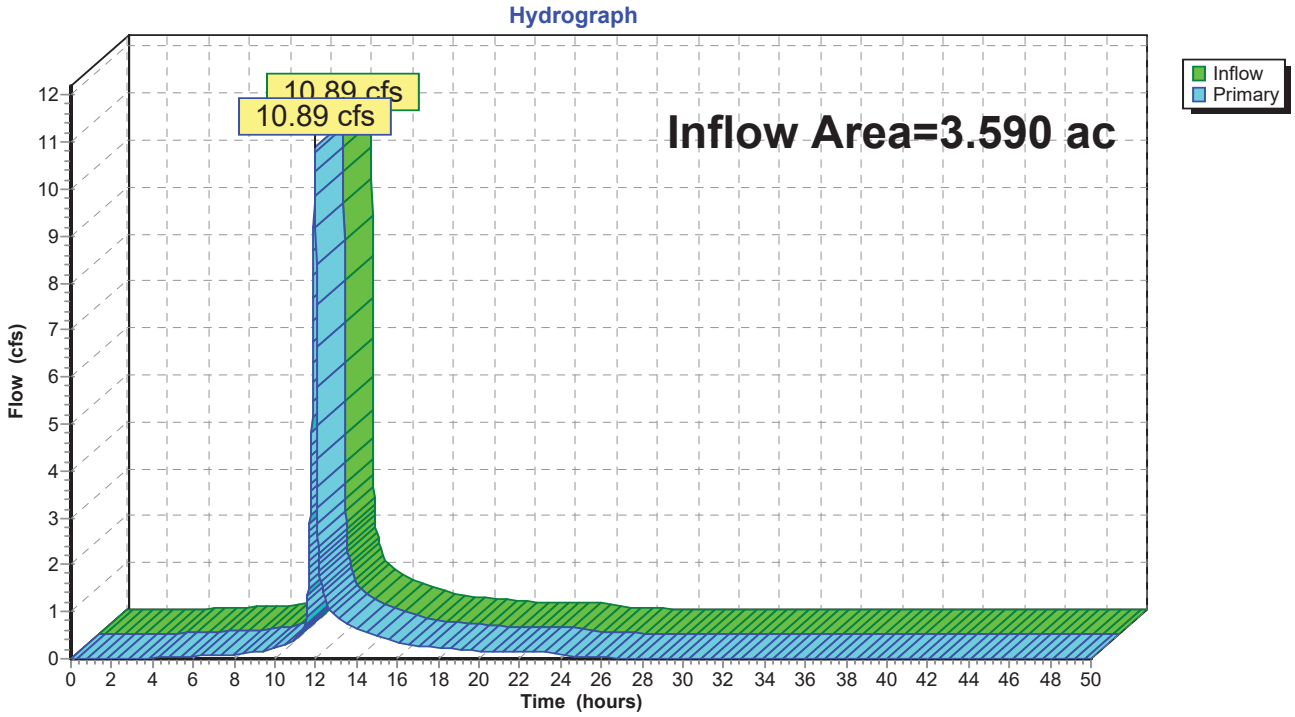
Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Link 1L: Proposed Runoff

Inflow Area = 3.590 ac, 85.24% Impervious, Inflow Depth = 2.35" for 10-Year event
Inflow = 10.89 cfs @ 11.96 hrs, Volume= 0.704 af
Primary = 10.89 cfs @ 11.96 hrs, Volume= 0.704 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs

Link 1L: Proposed Runoff



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Proposed Site Runoff Area=2.490 ac 85.94% Impervious Runoff Depth=3.17"
Flow Length=404' Slope=0.0120 '/' Tc=5.0 min CN=95 Runoff=13.10 cfs 0.659 af

Subcatchment 2S: Proposed Site Runoff Area=1.100 ac 83.64% Impervious Runoff Depth=3.17"
Flow Length=260' Slope=0.0220 '/' Tc=5.0 min CN=95 Runoff=5.79 cfs 0.291 af

Pond 1P: Underground Detention Storage & Peak Elev=575.93' Storage=7,405 cf Inflow=5.79 cfs 0.291 af
6.0" Round Culvert n=0.013 L=84.0' S=0.0020 '/' Outflow=0.58 cfs 0.242 af

Link 1L: Proposed Runoff Inflow=13.54 cfs 0.901 af
Primary=13.54 cfs 0.901 af

Total Runoff Area = 3.590 ac Runoff Volume = 0.950 af Average Runoff Depth = 3.17"
14.76% Pervious = 0.530 ac 85.24% Impervious = 3.060 ac

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 1S: Proposed Site

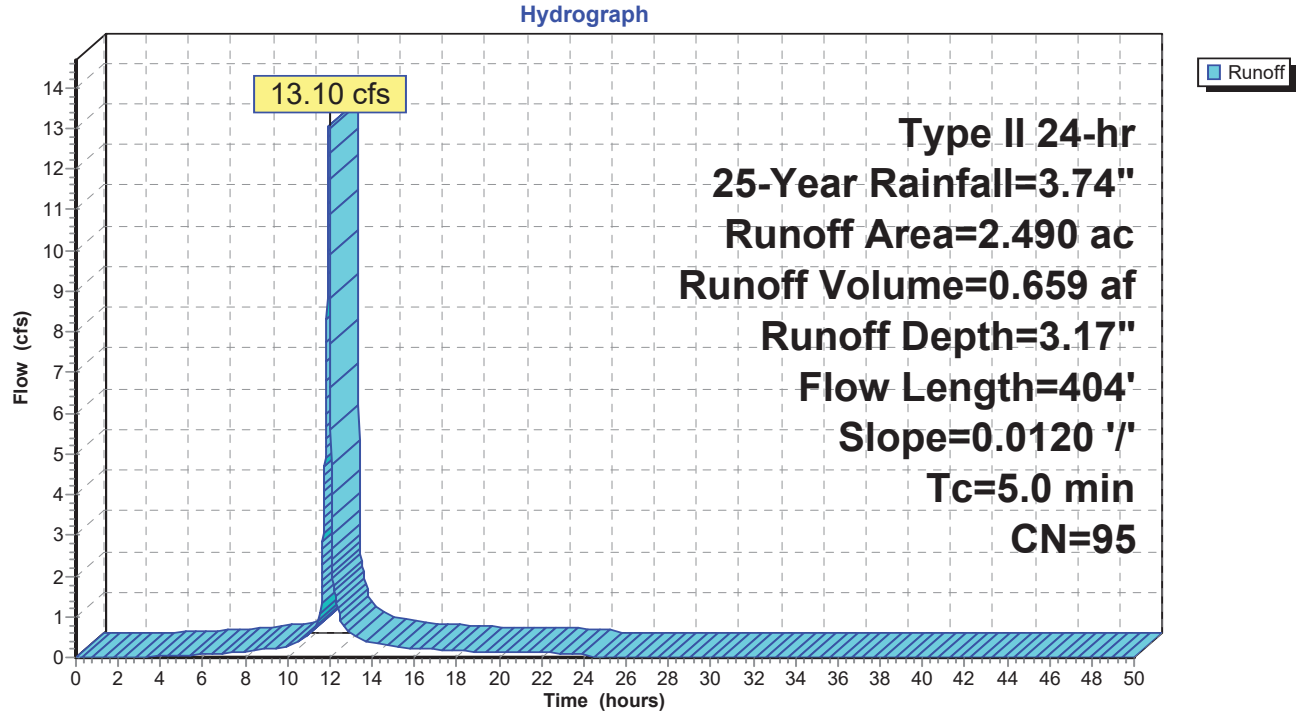
Runoff = 13.10 cfs @ 11.96 hrs, Volume= 0.659 af, Depth= 3.17"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type II 24-hr 25-Year Rainfall=3.74"

	Area (ac)	CN	Description
	0.350	80	>75% Grass cover, Good, HSG D
*	2.140	98	Impervious, HSG D
	2.490	95	Weighted Average
	0.350		14.06% Pervious Area
	2.140		85.94% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.7	100	0.0120	0.99		**Sheet Flow, Overland - Pvmt.** Smooth surfaces n= 0.011 P2= 2.50"
0.6	79	0.0120	2.22		**Shallow Concentrated Flow, Overland - Pvmt.** Paved Kv= 20.3 fps
1.2	225		3.00		**Direct Entry, Pipe Flow**
3.6	404	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: Proposed Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 2S: Proposed Site

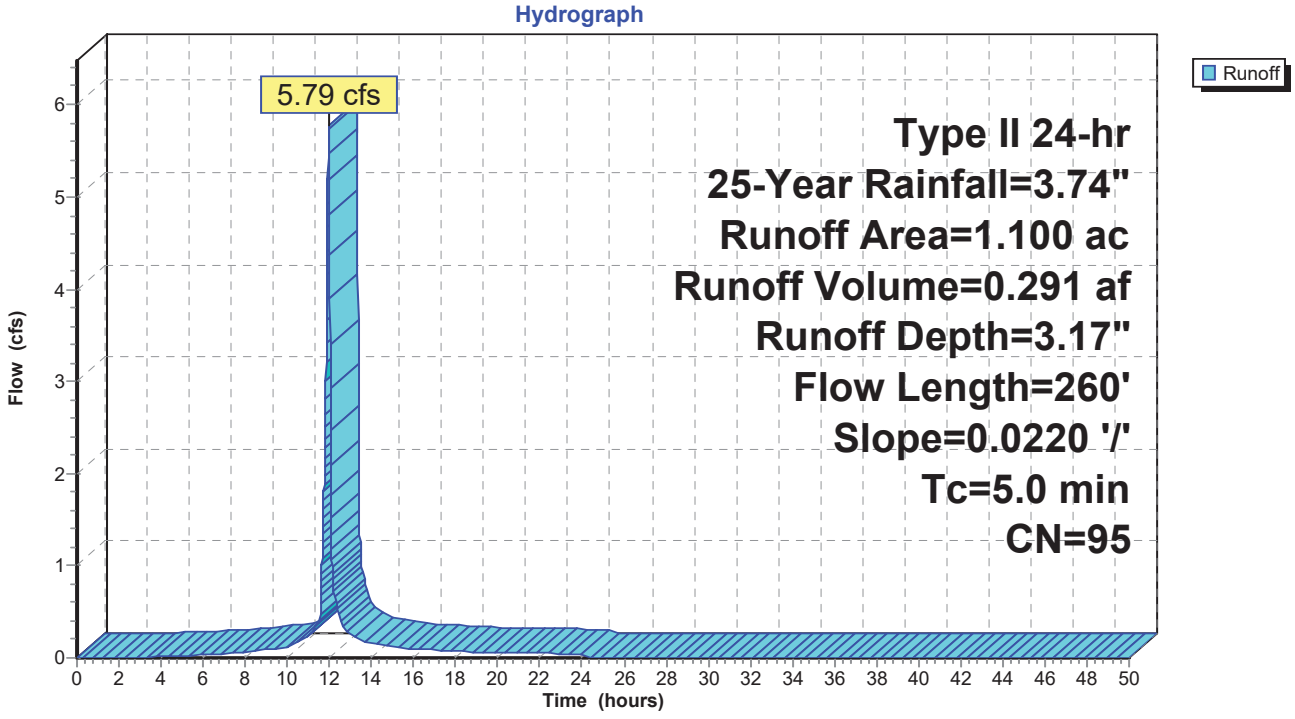
Runoff = 5.79 cfs @ 11.96 hrs, Volume= 0.291 af, Depth= 3.17"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type II 24-hr 25-Year Rainfall=3.74"

	Area (ac)	CN	Description
	0.180	80	>75% Grass cover, Good, HSG D
*	0.920	98	Impervious, HSG D
	1.100	95	Weighted Average
	0.180		16.36% Pervious Area
	0.920		83.64% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.3	100	0.0220	1.26		**Sheet Flow, Overland - Pvmt.** Smooth surfaces n= 0.011 P2= 2.50"
0.9	160	0.0220	3.01		**Shallow Concentrated Flow, Overland - Pvmt.** Paved Kv= 20.3 fps
2.2	260	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 2S: Proposed Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Pond 1P: Underground Detention Storage & Outlet

Inflow Area = 1.100 ac, 83.64% Impervious, Inflow Depth = 3.17" for 25-Year event
Inflow = 5.79 cfs @ 11.96 hrs, Volume= 0.291 af
Outflow = 0.58 cfs @ 12.33 hrs, Volume= 0.242 af, Atten= 90%, Lag= 22.3 min
Primary = 0.58 cfs @ 12.33 hrs, Volume= 0.242 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Peak Elev= 575.93' @ 12.33 hrs Surf.Area= 4,925 sf Storage= 7,405 cf

Plug-Flow detention time= 274.8 min calculated for 0.242 af (83% of inflow)
Center-of-Mass det. time= 202.2 min (974.0 - 771.9)

Volume	Invert	Avail.Storage	Storage Description
#1A	573.75'	4,414 cf	**72.75'W x 67.70'L x 3.50'H Field A** 17,237 cf Overall - 6,202 cf Embedded = 11,035 cf x 40.0% Voids
#2A	574.25'	6,202 cf	**ADS_StormTech SC-740 +Cap** x 135 Inside #1 Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap 15 Rows of 9 Chambers
		10,616 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	574.50'	**6.0" Round Outlet Pipe** L= 84.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 574.50' / 574.33' S= 0.0020 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.58 cfs @ 12.33 hrs HW=575.93' TW=0.00' (Dynamic Tailwater)
1=Outlet Pipe (Barrel Controls 0.58 cfs @ 2.95 fps)

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Pond 1P: Underground Detention Storage & Outlet - Chamber Wizard Field A

Chamber Model = ADS_StormTech SC-740 +Cap (ADS StormTech® SC-740 with cap length)
Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf
Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap

51.0" Wide + 6.0" Spacing = 57.0" C-C Row Spacing

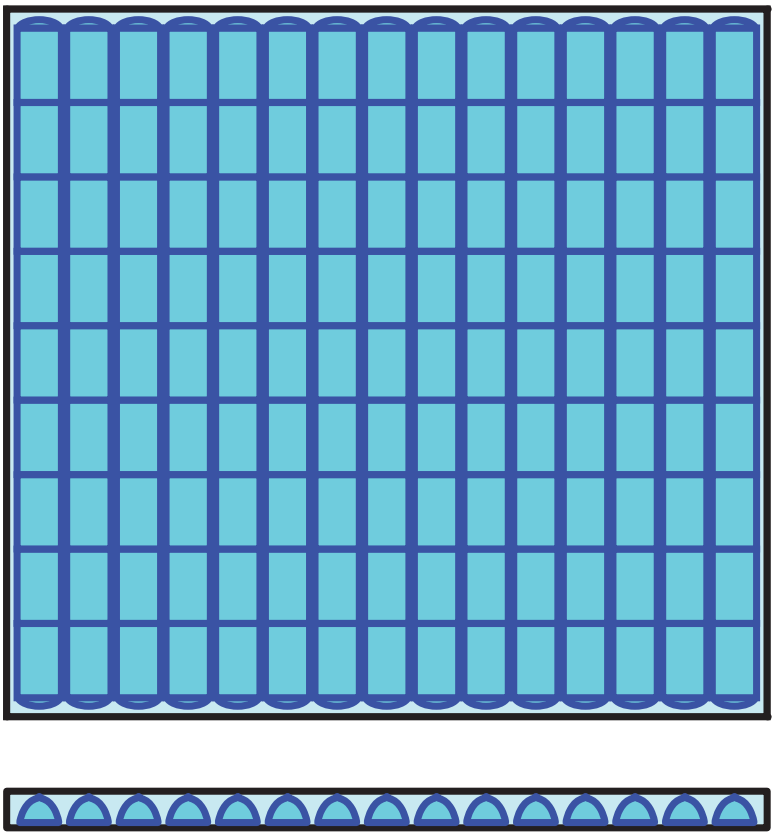
9 Chambers/Row x 7.12' Long +0.81' Cap Length x 2 = 65.70' Row Length +12.0" End Stone x 2 = 67.70' Base Length
15 Rows x 51.0" Wide + 6.0" Spacing x 14 + 12.0" Side Stone x 2 = 72.75' Base Width
6.0" Base + 30.0" Chamber Height + 6.0" Cover = 3.50' Field Height

135 Chambers x 45.9 cf = 6,201.9 cf Chamber Storage

17,237.3 cf Field - 6,201.9 cf Chambers = 11,035.4 cf Stone x 40.0% Voids = 4,414.1 cf Stone Storage

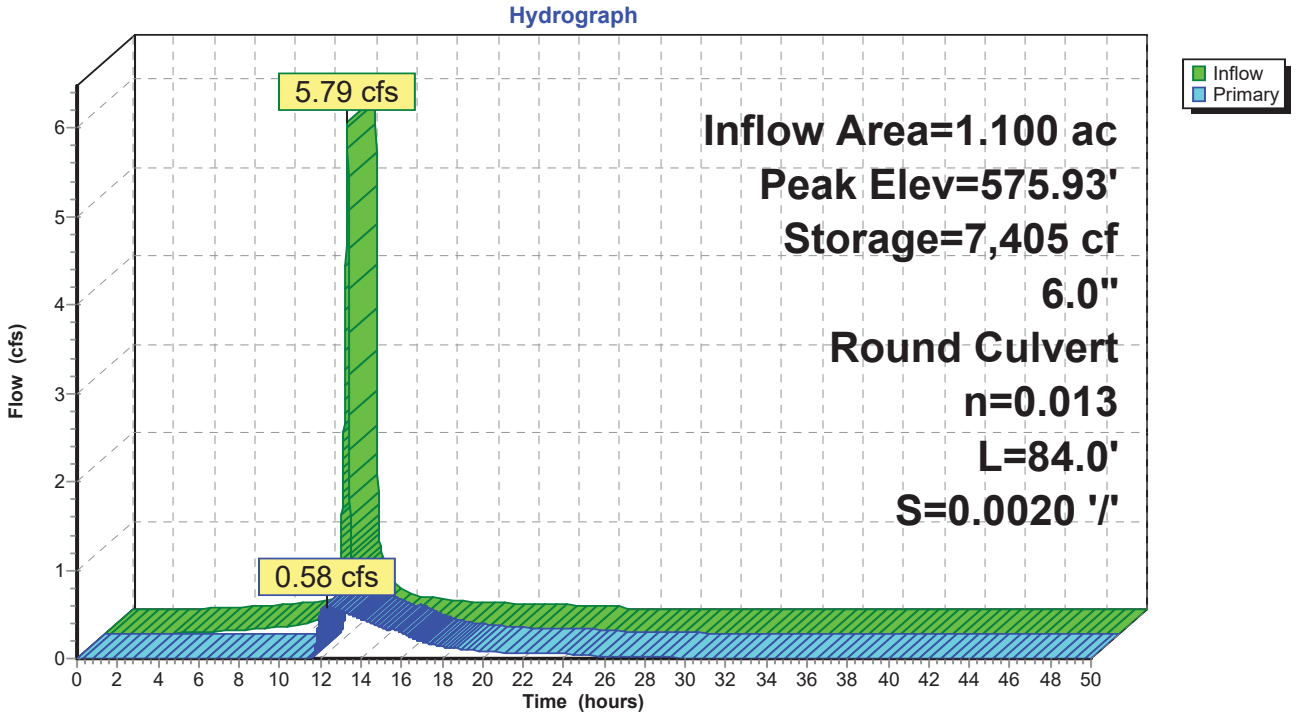
Chamber Storage + Stone Storage = 10,616.0 cf = 0.244 af
Overall Storage Efficiency = 61.6%
Overall System Size = 67.70' x 72.75' x 3.50'

135 Chambers
638.4 cy Field
408.7 cy Stone



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Pond 1P: Underground Detention Storage & Outlet



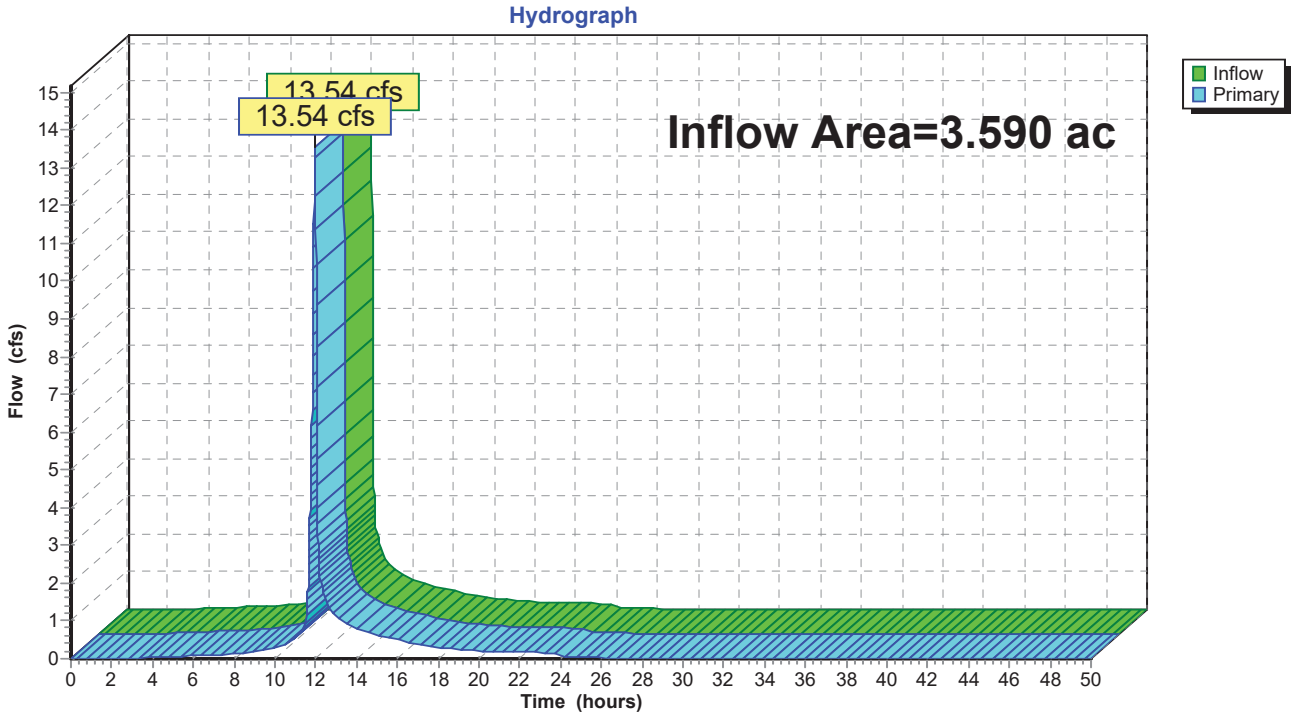
Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Link 1L: Proposed Runoff

Inflow Area = 3.590 ac, 85.24% Impervious, Inflow Depth = 3.01" for 25-Year event
Inflow = 13.54 cfs @ 11.96 hrs, Volume= 0.901 af
Primary = 13.54 cfs @ 11.96 hrs, Volume= 0.901 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs

Link 1L: Proposed Runoff



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Proposed Site Runoff Area=2.490 ac 85.94% Impervious Runoff Depth=4.46"
Flow Length=404' Slope=0.0120 '/' Tc=5.0 min CN=95 Runoff=18.00 cfs 0.925 af

Subcatchment 2S: Proposed Site Runoff Area=1.100 ac 83.64% Impervious Runoff Depth=4.46"
Flow Length=260' Slope=0.0220 '/' Tc=5.0 min CN=95 Runoff=7.95 cfs 0.409 af

Pond 1P: Underground Detention Storage Peak Elev=577.03' Storage=10,190 cf Inflow=7.95 cfs 0.409 af
6.0" Round Culvert n=0.013 L=84.0' S=0.0020 '/' Outflow=0.82 cfs 0.360 af

Link 1L: Proposed Runoff Inflow=18.62 cfs 1.285 af
Primary=18.62 cfs 1.285 af

Total Runoff Area = 3.590 ac Runoff Volume = 1.334 af Average Runoff Depth = 4.46"
14.76% Pervious = 0.530 ac 85.24% Impervious = 3.060 ac

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 1S: Proposed Site

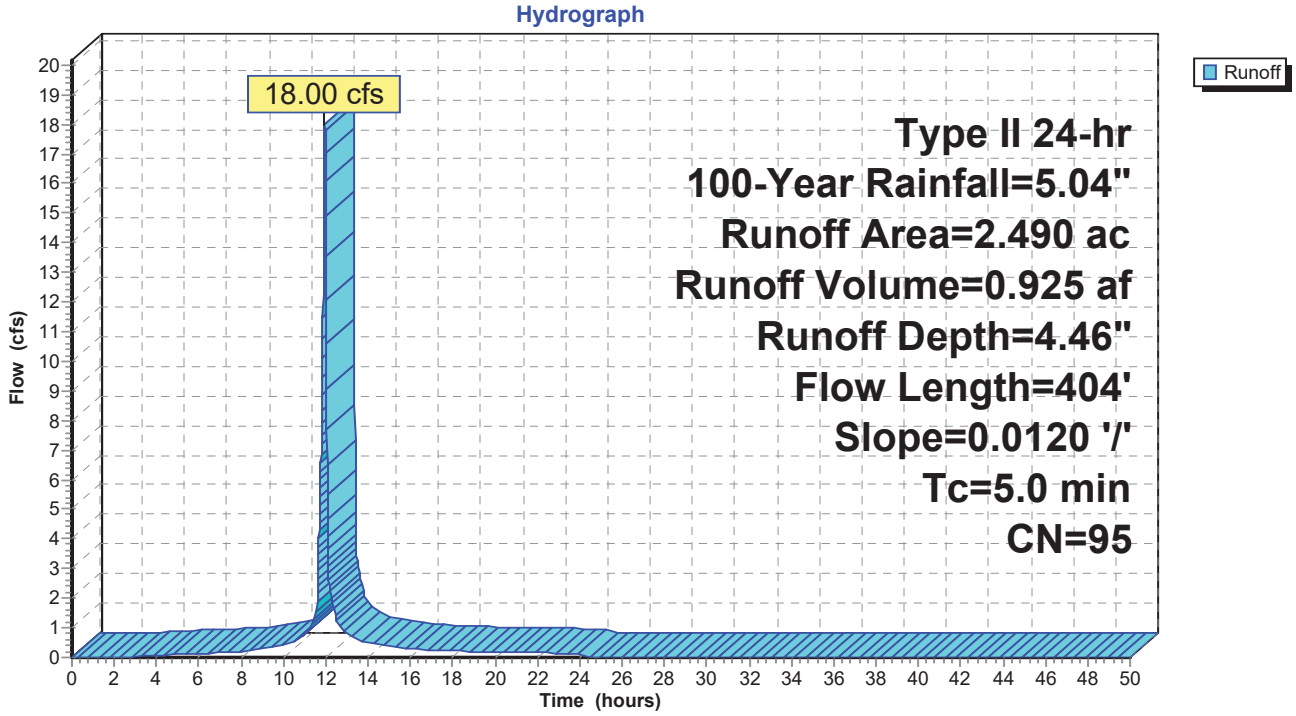
Runoff = 18.00 cfs @ 11.96 hrs, Volume= 0.925 af, Depth= 4.46"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type II 24-hr 100-Year Rainfall=5.04"

	Area (ac)	CN	Description
	0.350	80	>75% Grass cover, Good, HSG D
*	2.140	98	Impervious, HSG D
	2.490	95	Weighted Average
	0.350		14.06% Pervious Area
	2.140		85.94% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.7	100	0.0120	0.99		**Sheet Flow, Overland - Pvmt.** Smooth surfaces n= 0.011 P2= 2.50"
0.6	79	0.0120	2.22		**Shallow Concentrated Flow, Overland - Pvmt.** Paved Kv= 20.3 fps
1.2	225		3.00		**Direct Entry, Pipe Flow**
3.6	404	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 1S: Proposed Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Subcatchment 2S: Proposed Site

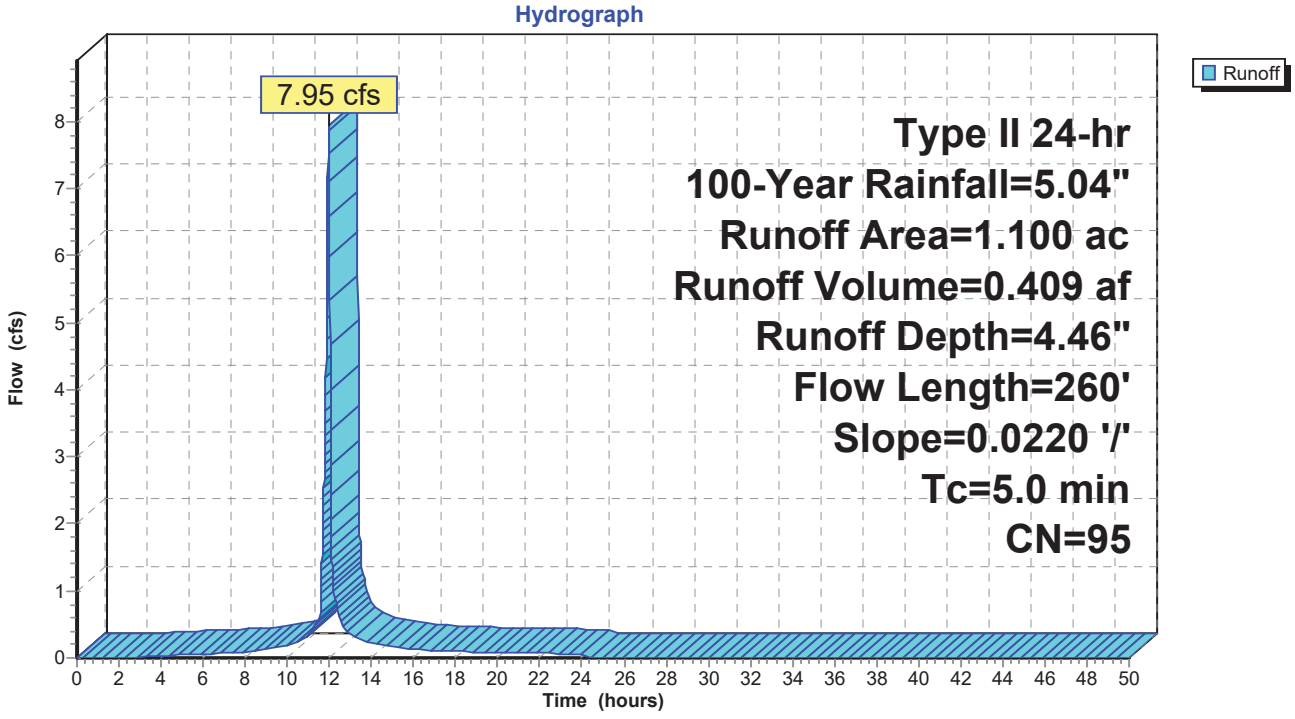
Runoff = 7.95 cfs @ 11.96 hrs, Volume= 0.409 af, Depth= 4.46"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Type II 24-hr 100-Year Rainfall=5.04"

	Area (ac)	CN	Description
	0.180	80	>75% Grass cover, Good, HSG D
*	0.920	98	Impervious, HSG D
	1.100	95	Weighted Average
	0.180		16.36% Pervious Area
	0.920		83.64% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.3	100	0.0220	1.26		**Sheet Flow, Overland - Pvmt.** Smooth surfaces n= 0.011 P2= 2.50"
0.9	160	0.0220	3.01		**Shallow Concentrated Flow, Overland - Pvmt.** Paved Kv= 20.3 fps
2.2	260	Total, Increased to minimum Tc = 5.0 min			

Subcatchment 2S: Proposed Site



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Pond 1P: Underground Detention Storage & Outlet

Inflow Area = 1.100 ac, 83.64% Impervious, Inflow Depth = 4.46" for 100-Year event
Inflow = 7.95 cfs @ 11.96 hrs, Volume= 0.409 af
Outflow = 0.82 cfs @ 12.30 hrs, Volume= 0.360 af, Atten= 90%, Lag= 20.9 min
Primary = 0.82 cfs @ 12.30 hrs, Volume= 0.360 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs
Peak Elev= 577.03' @ 12.30 hrs Surf.Area= 4,925 sf Storage= 10,190 cf

Plug-Flow detention time= 256.4 min calculated for 0.360 af (88% of inflow)
Center-of-Mass det. time= 197.9 min (961.3 - 763.5)

Volume	Invert	Avail.Storage	Storage Description
#1A	573.75'	4,414 cf	**72.75'W x 67.70'L x 3.50'H Field A** 17,237 cf Overall - 6,202 cf Embedded = 11,035 cf x 40.0% Voids
#2A	574.25'	6,202 cf	**ADS_StormTech SC-740 +Cap** x 135 Inside #1 Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap 15 Rows of 9 Chambers
		10,616 cf	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	574.50'	**6.0" Round Outlet Pipe** L= 84.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 574.50' / 574.33' S= 0.0020 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=0.82 cfs @ 12.30 hrs HW=577.03' TW=0.00' (Dynamic Tailwater)
1=Outlet Pipe (Barrel Controls 0.82 cfs @ 4.17 fps)

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Pond 1P: Underground Detention Storage & Outlet - Chamber Wizard Field A

Chamber Model = ADS_StormTech SC-740 +Cap (ADS StormTech® SC-740 with cap length)
Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf
Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap

51.0" Wide + 6.0" Spacing = 57.0" C-C Row Spacing

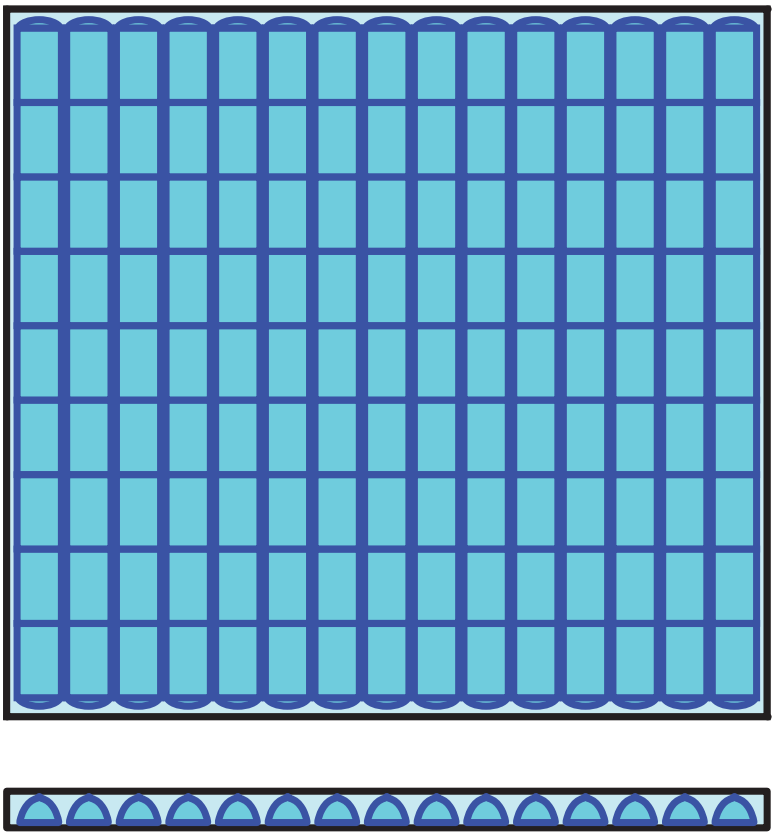
9 Chambers/Row x 7.12' Long +0.81' Cap Length x 2 = 65.70' Row Length +12.0" End Stone x 2 = 67.70' Base Length
15 Rows x 51.0" Wide + 6.0" Spacing x 14 + 12.0" Side Stone x 2 = 72.75' Base Width
6.0" Base + 30.0" Chamber Height + 6.0" Cover = 3.50' Field Height

135 Chambers x 45.9 cf = 6,201.9 cf Chamber Storage

17,237.3 cf Field - 6,201.9 cf Chambers = 11,035.4 cf Stone x 40.0% Voids = 4,414.1 cf Stone Storage

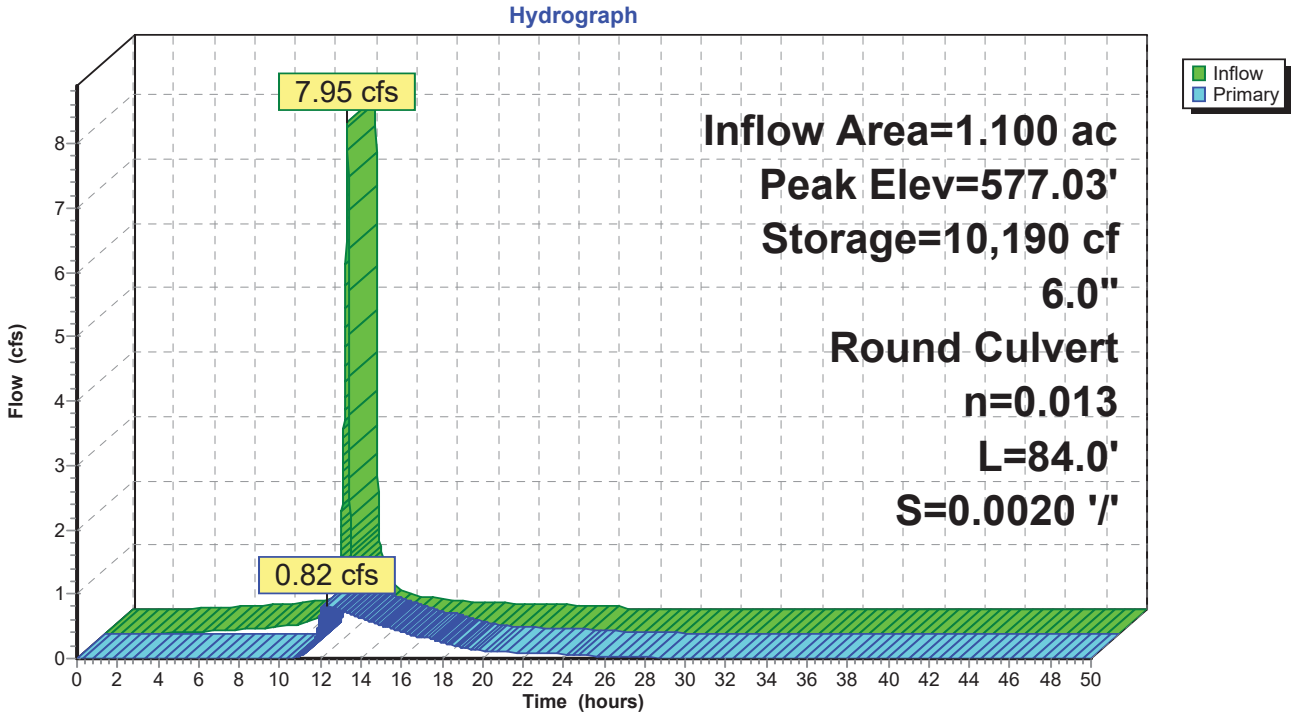
Chamber Storage + Stone Storage = 10,616.0 cf = 0.244 af
Overall Storage Efficiency = 61.6%
Overall System Size = 67.70' x 72.75' x 3.50'

135 Chambers
638.4 cy Field
408.7 cy Stone



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Pond 1P: Underground Detention Storage & Outlet



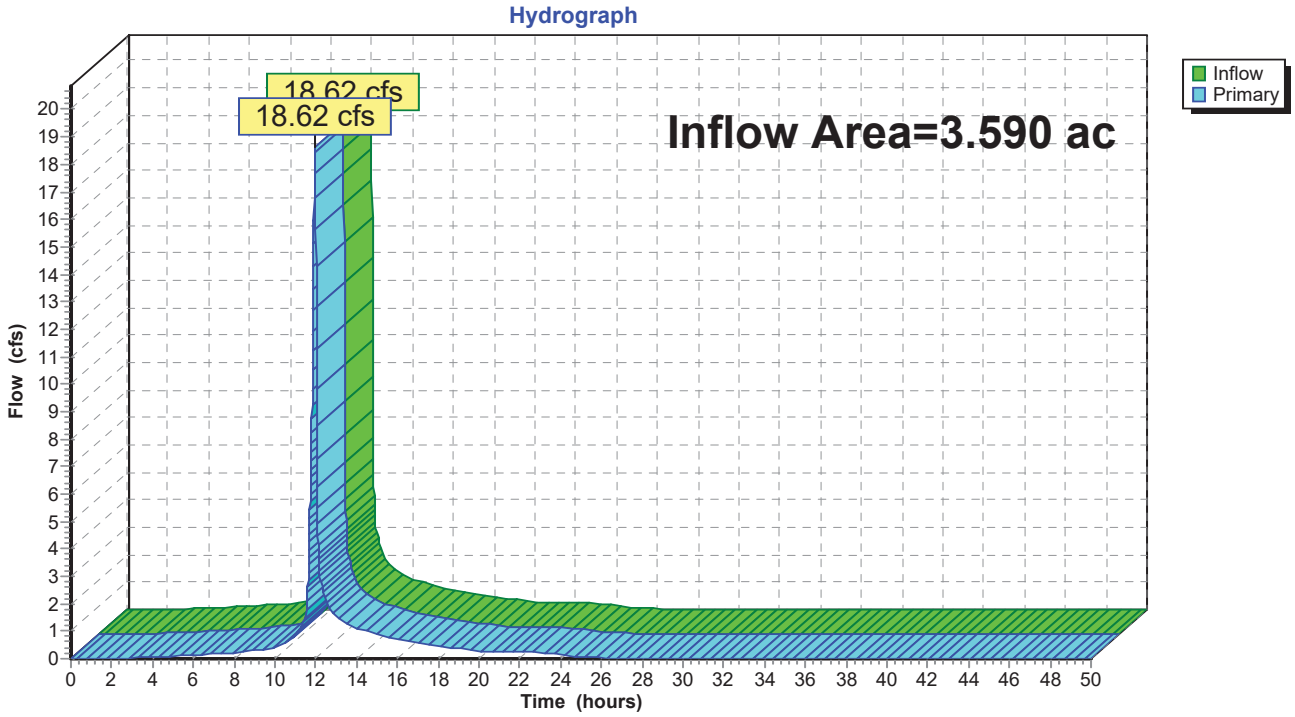
Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Summary for Link 1L: Proposed Runoff

Inflow Area = 3.590 ac, 85.24% Impervious, Inflow Depth = 4.30" for 100-Year event
Inflow = 18.62 cfs @ 11.96 hrs, Volume= 1.285 af
Primary = 18.62 cfs @ 11.96 hrs, Volume= 1.285 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs

Link 1L: Proposed Runoff



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Appendix C

SOILS INFORMATION

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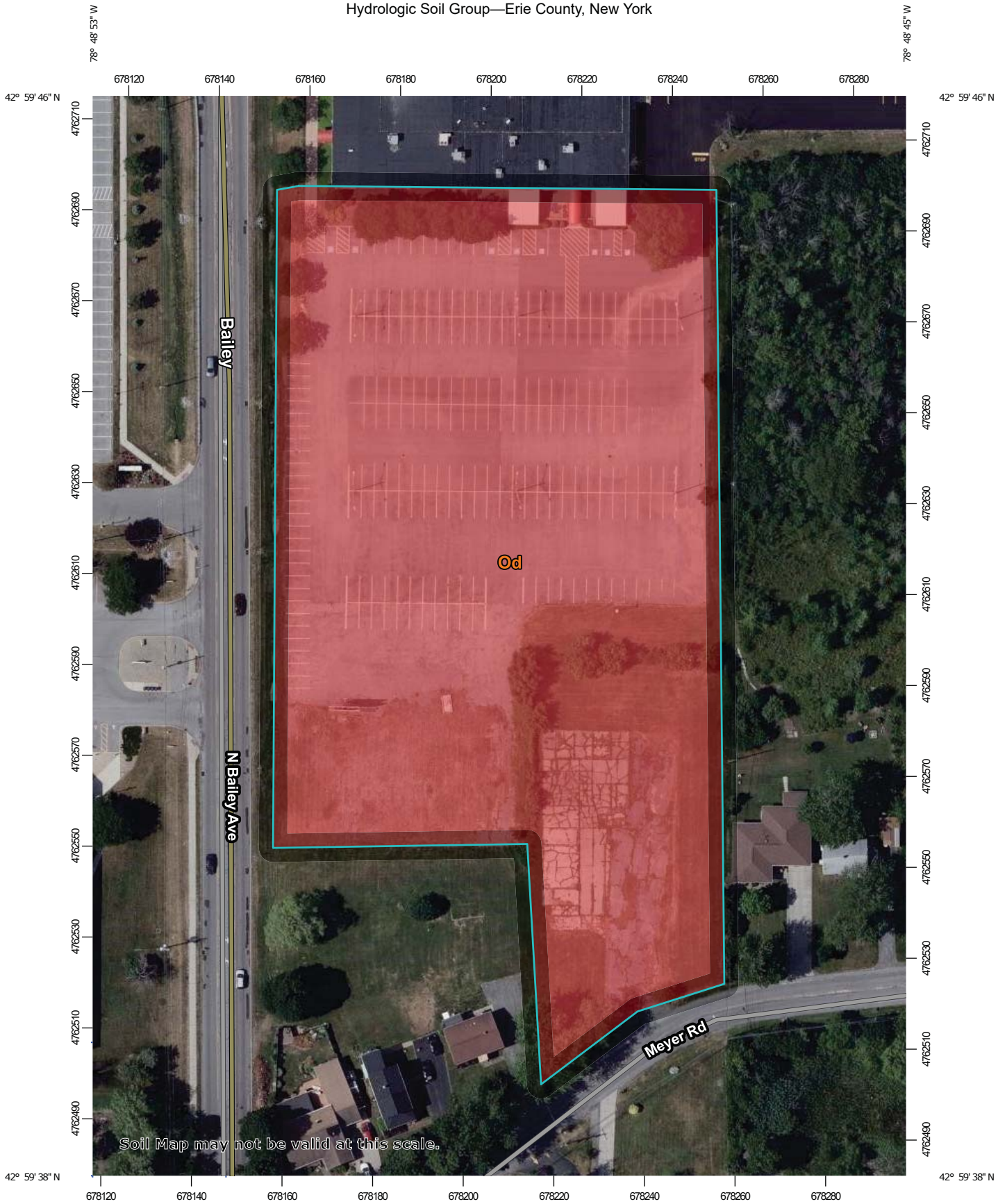
Hydrologic Soil Group—Erie County, New York



Map Scale: 1:1,160 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 15 30 60 90

Feet: 0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

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MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Erie County, New York
Survey Area Data: Version 20, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 4, 2020—Jul 10, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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3.a
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Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Od	Odessa silt loam, 0 to 3 percent slopes	D	3.9	100.0%
Totals for Area of Interest			**3.9**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

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Tie-break Rule: Higher

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Appendix E

NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-20-001

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

From

CONSTRUCTION ACTIVITY

Permit No. GP- 0-20-001

Issued Pursuant to Article 17, Titles 7, 8 and Article 70

of the Environmental Conservation Law

Effective Date: January 29, 2020

Expiration Date: January 28, 2025

John J. Ferguson

Chief Permit Administrator

1-23-20

Authorized Signature

Date

Address: NYS DEC
Division of Environmental Permits
625 Broadway, 4th Floor
Albany, N.Y. 12233-1750

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PREFACE

Pursuant to Section 402 of the Clean Water Act ("CWA"), stormwater *discharges* from certain *construction activities* are unlawful unless they are authorized by a *National Pollutant Discharge Elimination System ("NPDES")* permit or by a state permit program. New York administers the approved State Pollutant Discharge Elimination System (SPDES) program with permits issued in accordance with the New York State Environmental Conservation Law (ECL) Article 17, Titles 7, 8 and Article 70.

An *owner or operator* of a *construction activity* that is eligible for coverage under this permit must obtain coverage prior to the *commencement of construction activity*. Activities that fit the definition of "*construction activity*", as defined under 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), constitute construction of a *point source* and therefore, pursuant to ECL section 17-0505 and 17-0701, the *owner or operator* must have coverage under a SPDES permit prior to *commencing construction activity*. The *owner or operator* cannot wait until there is an actual *discharge* from the *construction site* to obtain permit coverage.

***Note: The italicized words/phrases within this permit are defined in Appendix A.**

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES

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Part 1. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

This permit authorizes stormwater *discharges* to *surface waters of the State* from the following *construction activities* identified within 40 CFR Parts 122.26(b)(14)(x), 122.26(b)(15)(i) and 122.26(b)(15)(ii), provided all of the eligibility provisions of this permit are met:

1. *Construction activities* involving soil disturbances of one (1) or more acres; including disturbances of less than one acre that are part of a *larger common plan of development or sale* that will ultimately disturb one or more acres of land; excluding *routine maintenance activity* that is performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility;

2. *Construction activities* involving soil disturbances of less than one (1) acre where the Department has determined that a *SPDES* permit is required for stormwater *discharges* based on the potential for contribution to a violation of a *water quality standard* or for significant contribution of *pollutants* to *surface waters of the State.*

3. *Construction activities* located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

B. Effluent Limitations Applicable to Discharges from Construction Activities

*Discharge*s authorized by this permit must achieve, at a minimum, the effluent limitations in Part I.B.1. (a) – (f) of this permit. These limitations represent the degree of effluent reduction attainable by the application of best practicable technology currently available.

1. Erosion and Sediment Control Requirements - The *owner or operator* must select, design, install, implement and maintain control measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) – (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must include in the *Stormwater Pollution Prevention Plan* ("SWPPP") the reason(s) for the

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deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

a. **Erosion and Sediment Controls.** Design, install and maintain effective erosion and sediment controls to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such controls must be designed, installed and maintained to:

   (i) *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharge*s;

   (ii) Control stormwater *discharge*s, including both peak flowrates and total stormwater volume, to *minimize* channel and *streambank* erosion and scour in the immediate vicinity of the *discharge* points;

   (iii) *Minimize* the amount of soil exposed during *construction activity*;

   (iv) *Minimize* the disturbance of *steep slopes*;

   (v) *Minimize* sediment *discharge*s from the site;

   (vi) Provide and maintain *natural buffer*s around surface waters, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce *pollutant discharge*s, unless *infeasible*;

   (vii) *Minimize* soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted;

   (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover; and

   (ix) *Minimize* dust. On areas of exposed soil, *minimize* dust through the appropriate application of water or other dust suppression techniques to control the generation of pollutants that could be discharged from the site.

b. **Soil Stabilization**. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that *directly discharge* to one of the 303(d) segments

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listed in Appendix E or is located in one of the watersheds listed in Appendix C, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. See Appendix A for definition of *Temporarily Ceased*.

c. **Dewatering**. *Discharge*s from *dewatering* activities, including *discharge*s from *dewatering* of trenches and excavations, must be managed by appropriate control measures.

d. **Pollution Prevention Measures**. Design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such measures must be designed, installed, implemented and maintained to:

(i) *Minimize* the *discharge* of *pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used;

(ii) *Minimize* the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, hazardous and toxic waste, and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a *discharge* of *pollutants*, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use) ; and

(iii) Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.

e. **Prohibited *Discharges*.** The following *discharge*s are prohibited:

(i) Wastewater from washout of concrete;

(ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

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(iii) Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance;

(iv) Soaps or solvents used in vehicle and equipment washing; and

(v) Toxic or hazardous substances from a spill or other release.

f. Surface Outlets. When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion at or below the outlet does not occur.

C. Post-construction Stormwater Management Practice Requirements

1. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must select, design, install, and maintain the practices to meet the *performance criteria* in the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015, using sound engineering judgment. Where post-construction stormwater management practices ("SMPs") are not designed in conformance with the *performance criteria* in the Design Manual, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must design the practices to meet the applicable *sizing criteria* in Part I.C.2.a., b., c. or d. of this permit.

a. Sizing Criteria for New Development

(i) Runoff Reduction Volume ("RRv"): Reduce the total Water Quality Volume ("WQv") by application of RR techniques and standard SMPs with RRv capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.

(ii) Minimum RRv and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or standard SMP with RRv capacity unless infeasible. The specific site limitations that prevent the reduction of 100% of the WQv shall be documented in the SWPPP.

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For each impervious area that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered infeasible.

In no case shall the runoff reduction achieved from the newly constructed impervious areas be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

(iii) Channel Protection Volume ("Cpv"): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
(1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
(2) The site discharges directly to tidal waters, or fifth order or larger streams.

(iv) *Overbank* Flood Control Criteria ("Qp"): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
(1) the site discharges directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that *overbank* control is not required.

(v) Extreme Flood Control Criteria ("Qf"): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
(1) the site discharges directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that *overbank* control is not required.

b. *Sizing Criteria* for *New Development* in Enhanced Phosphorus Removal Watershed

(i) Runoff Reduction Volume (RRv): Reduce the total Water Quality Volume (WQv) by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24 hour design storm over the post-developed watershed and shall be

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calculated in accordance with the criteria in Section 10.3 of the Design Manual.

(ii) Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part I.C.2.b.(i) of this permit due to *site limitations* shall direct runoff from all newly constructed *impervious areas* to a RR technique or standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible.*

In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 10.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

(iii) Channel Protection Volume (Cpv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
(1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
(2) The site *discharge*s directly to tidal waters, or fifth order or larger streams.

(iv) *Overbank* Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that *overbank* control is not required.

(v) Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that *overbank* control is not required.

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c. Sizing Criteria for Redevelopment Activity

(i) Water Quality Volume (WQv): The WQv treatment objective for *redevelopment activity* shall be addressed by one of the following options. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C of this permit) shall calculate the WQv in accordance with Section 10.3 of the Design Manual. All other *redevelopment activities* shall calculate the WQv in accordance with Section 4.2 of the Design Manual.

(1) Reduce the existing *impervious cover* by a minimum of 25% of the total disturbed, *impervious area*. The Soil Restoration criteria in Section 5.1.6 of the Design Manual must be applied to all newly created pervious areas, or

(2) Capture and treat a minimum of 25% of the WQv from the disturbed, *impervious area* by the application of standard SMPs; or reduce 25% of the WQv from the disturbed, *impervious area* by the application of RR techniques or standard SMPs with RRv capacity., or

(3) Capture and treat a minimum of 75% of the WQv from the disturbed, *impervious area* as well as any additional runoff from tributary areas by application of the alternative practices discussed in Sections 9.3 and 9.4 of the Design Manual., or

(4) Application of a combination of 1, 2 and 3 above that provide a weighted average of at least two of the above methods. Application of this method shall be in accordance with the criteria in Section 9.2.1(B) (IV) of the Design Manual.

If there is an existing post-construction stormwater management practice located on the site that captures and treats runoff from the *impervious area* that is being disturbed, the WQv treatment option selected must, at a minimum, provide treatment equal to the treatment that was being provided by the existing practice(s) if that treatment is greater than the treatment required by options 1 – 4 above.

(ii) Channel Protection Volume (Cpv): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

(iii) *Overbank* Flood Control Criteria (Qp): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

(iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site

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d. Sizing Criteria for Combination of Redevelopment Activity and New Development

Construction projects that include both New Development and Redevelopment Activity shall provide post-construction stormwater management controls that meet the sizing criteria calculated as an aggregate of the Sizing Criteria in Part I.C.2.a. or b. of this permit for the New Development portion of the project and Part I.C.2.c of this permit for Redevelopment Activity portion of the project.

D. Maintaining Water Quality

The Department expects that compliance with the conditions of this permit will control *discharge*s necessary to meet applicable *water quality standards*. It shall be a violation of the *ECL* for any discharge to either cause or contribute to a violation of *water quality standards* as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, such as:

1. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;

2. There shall be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and

3. There shall be no residue from oil and floating substances, nor visible oil film, nor globules of grease.

If there is evidence indicating that the stormwater *discharge*s authorized by this permit are causing, have the reasonable potential to cause, or are contributing to a violation of the *water quality standards*; the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this general permit and document in accordance with Part IV.C.4. of this general permit. To address the *water quality standard* violation the *owner or operator* may need to provide additional information, include and implement appropriate controls in the SWPPP to correct the problem, or obtain an individual SPDES permit.

If there is evidence indicating that despite compliance with the terms and conditions of this general permit it is demonstrated that the stormwater *discharge*s authorized by this permit are causing or contributing to a violation of *water quality standards*, or if the Department determines that a modification of the permit is necessary to prevent a violation of *water quality standards*, the authorized *discharge*s will no longer be eligible for coverage under this permit. The Department may require the *owner or operator* to obtain an individual SPDES permit to continue discharging.

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E. Eligibility Under This General Permit

1. This permit may authorize all *discharges* of stormwater from *construction activity* to *surface waters of the State* and *groundwaters* except for ineligible *discharges* identified under subparagraph F. of this Part.

2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater *discharge*s; including stormwater runoff, snowmelt runoff, and surface runoff and drainage, from *construction activities*.

3. Notwithstanding paragraphs E.1 and E.2 above, the following non-stormwater discharges are authorized by this permit: those listed in 6 NYCRR 750-1.2(a)(29)(vi), with the following exception: “Discharges from firefighting activities are authorized only when the firefighting activities are emergencies/unplanned”; waters to which other components have not been added that are used to control dust in accordance with the SWPPP; and uncontaminated *discharge*s from *construction site* de-watering operations. All non-stormwater discharges must be identified in the SWPPP. Under all circumstances, the *owner or operator* must still comply with *water quality standards* in Part I.D of this permit.

4. The *owner or operator* must maintain permit eligibility to *discharge* under this permit. Any *discharges* that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the *owner or operator* must either apply for a separate permit to cover those ineligible *discharges* or take steps necessary to make the *discharge* eligible for coverage.

F. Activities Which Are Ineligible for Coverage Under This General Permit

All of the following are **not** authorized by this permit:

1. *Discharge*s after *construction activities* have been completed and the site has undergone *final stabilization*;

2. *Discharge*s that are mixed with sources of non-stormwater other than those expressly authorized under subsection E.3. of this Part and identified in the SWPPP required by this permit;

3. *Discharges* that are required to obtain an individual SPDES permit or another SPDES general permit pursuant to Part VII.K. of this permit;

4. *Construction activities* or *discharges* from *construction activities* that may adversely affect an *endangered or threatened species* unless the *owner or*

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operator has obtained a permit issued pursuant to 6 NYCRR Part 182 for the project or the Department has issued a letter of non-jurisdiction for the project. All documentation necessary to demonstrate eligibility shall be maintained on site in accordance with Part II.D.2 of this permit;

5. *Discharges* which either cause or contribute to a violation of *water quality standards* adopted pursuant to the *ECL* and its accompanying regulations;

6. *Construction activities* for residential, commercial and institutional projects:

   a. Where the *discharge*s from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and

   b. Which are undertaken on land with no existing *impervious cover*; and

   c. Which disturb one (1) or more acres of land designated on the current United States Department of Agriculture ("USDA") Soil Survey as Soil Slope Phase "D", (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.

7. *Construction activities* for linear transportation projects and linear utility projects:

   a. Where the *discharge*s from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and

   b. Which are undertaken on land with no existing *impervious cover*; and

   c. Which disturb two (2) or more acres of land designated on the current USDA Soil Survey as Soil Slope Phase "D" (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.

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8. *Construction activities* that have the potential to affect an *historic property*, unless there is documentation that such impacts have been resolved. The following documentation necessary to demonstrate eligibility with this requirement shall be maintained on site in accordance with Part II.D.2 of this permit and made available to the Department in accordance with Part VII.F of this permit:

   a. Documentation that the *construction activity* is not within an archeologically sensitive area indicated on the sensitivity map, and that the *construction activity* is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the *construction site* within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the *construction site* within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant.

      - 1-5 acres of disturbance - 20 feet
      - 5-20 acres of disturbance - 50 feet
      - 20+ acres of disturbance - 100 feet, or

   b. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and
      (i) the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution; or
      (ii) documentation from OPRHP that the *construction activity* will result in No Impact; or
      (iii) documentation from OPRHP providing a determination of No Adverse Impact; or
      (iv) a Letter of Resolution signed by the owner/operator, OPRHP and the DEC APO which allows for this *construction activity* to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA); or

   c. Documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:

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(i) No Affect
(ii) No Adverse Affect
(iii) Executed Memorandum of Agreement, or

d. Documentation that:

(i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.

9. *Discharge*s from *construction activities* that are subject to an existing SPDES individual or general permit where a SPDES permit for *construction activity* has been terminated or denied; or where the *owner or operator* has failed to renew an expired individual permit.

Part II. PERMIT COVERAGE

A. How to Obtain Coverage

1. An *owner or operator* of a *construction activity* that is not subject to the requirements of a regulated, traditional land use control MS4 must first prepare a SWPPP in accordance with all applicable requirements of this permit and then submit a completed Notice of Intent (NOI) to the Department to be authorized to discharge under this permit.

2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have the SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department. The *owner or operator* shall have the "MS4 SWPPP Acceptance" form signed in accordance with Part VII.H., and then submit that form along with a completed NOI to the Department.

3. The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.F. (Change of *Owner or Operator*) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4* . This exemption does not apply to *construction activities* subject to the New York City Administrative Code.

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B. Notice of Intent (NOI) Submittal

1. Prior to December 21, 2020, an owner or operator shall use either the electronic (eNOI) or paper version of the NOI that the Department prepared. Both versions of the NOI are located on the Department's website (http://www.dec.ny.gov/). The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the following address:

   NOTICE OF INTENT
   NYS DEC, Bureau of Water Permits
   625 Broadway, 4th Floor
   Albany, New York 12233-3505

2. Beginning December 21, 2020 and in accordance with EPA's 2015 NPDES Electronic Reporting Rule (40 CFR Part 127), the *owner or operator* must submit the NOI electronically using the *Department's* online NOI.

3. The *owner or operator* shall have the SWPPP preparer sign the "SWPPP Preparer Certification" statement on the NOI prior to submitting the form to the Department.

4. As of the date the NOI is submitted to the Department, the *owner or operator* shall make the NOI and SWPPP available for review and copying in accordance with the requirements in Part VII.F. of this permit.

C. Permit Authorization

1. An *owner or operator* shall not *commence construction activity* until their authorization to *discharge* under this permit goes into effect.

2. Authorization to *discharge* under this permit will be effective when the *owner or operator* has satisfied all of the following criteria:

   a. project review pursuant to the State Environmental Quality Review Act ("SEQRA") have been satisfied, when SEQRA is applicable. See the Department's website (http://www.dec.ny.gov/) for more information,

   b. where required, all necessary Department permits subject to the *Uniform Procedures Act ("UPA")* (see 6 NYCRR Part 621), or the equivalent from another New York State agency, have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). *Owners or operators* of *construction activities* that are required to obtain *UPA* permits

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must submit a preliminary SWPPP to the appropriate DEC Permit Administrator at the Regional Office listed in Appendix F at the time all other necessary *UPA* permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the *construction activity* qualifies for authorization under this permit,

c. the final SWPPP has been prepared, and

d. a complete NOI has been submitted to the Department in accordance with the requirements of this permit.

3. An *owner or operator* that has satisfied the requirements of Part II.C.2 above will be authorized to *discharge* stormwater from their *construction activity* in accordance with the following schedule:

   a. For *construction activities* that are not subject to the requirements of a *regulated, traditional land use control MS4*:

      (i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.; or

      (ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for *construction activities* with a SWPPP that has not been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, or;

      (iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.

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b. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*:

(i) Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed "*MS4* SWPPP Acceptance" form, or

(ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed "MS4 SWPPP Acceptance" form.

4. Coverage under this permit authorizes stormwater *discharges* from only those areas of disturbance that are identified in the NOI. If an *owner or operator* wishes to have stormwater *discharges* from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department. The *owner or operator* shall not *commence construction activity* on the future or additional areas until their authorization to *discharge* under this permit goes into effect in accordance with Part II.C. of this permit.

D. General Requirements For Owners or Operators With Permit Coverage

1. The *owner or operator* shall ensure that the provisions of the SWPPP are implemented from the *commencement of construction activity* until all areas of disturbance have achieved *final stabilization* and the Notice of Termination ("NOT") has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part III.A.4. of this permit.

2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-20-001), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form, inspection reports, responsible contractor's or subcontractor's certification statement (see Part III.A.6.), and all documentation necessary to demonstrate eligibility with this permit at the *construction site* until all disturbed areas have achieved *final stabilization* and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.

3. The *owner or operator* of a *construction activity* shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a *regulated, traditional land*

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use control MS4, the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*). At a minimum, the *owner or operator* must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

a. The *owner or operator* shall have a *qualified inspector* conduct **at least** two (2) site inspections in accordance with Part IV.C. of this permit every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.

c. The *owner or operator* shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.

d. The *owner or operator* shall install any additional site-specific practices needed to protect water quality.

e. The *owner or operator* shall include the requirements above in their SWPPP.

4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements or consistent with Part VII.K..

5. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.

6. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*, the *owner or operator* shall notify the

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regulated, traditional land use control MS4 in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the *regulated, traditional land use control MS4*, the *owner or operator* shall have the SWPPP amendments or modifications reviewed and accepted by the *regulated, traditional land use control MS4* prior to commencing construction of the post-construction stormwater management practice.

E. Permit Coverage for Discharges Authorized Under GP-0-15-002

1. Upon renewal of SPDES General Permit for Stormwater Discharges from *Construction Activity* (Permit No. GP-0-15-002), an *owner or operator* of *a construction activity* with coverage under GP-0-15-002, as of the effective date of GP- 0-20-001, shall be authorized to *discharge* in accordance with GP- 0-20-001, unless otherwise notified by the Department.

   An *owner or operator* may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-20-001.

F. Change of Owner or Operator

1. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original *owner or operator* must notify the new *owner or operator*, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. For *construction activities* subject to the requirements of a *regulated, traditional land use control MS4,* the original *owner or operator* must also notify the MS4, in writing, of the change in ownership at least 30 calendar days prior to the change in ownership.

2. Once the new *owner or operator* obtains permit coverage, the original *owner or operator* shall then submit a completed NOT with the name and permit identification number of the new *owner or operator* to the Department at the address in Part II.B.1. of this permit. If the original *owner or operator* maintains ownership of a portion of the *construction activity* and will disturb soil, they must maintain their coverage under the permit.

3. Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete NOI, provided the original *owner or*

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operator was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOI from the new *owner or operator*.

Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

1. A SWPPP shall be prepared and implemented by the *owner or operator* of each *construction activity* covered by this permit. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and practices that will be used to meet the effluent limitations in Part I.B. of this permit and where applicable, the post-construction stormwater management practice requirements in Part I.C. of this permit. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the *commencement of construction activity*. A copy of the completed, final NOI shall be included in the SWPPP.

2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the *pollutants* in stormwater *discharges* and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater *discharges*.

3. All SWPPPs that require the post-construction stormwater management practice component shall be prepared by a *qualified professional* that is knowledgeable in the principles and practices of stormwater management and treatment.

4. The *owner or operator* must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site. At a minimum, the *owner or operator* shall amend the SWPPP, including construction drawings:

   a. whenever the current provisions prove to be ineffective in minimizing *pollutants* in stormwater *discharges* from the site;

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b. whenever there is a change in design, construction, or operation at the *construction site* that has or could have an effect on the *discharge* of *pollutants*;

c. to address issues or deficiencies identified during an inspection by the *qualified inspector,* the Department or other regulatory authority; and

d. to document the final construction conditions.

5. The Department may notify the *owner or operator* at any time that the SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.D.4. of this permit.

6. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor.* The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.

   The *owner or operator* shall have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any *construction activity*:

   "I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with

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the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater *discharge*s from *construction activities* and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the *trained contractor* responsible for SWPPP implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The *owner or operator* shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the *construction site*. If new or additional contractors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

7. For projects where the Department requests a copy of the SWPPP or inspection reports, the *owner or operator* shall submit the documents in both electronic (PDF only) and paper format within five (5) business days, unless otherwise notified by the Department.

B. Required SWPPP Contents

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Where erosion and sediment control practices are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must demonstrate *equivalence* to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:

   a. Background information about the scope of the project, including the location, type and size of project

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b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the *construction activity*; existing and final contours ; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater *discharge*(s);

c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);

d. A construction phasing plan and sequence of operations describing the intended order of *construction activities*, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;

e. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;

f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of *final stabilization*;

g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;

h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;

i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection

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schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016;

j. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a *pollutant* source in the stormwater *discharges*;

k. A description and location of any stormwater *discharges* associated with industrial activity other than construction at the site, including, but not limited to, stormwater *discharges* from asphalt plants and concrete plants located on the *construction site*; and

l. Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. Post-construction stormwater management practice component – The *owner or operator* of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable *sizing criteria* in Part I.C.2.a., c. or d. of this permit and the *performance criteria* in the technical standard, New York State Stormwater Management Design Manual dated January 2015

   Where post-construction stormwater management practices are not designed in conformance with the *performance criteria* in the technical standard, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

   The post-construction stormwater management practice component of the SWPPP shall include the following:

   a. Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;

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b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;

c. A Stormwater Modeling and Analysis Report that includes:
   (i) Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points;

   (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and post-construction stormwater management practices;

   (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;

   (iv) Summary table, with supporting calculations, which demonstrates that each post-construction stormwater management practice has been designed in conformance with the *sizing criteria* included in the Design Manual;

   (v) Identification of any *sizing criteria* that is not required based on the requirements included in Part I.C. of this permit; and

   (vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the Design Manual;

d. Soil testing results and locations (test pits, borings);

e. Infiltration test results, when required; and

f. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.

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3. Enhanced Phosphorus Removal Standards - All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the applicable *sizing criteria* in Part I.C.2. b., c. or d. of this permit and the *performance criteria,* Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.f. above.

C. Required SWPPP Components by Project Type

Unless otherwise notified by the Department, *owners or operators* of *construction activities* identified in Table 1 of Appendix B are required to prepare a SWPPP that only includes erosion and sediment control practices designed in conformance with Part III.B.1 of this permit. *Owners or operators* of the *construction activities* identified in Table 2 of Appendix B shall prepare a SWPPP that also includes post-construction stormwater management practices designed in conformance with Part III.B.2 or 3 of this permit.

Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

1. The *owner or operator* must ensure that all erosion and sediment control practices (including pollution prevention measures) and all post-construction stormwater management practices identified in the SWPPP are inspected and maintained in accordance with Part IV.B. and C. of this permit.

2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York or protect the public health and safety and/or the environment.

B. Contractor Maintenance Inspection Requirements

1. The *owner or operator* of each *construction activity* identified in Tables 1 and 2 of Appendix B shall have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall

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begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.

2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of this permit as soon as soil disturbance activities resume.

3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

C. Qualified Inspector Inspection Requirements

The *owner or operator* shall have a *qualified inspector* conduct site inspections in conformance with the following requirements:

[Note: The *trained contractor* identified in Part III.A.6. and IV.B. of this permit **cannot** conduct the *qualified inspector* site inspections unless they meet the *qualified inspector* qualifications included in Appendix A. In order to perform these inspections, the *trained contractor* would have to be a:

- licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- New York State Erosion and Sediment Control Certificate Program holder
- Registered Landscape Architect, or
- someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].

1. A *qualified inspector* shall conduct site inspections for all *construction activities* identified in Tables 1 and 2 of Appendix B, with the exception of:

   a. the construction of a single family residential subdivision with 25% or less *impervious cover* at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located

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in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;

b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;

c. construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and

d. *construction activities* located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:

a. For construction sites where soil disturbance activities are on-going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.

b. For construction sites where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part II.D.3 to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to reducing the frequency of inspections.

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d. For construction sites where soil disturbance activities have been shut down with partial project completion, the *qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* shall have the *qualified inspector* perform a final inspection and certify that all disturbed areas have achieved *final stabilization,* and all temporary, structural erosion and sediment control measures have been removed*;* and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "*Final Stabilization*" and "Post-Construction Stormwater Management Practice" certification statements on the NOT. The *owner or operator* shall then submit the completed NOT form to the address in Part II.B.1 of this permit.

e. For construction sites that directly *discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization,* all points of *discharge* to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the *construction site*, and all points of *discharge* from the *construction site*.

4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:

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a. Date and time of inspection;

b. Name and title of person(s) performing inspection;

c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;

d. A description of the condition of the runoff at all points of *discharge* from the *construction site*. This shall include identification of any *discharges* of sediment from the *construction site*. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;

e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the *construction site* which receive runoff from disturbed areas. This shall include identification of any *discharges* of sediment to the surface waterbody;

f. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance;

g. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;

h. Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;

i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;

j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s);

k. Identification and status of all corrective actions that were required by previous inspection; and

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l. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.

5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III.A.6. of this permit of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.

6. All inspection reports shall be signed by the *qualified inspector.* Pursuant to Part II.D.2. of this permit, the inspection reports shall be maintained on site with the SWPPP.

Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

1. An *owner or operator* that is eligible to terminate coverage under this permit must submit a completed NOT form to the address in Part II.B.1 of this permit. The NOT form shall be one which is associated with this permit, signed in accordance with Part VII.H of this permit.

2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:

   a. Total project completion - All *construction activity* identified in the SWPPP has been completed; and all areas of disturbance have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;

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b. Planned shutdown with partial project completion - All soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational;

c. A new *owner or operator* has obtained coverage under this permit in accordance with Part II.F. of this permit.

d. The *owner or operator* obtains coverage under an alternative SPDES general permit or an individual SPDES permit.

3. For *construction activities* meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall, by signing the "*Final Stabilization*" and "Post-Construction Stormwater Management Practice certification statements on the NOT, certify that all the requirements in Part V.A.2.a. or b. of this permit have been achieved.

4. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4* and meet subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *regulated, traditional land use control MS4* sign the "MS4 Acceptance" statement on the NOT in accordance with the requirements in Part VII.H. of this permit. The *regulated, traditional land use control MS4* official, by signing this statement, has determined that it is acceptable for the *owner or operator* to submit the NOT in accordance with the requirements of this Part. The *regulated, traditional land use control MS4* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector*'s final site inspection certification(s) required in Part V.A.3. of this permit.

5. For *construction activities* that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:

a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,

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b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),

c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the *owner or operator's* deed of record,

d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility; the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

Part VI. REPORTING AND RETENTION RECORDS

A. Record Retention

The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the Department receives a complete NOT submitted in accordance with Part V. of this general permit.

B. Addresses

With the exception of the NOI, NOT, and MS4 SWPPP Acceptance form (which must be submitted to the address referenced in Part II.B.1 of this permit), all written correspondence requested by the Department, including individual permit applications, shall be sent to the address of the appropriate DOW Water (SPDES) Program contact at the Regional Office listed in Appendix F.

Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

The *owner or operator* must comply with all conditions of this permit. All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. Any non-compliance with this permit constitutes a violation of the Clean Water

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Act (CWA) and the ECL and is grounds for an enforcement action against the *owner or operator* and/or the contractor/subcontractor; permit revocation, suspension or modification; or denial of a permit renewal application. Upon a finding of significant non-compliance with this permit or the applicable SWPPP, the Department may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order shall be in writing, shall describe the non-compliance in detail, and shall be sent to the *owner or operator*.

If any human remains or archaeological remains are encountered during excavation, the *owner or operator* must immediately cease, or cause to cease, all *construction activity* in the area of the remains and notify the appropriate Regional Water Engineer (RWE). *Construction activity* shall not resume until written permission to do so has been received from the RWE.

B. Continuation of the Expired General Permit

This permit expires five (5) years from the effective date. If a new general permit is not issued prior to the expiration of this general permit, an *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the terms and conditions of this general permit, if it is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, until a new general permit is issued.

C. Enforcement

Failure of the *owner or operator,* its contractors, subcontractors, agents and/or assigns to strictly adhere to any of the permit requirements contained herein shall constitute a violation of this permit. There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this permit. Fines of up to $37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for an *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the *construction activity* in order to maintain compliance with the conditions of this permit.

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E. Duty to Mitigate

The *owner or operator* and its contractors and subcontractors shall take all reasonable steps to *minimize* or prevent any *discharge* in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

F. Duty to Provide Information

The *owner or operator* shall furnish to the Department, within a reasonable specified time period of a written request, all documentation necessary to demonstrate eligibility and any information to determine compliance with this permit or to determine whether cause exists for modifying or revoking this permit, or suspending or denying coverage under this permit, in accordance with the terms and conditions of this permit. The NOI, SWPPP and inspection reports required by this permit are public documents that the *owner or operator* must make available for review and copying by any person within five (5) business days of the *owner or operator* receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.

G. Other Information

When the *owner or operator* becomes aware that they failed to submit any relevant facts, or submitted incorrect information in the NOI or in any of the documents required by this permit , or have made substantive revisions to the SWPPP (e.g. the scope of the project changes significantly, the type of post-construction stormwater management practice(s) changes, there is a reduction in the sizing of the post-construction stormwater management practice, or there is an increase in the disturbance area or *impervious area*), which were not reflected in the original NOI submitted to the Department, they shall promptly submit such facts or information to the Department using the contact information in Part II.A. of this permit. Failure of the *owner or operator* to correct or supplement any relevant facts within five (5) business days of becoming aware of the deficiency shall constitute a violation of this permit.

H. Signatory Requirements

1. All NOIs and NOTs shall be signed as follows:

    a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

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(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(ii) the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(i) the chief executive officer of the agency, or

(ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part VII.H.1. of this permit;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field,

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superintendent, position of *equivalent* responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position) and,

c. The written authorization shall include the name, title and signature of the authorized representative and be attached to the SWPPP.

3. All inspection reports shall be signed by the *qualified inspector* that performs the inspection.

4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4,* or by a duly authorized representative of that person.

   It shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, SWPPP and/or inspection reports.

I. Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. *Owners or operators* must obtain any applicable conveyances, easements, licenses and/or access to real property prior to *commencing construction activity*.

J. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

K. Requirement to Obtain Coverage Under an Alternative Permit

1. The Department may require any owner or operator authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any discharger authorized by a general permit to apply for an individual SPDES permit, it shall notify the discharger in writing that a permit application is required. This notice shall

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include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the owner or operator to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from owner or operator receipt of the notification letter, whereby the authorization to discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Permit Administrator at the Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Department, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

2. When an individual SPDES permit is issued to a discharger authorized to *discharge* under a general SPDES permit for the same *discharge*(s), the general permit authorization for outfalls authorized under the individual SPDES permit is automatically terminated on the effective date of the individual permit unless termination is earlier in accordance with 6 NYCRR Part 750.

L. Proper Operation and Maintenance

The *owner or operator* shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the *owner or operator* to achieve compliance with the conditions of this permit and with the requirements of the SWPPP.

M. Inspection and Entry

The *owner or operator* shall allow an authorized representative of the Department, EPA, applicable county health department, or, in the case of a *construction site* which *discharges* through an *MS4*, an authorized representative of the *MS4* receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the owner’s or operator's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

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3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices or operations regulated or required by this permit.

4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

N. Permit Actions

This permit may, at any time, be modified, suspended, revoked, or renewed by the Department in accordance with 6 NYCRR Part 621. The filing of a request by the *owner or operator* for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

O. Definitions

Definitions of key terms are included in Appendix A of this permit.

P. Re-Opener Clause

1. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with construction activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.

2. Any Department initiated permit modification, suspension or revocation will be conducted in accordance with 6 NYCRR Part 621, 6 NYCRR 750-1.18, and 6 NYCRR 750-1.20.

Q. Penalties for Falsification of Forms and Reports

In accordance with 6NYCRR Part 750-2.4 and 750-2.5, any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished in accordance with ECL §71-1933 and or Articles 175 and 210 of the New York State Penal Law.

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(Part VII.R)

R. Other Permits

Nothing in this permit relieves the *owner or operator* from a requirement to obtain any other permits required by law.

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APPENDIX A – Acronyms and Definitions

Acronyms

APO – Agency Preservation Officer
BMP – Best Management Practice
CPESC – Certified Professional in Erosion and Sediment Control
Cpv – Channel Protection Volume
CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)
DOW – Division of Water
EAF – Environmental Assessment Form
ECL - Environmental Conservation Law
EPA – U. S. Environmental Protection Agency
HSG – Hydrologic Soil Group
MS4 – Municipal Separate Storm Sewer System
NOI – Notice of Intent
NOT – Notice of Termination
NPDES – National Pollutant Discharge Elimination System
OPRHP – Office of Parks, Recreation and Historic Places
Qf – Extreme Flood
Qp – Overbank Flood
RRv – Runoff Reduction Volume
RWE – Regional Water Engineer
SEQR – State Environmental Quality Review
SEQRA - State Environmental Quality Review Act
SHPA – State Historic Preservation Act
SPDES – State Pollutant Discharge Elimination System
SWPPP – Stormwater Pollution Prevention Plan
TMDL – Total Maximum Daily Load
UPA – Uniform Procedures Act
USDA – United States Department of Agriculture
WQv – Water Quality Volume

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Definitions

All definitions in this section are solely for the purposes of this permit.

Agricultural Building – a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products; excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.

Agricultural Property –means the land for construction of a barn, *agricultural building*, silo, stockyard, pen or other structural practices identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" prepared by the Department in cooperation with agencies of New York Nonpoint Source Coordinating Committee (dated June 2007).

Alter Hydrology from Pre to Post-Development Conditions - means the post-development peak flow rate(s) has increased by more than 5% of the pre-developed condition for the design storm of interest (e.g. 10 yr and 100 yr).

Combined Sewer - means a sewer that is designed to collect and convey both "sewage" and "stormwater".

Commence (Commencement of) Construction Activities - means the initial disturbance of soils associated with clearing, grading or excavation activities; or other construction related activities that disturb or expose soils such as demolition, stockpiling of fill material, and the initial installation of erosion and sediment control practices required in the SWPPP. See definition for "*Construction Activity(ies)*" also.

Construction Activity(ies) - means any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

Construction Site – means the land area where *construction activity(ies)* will occur. See definition for "*Commence (Commencement of) Construction Activities"* and "*Larger Common Plan of Development or Sale" also.*

Dewatering – means the act of draining rainwater and/or groundwater from building foundations, vaults or excavations/trenches.

Direct Discharge (to a specific surface waterbody) - means that runoff flows from a *construction site* by overland flow and the first point of discharge is the specific surface waterbody, or runoff flows from a *construction site* to a separate storm sewer system

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and the first point of discharge from the separate storm sewer system is the specific surface waterbody.

Discharge(s) - means any addition of any pollutant to waters of the State through an outlet or *point source*.

Embankment –means an earthen or rock slope that supports a road/highway.

Endangered or Threatened Species – see 6 NYCRR Part 182 of the Department's rules and regulations for definition of terms and requirements.

Environmental Conservation Law (ECL) - means chapter 43-B of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law.

Equivalent (Equivalence) – means that the practice or measure meets all the performance, longevity, maintenance, and safety objectives of the technical standard and will provide an equal or greater degree of water quality protection.

Final Stabilization - means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other equivalent stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied on all disturbed areas that are not covered by permanent structures, concrete or pavement.

General SPDES permit - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 and Section 70-0117 of the ECL authorizing a category of discharges.

Groundwater(s) - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Historic Property – means any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or is determined to be eligible for listing on the State or National Registers of Historic Places.

Impervious Area (Cover) - means all impermeable surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

Infeasible – means not technologically possible, or not economically practicable and achievable in light of best industry practices.

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Larger Common Plan of Development or Sale - means a contiguous area where multiple separate and distinct *construction activities* are occurring, or will occur, under one plan. The term "plan" in "larger common plan of development or sale" is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, marketing plan, advertisement, drawing, permit application, State Environmental Quality Review Act (SEQRA) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that *construction activities* may occur on a specific plot.

For discrete construction projects that are located within a larger common plan of development or sale that are at least 1/4 mile apart, each project can be treated as a separate plan of development or sale provided any interconnecting road, pipeline or utility project that is part of the same "common plan" is not concurrently being disturbed.

Minimize – means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal Separate Storm Sewer (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State*;*
(ii) Designed or used for collecting or conveying stormwater;
(iii) Which is not a *combined sewer*; and
(iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System (NPDES) - means the national system for the issuance of wastewater and stormwater permits under the Federal Water Pollution Control Act (Clean Water Act).

Natural Buffer –means an undisturbed area with natural cover running along a surface water (e.g. wetland, stream, river, lake, etc.).

New Development – means any land disturbance that does not meet the definition of Redevelopment Activity included in this appendix.

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New York State Erosion and Sediment Control Certificate Program – a certificate program that establishes and maintains a process to identify and recognize individuals who are capable of developing, designing, inspecting and maintaining erosion and sediment control plans on projects that disturb soils in New York State. The certificate program is administered by the New York State Conservation District Employees Association.

NOI Acknowledgment Letter - means the letter that the Department sends to an owner or operator to acknowledge the Department's receipt and acceptance of a complete Notice of Intent. This letter documents the owner's or operator's authorization to discharge in accordance with the general permit for stormwater discharges from *construction activity*.

Nonpoint Source - means any source of water pollution or pollutants which is not a discrete conveyance or *point source* permitted pursuant to Title 7 or 8 of Article 17 of the Environmental Conservation Law (see ECL Section 17-1403).

Overbank –means flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

Owner or Operator - means the person, persons or legal entity which owns or leases the property on which the *construction activity* is occurring; an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications; and/or an entity that has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.

Performance Criteria – means the design criteria listed under the "Required Elements" sections in Chapters 5, 6 and 10 of the technical standard, New York State Stormwater Management Design Manual, dated January 2015. It does not include the Sizing Criteria (i.e. WQv, RRv, Cpv, Qp and Qf) in Part I.C.2. of the permit.

Point Source - means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, or landfill leachate collection system from which *pollutants* are or may be discharged.

Pollutant - means dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in 6 NYCRR Parts 700 et seq .

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Qualified Inspector - means a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder or other Department endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect shall receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *Qualified Professional* qualifications in addition to the *Qualified Inspector* qualifications.

Note: Inspections of any post-construction stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

Qualified Professional - means a person that is knowledgeable in the principles and practices of stormwater management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect or other Department endorsed individual(s). Individuals preparing SWPPPs that require the post-construction stormwater management practice component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics. All components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), shall be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York.

Redevelopment Activity(ies) – means the disturbance and reconstruction of existing impervious area, including impervious areas that were removed from a project site within five (5) years of preliminary project plan submission to the local government (i.e. site plan, subdivision, etc.).

Regulated, Traditional Land Use Control MS4 - means a city, town or village with land use control authority that is authorized to discharge under New York State DEC's

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SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) or the City of New York's Individual SPDES Permit for their Municipal Separate Storm Sewer Systems (NY-0287890).

Routine Maintenance Activity - means *construction activity* that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility, including, but not limited to:

- Re-grading of gravel roads or parking lots,
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and hydraulic capacity of the ditch,
- Cleaning and shaping of existing roadside ditches that does not maintain the approximate original grade, hydraulic capacity and purpose of the ditch if the changes to the line and grade, hydraulic capacity or purpose of the ditch are installed to improve water quality and quantity controls (e.g. installing grass lined ditch),
- Placement of aggregate shoulder backing that stabilizes the transition between the road shoulder and the ditch or *embankment*,
- Full depth milling and filling of existing asphalt pavements, replacement of concrete pavement slabs, and similar work that does not expose soil or disturb the bottom six (6) inches of subbase material,
- Long-term use of equipment storage areas at or near highway maintenance facilities,
- Removal of sediment from the edge of the highway to restore a previously existing sheet-flow drainage connection from the highway surface to the highway ditch or *embankment*,
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts.

Site limitations – means site conditions that prevent the use of an infiltration technique and or infiltration of the total WQv. Typical site limitations include: seasonal high groundwater, shallow depth to bedrock, and soils with an infiltration rate less than 0.5 inches/hour. The existence of site limitations shall be confirmed and documented using actual field testing (i.e. test pits, soil borings, and infiltration test) or using information from the most current United States Department of Agriculture (USDA) Soil Survey for the County where the project is located.

Sizing Criteria – means the criteria included in Part I.C.2 of the permit that are used to size post-construction stormwater management control practices. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), *Overbank* Flood (Qp), and Extreme Flood (Qf).

State Pollutant Discharge Elimination System (SPDES) - means the system established pursuant to Article 17 of the ECL and 6 NYCRR Part 750 for issuance of permits authorizing discharges to the waters of the state.

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Steep Slope – means land area designated on the current United States Department of Agriculture ("USDA") Soil Survey as Soil Slope Phase "D", (provided the map unit name is inclusive of slopes greater than 25%) , or Soil Slope Phase E or F, (regardless of the map unit name), or a combination of the three designations.

Streambank – as used in this permit, means the terrain alongside the bed of a creek or stream. The bank consists of the sides of the channel, between which the flow is confined.

Stormwater Pollution Prevention Plan (SWPPP) – means a project specific report, including construction drawings, that among other things: describes the construction activity(ies), identifies the potential sources of pollution at the *construction site*; describes and shows the stormwater controls that will be used to control the pollutants (i.e. erosion and sediment controls; for many projects, includes post-construction stormwater management controls); and identifies procedures the *owner or operator* will implement to comply with the terms and conditions of the permit. See Part III of the permit for a complete description of the information that must be included in the SWPPP.

Surface Waters of the State - shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in 6 NYCRR Parts 800 to 941.

Temporarily Ceased – means that an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

Temporary Stabilization - means that exposed soil has been covered with material(s) as set forth in the technical standard, New York Standards and Specifications for Erosion and Sediment Control, to prevent the exposed soil from eroding. The materials can include, but are not limited to, mulch, seed and mulch, and erosion control mats (e.g. jute twisted yarn, excelsior wood fiber mats).

Total Maximum Daily Loads (TMDLs) - A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and *nonpoint source*s. It is a calculation of the maximum amount of a pollutant that a waterbody can receive on a daily basis and still meet *water quality standards*, and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for *point source* discharges, load allocations (LAs) for *nonpoint source*s, and a margin of safety (MOS).

Trained Contractor - means an employee from the contracting (construction) company, identified in Part III.A.6., that has received four (4) hours of Department endorsed

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training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the *trained contractor* shall receive four (4) hours of training every three (3) years.

It can also mean an employee from the contracting (construction) company, identified in Part III.A.6., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity).

The *trained contractor* is responsible for the day to day implementation of the SWPPP.

Uniform Procedures Act (UPA) Permit - means a permit required under 6 NYCRR Part 621 of the Environmental Conservation Law (ECL), Article 70.

Water Quality Standard - means such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.

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APPENDIX B – Required SWPPP Components by Project Type

Table 1
Construction Activities that Require the Preparation of a SWPPP That Only Includes Erosion and Sediment Controls

The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:

- Single family home not located in one of the watersheds listed in Appendix C or not *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions with 25% or less impervious cover at total site build-out and not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E
- Construction of a barn or other *agricultural building*, silo, stock yard or pen.

The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:

All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects
- Pond construction
- Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an impervious cover
- Cross-country ski trails and walking/hiking trails
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are not part of residential, commercial or institutional development;
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that include incidental shoulder or curb work along an existing highway to support construction of the sidewalk, bike path or walking path.
- Slope stabilization projects
- Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics

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Table 1 (Continued) Construction Activities that Require the Preparation of a SWPPP That Only Includes Erosion and Sediment Controls

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Spoil areas that will be covered with vegetation
- Vegetated open space projects (i.e. recreational parks, lawns, meadows, fields, downhill ski trails) excluding projects that *alter hydrology from pre to post development* conditions,
- Athletic fields (natural grass) that do not include the construction or reconstruction of *impervious area* and do not *alter hydrology from pre to post development* conditions
- Demolition project where vegetation will be established, and no redevelopment is planned
- Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*
- Structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State", excluding projects that involve soil disturbances of greater than five acres and construction activities that include the construction or reconstruction of impervious area
- Temporary access roads, median crossovers, detour roads, lanes, or other temporary impervious areas that will be restored to pre-construction conditions once the construction activity is complete

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Table 2
CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Single family home located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family home that disturbs five (5) or more acres of land
- Single family residential subdivisions located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Breweries, cideries, and wineries, including establishments constructed on agricultural land
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other *agricultural building* (e.g. silo) and structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- Golf courses
- Institutional development; includes hospitals, prisons, schools and colleges
- Industrial facilities; includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW's, water treatment plants, and water storage tanks
- Office complexes
- Playgrounds that include the construction or reconstruction of impervious area
- Sports complexes
- Racetracks; includes racetracks with earthen (dirt) surface
- Road construction or reconstruction, including roads constructed as part of the construction activities listed in Table 1

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Table 2 (Continued)

CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Parking lot construction or reconstruction, including parking lots constructed as part of the construction activities listed in Table 1
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with *impervious cover,* and constructed as part of an over-head electric transmission line project, wind-power project, cell tower project, oil or gas well drilling project, sewer or water main project or other linear utility project
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a residential, commercial or institutional development
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a highway construction or reconstruction project
- All other construction activities that include the construction or reconstruction of *impervious area* or *alter the hydrology from pre to post development* conditions, and are not listed in Table 1

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APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

Watersheds where *owners or operators* of construction activities identified in Table 2 of Appendix B must prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the technical standard, New York State Stormwater Management Design Manual ("Design Manual").

- Entire New York City Watershed located east of the Hudson River - Figure 1
- Onondaga Lake Watershed - Figure 2
- Greenwood Lake Watershed -Figure 3
- Oscawana Lake Watershed – Figure 4
- Kinderhook Lake Watershed – Figure 5

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Figure 1 - New York City Watershed East of the Hudson

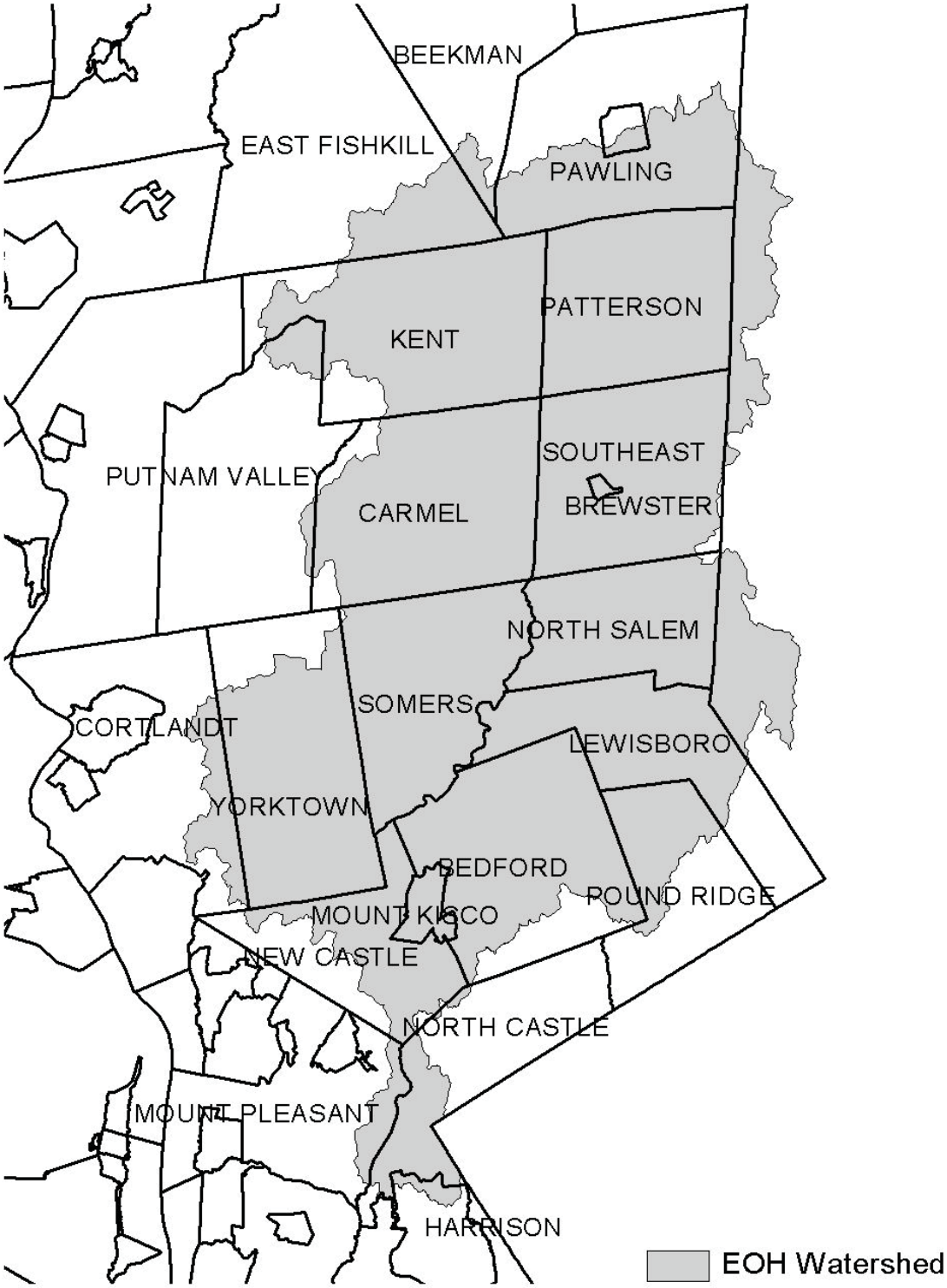

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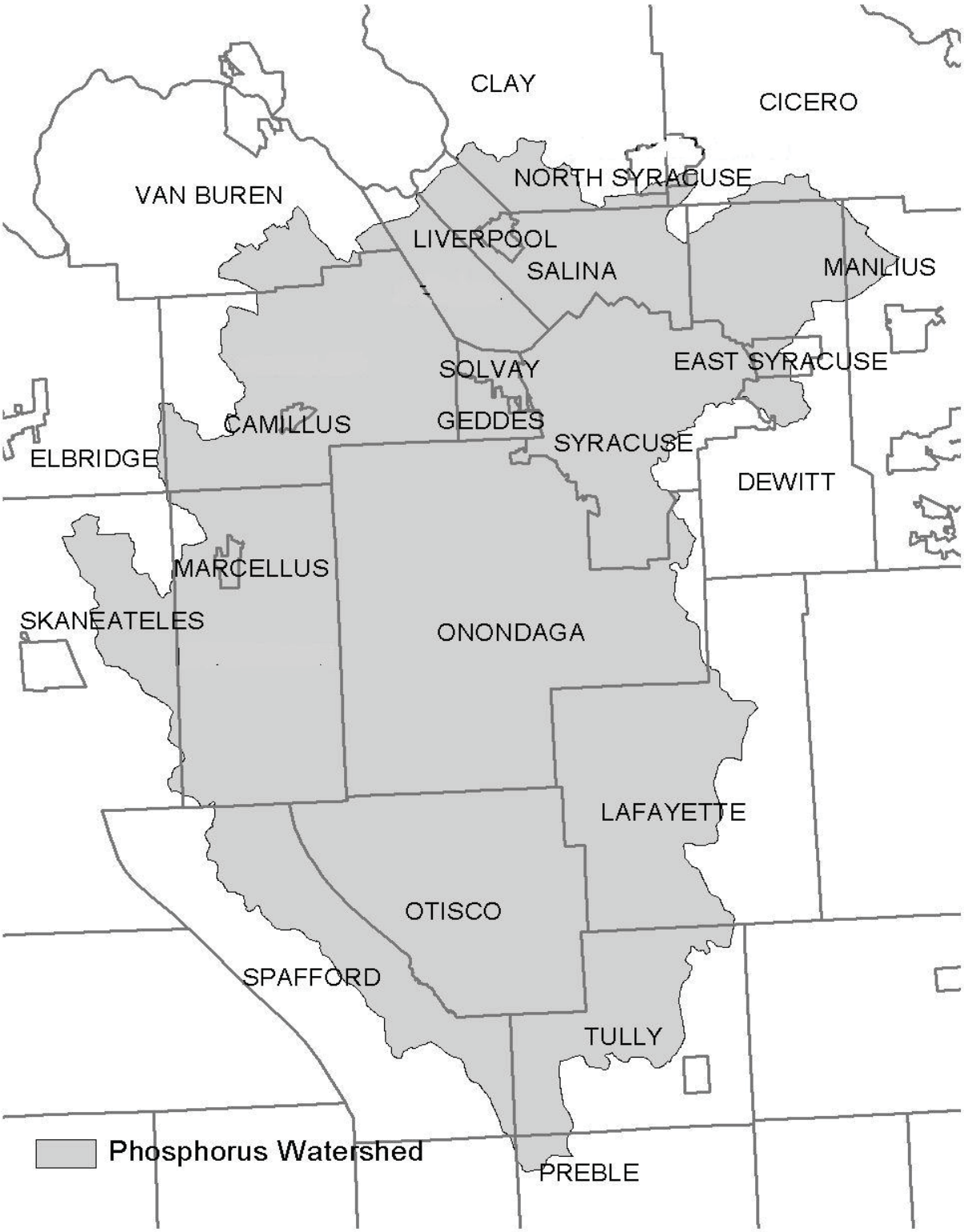
Figure 2 - Onondaga Lake Watershed



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Appendix C

Figure 3 - Greenwood Lake Watershed

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Figure 4 - Oscawana Lake Watershed

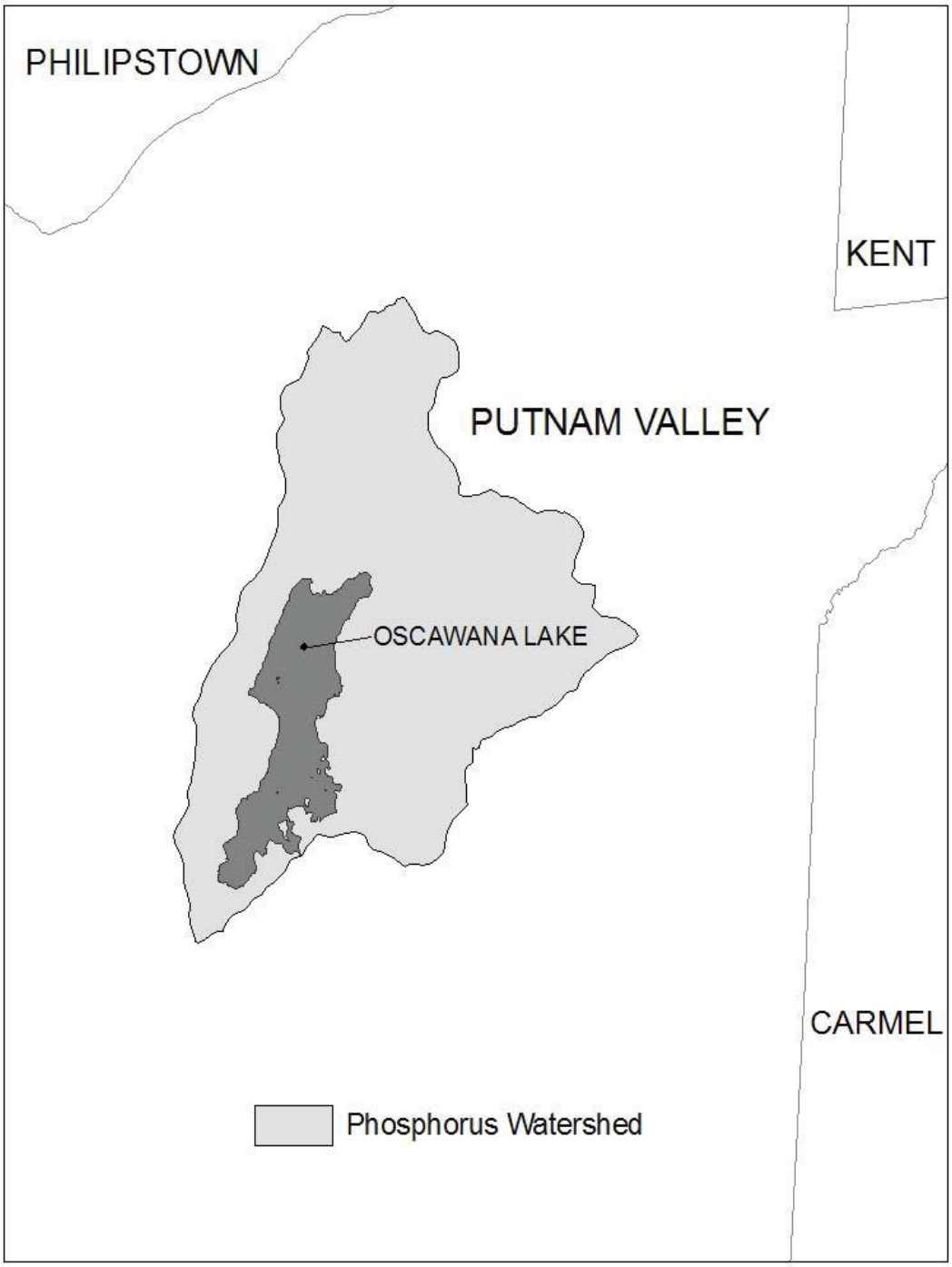

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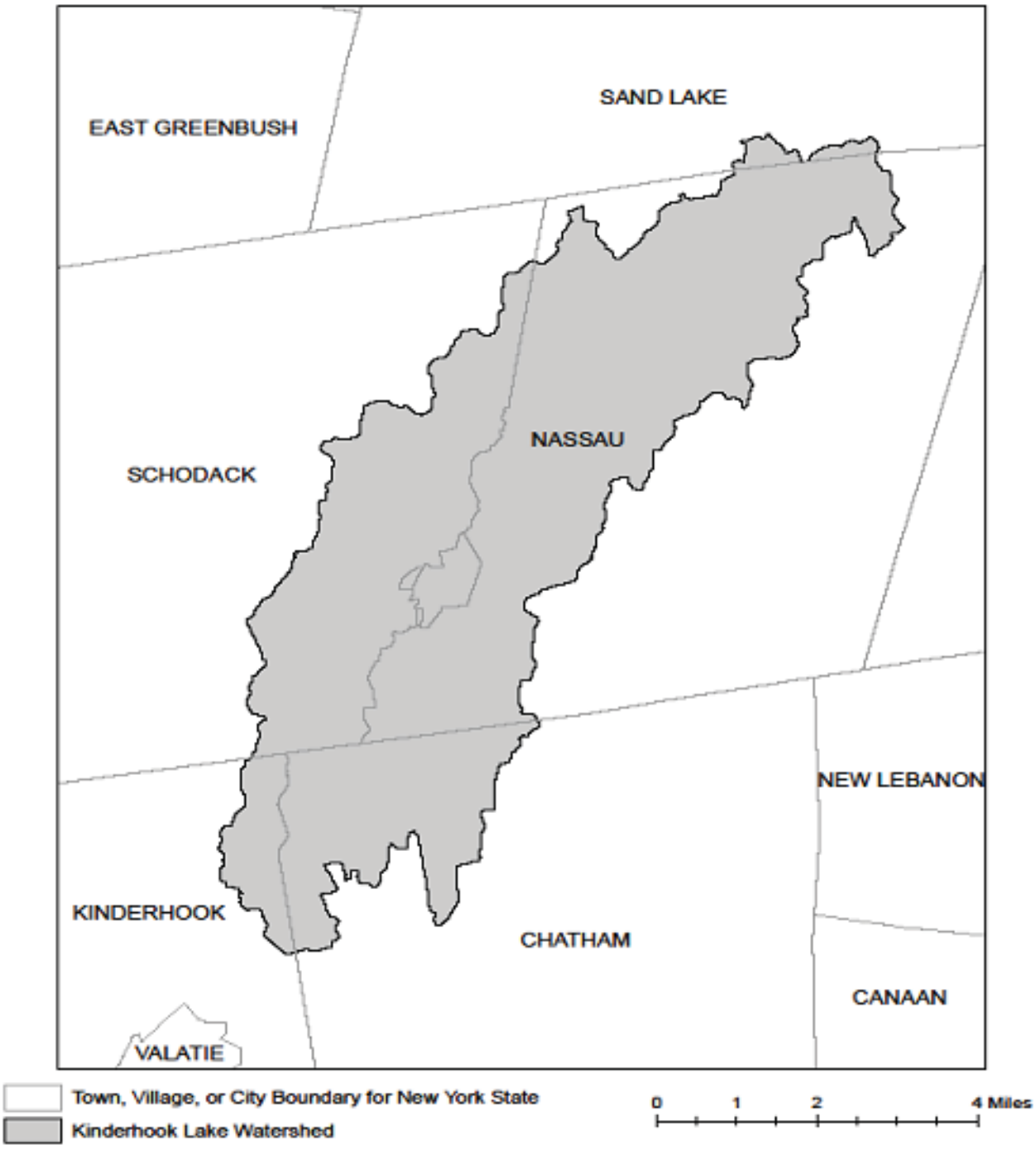
Figure 5 - Kinderhook Lake Watershed



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APPENDIX D – Watersheds with Lower Disturbance Threshold

Watersheds where *owners or operators* of construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land must obtain coverage under this permit.

Entire New York City Watershed that is located east of the Hudson River - See Figure 1 in Appendix C

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APPENDIX E – 303(d) Segments Impaired by Construction Related Pollutant(s)

List of 303(d) segments impaired by pollutants related to *construction activity* (e.g. silt, sediment or nutrients). The list was developed using "The Final New York State 2016 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy" dated November 2016. *Owners or operators* of single family home and single family residential subdivisions with 25% or less total impervious cover at total site build-out that involve soil disturbances of one or more acres of land, but less than 5 acres, and *directly discharge* to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015.

COUNTY	WATERBODY	POLLUTANT
Albany	Ann Lee (Shakers) Pond, Stump Pond	Nutrients
Albany	Basic Creek Reservoir	Nutrients
Allegany	Amity Lake, Saunders Pond	Nutrients
Bronx	Long Island Sound, Bronx	Nutrients
Bronx	Van Cortlandt Lake	Nutrients
Broome	Fly Pond, Deer Lake, Sky Lake	Nutrients
Broome	Minor Tribs to Lower Susquehanna (north)	Nutrients
Broome	Whitney Point Lake/Reservoir	Nutrients
Cattaraugus	Allegheny River/Reservoir	Nutrients
Cattaraugus	Beaver (Alma) Lake	Nutrients
Cattaraugus	Case Lake	Nutrients
Cattaraugus	Linlyco/Club Pond	Nutrients
Cayuga	Duck Lake	Nutrients
Cayuga	Little Sodus Bay	Nutrients
Chautauqua	Bear Lake	Nutrients
Chautauqua	Chadakoin River and tribs	Nutrients
Chautauqua	Chautauqua Lake, North	Nutrients
Chautauqua	Chautauqua Lake, South	Nutrients
Chautauqua	Findley Lake	Nutrients
Chautauqua	Hulburt/Clymer Pond	Nutrients
Clinton	Great Chazy River, Lower, Main Stem	Silt/Sediment
Clinton	Lake Champlain, Main Lake, Middle	Nutrients
Clinton	Lake Champlain, Main Lake, North	Nutrients
Columbia	Kinderhook Lake	Nutrients
Columbia	Robinson Pond	Nutrients
Cortland	Dean Pond	Nutrients

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303(d) Segments Impaired by Construction Related Pollutant(s)

Dutchess	Fall Kill and tribs	Nutrients
Dutchess	Hillside Lake	Nutrients
Dutchess	Wappingers Lake	Nutrients
Dutchess	Wappingers Lake	Silt/Sediment
Erie	Beeman Creek and tribs	Nutrients
Erie	Ellicott Creek, Lower, and tribs	Silt/Sediment
Erie	Ellicott Creek, Lower, and tribs	Nutrients
Erie	Green Lake	Nutrients
Erie	Little Sister Creek, Lower, and tribs	Nutrients
Erie	Murder Creek, Lower, and tribs	Nutrients
Erie	Rush Creek and tribs	Nutrients
Erie	Scajaquada Creek, Lower, and tribs	Nutrients
Erie	Scajaquada Creek, Middle, and tribs	Nutrients
Erie	Scajaquada Creek, Upper, and tribs	Nutrients
Erie	South Branch Smoke Cr, Lower, and tribs	Silt/Sediment
Erie	South Branch Smoke Cr, Lower, and tribs	Nutrients
Essex	Lake Champlain, Main Lake, South	Nutrients
Essex	Lake Champlain, South Lake	Nutrients
Essex	Willsboro Bay	Nutrients
Genesee	Bigelow Creek and tribs	Nutrients
Genesee	Black Creek, Middle, and minor tribs	Nutrients
Genesee	Black Creek, Upper, and minor tribs	Nutrients
Genesee	Bowen Brook and tribs	Nutrients
Genesee	LeRoy Reservoir	Nutrients
Genesee	Oak Orchard Cr, Upper, and tribs	Nutrients
Genesee	Tonawanda Creek, Middle, Main Stem	Nutrients
Greene	Schoharie Reservoir	Silt/Sediment
Greene	Sleepy Hollow Lake	Silt/Sediment
Herkimer	Steele Creek tribs	Silt/Sediment
Herkimer	Steele Creek tribs	Nutrients
Jefferson	Moon Lake	Nutrients
Kings	Hendrix Creek	Nutrients
Kings	Prospect Park Lake	Nutrients
Lewis	Mill Creek/South Branch, and tribs	Nutrients
Livingston	Christie Creek and tribs	Nutrients
Livingston	Conesus Lake	Nutrients
Livingston	Mill Creek and minor tribs	Silt/Sediment
Monroe	Black Creek, Lower, and minor tribs	Nutrients
Monroe	Buck Pond	Nutrients
Monroe	Cranberry Pond	Nutrients

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303(d) Segments Impaired by Construction Related Pollutant(s)

Monroe	Lake Ontario Shoreline, Western	Nutrients
Monroe	Long Pond	Nutrients
Monroe	Mill Creek and tribs	Nutrients
Monroe	Mill Creek/Blue Pond Outlet and tribs	Nutrients
Monroe	Minor Tribs to Irondequoit Bay	Nutrients
Monroe	Rochester Embayment - East	Nutrients
Monroe	Rochester Embayment - West	Nutrients
Monroe	Shipbuilders Creek and tribs	Nutrients
Monroe	Thomas Creek/White Brook and tribs	Nutrients
Nassau	Beaver Lake	Nutrients
Nassau	Camaans Pond	Nutrients
Nassau	East Meadow Brook, Upper, and tribs	Silt/Sediment
Nassau	East Rockaway Channel	Nutrients
Nassau	Grant Park Pond	Nutrients
Nassau	Hempstead Bay	Nutrients
Nassau	Hempstead Lake	Nutrients
Nassau	Hewlett Bay	Nutrients
Nassau	Hog Island Channel	Nutrients
Nassau	Long Island Sound, Nassau County Waters	Nutrients
Nassau	Massapequa Creek and tribs	Nutrients
Nassau	Milburn/Parsonage Creeks, Upp, and tribs	Nutrients
Nassau	Reynolds Channel, west	Nutrients
Nassau	Tidal Tribs to Hempstead Bay	Nutrients
Nassau	Tribs (fresh) to East Bay	Nutrients
Nassau	Tribs (fresh) to East Bay	Silt/Sediment
Nassau	Tribs to Smith/Halls Ponds	Nutrients
Nassau	Woodmere Channel	Nutrients
New York	Harlem Meer	Nutrients
New York	The Lake in Central Park	Nutrients
Niagara	Bergholtz Creek and tribs	Nutrients
Niagara	Hyde Park Lake	Nutrients
Niagara	Lake Ontario Shoreline, Western	Nutrients
Niagara	Lake Ontario Shoreline, Western	Nutrients
Oneida	Ballou, Nail Creeks and tribs	Nutrients
Onondaga	Harbor Brook, Lower, and tribs	Nutrients
Onondaga	Ley Creek and tribs	Nutrients
Onondaga	Minor Tribs to Onondaga Lake	Nutrients
Onondaga	Ninemile Creek, Lower, and tribs	Nutrients
Onondaga	Onondaga Creek, Lower, and tribs	Nutrients
Onondaga	Onondaga Creek, Middle, and tribs	Nutrients

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303(d) Segments Impaired by Construction Related Pollutant(s)

Onondaga	Onondaga Lake, northern end	Nutrients
Onondaga	Onondaga Lake, southern end	Nutrients
Ontario	Great Brook and minor tribs	Silt/Sediment
Ontario	Great Brook and minor tribs	Nutrients
Ontario	Hemlock Lake Outlet and minor tribs	Nutrients
Ontario	Honeoye Lake	Nutrients
Orange	Greenwood Lake	Nutrients
Orange	Monhagen Brook and tribs	Nutrients
Orange	Orange Lake	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Oswego	Lake Neatahwanta	Nutrients
Oswego	Pleasant Lake	Nutrients
Putnam	Bog Brook Reservoir	Nutrients
Putnam	Boyd Corners Reservoir	Nutrients
Putnam	Croton Falls Reservoir	Nutrients
Putnam	Diverting Reservoir	Nutrients
Putnam	East Branch Reservoir	Nutrients
Putnam	Lake Carmel	Nutrients
Putnam	Middle Branch Reservoir	Nutrients
Putnam	Oscawana Lake	Nutrients
Putnam	Palmer Lake	Nutrients
Putnam	West Branch Reservoir	Nutrients
Queens	Bergen Basin	Nutrients
Queens	Flushing Creek/Bay	Nutrients
Queens	Jamaica Bay, Eastern, and tribs (Queens)	Nutrients
Queens	Kissena Lake	Nutrients
Queens	Meadow Lake	Nutrients
Queens	Willow Lake	Nutrients
Rensselaer	Nassau Lake	Nutrients
Rensselaer	Snyders Lake	Nutrients
Richmond	Grasmere Lake/Bradys Pond	Nutrients
Rockland	Congers Lake, Swartout Lake	Nutrients
Rockland	Rockland Lake	Nutrients
Saratoga	Ballston Lake	Nutrients
Saratoga	Dwaas Kill and tribs	Silt/Sediment
Saratoga	Dwaas Kill and tribs	Nutrients
Saratoga	Lake Lonely	Nutrients
Saratoga	Round Lake	Nutrients
Saratoga	Tribs to Lake Lonely	Nutrients

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

303(d) Segments Impaired by Construction Related Pollutant(s)

Schenectady	Collins Lake	Nutrients
Schenectady	Duane Lake	Nutrients
Schenectady	Mariaville Lake	Nutrients
Schoharie	Engleville Pond	Nutrients
Schoharie	Summit Lake	Nutrients
Seneca	Reeder Creek and tribs	Nutrients
St.Lawrence	Black Lake Outlet/Black Lake	Nutrients
St.Lawrence	Fish Creek and minor tribs	Nutrients
Steuben	Smith Pond	Nutrients
Suffolk	Agawam Lake	Nutrients
Suffolk	Big/Little Fresh Ponds	Nutrients
Suffolk	Canaan Lake	Silt/Sediment
Suffolk	Canaan Lake	Nutrients
Suffolk	Flanders Bay, West/Lower Sawmill Creek	Nutrients
Suffolk	Fresh Pond	Nutrients
Suffolk	Great South Bay, East	Nutrients
Suffolk	Great South Bay, Middle	Nutrients
Suffolk	Great South Bay, West	Nutrients
Suffolk	Lake Ronkonkoma	Nutrients
Suffolk	Long Island Sound, Suffolk County, West	Nutrients
Suffolk	Mattituck (Marratooka) Pond	Nutrients
Suffolk	Meetinghouse/Terrys Creeks and tribs	Nutrients
Suffolk	Mill and Seven Ponds	Nutrients
Suffolk	Millers Pond	Nutrients
Suffolk	Moriches Bay, East	Nutrients
Suffolk	Moriches Bay, West	Nutrients
Suffolk	Peconic River, Lower, and tidal tribs	Nutrients
Suffolk	Quantuck Bay	Nutrients
Suffolk	Shinnecock Bay and Inlet	Nutrients
Suffolk	Tidal tribs to West Moriches Bay	Nutrients
Sullivan	Bodine, Montgomery Lakes	Nutrients
Sullivan	Davies Lake	Nutrients
Sullivan	Evens Lake	Nutrients
Sullivan	Pleasure Lake	Nutrients
Tompkins	Cayuga Lake, Southern End	Nutrients
Tompkins	Cayuga Lake, Southern End	Silt/Sediment
Tompkins	Owasco Inlet, Upper, and tribs	Nutrients
Ulster	Ashokan Reservoir	Silt/Sediment
Ulster	Esopus Creek, Upper, and minor tribs	Silt/Sediment
Warren	Hague Brook and tribs	Silt/Sediment

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

303(d) Segments Impaired by Construction Related Pollutant(s)

Warren	Huddle/Finkle Brooks and tribs	Silt/Sediment
Warren	Indian Brook and tribs	Silt/Sediment
Warren	Lake George	Silt/Sediment
Warren	Tribs to L.George, Village of L George	Silt/Sediment
Washington	Cossayuna Lake	Nutrients
Washington	Lake Champlain, South Bay	Nutrients
Washington	Tribs to L.George, East Shore	Silt/Sediment
Washington	Wood Cr/Champlain Canal and minor tribs	Nutrients
Wayne	Port Bay	Nutrients
Westchester	Amawalk Reservoir	Nutrients
Westchester	Blind Brook, Upper, and tribs	Silt/Sediment
Westchester	Cross River Reservoir	Nutrients
Westchester	Lake Katonah	Nutrients
Westchester	Lake Lincolndale	Nutrients
Westchester	Lake Meahagh	Nutrients
Westchester	Lake Mohegan	Nutrients
Westchester	Lake Shenorock	Nutrients
Westchester	Long Island Sound, Westchester (East)	Nutrients
Westchester	Mamaroneck River, Lower	Silt/Sediment
Westchester	Mamaroneck River, Upper, and minor tribs	Silt/Sediment
Westchester	Muscoot/Upper New Croton Reservoir	Nutrients
Westchester	New Croton Reservoir	Nutrients
Westchester	Peach Lake	Nutrients
Westchester	Reservoir No.1 (Lake Isle)	Nutrients
Westchester	Saw Mill River, Lower, and tribs	Nutrients
Westchester	Saw Mill River, Middle, and tribs	Nutrients
Westchester	Sheldrake River and tribs	Silt/Sediment
Westchester	Sheldrake River and tribs	Nutrients
Westchester	Silver Lake	Nutrients
Westchester	Teatown Lake	Nutrients
Westchester	Titicus Reservoir	Nutrients
Westchester	Truesdale Lake	Nutrients
Westchester	Wallace Pond	Nutrients
Wyoming	Java Lake	Nutrients
Wyoming	Silver Lake	Nutrients

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

APPENDIX F – List of NYS DEC Regional Offices

Region	Covering the following counties:	DIVISION OF ENVIRONMENTAL PERMITS (DEP) Permit Administrators	DIVISION OF WATER (DOW) Water (SPDES) Program
1	Nassau and Suffolk	50 Circle Road Stony Brook, NY 11790 Tel. (631) 444-0365	50 Circle Road Stony Brook, NY 11790-3409 Tel. (631) 444-0405
2	Bronx, Kings, New York, Queens and Richmond	1 Hunters Point Plaza, 47-40 21st St. Long Island City, NY 11101-5407 Tel. (718) 482-4997	1 Hunters Point Plaza, 47-40 21st St. Long Island City, NY 11101-5407 Tel. (718) 482-4933
3	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester	21 South Putt Corners Road New Paltz, NY 12561-1696 Tel. (845) 256-3059	100 Hillside Avenue, Suite 1W White Plains, NY 10603 Tel. (914) 428 - 2505
4	Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schenectady and Schoharie	1150 North Westcott Road Schenectady, NY 12306-2014 Tel. (518) 357-2069	1130 North Westcott Road Schenectady, NY 12306-2014 Tel. (518) 357-2045
5	Clinton, Essex, Franklin, Fulton, Hamilton, Saratoga, Warren and Washington	1115 State Route 86, Po Box 296 Ray Brook, NY 12977-0296 Tel. (518) 897-1234	232 Golf Course Road Warrensburg, NY 12885-1172 Tel. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROADAVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7070

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Appendix F

Forms

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN

CONTRACTOR'S CERTIFICATION LOG

FORM SWPPP-1

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

Company Name _____
Address

Contact Name _____
Telephone Number
Cell Phone/Pager

Scope of Services _____

Certification Date _____

Company Name _____
Address

Contact Name _____
Telephone Number
Cell Phone/Pager

Scope of Services _____

Certification Date _____

Company Name _____
Address

Contact Name _____
Telephone Number
Cell Phone/Pager

Scope of Services _____

Certification Date _____

Contractor's Project Manager_____

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN
CONTRACTOR'S CERTIFICATION STATEMENT

FORM SWPPP-2

Construction Site

STORM WATER POLLUTION PREVENTION PROGRAM

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

SUBCONTRACTOR'S CERTIFICATION:

"I certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP for the construction site identified in such SWPPP as a condition of authorization to discharge storm water. I also understand that the operator must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System (SPDES) general permit for storm water discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards."

Note: The contractor shall have at least one NYSDEC trained individual onsite at all times when earthwork and other SWPPP associated work is being performed from each contractor(s) and subcontractor(s). Each contractor(s) and subcontractor(s) shall provide copies of these individuals' certifications to the Town of Orchard Park.

Name: _____
(Print)

Signature: _____

Title: _____

Company Name: _____

Address: _____

Telephone Number: _____

Date: _____

Scope of Services: _____

Contractor's Project Manager_____

This form must be signed by a responsible corporate officer or other party meeting the "Signatory Requirements" of the NYSDEC SPDES General Permit

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN
INSPECTION REPORT (Page 1 of 2)

FORM SWPPP-3

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

Inspections/reports are required at least once every seven (7) calendar days.

Inspection Type: ☐ **Routine (every 7 calendar days)** ☐ **Routine (every 30 calendar days)** ☐ **Storm**

Date: _____ Week Ending: _____

Weather/Storm Event Information:

Storm Start Time: _____ Storm Duration: _____

Time Elapsed Since Last Storm: _____ Approximate Amount of Rainfall (inches): _____

Based on the results of the inspection, necessary control modifications shall be implemented within seven (7) calendar days. These reports shall be kept on file as part of the Storm Water Pollution Prevention Plan for at least five (5) years from the date of completion and submission of the Final Stabilization Certification/Termination Checklist and Notice of Termination. A copy of the SWPPP shall be kept at the site at all times during construction.

Certification Statement:
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name of Inspector: _____ Title of Inspector: _____

Qualifications of Inspector: _____

_____

Inspector's Signature: _____

Construction phasing/sequencing is consistent with the SWPPP and Erosion Control Plans: ☐ **Yes** ☐ **No**

Compliance Certification
I certify that, based on no incidents of non-compliance identified during the inspection, the site is in compliance with the SWPPP and the Construction General Permit.

Name of Operator's Duly Authorized Representative (Printed): _____

Signature of Operator's Duly Authorized Representative: _____

Date: _____

*Note: This Compliance Certification is only to be signed by the Operator's Duly Authorized Representative (Project Manager) when there are no **"unsatisfactory" conditions and the construction phasing/sequencing is consistent with the SWPPP, rendering the site in full compliance with** the SWPPP and the Construction General Permit.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Form SWPPP-3 Continued

Inspection Areas (Structural)	Satisfactory	Unsatisfactory (provide location or numeric identification per plan sheet)	N/A	Corrective Action Required	Implementation Date of Corrective Action
Construction Entrance/Exit					
Perimeter Silt Fence					

Contractor's Project Manager_____

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN

Stabilization Schedule for Major Grading Activities

FORM SWPPP-4

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

*This form should be updated as necessary

Major Grading Activity/Area to be Stabilized	Begin Date	Date Activity Temporarily Ceased / Date Activity Resumed	Date Temporary Stabilization Measures Initiated and Method of Stabilization (if activities cease for more than 14 days, this column must be completed)	Date Activity Permanently Ceased	Date Permanent Stabilization Measures Initiated	Permanent Stabilization Measure(s) Used (i.e., stone, seeded, rolled, tracked)	Name of Contractor Responsible for Implementing Stabilization Measures
Construction Entrance(s)/Exit(s)							
Seeded, Landscaped Areas							

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Major Grading Activity/Area to be Stabilized	Begin Date	Date Activity Temporarily Ceased / Date Activity Resumed	Date Temporary Stabilization Measures Initiated and Method of Stabilization (if activities cease for more than 14 days, this column must be completed)	Date Activity Permanently Ceased	Date Permanent Stabilization Measures Initiated	Permanent Stabilization Measure(s) Used (i.e., stone, seeded, rolled, tracked)	Name of Contractor Responsible for Implementing Stabilization Measures

FORM SWPPP-4 CONTINUED

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN

FINAL STABILIZATION CERTIFICATION /NOTICE OF TERMINATION CHECKLIST

FORM SWPPP-5

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

1. ☐ **All soil disturbing activities are complete.**

2. ☐ **Temporary Erosion and Sediment Control Measures have been removed or will be removed at the appropriate time.**

3. ☐ **All areas of the Construction Site not otherwise covered by a permanent pavement or structure have been stabilized with a uniform perennial vegetative cover with a density of 85% or equivalent measures have been employed.**

CONTRACTOR'S CERTIFICATION:

"I certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP for the construction site identified in such SWPPP as a condition of authorization to discharge storm water. I also understand that the operator must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System (SPDES) general permit for storm water discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards."

Company Name _____

Name (Print) _____

Signature _____

Title _____

Date _____

Contractor's Project Manager _____

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

YEAR 20___

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

FORM SWPPP-6

STORM WATER POLLUTION PREVENTION PLAN

PROJECT RAINFALL LOG

Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Day												
1												
2												
3												
4												
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30												
31												
PM Initials												

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN
MODIFICATION REPORT

FORM SWPPP-7

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

CHANGES REQUIRED FOR STORM WATER POLLUTION PREVENTION PLAN

The SWPPP must be amended whenever there is a change in design, construction, operation, or maintenance at the construction site that has a significant effect on the discharge of pollutants to the waters of the United States that has not been previously addressed in the SWPPP, if inspections or investigations by site staff, local, state or federal officials determine that discharges are causing water quality exceedances or the SWPPP is ineffective in eliminating or significantly minimizing pollutants in storm water discharges from the construction site, or based on the results of an inspection, the SWPPP must be modified to include additional or modified BMPs designed to correct identified problems. Revisions must be completed within seven (7) calendar days following the inspection.

To:	**Project Manager**	**Date:**	
Address:			
Telephone:			
Facsimile:			
Sent Via:	☐ **Facsimile**	☐ **Courier**	☐ **US Mail**

INSPECTOR: _____ DATE: _____
(Print)

_____
(Signature)

QUALIFICATIONS OF INSPECTOR: _____

CHANGES REQUIRED TO THE STORMWATER POLLUTION PREVENTION PLAN: _____

_____

_____

REASONS FOR CHANGES: _____

_____

_____

TO BE PERFORMED BY: _____ ON OR BEFORE: _____

Contractor's Project Manager: _____

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN
MONTHLY TRAINING LOG

FORM SWPPP-8

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

Storm Water Pollution Prevention Plan Topic: (Check as appropriate)

☐ **Temporary Soil Stabilization**
☐ **Temporary Sediment Control**
☐ **Wind Erosion Control**
☐ **Tracking Control**
☐ **Non-Storm Water Management**
☐ **Waste Management and Materials Pollution Control**
☐ **Erosion & Sediment Control Plan**

Specific Training Objective: _____

Date: _____

Instructor: _____
Location: _____
Telephone: _____

Attendance Roster

Name	Company	Telephone Number	Signature

Contractor's Project Manager _____

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN
REPORTABLE QUANTITY RELEASE FORM

FORM SWPPP-9

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

The discharges of hazardous substances or oil in storm water discharges from construction sites must be prevented or minimized in accordance with the SWPPP. Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under 40CFR110, 40CFR117 and 40CFR302 occurs, the following steps must be taken:

1. All measures must be taken to contain and abate the spill and to prevent the discharge of the pollutant(s) to storm water or off-site.

2. Notice must be provided to the National Response Center (NRC) at 1-800-424-8802 and the NYSDEC in accordance with regulations referenced above as soon as site staff has knowledge of the discharge.

3. Contact the Project Manager or Engineer of Record immediately upon knowledge of release.

4. The SWPPP must be modified within seven (7) calendar days of knowledge of the discharge to provide a description of the release, the circumstances leading to the release, and the date of the release. The plans must identify measures to prevent the recurrence of such releases and to respond to such releases.

Date of Spill	Material Spilled	Approximate Quantity of Spill (in gallons)	Agency(s) Notified	Date of Notification	SWPPP Revision Date

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN
IMPLEMENTATION SCHEDULE

FORM SWPPP-10

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

*To be completed prior to initiation of construction by the contractor.

The Contractor will be responsible for implementing all erosion control and storm water management control structures. The Contractor may designate these tasks to certain subcontractors as they see fit, but the ultimate responsibility for implementing these controls and ensuring their proper functioning remains with the Contractor.

Refer to Section 812.3 for Sequence of Activities

Construction Activity	Proposed Initiation Date	Proposed Completion Date	Contractor Responsible for Implementation

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

STORM WATER POLLUTION PREVENTION PLAN
SIGNATORY AUTHORIZATION DESIGNATION

FORM SWPPP-11

Construction Site

STORMWATER POLLUTION PREVENTION PLAN

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

"In accordance with the **NYSDEC SPDES General Permit for Storm Water Discharges from Construction Activities, Part V, paragraph H, Signatory Requirements**, _____is hereby duly authorized to sign on my behalf, all reports and certifications that are required under the Permit and as part of this Storm Water Pollution Prevention Plan."

Signed: _____

Printed Name: _____

Title: _____

Company Name: _____

Address: _____

Telephone Number: _____

Date: _____

Note: Multiple designation forms may be required
(i.e., one from the Operator and one from the General Contractor).

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

SWPPP Preparer Certification Form

SPDES General Permit for Stormwater Discharges From Construction Activity (GP-0-20-001)

Project Site Information

Project/Site Name

Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

Owner/Operator Information

Owner/Operator (Company Name/Private Owner/Municipality Name)

Benderson Development Company, LLC - 570 Delaware Ave - Buffalo, NY 14202

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-20-001. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Christopher		Wood
First name	MI	Last Name

Signature

Date

Revised: January 2020

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Owner/Operator Certification Form

SPDES General Permit For Stormwater Discharges From Construction Activity (GP-0-20-001)

Project/Site Name: Proposed Parking Expansion - 4224 Ridge Lea Rd - Amherst, NY 14226

eNOI Submission Number: _____

eNOI Submitted by: ☐ **Owner/Operator** ☑ **SWPPP Preparer** ☐ **Other**

Certification Statement - Owner/Operator

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Owner/Operator First Name M.I. Last Name

_____

Signature

_____

Date

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Appendix G

NYSDEC Notice of Termination (NOT)

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505
(NOTE: Submit completed form to address above)

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the SPDES General Permit for Construction Activity

Please indicate your permit identification number: NYR ___ ___ ___ ___ ___ ___

I. Owner or Operator Information

1. Owner/Operator Name:

2. Street Address:

3. City/State/Zip:

4. Contact Person: | 4a.Telephone:

4b. Contact Person E-Mail:

II. Project Site Information

5. Project/Site Name:

6. Street Address:

7. City/Zip:

8. County:

III. Reason for Termination

9a. □ All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP. ***Date final stabilization completed** (month/year): _____

9b. □ Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR ___ ___ ___ ___ ___ ___
(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c. □ Other (Explain on Page 2)

IV. Final Site Information:

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices? □ yes □ no (If no, go to question 10f.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed? □ yes □ no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

_____

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the SPDES General Permit for Construction Activity - continued

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit? □ yes □ no

10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s):

□ Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.

□ Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).

□ For post-construction stormwater management practices that are privately owned, a mechanism is in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record.

□ For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? _____ (acres)

11. Is this project subject to the requirements of a regulated, traditional land use control MS4? □ yes □ no

(If Yes, complete section VI - "MS4 Acceptance" statement

V. Additional Information/Explanation:

(Use this section to answer questions 9c. and 10b., if applicable)

VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative (Note: Not required when 9b. is checked -transfer of coverage)

I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time.

Printed Name:	
Title/Position:	
Signature:	Date:

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the SPDES General Permit for Construction Activity - continued

VII. Qualified Inspector Certification - Final Stabilization:

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:	
Title/Position:	
Signature:	Date:

VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:	
Title/Position:	
Signature:	Date:

IX. Owner or Operator Certification

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:	
Title/Position:	
Signature:	Date:

(NYS DEC Notice of Termination - January 2015)

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Appendix H

StormTech Maintenance and Bioretention Operation, Maintenance and Inspection Checklist

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

StormTech®
Detention • Retention • Water Quality
A division of ADS

Save Valuable Land and Protect Water Resources

Isolator® Row O&M Manual

StormTech® Chamber System for Stormwater Management

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

1.0 The Isolator® Row

1.1 INTRODUCTION

An important component of any Stormwater Pollution Prevention Plan is inspection and maintenance. The StormTech Isolator Row is a patented technique to inexpensively enhance Total Suspended Solids (TSS) removal and provide easy access for inspection and maintenance.

Looking down the Isolator Row from the manhole opening, woven geotextile is shown between the chamber and stone base.

1.2 THE ISOLATOR ROW

The Isolator Row is a row of StormTech chambers, either SC-310, SC-310-3, SC-740, DC-780, MC-3500 or MC-4500 models, that is surrounded with filter fabric and connected to a closely located manhole for easy access. The fabric-wrapped chambers provide for settling and filtration of sediment as storm water rises in the Isolator Row and ultimately passes through the filter fabric. The open bottom chambers and perforated sidewalls (SC-310, SC-310-3 and SC-740 models) allow storm water to flow both vertically and horizontally out of the chambers. Sediments are captured in the Isolator Row protecting the storage areas of the adjacent stone and chambers from sediment accumulation.

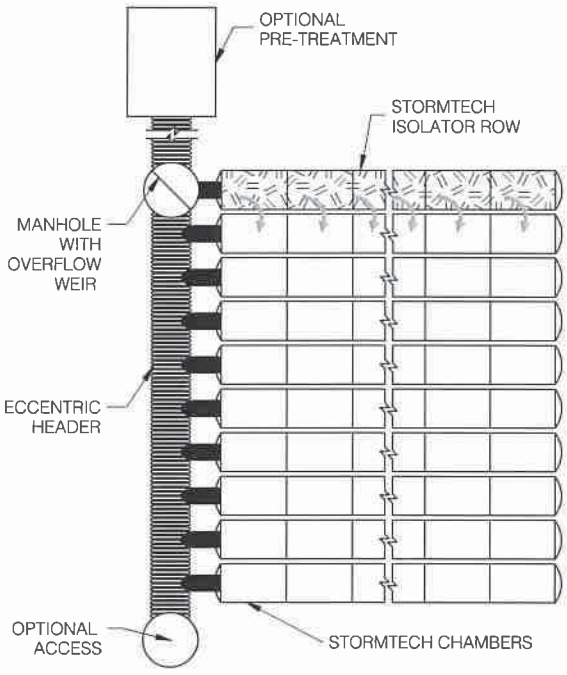
Two different fabrics are used for the Isolator Row. A woven geotextile fabric is placed between the stone and the Isolator Row chambers. The tough geotextile provides a media for storm water filtration and provides a durable surface for maintenance operations. It is also designed to prevent scour of the underlying stone and remain intact during high pressure jetting. A non-woven fabric is placed over the chambers to provide a filter media for flows passing through the perforations in the sidewall of the chamber. The non-woven fabric is not required over the DC-780, MC-3500 or MC-4500 models as these chambers do not have perforated side walls.

The Isolator Row is typically designed to capture the "first flush" and offers the versatility to be sized on a volume basis or flow rate basis. An upstream manhole not only provides access to the Isolator Row but typically includes a high flow weir such that storm water flowrates or volumes that exceed the capacity of the Isolator Row overtop the over flow weir and discharge through a manifold to the other chambers.

The Isolator Row may also be part of a treatment train. By treating storm water prior to entry into the chamber system, the service life can be extended and pollutants such as hydrocarbons can be captured. Pre-treatment best management practices can be as simple as deep sump catch basins, oil-water separators or can be innovative storm water treatment devices. The design of the treatment train and selection of pretreatment devices by the design engineer is often driven by regulatory requirements. Whether pretreatment is used or not, the Isolator Row is recommended by StormTech as an effective means to minimize maintenance requirements and maintenance costs.

Note: See the StormTech Design Manual for detailed information on designing inlets for a StormTech system, including the Isolator Row.

StormTech Isolator Row with Overflow Spillway
(not to scale)



Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

2.0 Isolator Row Inspection/Maintenance

2.1 INSPECTION

The frequency of Inspection and Maintenance varies by location. A routine inspection schedule needs to be established for each individual location based upon site specific variables. The type of land use (i.e. industrial, commercial, residential), anticipated pollutant load, percent imperviousness, climate, etc. all play a critical role in determining the actual frequency of inspection and maintenance practices.

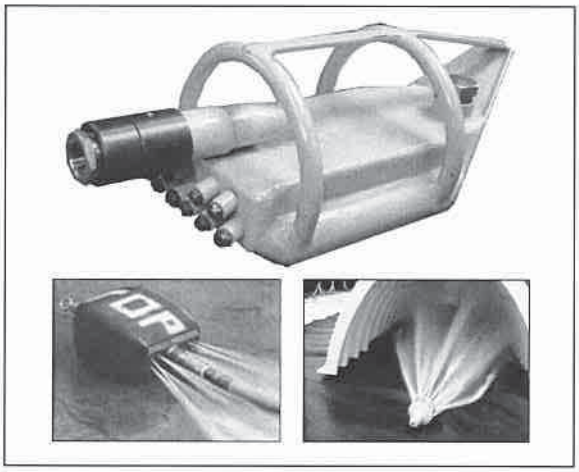
At a minimum, StormTech recommends annual inspections. Initially, the Isolator Row should be inspected every 6 months for the first year of operation. For subsequent years, the inspection should be adjusted based upon previous observation of sediment deposition.

The Isolator Row incorporates a combination of standard manhole(s) and strategically located inspection ports (as needed). The inspection ports allow for easy access to the system from the surface, eliminating the need to perform a confined space entry for inspection purposes.

If upon visual inspection it is found that sediment has accumulated, a stadia rod should be inserted to determine the depth of sediment. When the average depth of sediment exceeds 3 inches throughout the length of the Isolator Row, clean-out should be performed.

2.2 MAINTENANCE

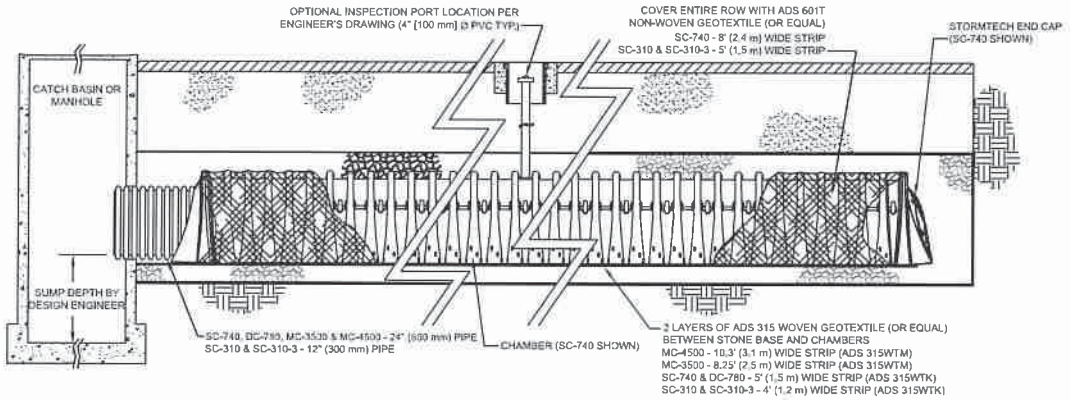
The Isolator Row was designed to reduce the cost of periodic maintenance. By "isolating" sediments to just one row, costs are dramatically reduced by eliminating the need to clean out each row of the entire storage bed. If inspection indicates the potential need for maintenance, access is provided via a manhole(s) located on the end(s) of the row for cleanout. If entry into the manhole is required, please follow local and OSHA rules for a confined space entries.



Examples of culvert cleaning nozzles appropriate for Isolator Row maintenance. (These are not StormTech products.)

Maintenance is accomplished with the JetVac process. The JetVac process utilizes a high pressure water nozzle to propel itself down the Isolator Row while scouring and suspending sediments. As the nozzle is retrieved, the captured pollutants are flushed back into the manhole for vacuuming. Most sewer and pipe maintenance companies have vacuum/JetVac combination vehicles. Selection of an appropriate JetVac nozzle will improve maintenance efficiency. Fixed nozzles designed for culverts or large diameter pipe cleaning are preferable. Rear facing jets with an effective spread of at least 45" are best. Most JetVac reels have 400 feet of hose allowing maintenance of an Isolator Row up to 50 chambers long. **The JetVac process shall only be performed on StormTech Isolator Rows that have AASHTO class 1 woven geotextile (as specified by StormTech) over their angular base stone.**

StormTech Isolator Row (not to scale)



NOTE: NON-WOVEN FABRIC IS ONLY REQUIRED OVER THE INLET PIPE CONNECTION INTO THE END CAP FOR DC-780, MC-3500 AND MC-4500 CHAMBER MODELS AND IS NOT REQUIRED OVER THE ENTIRE ISOLATOR ROW.

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

3.0 Isolator Row Step By Step Maintenance Procedures

Step 1) Inspect Isolator Row for sediment

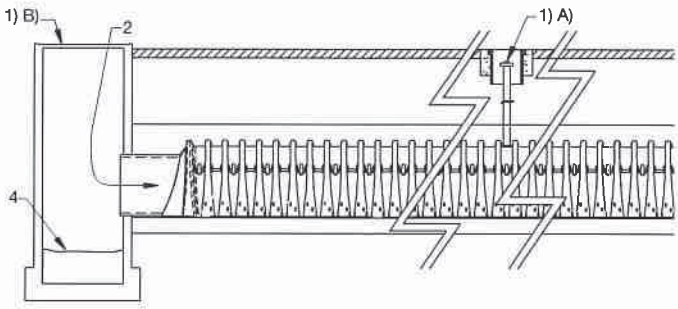
A) Inspection ports (if present)

i. Remove lid from floor box frame
ii. Remove cap from inspection riser
iii. Using a flashlight and stadia rod, measure depth of sediment and record results on maintenance log.
iv. If sediment is at, or above, 3 inch depth proceed to Step 2. If not proceed to step 3.

B) All Isolator Rows

i. Remove cover from manhole at upstream end of Isolator Row
ii. Using a flashlight, inspect down Isolator Row through outlet pipe
   1. Mirrors on poles or cameras may be used to avoid a confined space entry
   2. Follow OSHA regulations for confined space entry if entering manhole
iii. If sediment is at or above the lower row of sidewall holes (approximately 3 inches) proceed to Step 2. If not proceed to Step 3.

StormTech Isolator Row (not to scale)



Step 2) Clean out Isolator Row using the JetVac process

A) A fixed culvert cleaning nozzle with rear facing nozzle spread of 45 inches or more is preferable
B) Apply multiple passes of JetVac until backflush water is clean
C) Vacuum manhole sump as required

Step 3) Replace all caps, lids and covers, record observations and actions

Step 4) Inspect & clean catch basins and manholes upstream of the StormTech system

Sample Maintenance Log

Date	Stadia Rod Readings		Sediment Depth (1) - (2)	Observations/Actions	Inspector
	Fixed point to chamber bottom (1)	Fixed point to top of sediment (2)			
3/15/01	6.3 ft.	none		New installation. Fixed point is CI frame at grade	djm
9/24/01		6.2	0.1 ft.	Some grit felt	sm
6/20/03		5.8	0.5 ft.	Mucky feel, debris visible in manhole and in isolator row, maintenance due	rv
7/7/03	6.3 ft.		0	System jetted and vacuumed	djm

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Detention • Retention • Water Quality
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70 Inwood Road, Suite 3 | Rocky Hill | Connecticut | 06067
860.529.8188 | 888.892.2694 | fax 866.328.8401 | www.stormtech.com

ADS "Terms and Conditions of Sale" are available on the ADS website, www.ads-pipe.com
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Stormtech® and the Isolator® Row are registered trademarks of StormTech, Inc.
Green Building Council Member logo is a registered trademark of the U.S. Green Building Council.

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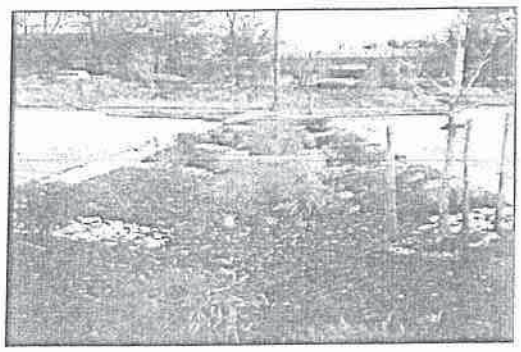
Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Bioretetion Areas (F-5)



Description: Shallow stormwater basin or landscaped area which utilizes engineered soils and vegetation to capture and treat runoff. The practice is often located in parking lot islands, and can also be used to treat residential areas.

KEY CONSIDERATIONS

CONVEYANCE

- Provide overflow for the 10-year storm to the conveyance system.
- Conveyance to the system is typically overland flow delivered to the surface of the system, typically through curb cuts or over a concrete lip.

PRETREATMENT

- Pretreatment consists of a grass channel or grass filter strip, a gravel diaphragm, and a mulch layer, sized based on the methodologies described in Section 6.4.2.

TREATMENT

- Treatment area should have a four foot deep planting soil bed, a surface mulch layer, and a 6" ponding layer.
- Size the treatment area using equations provided in Chapter 6.

LANDSCAPING

- Detailed landscaping plan required.

MAINTENANCE

- Inspect and repair/replace treatment area components
- Stone drop (at least 6") provided at the inlet
- Remulch annually

STORMWATER MANAGEMENT SUITABILITY

- [X] Water Quality
- [ ] Channel Protection
- [ ] Overbank Flood Protection
- [ ] Extreme Flood Protection

Accepts Hotspot Runoff: *Yes*
(requires impermeable liner)

IMPLEMENTATION CONSIDERATIONS

- [M] Capital Cost
- [M] Maintenance Burden

Residential
Subdivision Use: *Yes*

High Density/Ultra-Urban: *Yes*

Drainage Area: *5 acres max.*

Soils: *Planting soils must meet specified criteria; No restrictions on surrounding soils*

Other Considerations:

- *Use of native plants is recommended*

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

	Key: L=Low M=Medium H=High **POLLUTANT REMOVAL** G Phosphorus G Nitrogen G Metals - Cadmium, Copper, Lead, and Zinc removal F Pathogens – Coliform, Streptococci, E.Coli removal Key: G=Good F=Fair P=Poor

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Bioretention Construction Inspection Checklist

Project:
Location:
Site Status:

Date:

Time:

Inspector:

CONSTRUCTION SEQUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
1. Pre-Construction		
Pre-construction meeting		
Runoff diverted		
Facility area cleared		
If designed as exfilter, soil testing for permeability		
Facility location staked out		
2. Excavation		
Size and location		
Lateral slopes completely level		
If designed as exfilter, ensure that excavation does not compact susoils.		
Longitudinal slopes within design range		

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

CONSTRUCTION SEQUENCE	SATISFACTORY / UNSATISFACTORY	COMMENTS
3. Structural Components		
Stone diaphragm installed correctly		
Outlets installed correctly		
Underdrain		
Pretreatment devices installed		
Soil bed composition and texture		
4. Vegetation		
Complies with planting specs		
Topsoil adequate in composition and placement		
Adequate erosion control measures in place		
5. Final Inspection		
Dimensions		
Proper stone diaphragm		
Proper outlet		
Soil/ filter bed permeability testing		
Effective stand of vegetation and stabilization		
Construction generated sediments removed		
Contributing watershed stabilized before flow is diverted to the practice		

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Comments:

Actions to be Taken:

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Bioretention Operation, Maintenance and Management Inspection Checklist

Project:
Location:
Site Status:

Date:

Time:

Inspector:

MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS
1. Debris Cleanout (Monthly)		
Bioretention and contributing areas clean of debris		
No dumping of yard wastes into practice		
Litter (branches, etc.) have been removed		
2. Vegetation (Monthly)		
Plant height not less than design water depth		
Fertilized per specifications		
Plant composition according to approved plans		
No placement of inappropriate plants		
Grass height not greater than 6 inches		
No evidence of erosion		
3. Check Dams/Energy Dissipaters/Sumps (Annual, After Major Storms)		
No evidence of sediment buildup		

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS
Sumps should not be more than 50% full of sediment		
No evidence of erosion at downstream toe of drop structure		
4. Dewatering (Monthly)		
Dewaters between storms		
No evidence of standing water		
5. Sediment Deposition (Annual)		
Swale clean of sediments		
Sediments should not be > 20% of swale design depth		
6. Outlet/Overflow Spillway (Annual, After Major Storms)		
Good condition, no need for repair		
No evidence of erosion		
No evidence of any blockages		
7. Integrity of Filter Bed (Annual)		
Filter bed has not been blocked or filled inappropriately		

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

Comments:

Actions to be Taken:

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

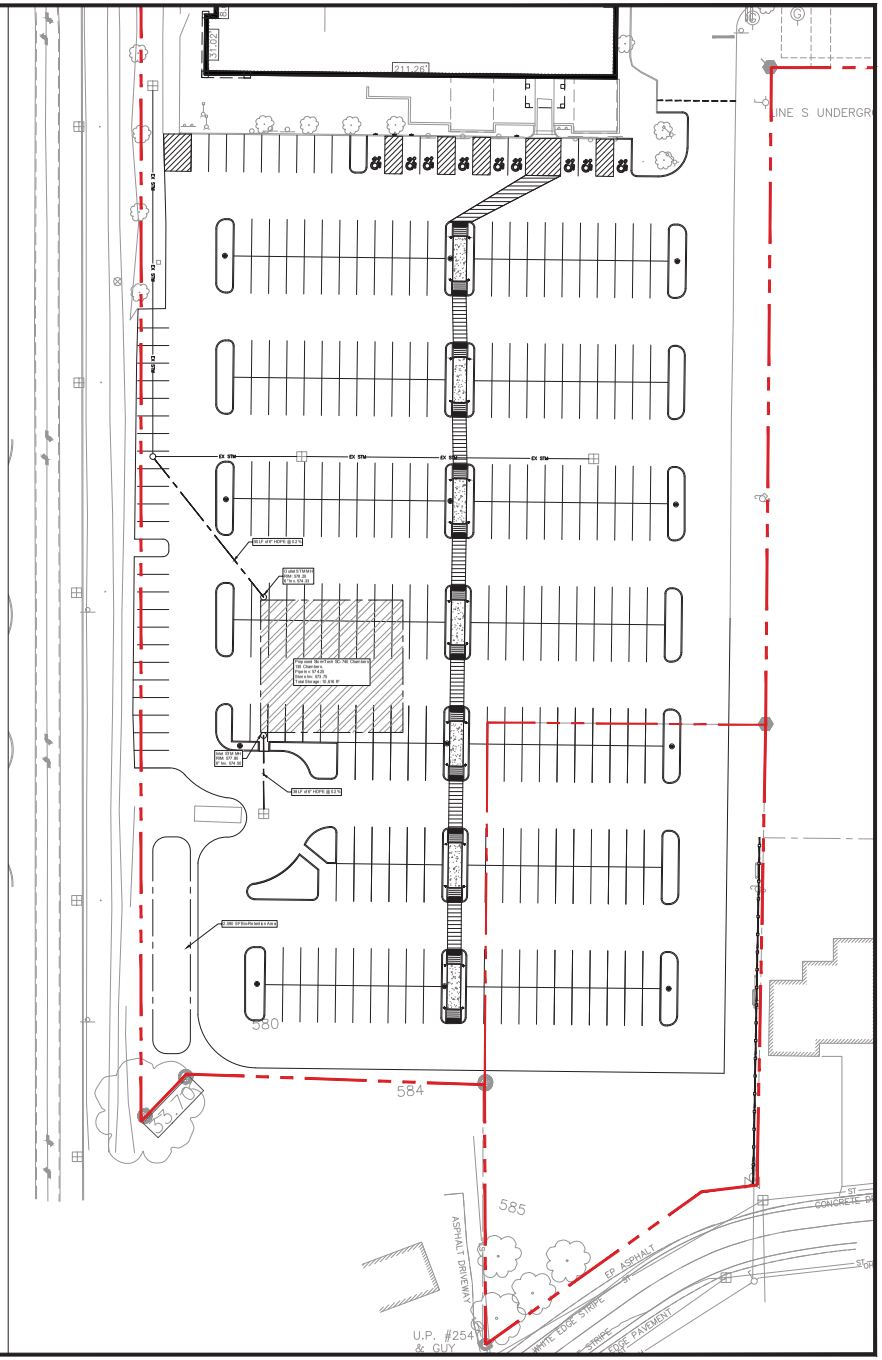
Appendix I

Construction Documents

Attachment: SP-1983-42H applicaiton 092321 (24575 : Sp-1983-42_H)

GENERAL NOTES:

1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
2. SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
4. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO THE SATISFACTION OF OWNER.
7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS EXCEPT AS DETAILED ON THE PLANS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
8. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.
9. BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.
10. SIDEWALK DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR THE SIDEWALK PLAN .
11. CONCRETE SIDEWALK SEALERS: (REFER TO ARCHITECTURAL PLANS FOR LOCATION OF CONCRETE TYPES.)
    11.1. GREY CONCRETE SIDEWALKS SHALL HAVE CHEMMASTERS - SILENCURE WITHIN 2HRS AFTER FINAL FINISHING OF CONCRETE AND ALL BLEED WATER HAS DISSIPATED.
    11.2. EXPOSED AGGREGATE/STAMPED CONCRETE SIDEWALKS SHALL HAVE ONE (x1) COAT CHEMMASTERS - SILENCURE AS SOON AS CONCRETE HAS DRIED AFTER PRESSURE-WASHING THE RELEASE AGENT OFF. APRX 30 DAYS AFTER THIS (IF WEATHER PERMITS) APPLY ONE (x1) COAT OF CHEMMASTERS - POLYSEAL EZ.
12. LIGHTING FIXTURE ARROW SYMBOLS REFER TO THE DIRECTION THAT THE FIXTURES ARE REQUIRED TO FACE. SPECIFIC MOUNT BRACKETS WILL BE REQUIRED DEPENDING ON ORIENTATION AND FIXTURE COUNT.
13. CURB ISLAND DIMENSIONS ARE FROM INSIDE OF CURB TO INSIDE OF CURB.



DRAWING REVISIONS:

No.	DATE	BY	REMARKS

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SHOP DRAWING SUBMITTALS ARE REQUIRED FOR ANY AND ALL STRUCTURES.

NOTICE

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811 Know what's below. Call before you dig

PROPERTY NUMBER: #5077

AREA: -

Amherst Commercial Park
4224 -4256 Ridge Lea Road
Amherst, NY 14226

PROPOSED PARKING EXPANSION

CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

TITLE:
Drainage Plan

SCALE: 1" = 30'
DRAWN BY: DMZ
CHECKED BY: MAO
DATE: 07.27.2021
DRAWING NO. C5.1

PROPOSED PARKING EXPANSION

AMHERST COMMERCIAL PARK
4224-4256 RIDGE LEA ROAD, AMHERST, NY
BDC Property # 5077
SITE DEVELOPMENT DRAWINGS

INDEX OF DRAWINGS

DWG. #	DRAWING NAME	REVISION	DATE
C1.0	COVER SHEET		
C2.0	EXISTING SURVEY		
C3.0	DEMOLITION & EROSION CONTROL PLAN		
C3.1	DEMOLITION & EROSION CONTROL DETAILS		
C4.0	OVERALL SITE PLAN		
C4.1	DETAILED SITE PLAN		
C4.2	CONSTRUCTION DETAILS		
C5.0	GRADING PLAN		
C51	DRAINAGE PLAN		
C5.2	DRAINAGE DETAILS		
C6.0	UTILITY PLAN		
C7.0	LANDSCAPE PLAN		
C8.0	LIGHTING PLAN		

OWNER/DEVELOPER:

NAME: BENDERSON DEVELOPMENT COMPANY, LLC
ADDRESS: 570 DELAWARE AVENUE, BUFFALO, NY 14202
CONTACT: DAVID ZUPPELLI
PHONE: 716 - 878 - 9683

BENDERSON DEVELOPMENT COMPANY, LLC
570 Delaware Ave.
Buffalo, New York 14202

SURVEYOR

NAME: KHEOPS - ARCHITECTURE, ENGINEERING 7 SURVEY, DPC
ADDRESS: 300 PEARL STREET, BUFFALO, NY 14202
CONTACT: -
PHONE: 716 - 849 - 8739

UTILITIES:

NATURAL GAS
NAME/TITLE: WILLIAM SCHNEIDER
COMPANY/DEPT: NATURAL FUEL GAS
ADDRESS: -
PHONE: 716 - 857 - 7786

TELEPHONE COMPANY
NAME/TITLE: JOHN HECKMAN
COMPANY/DEPT: VERIZON
ADDRESS: -
PHONE: 716 - 840 - 8669

ELECTRIC
NAME/TITLE: BEN RUCHO
COMPANY/DEPT: NATIONAL GRID
ADDRESS: -
PHONE: 781 - 907 - 3620

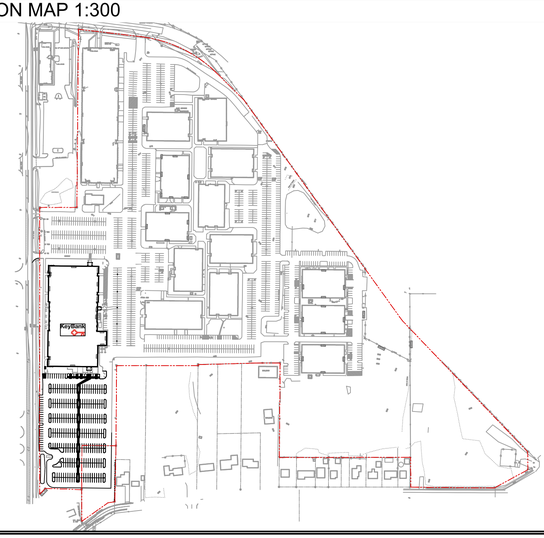
WATER DEPARTMENT
NAME/TITLE: ADAM MASSARO
COMPANY/DEPT: ERIE COUNTY WATER AUTHORITY
ADDRESS: 3030 UNION RD, CHEEKTOWAGA, NY
PHONE: 716 - 685 - 8207

DIG SAFELY NEW YORK
PHONE: 1 - 800 - 962 - 7962 OR (811)

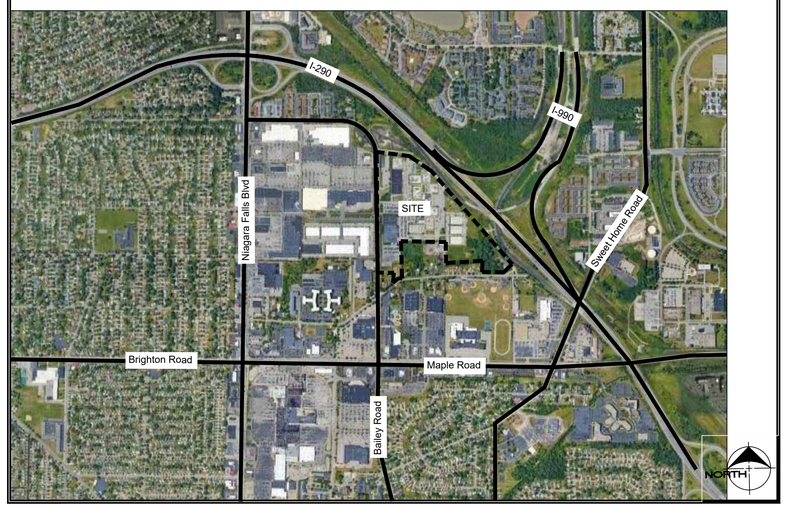
AGENCIES:

ENGINEERING DEPARTMENT
NAME/TITLE: JEFFREY BURROUGHS, TOWN ENGINEER
COMPANY/DEPT: TOWN OF AMHERST, ENGINEERING DEPT.
ADDRESS: 1100 NORTH FOREST ROAD, WILLIAMSVILLE, NY
PHONE: 716 - 631 - 7154 EXT. 7418

SITE LOCATION MAP 1:300



REGIONAL LOCATION MAP NTS



DRAWING REVISIONS:

No.	DATE	BY	REMARKS

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CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

TITLE:
Cover Sheet

SCALE: NTS
DRAWN BY: DMZ
CHECKED BY: MAO
DATE: 08.05.2021
DRAWING NO.
C1.0

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42_H)

Revision	Date	Notes:
1	08.05.2021	1. Updated Site Layout to accommodate bio-retention area 1.1. Lost 8 parking spaces near road 2. Site Drainage Plan and details Added 2.1. Added Underground Storage Area per SWPPP requirements 2.2. Added bio-retention area at Southeast corner of site 2.3. Site drainage system added accordingly 3. Added landscaping within bio-retention area 4. Added bike rack near Key Bank building per Town remark

DRAWING REVISIONS:

No.	DATE	BY	REMARKS

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570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

TITLE:

Revision Sheet

SCALE: NTS

DRAWN BY: DMZ

CHECKED BY: MAO

DATE: 08.05.2021

DRAWING NO.

C1.1

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42_H)

MATCHLINE A–A. SEE SHEET 2

MATCHLINE B–B. SEE SHEET 4

N

C.B. RIM 577.47 (S)12"HDPE INV.573.94

C.B. RIM 578.44 (N)12"HDPE INV.573.56

C.B. RIM 580.78

12"HDPE INV.577.76

C.B. RIM 580.95

12"HDPE INV.577.80

C.B. RIM 580.69

12"HDPE INV.577.74

C.B. RIM 581.38

12"HDPE INV.577.92

C.B. RIM 582.18

FIRST NIAGARA

TURNING LANE

CENTER LANE TURN

EMPLOYEE PARKING

FIBER OPTIC CABLE MARKER

SIDEWALK

CONC PATIO

ASPHALT

CONC

GEN. PAD

STOP

GRATE

WALK

REMAINS CONCRETE

REMAINS BLACKTOP

#256

#254

#260

#290

#306

#310

HSE. #290

HSE. #306

HSE. #310

FIRE POST 13 #260

FIRE POST 14 #256

FIRE POST 15 #254

C.B. RIM 576.26 (S)8"CMP INV.574.26 15"CMP INV.574.26

C.B. RIM 577.78 (SW)12"PVC INV.574.70 (N)10"CMP INV.574.50

C.B. RIM 577.40 (SW)6"PVC INV.575.30 (NE)10"CMP INV.574.90

C.B. RIM 577.92 (N)6"PVC INV.575.32 (S)12"PVC INV.576.37 (W)8"HDPE INV.574.92

C.B. RIM 580.06 FILLED WITH MUD

SAN. M.H. RIM 581.13

SAN. M.H. RIM 585.82

SAN. M.H. RIM 584.42 10" VTP E. INV. 576.62 10" VTP S.W. INV. 576.57

C.B. RIM 584.08 4" HDPE S. INV. 583.38 12" CMP E. INV. 582.66 15" CMP S.W. INV. 582.68

C.B. RIM 584.95 24" CONC. E. INV. 581.00 24" CONC. S.W. INV. 580.95 8" CMP ROTTED 581.3±

C.B. RIM 584.30 15" HDPE N. INV. 581.10 24" CONC. N.E. INV. 580.55 24" CONC. S.W. INV. 580.63 6" PVC N.E. INV. 582.10

C.B. RIM 584.29 15" HDPE S. INV. 582.21 12" CMP E. INV. 582.66 4" RUBBER N. INV. 583.14

SAN. M.H. RIM 584.98 10" VTP N.E. INV. 575.61 10" VTP S.W. INV. 575.58

C.B. RIM 577.17 (E)15"CMP INV.574.67

C.B. RIM 577.22 (W)12"PVC INV.575.40

C.B. RIM 577.30 (SW)15"CMP INV.574.85

REBAR 1.04'N 0.60'W

REBAR 1.02'N 0.58'W

REBAR 0.15'N 0.58'W

REBAR & CAP 1.42'S 0.45'W

REBAR & CAP 2.70'N 2.00'E

IRON PIPE

341.86

243.42

336.13'

152.35'

4.43'

ADELPHIA VAULT

VERIZON VAULT

VAULT

SPEED BUMP

ASPHALT

EDGE OF PAVEMENT

6" EOA END

FLARE END

DRIVE

UNABLE TO DETERMINE END

BRUSH AREA

DAVID ROETZER REPUTED OWNER 54.15–1–11.1

4512 MAIN ST INC. REPUTED OWNER 54.15–1–8.1

SHEILA GOLDBERG REPUTED OWNER 54.15–1–10

ROBERT SYKES REPUTED OWNER 54.15–1–11.2

ALLISON ANDREWS REPUTED OWNER 54.15–1–6

LUCIA DE STEFANO REPUTED OWNER 54.15–1–7

GORDON KEMP REPUTED OWNER 54.15–1–9.1

BENJAMIN OBLETZ REPUTED OWNER 54.15–1–3

LINE S UNDERGROUND SINGLE WIRE

ADDITIONAL TOPO ON 2596 MEYER ROAD 2/4/2008 — 5-7-2021 — CDM

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Designed by:
Drawn by: TAP
Checked by: DRH
Date: 12/07/2015
Job No. 15NY166
Dwg Scale: Horiz: 1" = 50' Vert: NONE

KHEOPS Architecture, Engineering & Survey, DPC
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F. 716.856.0981
www.KHEOPSPC.COM

STATE OF NEW YORK

TOWN OF AMHERST, ERIE COUNTY

AMHERST COMMERCE CENTER
TOPOGRAPHIC SURVEY

PART OF LOTS 79 & 85, TOWNSHIP 12, RANGE 7
HOLLAND LAND SURVEY

SHEET REFERENCE NUMBER: 3

SHEET 3 OF 5

File: Z:\Work\Work Folder\5077\AMHERST COMMERCE 2015-64919.dwg, Last saved: 5/17/2021, Plot Date: 5/21/2021, By: DAVID ZUPPELLI, Plot Style: ----

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)

DEMOLITION & EROSION NOTES:

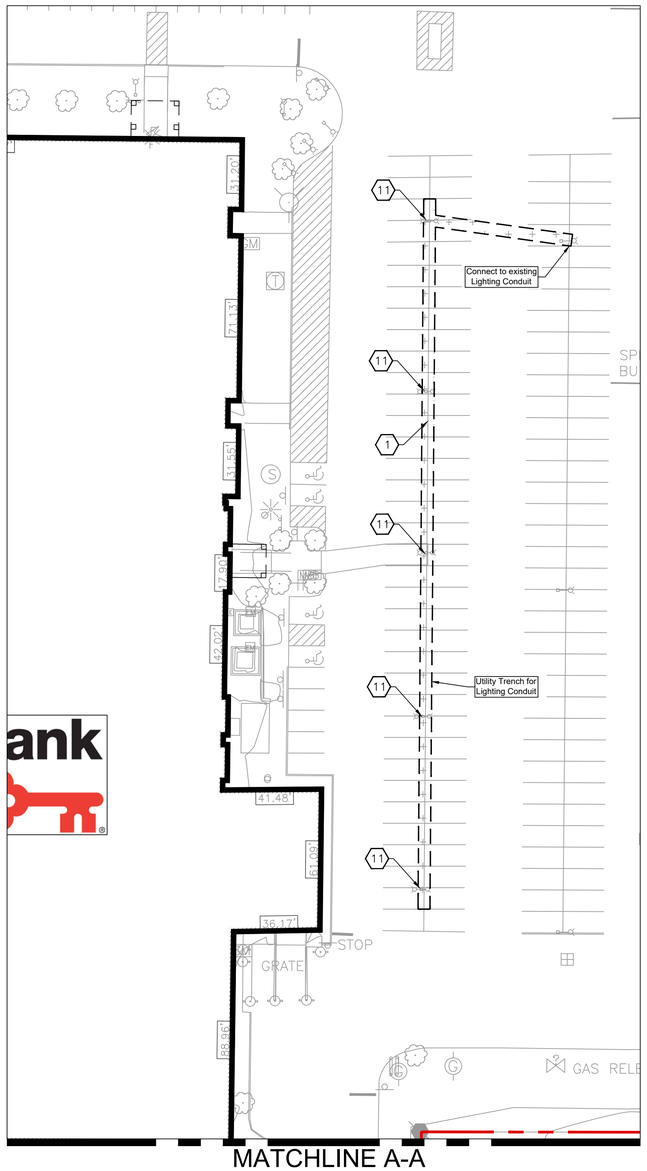
1. USE ENTRANCE FROM MEYER ROAD FOR CONSTRUCTION ENTRANCE
2. INSTALL TEMPORARY EROSION CONTROL DEVICES AS DIRECTED WITHIN THE WORKING AREA TO PREVENT SEDIMENT MIGRATION. ALL EROSION CONTROL DEVICES SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAILS PROVIDED.
3. ALL EROSION CONTROL DEVICES SHALL BE REPLACED WHEREVER THEY BECOME INOPERABLE.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE AND REMOVAL OF TEMPORARY SEDIMENTATION CONTROLS.
5. THE CONTRACTOR MUST CONTROL DUST DURING CONSTRUCTION, DURING EARTHWORK OPERATIONS, WATER-SPREADING EQUIPMENT SHALL BE PROVIDED BY THE CONTRACTOR, AND WATER SPREAD AS NECESSARY AND AS DIRECTED IN ORDER TO CONTROL DUST.
6. DIRT OR DEBRIS LEFT ON LOCAL PUBLIC ROADS AS A RESULT OF THIS CONSTRUCTION PROJECT SHALL BE REMOVED AND ROAD SURFACES CLEANED BY THE CONTRACTORS ON A DAILY BASIS, OR MORE FREQUENTLY IF DEEMED NECESSARY.
7. ALL DISTURBED AREAS (EXCEPT AREAS TO BE PAVED OR BUILT UPON) SHALL BE TOPSOILED TO A MINIMUM OF 4" DEPTH AND SEEDED IMMEDIATELY AFTER FINE GRADING TAKES PLACE AND AS SOON AS PHYSICALLY POSSIBLE.
8. THE CONTRACTOR IS RESPONSIBLY FOR THE MAINTENANCE OF DOWNSTREAM STORM SEWERS, DITCHES AND CULVERTS. SILT BUILDUP FOUND TO BE A RESULT OF THIS SITE CONSTRUCTION WORK SHALL BE REMOVED FROM DOWNSTREAM CULVERTS, DETENTION PONDS, BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER OR CITY.
9. ALL SOIL EROSION AND SEDIMENT CONTROL DEVICES AND MATERIALS SHALL BE IN PLACE PRIOR TO BEGINNING EARTHWORK OPERATIONS AND SHALL BE MAINTAINED UNTIL THE ALL GRADING WORKS ARE COMPLETE.

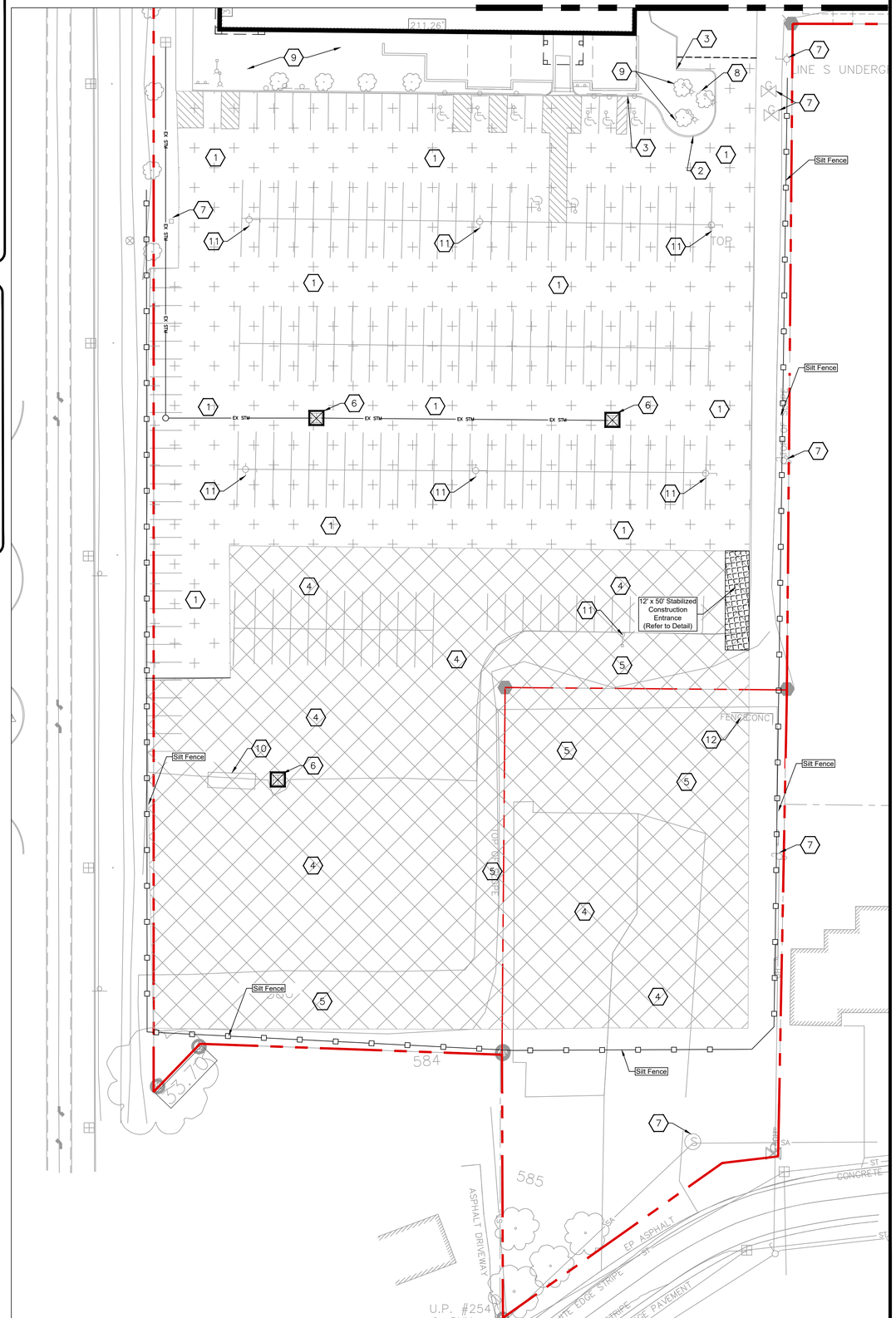
DEMOLITION NOTES: (#)

1. Existing Asphalt Pavement to be milled and overlay. Refer to grading plan.
2. Existing Curb to be removed.
3. Limits of Curb Removal
4. Existing Asphalt Pavement to be removed. Subbase to remain and be regraded.
5. Existing green space to be regarded.
6. Existing Storm Drainage/CB to remain and be protected during Construction..
7. Existing Utility Structure to remain and be protected during Construction.
8. Existing Landscaping to be removed.
9. Existing Landscaping to remain.
10. Existing Pylon Sign to remain and be protected during Construction.
11. Existing Light Pole to be removed.
12. Existing Feature to be Removed.

DEMOLITION LEGEND:

- Property Line
- Saw Cut Line
- Silt Fence/Sock
- Inlet Protection
- Existing area to be clear of debris and organics.
- Existing Asphalt Pavement to be milled and receive overlay





DRAWING REVISIONS:

No.	DATE	BY	REMARKS

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PROPERTY NUMBER: #5077

AREA: -

Amherst Commercial Park
4224 -4256 Ridge Lea Road
Amherst, NY 14226

PROPOSED PARKING EXPANSION

CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

REGISTERED ARCHITECT JAMES ALLEN RUMSEY STATE OF NEW YORK

TITLE:

Demolition and Erosion Control Plan

SCALE: 1" = 30'

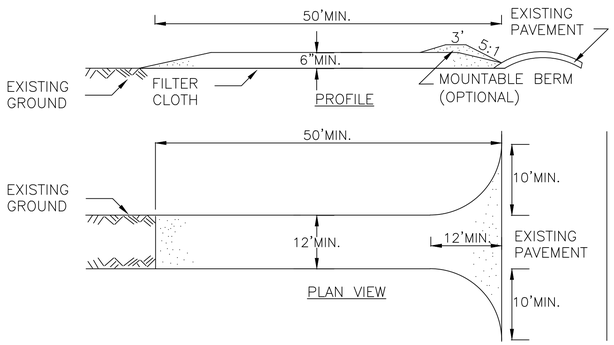
DRAWN BY: DMZ

CHECKED BY: MAO

DATE: 08.05.2021

DRAWING NO. C3.0

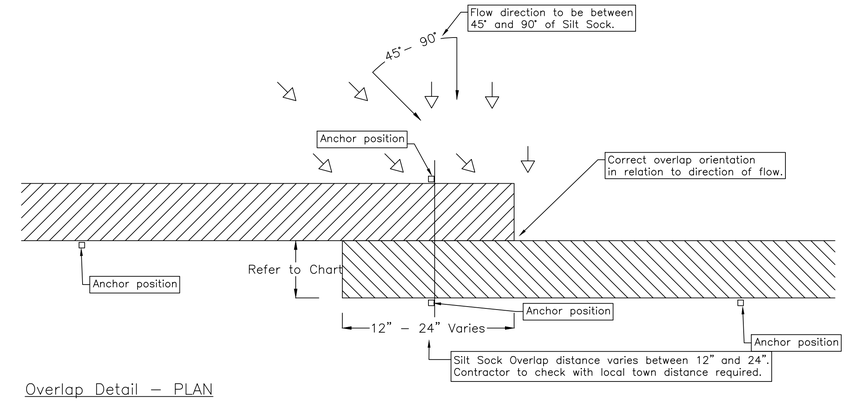
Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)



STABILIZED CONSTRUCTION ENTRANCE DETAIL

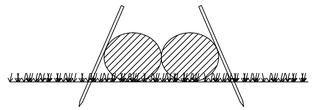
NOT TO SCALE

1. STONE SIZE – USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH – NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS – NOT LESS THAN SIX (6) INCHES.
4. WIDTH – TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY–FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. FILTER CLOTH – WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER – ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CON–STRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE – THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS–OF–WAY, ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACTED ONTO PUBLIC RIGHTS–OF–WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.



Overlap Detail – PLAN

1) Anchors required at the overlap section are to stay outside the Silt Sock and not pierce through the material. See alternative anchor positons in details above.

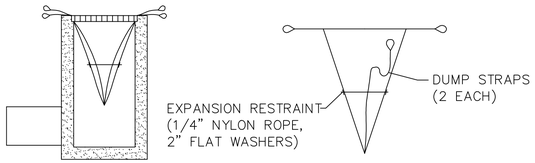


Anchor at Overlaped Ends – SECTION

Size & Class Chart			
	Diameter		
Gradient	8"	12"	18"
0 – 2%	30	55	75
2.1 – 5%	25	40	55
5.1 – 10%	15	30	40
10.1 – 33%	10	15	20
> 33%	5	10	15

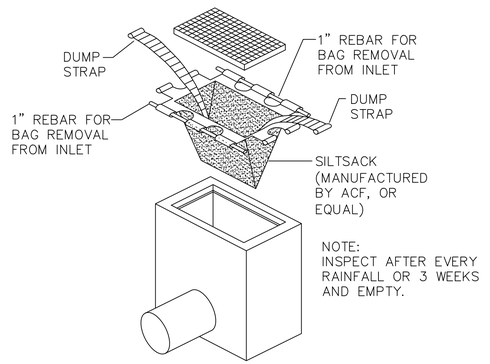
SD SILT SOCK DETAIL

SD Silt Sock: Standard Duty Fabric



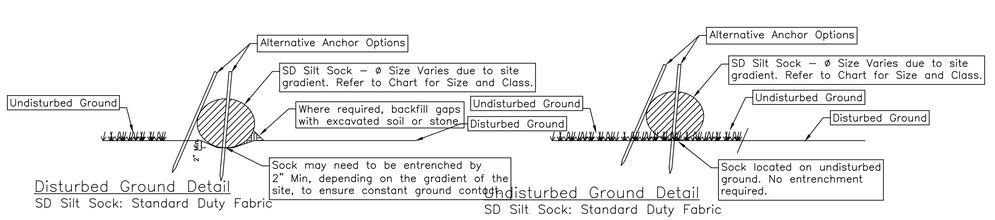
INSTALLATION DETAIL

BAG DETAIL



SILT SACK DETAIL

N.T.S.



Disturbed Ground Detail

SD Silt Sock: Standard Duty Fabric

Undisturbed Ground Detail

SD Silt Sock: Standard Duty Fabric

Notes:

1 – Do not use sock below the normal watermark or perpendicular to flow in river and where the maximum incline is greater than 50%.
2 – Contractors should be aware of federal, state and local laws, rules regulations or permit requirements for the use of Silt Socks on site.
3 – Sock should be positioned on the outline of the area to be protected, but must be installed between 45° to 90° from directions of flow.
4 – Sock may be required to be entrenched a minimum of 2" on disturbed ground to ensure constant ground contact.
5 – All gaps and ruts must be backfilled with soil or sock material.
6 – Sock overlap should be in the direction of the flow. Overlap amount will be between 12" and 24". Contractor to check with local town for requirements.
7 – If sediment collects to 1/2 the height of the sock, then a second sock may be stacked immediately up slope of the original instead of removing the sediment.
8 – Sock joint is where two sock sections meet on a level grade, overlap and adjoining ends, tightening the ends together, and anchoring through each end. Where two sections meet on un–level ground, j–hook higher elevated end, anchor, and begin new section just below. Back fill any gaps.
9 – Sock should be inspected and repaired as needed.
10 – If ruts begin under the sock they should be backfilled with soil and compacted so that the ground and sock have continuous contact.
11 – If sock rolls out of place, the sock should be repositioned and secured with additional anchors.
12 – Tears in the Sock fabric may be repaired by wrapping a new piece of fabric over the sock and securing, or by place a second sock immediately up slope with the required overlap beyond deformation.
13 – A section of sock should be replaced whenever it has weakened to such an extent that the efficiency is reduced or diminished. Weakening can occur because the natural mesh fabric breaks down over time of from being moved/dragged on site.
14 – Sock should be replaced when sediment has built up and has been removed three times.
15 – All sediment in disturbed area next to sock must be removed and correctly disposed of before the sock can be removed.
16 – When removing, cut sock open and spread the filler material around. The netting should be removed from site.
17 – Sock should be installed before works commence on site.

DRAWING REVISIONS:

No.	DATE	BY	REMARKS

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PROPERTY NUMBER: #5077

AREA: -

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Amherst, NY 14226

PROPOSED PARKING EXPANSION

CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
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570 DELAWARE AVE., BUFFALO, NY 14202
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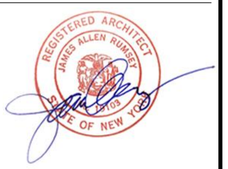
SEAL



TITLE:

Demolition and Erosion Control Details

SCALE: NTS

DRAWN BY: DMZ

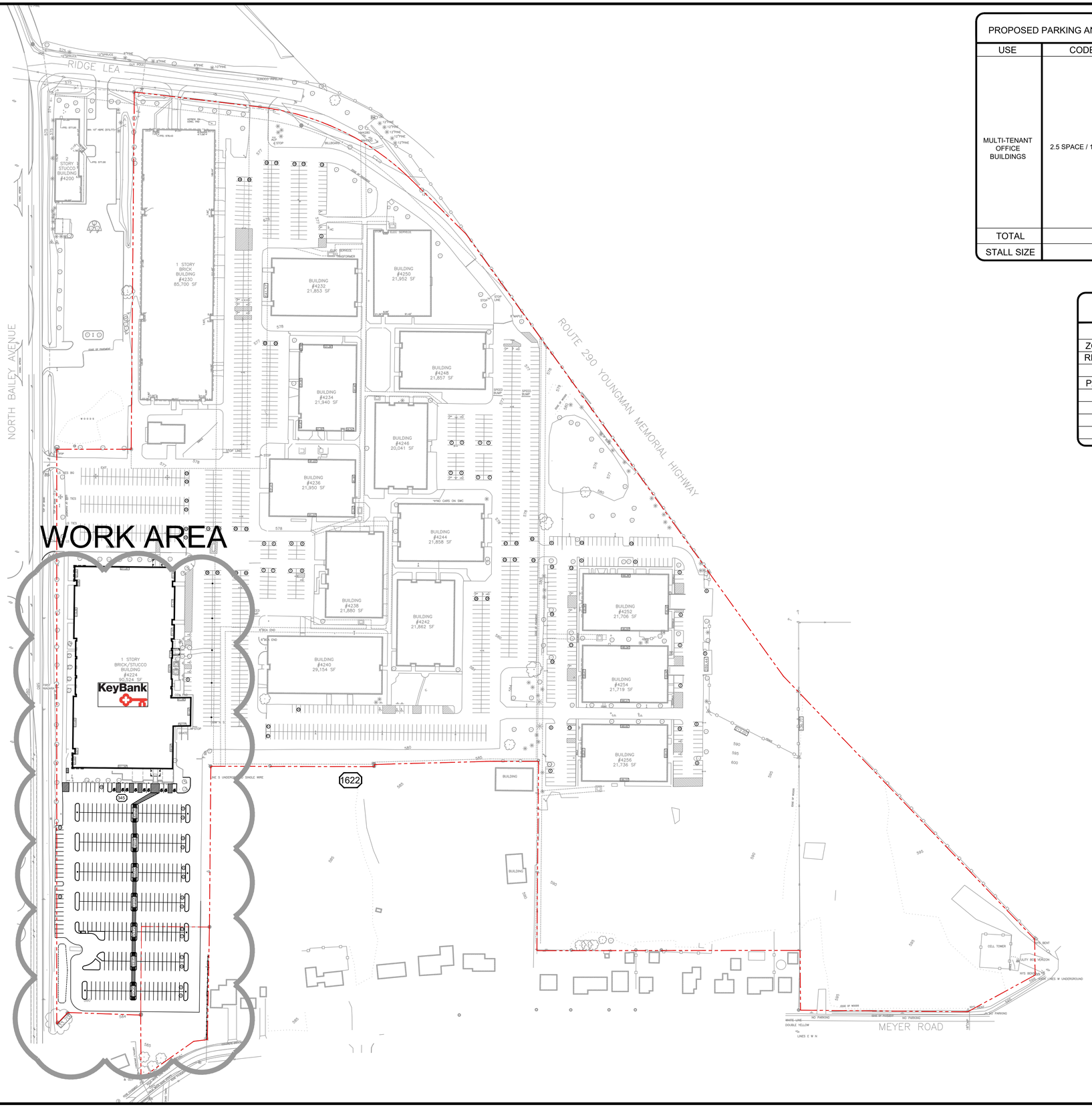
CHECKED BY: MAO

DATE: 08.05.2021

DRAWING NO.

C3.1

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)



PROPOSED PARKING ANAYLSIS

USE	CODE	REQUIRED	PROVIDED
MULTI-TENANT OFFICE BUILDINGS	2.5 SPACE / 1,000 SF	#4224 - 90,524 S.F. #4228 - 3,365 S.F. #4230 - 85,700 S.F. #4232 - 21,853 S.F. #4234 - 21,940 S.F. #4236 - 21,950 S.F. #4238 - 21,719 S.F. #4240 - 29,154 S.F. #4242 - 21,862 S.F. #4244 - 21,858 S.F. #4246 - 20,041 S.F. #4248 - 21,857 S.F. #4250 - 21,952 S.F. #4252 - 21,706 S.F. #4254 - 21,719 S.F. #4256 - 21,736 S.F. TOTAL = 468,936 S.F. *(2.5 SPACES/1000SF)	1,622 SPACES
TOTAL		1,173 SPACES	1,622 SPACES
STALL SIZE		9"x19'	9'x19'

TOWN OF AMHERST, NY ZONING ANALYSIS

	REQUIRED	PROVIDED
ZONED (CTR-8)	CTR-8	CTR-8
RETROFIT FRONTAGE		
PARKING SETBACKS:		
FRONT - STREET	10'	Existing
SIDE YARD	N/R	18.7'
REAR YARD	N/R	81.1"

DRAWING REVISIONS:

No.	DATE	BY	REMARKS

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570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

TITLE:

Overall Site Plan

SCALE: 1" = 100'

DRAWN BY: DMZ

CHECKED BY: MAO

DATE: 08.05.2021

DRAWING NO.

C4.0

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)

GENERAL NOTES:

1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
2. SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
4. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO THE SATISFACTION OF OWNER.
7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS EXCEPT AS DETAILED ON THE PLANS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
8. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.
9. BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.
10. SIDEWALK DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR THE SIDEWALK PLAN .
11. CONCRETE SIDEWALK SEALERS: (REFER TO ARCHITECTURAL PLANS FOR LOCATION OF CONCRETE TYPES.)
    - 11.1. GREY CONCRETE SIDEWALKS SHALL HAVE CHEMMASTERS - SILENCURE WITHIN 2HRS AFTER FINAL FINISHING OF CONCRETE AND ALL BLEED WATER HAS DISSIPATED.
    - 11.2. EXPOSED AGGREGATE/STAMPED CONCRETE SIDEWALKS SHALL HAVE ONE (x1) COAT CHEMMASTERS - SILENCURE AS SOON AS CONCRETE HAS DRIED AFTER PRESSURE-WASHING THE RELEASE AGENT OFF. APRX 30 DAYS AFTER THIS (IF WEATHER PERMITS) APPLY ONE (x1) COAT OF CHEMMASTERS - POLYSEAL EZ.
12. LIGHTING FIXTURE ARROW SYMBOLS REFER TO THE DIRECTION THAT THE FIXTURES ARE REQUIRED TO FACE. SPECIFIC MOUNT BRACKETS WILL BE REQUIRED DEPENDING ON ORIENTATION AND FIXTURE COUNT.
13. CURB ISLAND DIMENSIONS ARE FROM INSIDE OF CURB TO INSIDE OF CURB.

SITE NOTES:

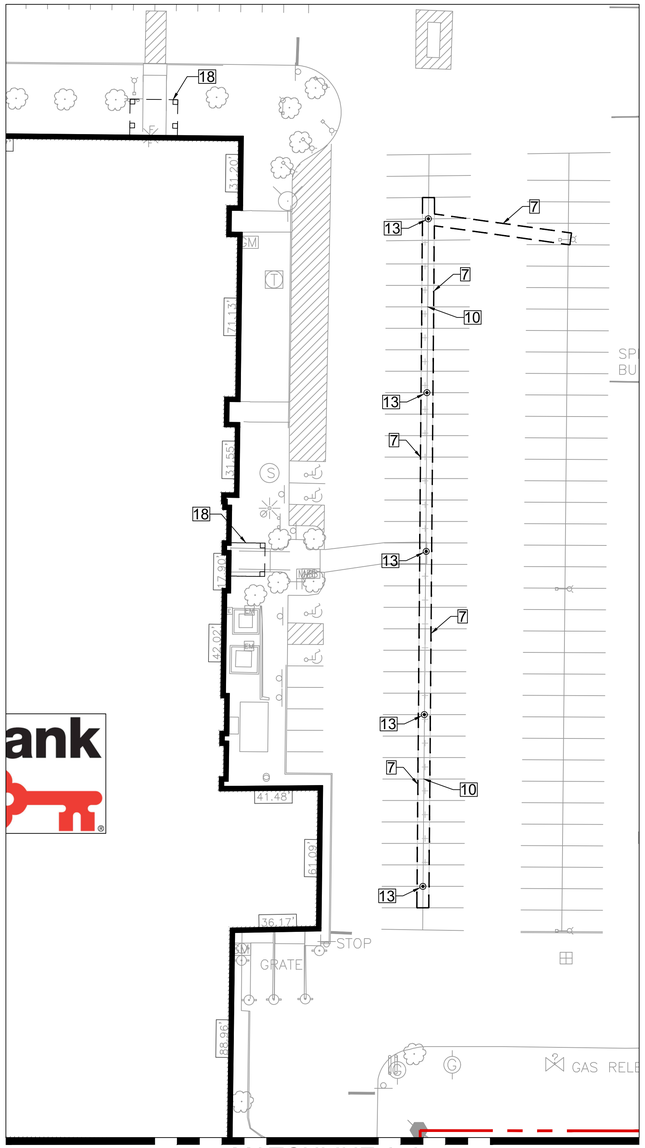
1. Proposed 6" concrete Curb.
2. Proposed 3' Curb Opening with Rip Rap
3. Match into Existing Curb or runout over 2'.
4. Proposed Standard Duty Pavement.
5. Proposed Heavy Duty Pavement.
6. Proposed 1" Overlay Asphalt Pavement
7. Match into Existing Pavement.
8. Proposed "Handicapped Parking Only" sign.
9. Proposed "No Parking" sign.
10. 4" Yellow Pavement Stripe (at 2' c-c in no parking zones).
11. Proposed White Pavement symbol (stop bar, directional arrows, accessibility symbol, text)
12. Proposed Landscape Area.
13. Proposed Light Pole Base
14. Proposed Board on Board Fence
15. Proposed Curb Return Pedestrian Ramp.
16. Proposed Concrete Sidewalk.
17. Proposed Illuminating Bollard.
18. Proposed Canopy. Refer to Architectural Plans
19. Proposed Bike Rack.

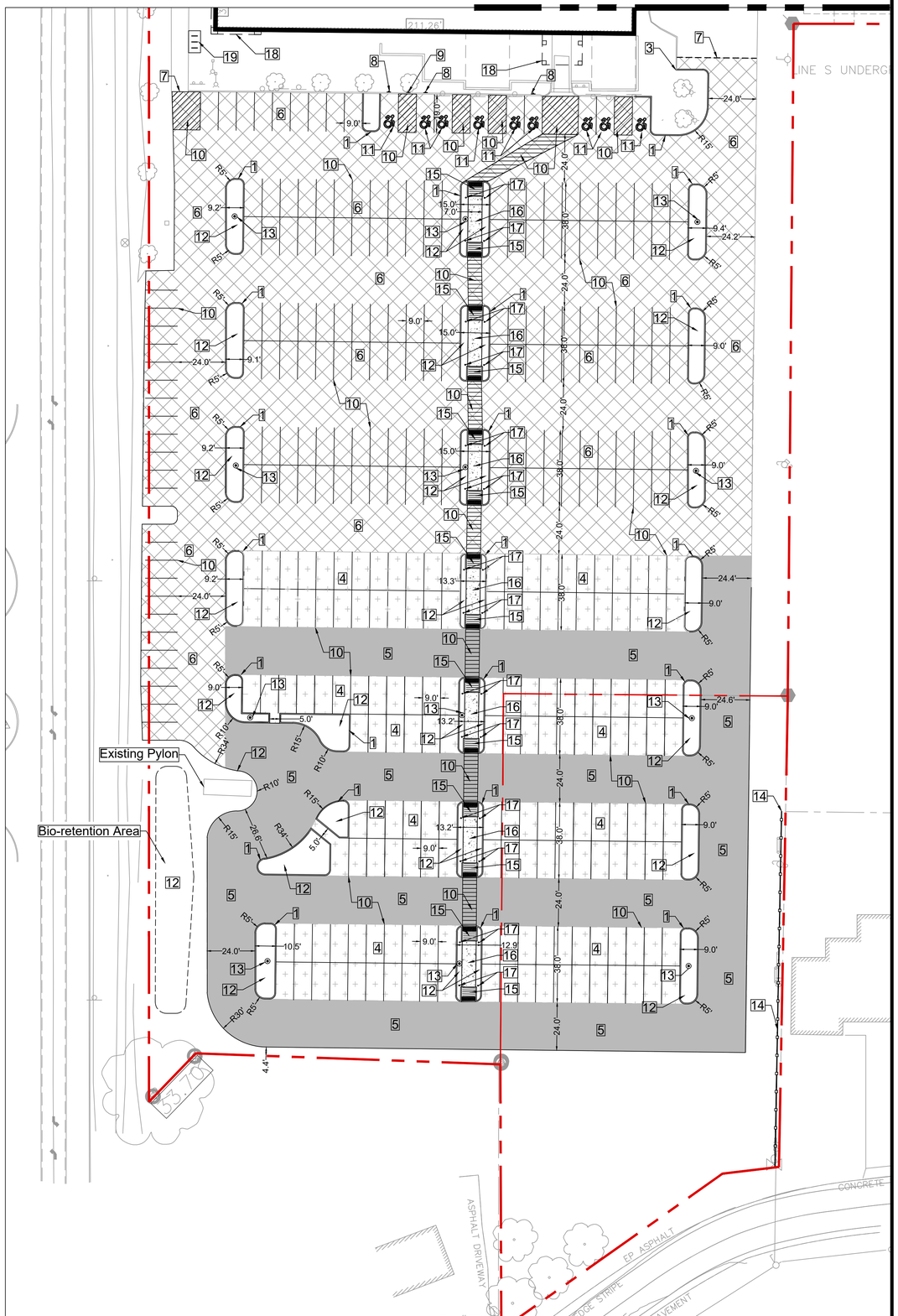
NB: All curb Radii to be 3' unless otherwise noted.

SITE LEGEND:

- Property line
- 6" Curb (typ).
- Proposed sign & pole
- Proposed Standard Duty Pavement (Full Depth)
- Proposed Heavy Duty Pavement (Full Depth)
- Proposed Mill and 1" Overlay Asphalt Pavement
- Proposed Concrete SIdewalk
- Proposed ADA Detectable Warning Strip

* All curb radii are 3ft unless noted.
* Refer to General Notes, Concstruction Details and Architectural Plans for Concrete Sealer information.





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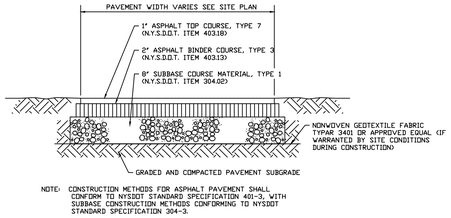
SEAL

REGISTERED ARCHITECT JAMES ALLEN RUMSEY STATE OF NEW YORK 029703

TITLE:
Detailed Site Plan

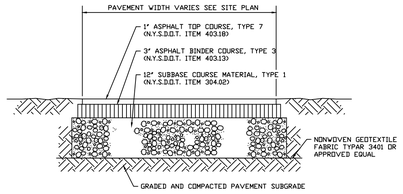
SCALE: 1" = 30'
DRAWN BY: DMZ
CHECKED BY: MAO
DATE: 08.05.2021
DRAWING NO. C4.1

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)



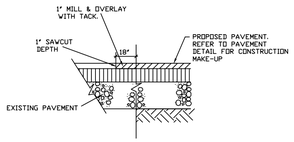
NOTE: CONSTRUCTION METHODS FOR ASPHALT PAVEMENT SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 401-3, WITH SUBBASE CONSTRUCTION METHODS CONFORMING TO NYSDOT STANDARD SPECIFICATION 304-3.

STANDARD DUTY ASPHALT SECTION



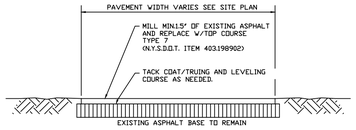
NOTE: CONSTRUCTION METHODS FOR ASPHALT PAVEMENT SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 401-3, WITH SUBBASE CONSTRUCTION METHODS CONFORMING TO NYSDOT STANDARD SPECIFICATION 304-3.

HEAVY DUTY ASPHALT SECTION

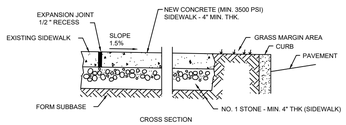


PAVEMENT TRANSITION DETAIL

(ASPHALT PAVEMENT)



ASPHALT MILLING & OVERLAY DETAIL



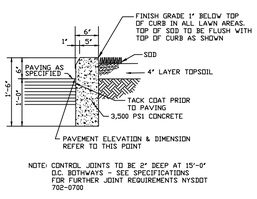
CROSS SECTION

NOTES:
1. CONTROL JOINTS TO BE AT 5'-0" O.C. BOTHWAYS - SEE SPECIFICATIONS FOR FURTHER JOINT REQUIREMENTS NYSDOT 702-0700.
2. CONCRETE SIDEWALK MATERIAL SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 501 AND CONSTRUCTION METHODS SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 608-3.

CONCRETE SIDEWALK SEALERS:
1. CONCRETE SIDEWALK SEALERS: (REFER TO ARCHITECTURAL PLANS FOR LOCATION OF CONCRETE TYPES.)
1.1. GREY CONCRETE SIDEWALKS SHALL HAVE CHEMMASTERS - SILENCURE WITHIN 2HRS AFTER FINAL FINISHING OF CONCRETE AND ALL BLEED WATER HAS DISSIPATED.
1.2. EXPOSED AGGREGATE/STAMPED CONCRETE SIDEWALKS SHALL HAVE ONE (x1) COAT CHEMMASTERS - SILENCURE AS SOON AS CONCRETE HAS DRIED AFTER PRESSURE-WASHING THE RELEASE AGENT OFF. APPX 30 DAYS AFTER THIS (IF WEATHER PERMITS) APPLY ONE (x1) COAT OF CHEMMASTERS - POLYSEAL E2

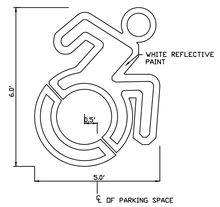
REFER TO ARCHITECTURAL PLANS FOR LOCATION OF CONCRETE TYPES FOR SIDEWALKS.

STANDARD CONCRETE SIDEWALK

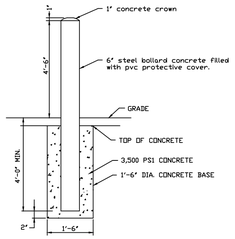


NOTE: CONTROL JOINTS TO BE 2" DEEP AT 15'-0" O.C. BOTHWAYS - SEE SPECIFICATIONS FOR FURTHER JOINT REQUIREMENTS NYSDOT 702-0700

TYPE "A" CONCRETE CURB

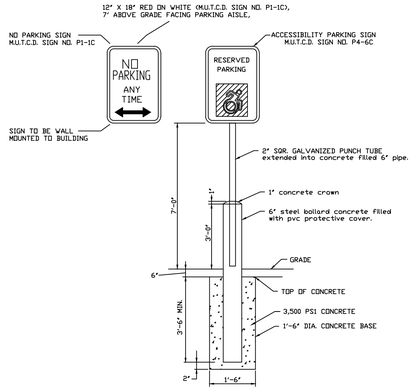


INTERNATIONAL ACCESSIBILITY SYMBOL



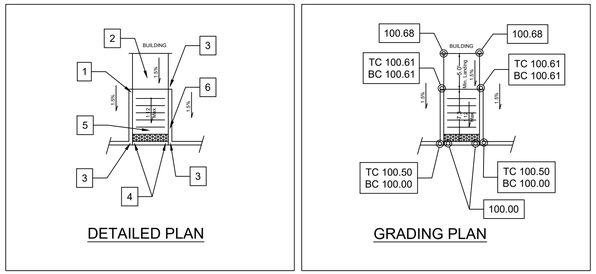
6" BOLLARD DETAIL

Refer to Lighting Specifications for lit bollards



HANDICAP / NO PARKING SIGNS

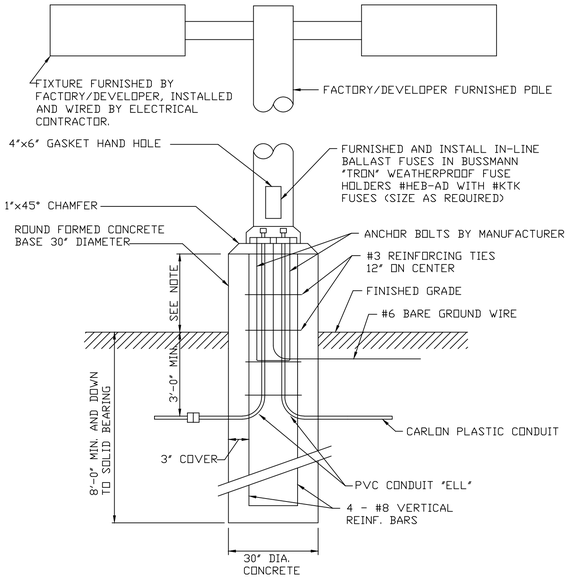
Site Notes: #
1. Proposed curb return to be flush with sidewalk
2. Proposed concrete sidewalk
3. Proposed 6" curb reveal
4. Proposed flush curb & Tactile Warning
5. Proposed ramp (1:12 max.)
6. Transition Curb



Curb Return Ramp Detail (Typ.)

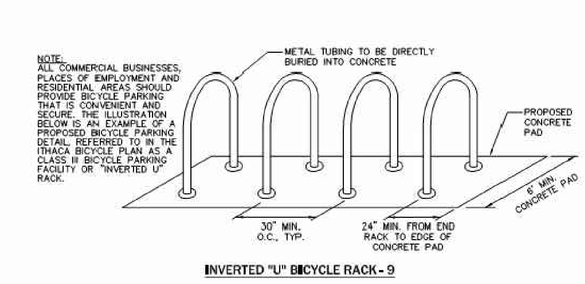
(To be read in conjunction with Engineering Plans and Details)

Spot levels are indicative - Refer to Grading Plan



NOTES:
1. FOR LOCATIONS OF FOUNDATIONS SEE SITE PLAN
2. FOR LIGHT FIXTURE ORDERING INFORMATION SEE SITE LIGHTING PLAN
3. LIGHT POLE BASE EXPOSURE ABOVE GRADE SHALL BE:
   IN CURBED ISLANDS: 6" ABOVE TOP OF CURB ELEVATION
   IN PAVEMENT: 3" ABOVE GRADE
   IN NON-CURBED GRASS AREAS: 6" ABOVE GRADE

LIGHT POLE FOUNDATION



INVERTED "U" BICYCLE RACK - 9

DRAWING REVISIONS:

No.	DATE	BY	REMARKS

SPECIAL INFORMATION:

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SHOP DRAWING SUBMITTALS ARE REQUIRED FOR ANY AND ALL STRUCTURES.

NOTICE

UNAUTHORIZED ALTERATIONS OF THIS DOCUMENT ARE IN VIOLATION OF SECTION #7209 OF THE STATE EDUCATION LAW.

NORTH

811 Know what's below. Call before you dig.

PROPERTY NUMBER: #5077

AREA: -

Amherst Commercial Park
4224 -4256 Ridge Lea Road
Amherst, NY 14226

PROPOSED PARKING EXPANSION

CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

TITLE:

Construction Details

SCALE: NTS

DRAWN BY: DMZ

CHECKED BY: MAO

DATE: 08.05.2021

DRAWING NO. C4.2

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)

GENERAL NOTES:

1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
2. SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
4. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO THE SATISFACTION OF OWNER.
7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS EXCEPT AS DETAILED ON THE PLANS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
8. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.
9. BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.
10. SIDEWALK DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR THE SIDEWALK PLAN .
11. CONCRETE SIDEWALK SEALERS: (REFER TO ARCHITECTURAL PLANS FOR LOCATION OF CONCRETE TYPES.)
    - 11.1. GREY CONCRETE SIDEWALKS SHALL HAVE CHEMMASTERS - SILENCURE WITHIN 2HRS AFTER FINAL FINISHING OF CONCRETE AND ALL BLEED WATER HAS DISSIPATED.
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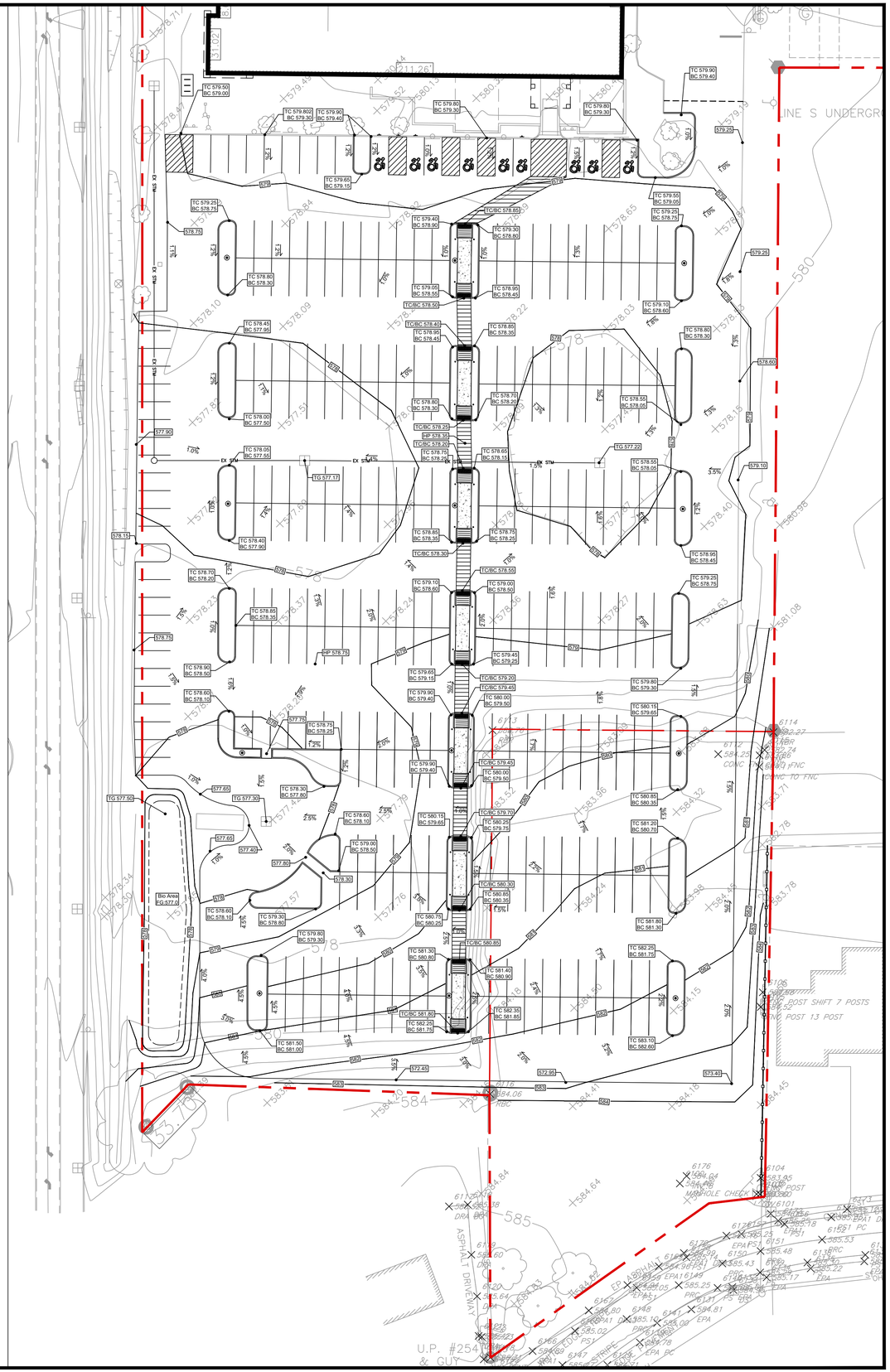
12. LIGHTING FIXTURE ARROW SYMBOLS REFER TO THE DIRECTION THAT THE FIXTURES ARE REQUIRED TO FACE. SPECIFIC MOUNT BRACKETS WILL BE REQUIRED DEPENDING ON ORIENTATION AND FIXTURE COUNT.
13. CURB ISLAND DIMENSIONS ARE FROM INSIDE OF CURB TO INSIDE OF CURB.

GRADING LEGEND:

- Property Line
- 6" Curb (typ).
- TG ## — Catch Basin - Top of Grade
- ### — Proposed Contour Line
- ##% — Slope Direction



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Amherst, NY 14226

PROPOSED PARKING EXPANSION

CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

REGISTERED ARCHITECT JAMES ALLEN RUMSEY STATE OF NEW YORK

TITLE:

Grading Plan

SCALE: 1" = 30'

DRAWN BY: DMZ

CHECKED BY: MAO

DATE: 08.05.2021

DRAWING NO. C5.0

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)

GENERAL NOTES:

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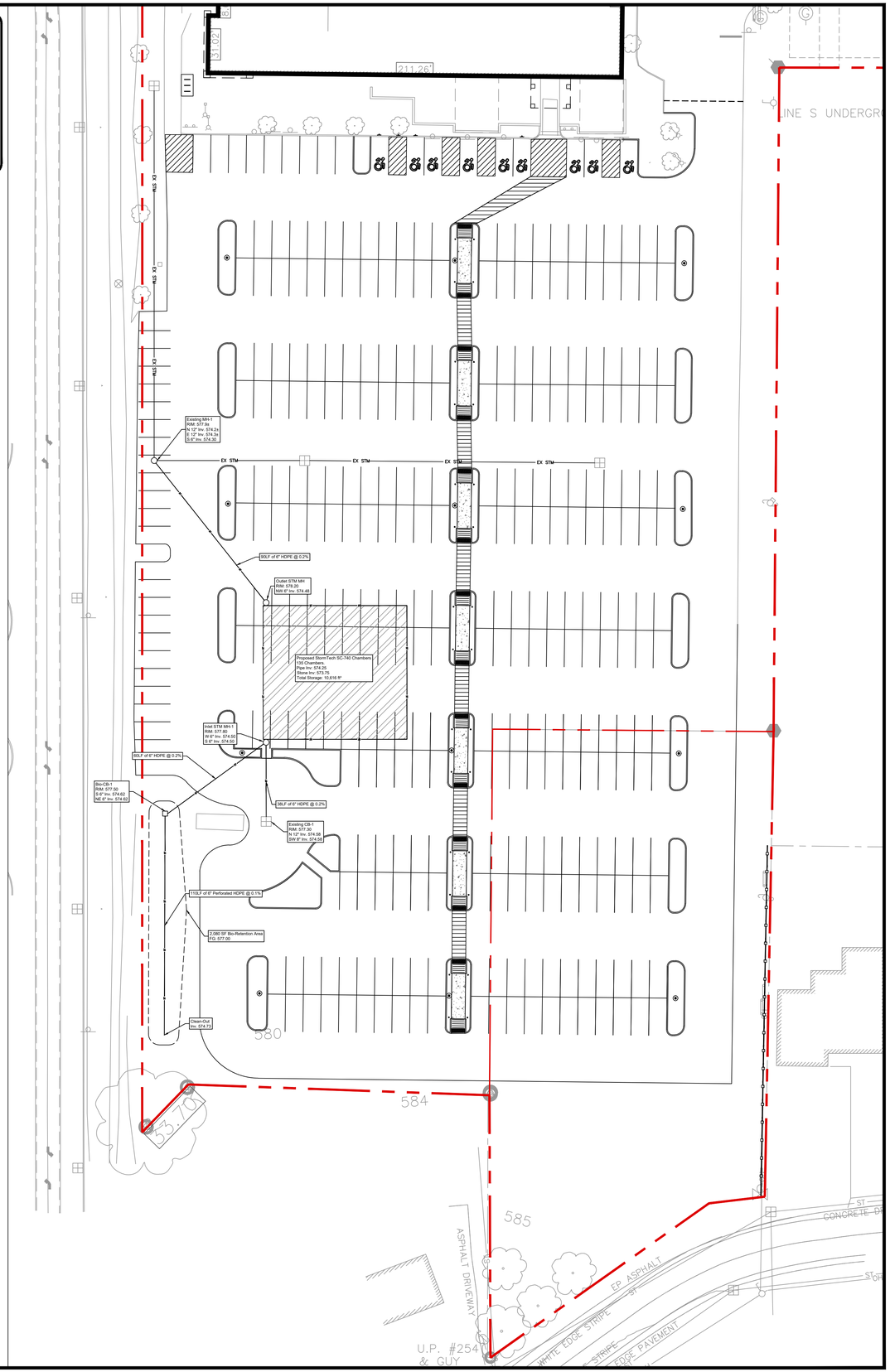
13. CURB ISLAND DIMENSIONS ARE FROM INSIDE OF CURB TO INSIDE OF CURB.

DRAINAGE LEGEND:

- PROPERTY LINE
- PROPOSED STORMWATER
- 6" CURB TYP.
- CO / WC — PROPOSED STORM CLEAN OUT / WYE CONNECTION
- CB - # — PROPOSED CATCH BASIN



DRAWING REVISIONS:

No.	DATE	BY	REMARKS

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CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

TITLE: Drainage Plan

SCALE: 1" = 30'

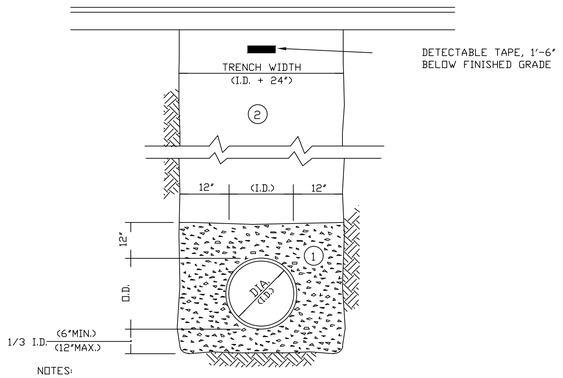
DRAWN BY: DMZ

CHECKED BY: MAO

DATE: 08.05.2021

DRAWING NO. C5.1

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)



NOTES:

A. PIPE INSTALLATION SHALL BE IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.

B. TRENCHING OPERATIONS SHALL INCLUDE ALL NECESSARY DEWATERING.

C. TRENCH DETAILS ARE ONLY SHOWN FOR PURPOSES OF MATERIAL PLACEMENT AND MAXIMUM PAY LIMITS.

D. AN OSHA APPROVED MOVABLE PROTECTIVE TRENCH SHIELD SHALL BE USED IN ALL UNSHEETED TRENCH AREAS.

MATERIALS

PIPE BEDDING MATERIAL (NYSDOT 1985 EDITION)

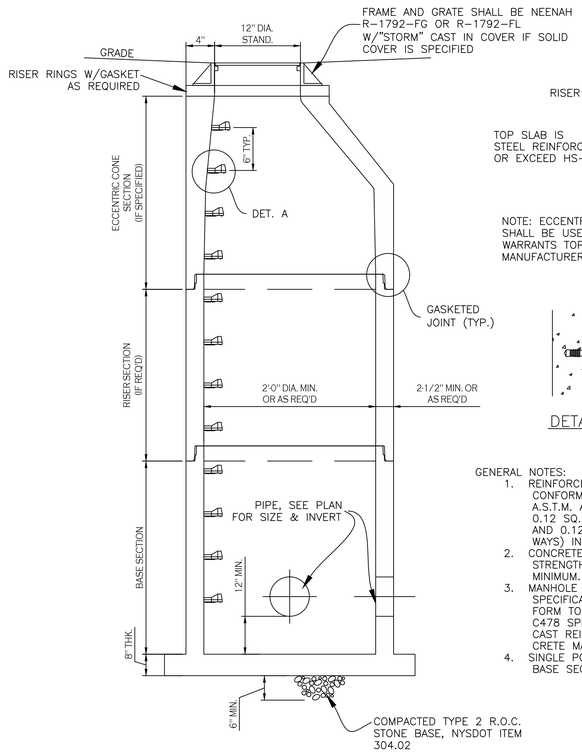
(1) NO. 1 CRUSHED STONE OR CRUSHED GRAVEL WITH A GRADATION CONFORMING WITH NYSDOT SECTION 703-02. THE MATERIAL SHALL BE WELL GRADED WITH NO PARTICLES LARGER THAN ONE INCH AND HAVING A MAXIMUM GRADATION MEETING THE LIMITS DESCRIBED IN THE SPECIFICATIONS. THE BEDDING SHALL BE COMPACTED IN 6" LIFTS WITH EQUIPMENT ACCEPTABLE TO THE PIPE MANUFACTURER.

NO SLAG SHALL BE ALLOWED FOR MATERIAL (1)

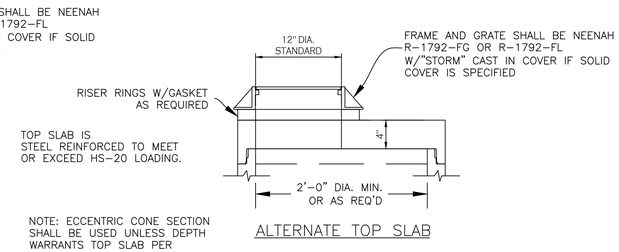
(2) TYPE 2 CRUSHED STONE OR CRUSHED GRAVEL WITH A GRADATION CONFORMING WITH NYSDOT SECTION 304-2.02 TYPE 2. THE MATERAIL SHALL BE WELL GRADED WITH NO PARTICLES LARGER THAN TWO INCHES AND HAVING A MAXIMUM GRADATION MEETING THE LIMITS DESCRIBED IN THE SPECIFICATIONS. THE BEDDING SHALL BE COMPACTED IN 6" LIFTS WITH EQUIPMENT ACCEPTABLE TO THE PIPE MANUFACTURER.

NO SLAG SHALL BE ALLOWED FOR MATERIAL (2)

TRENCH SECTION IN PAVED AREAS



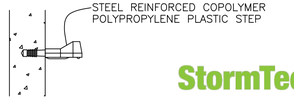
TYPICAL STORM MANHOLE DETAIL



TOP SLAB IS STEEL REINFORCED TO MEET OR EXCEED HS-20 LOADING.

NOTE: ECCENTRIC CONE SECTION SHALL BE USED UNLESS DEPTH WARRANTS TOP SLAB PER MANUFACTURER

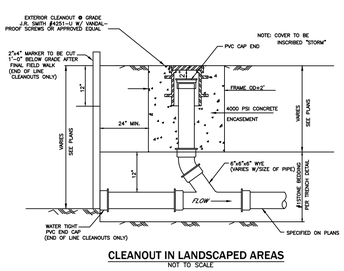
ALTERNATE TOP SLAB



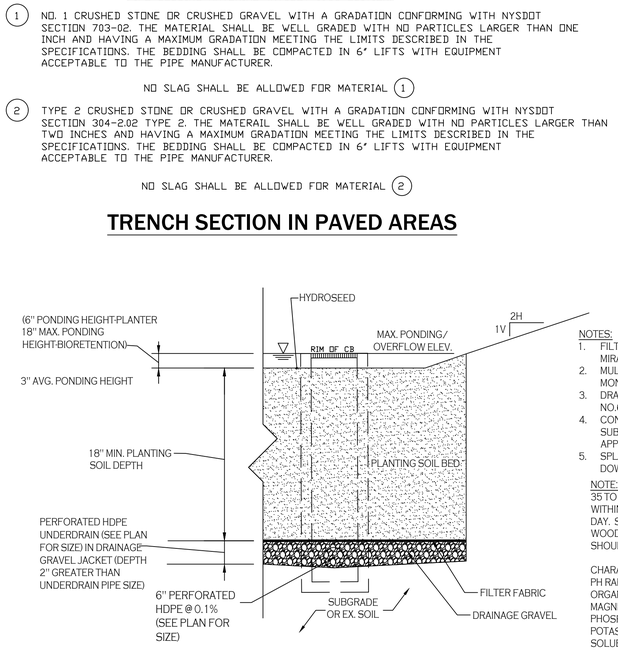
DETAIL A

GENERAL NOTES:

1. REINFORCED STEEL TO CONFORM TO LATEST A.S.T.M. A185 SPEC. 0.12 SQ. IN./LINEAL FT. AND 0.12 SQ. IN. (BOTH WAYS) IN BASE SLAB.
2. CONCRETE COMPRESSIVE STRENGTH - 4000 PSI MINIMUM.
3. MANHOLE DESIGN SPECIFICATIONS TO CONFORM TO LATEST A.S.T.M. C478 SPEC. FOR PRE-CAST REINFORCED CONCRETE MANHOLE SECTIONS.
4. SINGLE POUR MONOLITHIC BASE SECTION.



CLEANOUT IN LANDSCAPED AREAS
NOT TO SCALE



NOTES:

1. FILTER FABRIC TO BE NON-WOVEN CLASS 'C', MIRAFI 180N OR APPROVED EQUIVALENT
2. MULCH TO BE SHREDDED HARDWOOD, AGED 12 MONTHS MIN.
3. DRAINAGE GRAVEL TO MEET AASHTO M-43, NO.67, SIZE 0.25" TO 0.75"
4. CONTRACTOR TO PROVIDE PLANTING SOIL SUBMITTAL SPECIFICATION FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
5. SPLASH BLOCKS TO BE PROVIDED AT ALL DOWNSPOUTS TO PLANTER.

NOTE: PLANTING SOIL SHALL BE LOAM/SAND MIX CONTAINING A MINIMUM OF 35 TO 60% SAND BY VOLUME AND LESS THAN 25% CLAY. SOIL SHOULD FALL WITHIN USCS TYPES SM OR ML WITH PERMEABILITY OF AT LEAST 1.0 FEET PER DAY. SOIL SHOULD BE FREE FROM STONES, STUMPS, ROOTS OR OTHER WOODY MATERIAL OVER 1" IN DIAMETER. PLACEMENT OF THE PLANTING SOIL SHOULD BE IN LIFTS OF 12" TO 18", LOOSELY COMPACTED.

CHARACTERISTICS SHALL BE:
PH RANGE: 5.2 - 7.00
ORGANIC MATTER: 1.5 - 4.0%
MAGNESIUM: 35 LBS PER ACRE MIN.
PHOSPHORUS: 75 LBS PER ACRE MIN.
POTASSIUM: 85 LBS PER ACRE MIN.
SOLUBLE SALTS: 500 PPM
CLAY: 10 TO 25%
SILT: 30 TO 55%
SAND: 35 TO 60%

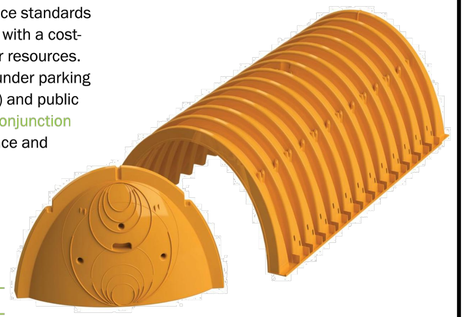
BIORETENTION AREA & STORMWATER PLANTER - TYPICAL SECTION

SEEDING SPEC (NORTHEAST WETLAND GRASS SEED MIX):

SEED MIXTURE	VARIETY	PERCENT BY NO. OF SEEDS
CREEPING BENTGRASS	AGROSTIS STOLONIFERA	63.0
ROUGH BLUEGRASS	POA TRIVIALIS	17.0
MEADOW FOXTAIL	ALOPECURUS ARUNDINACEUS	11.0
ANNUAL RYEGRASS	LOLIUM MULTIFLORUM	4.5
DEERTONGUE	PANICUM CLANDESTINUM	4.5

StormTech SC-740 Chamber

Designed to meet the most stringent industry performance standards for superior structural integrity while providing designers with a cost-effective method to save valuable land and protect water resources. The StormTech system is designed primarily to be used under parking lots, thus maximizing land usage for private (commercial) and public applications. StormTech chambers can also be used in conjunction with Green Infrastructure, thus enhancing the performance and extending the service life of these practices.



StormTech SC-740 Chamber (not to scale)

Nominal Chamber Specifications

Size (Lx W x H)	85.4" x 51.0" x 30.0" (2,170 x 1,295 x 762 mm)
Chamber Storage	45.9 ft³ (1.30 m³)
Min. Installed Storage*	74.9 ft³ (2.12 m³)
Weight	74.0 lbs (33.6 kg)

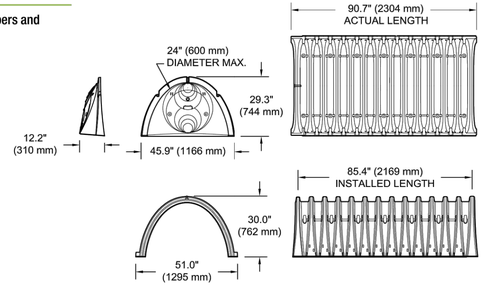
*Assumes 6" (150 mm) stone above, below and between chambers and 40% stone porosity.

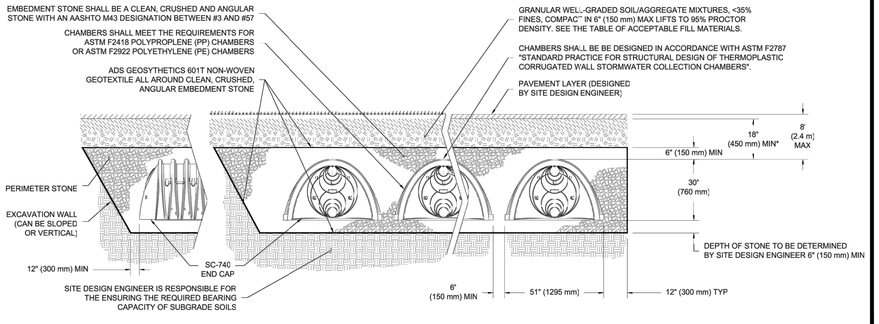
Shipping

30 chambers/pallet

60 end caps/pallet

12 pallets/truck





*MINIMUM COVER TO BOTTOM OF FLEXIBLE PAVEMENT. FOR UNPAVED INSTALLATIONS WHERE RUTTING FROM VEHICLES MAY OCCUR, INCREASE COVER TO 24" (600 mm).

THE INSTALLED CHAMBER SYSTEM SHALL PROVIDE THE LOAD FACTORS SPECIFIED IN THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS SECTION 12.12 FOR EARTH AND LIVE LOADS, WITH CONSIDERATION FOR IMPACT AND MULTIPLE VEHICLE PRESENCES.

 Call StormTech at **860.529.8188** or **888.892.2694** or visit our website at **www.stormtech.com** for technical and product information.

DRAWING REVISIONS:

No.	DATE	BY	REMARKS

SPECIAL INFORMATION:

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NORTH

811 Know what's below. Call before you dig.

PROPERTY NUMBER: #5077

AREA: -

Amherst Commercial Park
4224 -4256 Ridge Lea Road
Amherst, NY 14226

PROPOSED PARKING EXPANSION

CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

TITLE: Drainage Details

SCALE: 1" = 30'

DRAWN BY: DMZ

CHECKED BY: MAO

DATE: 08.05.2021

DRAWING NO. C5.2

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)

GENERAL NOTES:

1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
2. SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
4. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO THE SATISFACTION OF OWNER.
7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS EXCEPT AS DETAILED ON THE PLANS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
8. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.
9. BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.
10. SIDEWALK DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR THE SIDEWALK PLAN .
11. CONCRETE SIDEWALK SEALERS: (REFER TO ARCHITECTURAL PLANS FOR LOCATION OF CONCRETE TYPES.)
    - 11.1. GREY CONCRETE SIDEWALKS SHALL HAVE CHEMMASTERS - SILENCURE WITHIN 2HRS AFTER FINAL FINISHING OF CONCRETE AND ALL BLEED WATER HAS DISSIPATED.
    - 11.2. EXPOSED AGGREGATE/STAMPED CONCRETE SIDEWALKS SHALL HAVE ONE (x1) COAT CHEMMASTERS - SILENCURE AS SOON AS CONCRETE HAS DRIED AFTER PRESSURE-WASHING THE RELEASE AGENT OFF. APRX 30 DAYS AFTER THIS (IF WEATHER PERMITS) APPLY ONE (x1) COAT OF CHEMMASTERS - POLYSEAL EZ.
12. LIGHTING FIXTURE ARROW SYMBOLS REFER TO THE DIRECTION THAT THE FIXTURES ARE REQUIRED TO FACE. SPECIFIC MOUNT BRACKETS WILL BE REQUIRED DEPENDING ON ORIENTATION AND FIXTURE COUNT.
13. CURB ISLAND DIMENSIONS ARE FROM INSIDE OF CURB TO INSIDE OF CURB.

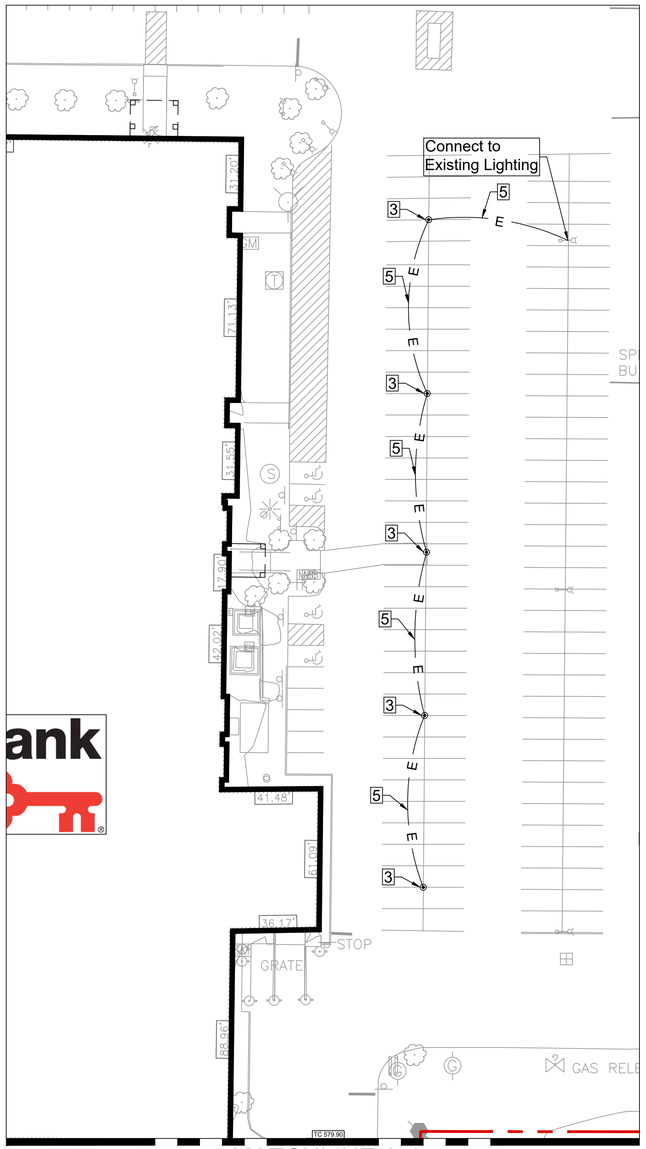
CONDUIT NOTES: #

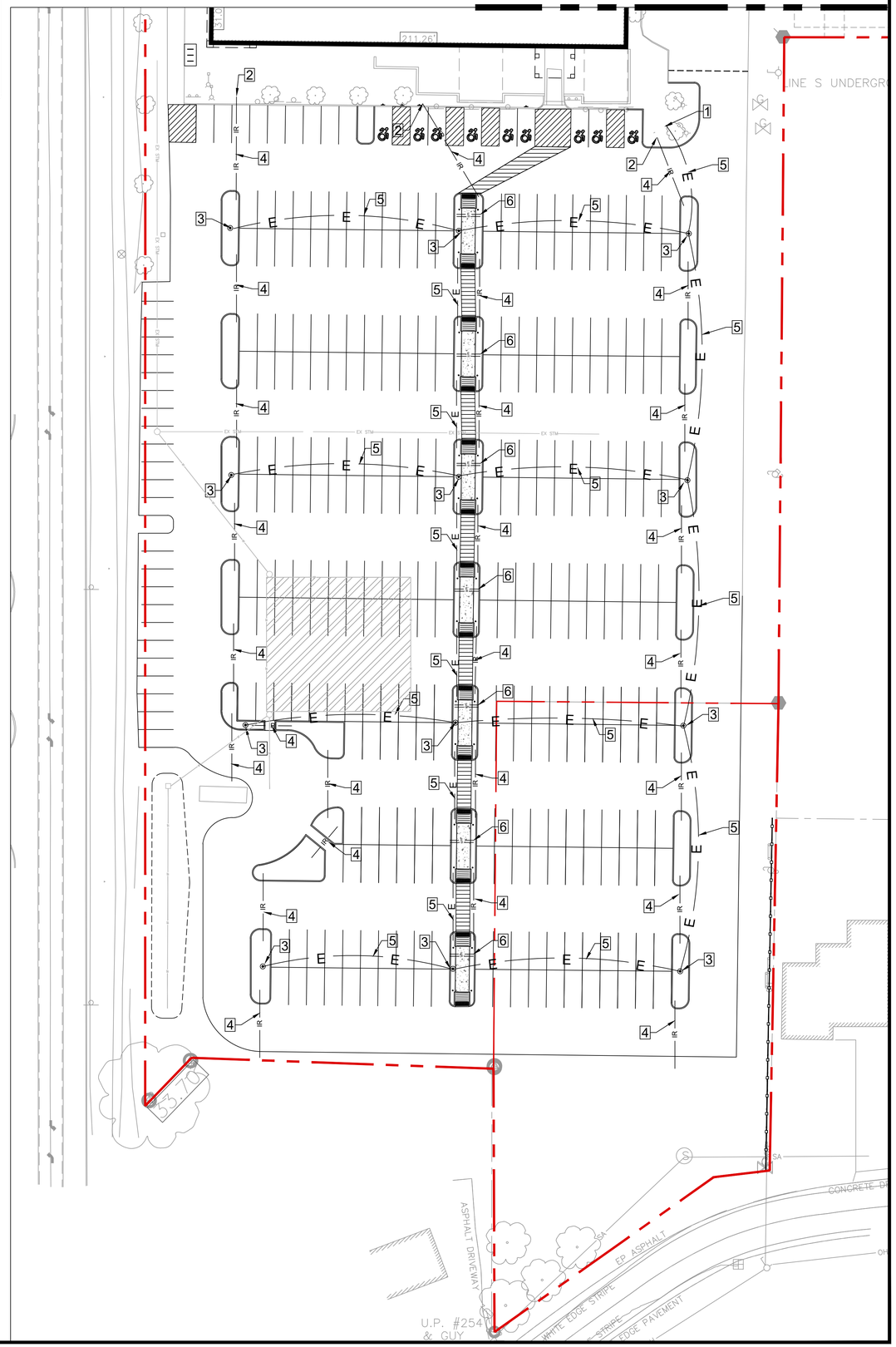
1. Connect to House Panel
2. Connect to Existing Irrigation
3. Proposed Light Pole Base.
4. Proposed 4" PVC Sch. 40 for Irrigation Crossing
5. Proposed 1" PVC Sch 40 Conduit for Site Lighting
6. Irrigation and Bollard Lighting Conduit Sleeves

*Refer to Electrical Plans for equipment specifications

CONDUIT LEGEND:

- PROPERTY LINE
- 4" PVC IRRIGATION LINE
- 1" PVC CONDUIT FOR SITE LIGHTING





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CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

TITLE: Utility Plan

SCALE: 1" = 30'

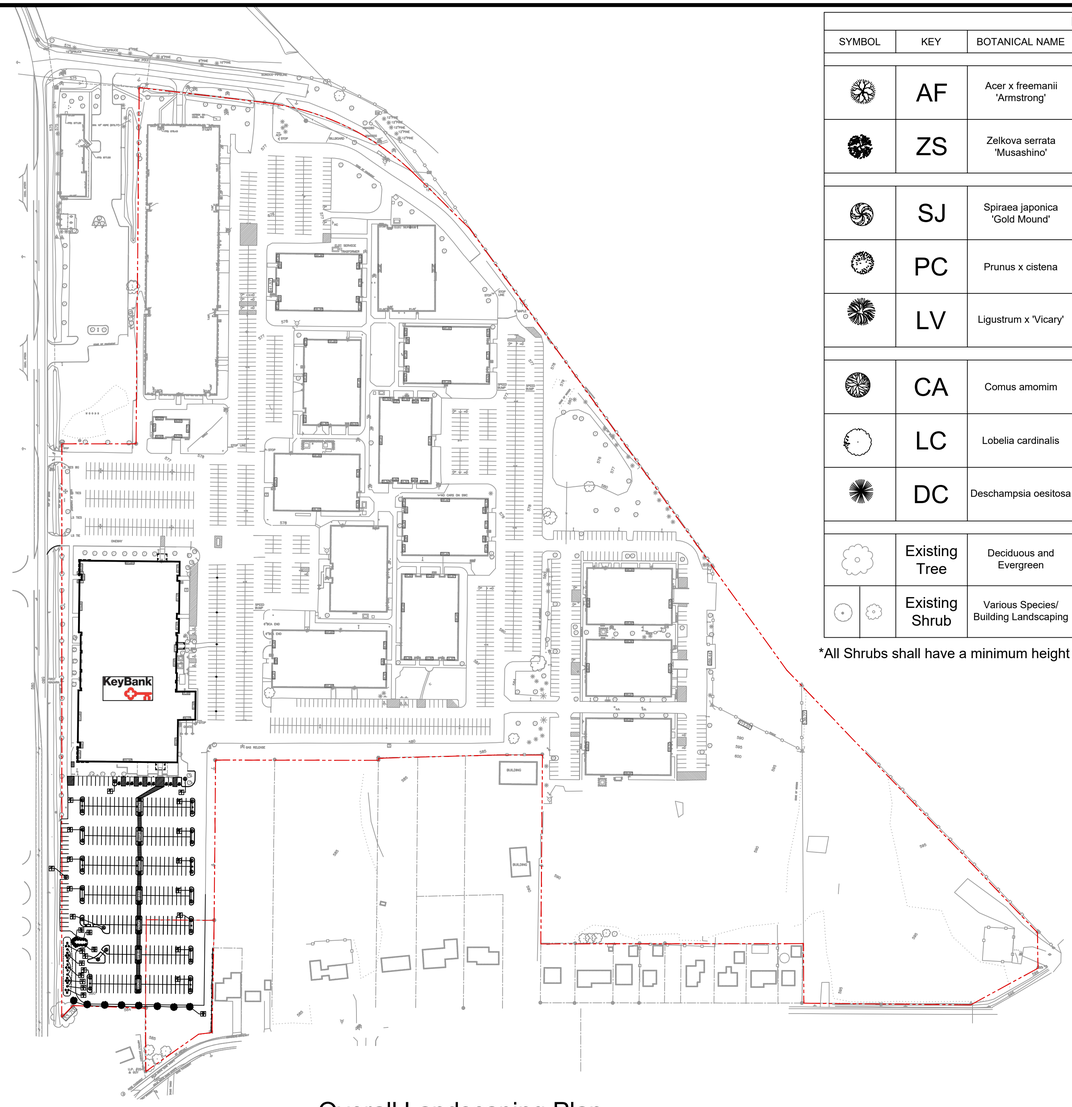
DRAWN BY: DMZ

CHECKED BY: MAO

DATE: 08.05.2021

DRAWING NO. C6.0

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)

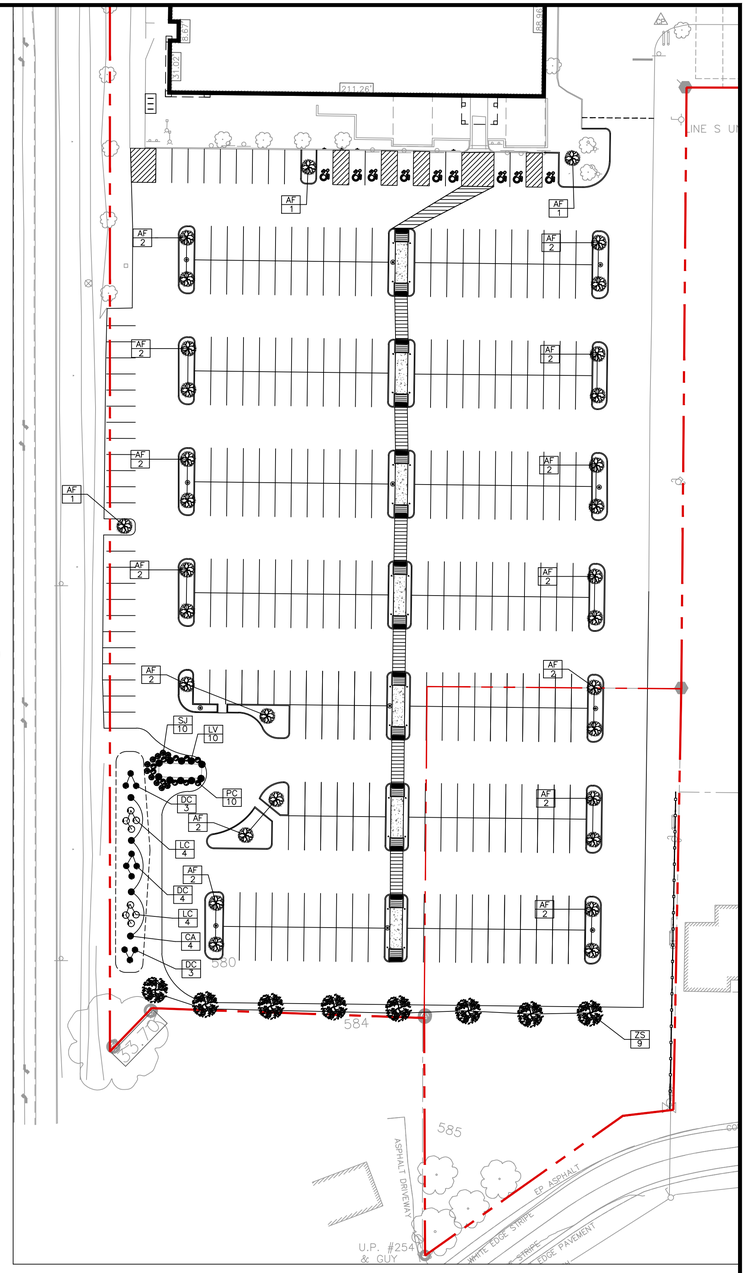


Overall Landscaping Plan
Scale: 1" = 150'

LANDSCAPING INDEX

SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	CAL.	SIZE	ROOT	QTY.
[TREES]							
	AF	Acer x freemanii 'Armstrong'	FREEMAN MAPLE	2-1/2"		B&B	31
	ZS	Zelkova serrata 'Musashino'	JAPANESE ZELKOVA MUSASHINO	2-1/2"		B&B	9
[SHRUBS & GRASS]							
	SJ	Spiraea japonica 'Gold Mound'	GOLD MOUND SPIRAEA		*NO.5	3 GAL.	10
	PC	Prunus x cistena	PURPLELEAF SAND CHERRY		*NO.5	3 GAL.	10
	LV	Ligustrum x 'Vicary'	GOLDEN VICARY PRIVET		*NO.5	3 GAL.	10
[BIO-RETENTION AREA]							
	CA	Comus amomim	SILKY DOGWOOD		24"	3 GAL.	4
	LC	Lobelia cardinalis	CARDINAL FLOWER		24"	3 GAL.	8
	DC	Deschampsia oesitosa	TUFTED HAIR GRASS		18"	3 GAL.	10
[EXISTING TREE]							
	Existing Tree	Deciduous and Evergreen	-	>4"			>200
	Existing Shrub	Various Species/ Building Landscaping	-	-			>600

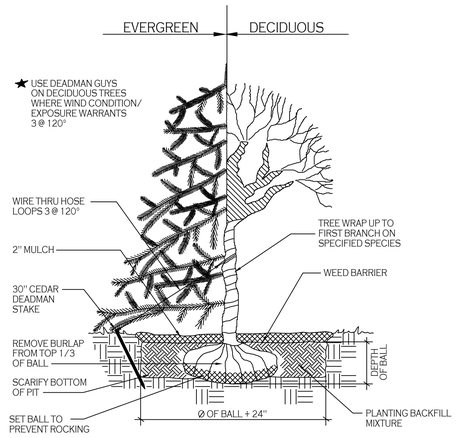
*All Shrubs shall have a minimum height of 24" at the time of planting per Zoning §203-7-2-3 (A) 3 (g)



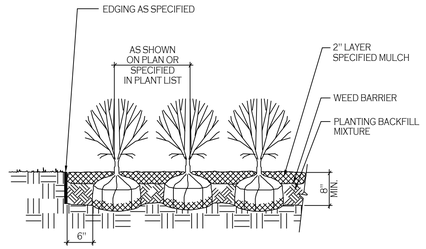
Proposed Landscaping Plan
Scale: 1" = 40'

LANDSCAPE NOTES:

1. ALL PLANTS INSTALLED SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS AS NOTED ON THE PLANS AND IN THE LATEST EDITION ON THE AMERICAN STANDARD FOR NURSERY STOCK, BY THE AMERICAN ASSOCIATION OF NURSERYMEN, ANSI 260.1
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN QUANTITY TAKEOFF, THE QUANTITIES SHOWN ARE A MINIMUM AND ARE FOR REFERENCE ONLY.
3. THE CONTRACTOR SHALL PERFORM A ROUGH FIELD STAKEOUT OF ALL PLANTING MATERIAL LOCATIONS AND CONTACT THE OWNERS FIELD REPRESENTATIVE PRIOR TO ACTUALL INSTALLING. THE PLANTING MATERIAL LOCATIONS SHOWN ON THE PLANS ARE TO CONVEY THE DESIGN INTENT ONLY, ACTUAL LOCATIONS WILL BE FINALIZED BY THE OWNERS FIELD REPRESENTATIVE AT THE TIME OF INSTALLATION.
4. THE CONTRACTOR IS HEREBY NOTIFIED THAT IF UNDERGROUND UTILITIES EXIST IN THE VICINITY OF THE PLANTINGS, ALL PROPOSED PLANTINGS SHALL BE INSTALLED A MINIMUM OF 5' FROM ANY UNDERGROUND UTILITY, CONTACT THE OWNERS FIELD REPRESENTATIVE IF PLANTINGS SHOWN ON THE PLANS VIOLATE THIS SITUATION.
5. ALL TREES SHALL BE INSTALLED A MINIMUM OF 10' FROM ANY OVERHEAD ELECTRIC LINES.
6. PLANTING BACKFILL MIXTURE SHALL CONSIST OF 4 PARTS TOPSOIL, 1 PART PEAT MOSS, ½ PART WELL ROTTED MANURE, 10 LBS 5-10-5 PLANTING FERTILIZER THOROUGHLY MIXED PER CUBIC YARD.
7. STAKE AND WRAP TREES IMMEDIATELY FOLLOWING INSTALLATION.
8. ALL PLANTED AREAS SHALL RECEIVE A MAX. 2" LAYER OF COCOA BROWN MULCH. WEED MAT EQUAL TO "WEEDBLOCK" BY EASY GARDENER OR DEWITT WEED BARRIER.
9. ALL DISTURBED AREAS NOT RECEIVING PLANTINGS (INCLUDING RIGHT-OF-WAYS) SHALL BE PROVIDED WITH SOD. SEED PERMITTED AT DETENTION POND IF PLANTED EARLY ENOUGH TO ESTABLISH.
10. THE AREAS ON THE PLAN TO BE SEEDED SHALL HAVE 4" MINIMUM OF TOPSOIL, DISK PLOWED, LEVELED AND HAND RAKED SMOOTH. SURFACE SHALL BE ROLLED TO REMOVE LUMPS.
11. ALL SEEDED AREAS SHALL BE HYDROSEEDED IN ACCORDANCE WITH THE SPECIFICATION INDICATED. WHERE REQUIRED BY CLIMATIC CONDITIONS, SLOPE OR SEASON OF PLANTING.
    HYDROSEED SPEC: 20% RYE, 20% BLUE GRASS, 60% TURF TYPE FESCUE. SOD MAY BE SUBSTITUTED FOR SEEDING IN ORDER TO ACHIEVE THE REQUIRED COVERAGE (REFER TO CONTRACTOR FOR SOD/SEED COVERAGE).
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING, MOWING AND OTHER MAINTENANCE TO SEEDED AREAS UNTIL THE PROJECT IS ACCEPTED BY THE OWNER, THIS SHALL INCLUDE WATERING DAILY FOR 15 DAYS OR AS REQUIRED BY WEATHER CONDITIONS AND RE-SEEDING OF THIN SPOTS FOLLOWING THE GERMINATION OF THE SEEDS.
13. CONTRACTOR IS RESPONSIBLE TO PROTECT ALL EXISTING TREES ONSITE AND OFFSITE, WHICH ARE TO BE PRESERVED, FROM ALL POSSIBLE TYPES OF ROOT, TRUNK, AND LIMB DAMAGE AS PER REQUIREMENT OF ZONING §203-7-2-3- B (3) OF TOWN OF AMHERST TOWN CODE.
14. ALL PREVIOUSLY REQUIRED TREES AND SHRUBS SHALL BE ALIVE AND IN A VIGOROUS CONDITION AS PER TOWN OF AMHERST ZONING §203-7-2-7. ALL DEAD OR MISSING PLANTS SHALL BE REPLACED OR RE-PLANTED IN THE LOCATION SHOWN ON PLAN.



STD. TREE PLANTING



STD. SHRUB PLANTING

DRAWING REVISIONS:

No.	DATE	BY	REMARKS

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CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

TITLE:

Landscaping Plan

SCALE: As Noted
DRAWN BY: DMZ
CHECKED BY: MAO
DATE: 08.05.2021
DRAWING NO.: C7.0

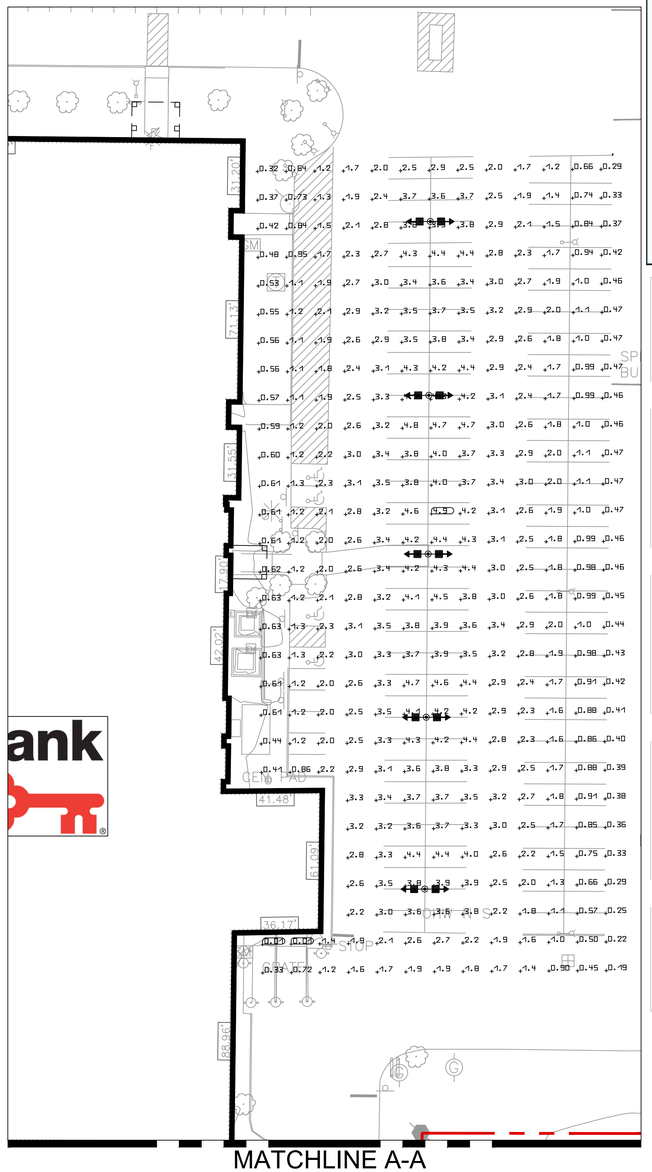
Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)

FOOTCANDLE LEVELS AT GRADE					
#	Name	Parameter	Min	Max	Average
1	Parking / Pavement Areas	Site FC	0.32 fc	6.17 fc	1.50 fc

Luminaire Schedule

Index	Manufacturer	Luminaire type	Item number	Lumens per Fixture	Mounting Height	Fixture Watts	Quantity
	SimplyLED	SimplyLEDs FLD-RS Series Area Luminaire, Type 5, 110W Input Power Designator, 4000K	FLD-RS2-110W-LV- 40K-T5	16,678 lm	25 Ft	110 W	46
	Cree Lighting	C-LITE Cree Lighting LED Pathway Lights, 4000K, Type 5,42 Height, Black	C-BD-A-BLD-2L-40 K-T5-42-BK	2,450 lm	3 Ft	20W	28

* Refer to Drawing for Fixture Orientation



SIMPLYLEDS
DESIGNED·FORGED·BUILT USA

FLD-RS

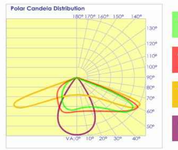
spec-grade performance

Made in the USA

AREA, ROADWAY, & STREET LIGHTING

The FLD-RS is our second generation spec-grade luminaire in the FLD series. Redesigned with increased efficacy and distribution for projects requiring a sleek architectural profile and the high-performance of a SimplyLEDs luminaire. FLD-RS boasts an IP66-rated cast aluminum body with over 1,800 sq. in. of surface area & 40kV driver-attuned surge protection standard on every unit we manufacture. Each FLD-RS is equipped with a top-mounted NEMA 7-pin connector & shorting cap.

AVAILABLE IN 60W THRU 340W



T3 T4 T5 TF

Available Color Temps (K): 4000, & 5000
CRI: 72+
Lifetime (L70): >150,000
LED Source: Seoul Semi 5050
Power Supply: Inventronics 0-10V, 120-277VAC (480V optional), 50/60Hz dimming driver
Compliance: ETL, UL 1598, 1598B, 1598C Suitable for wet locations
Warranty: 10 years

DIMENSIONS		
	60W - 110W	17"L x 12.5"W x 3.5"H
	160W - 340W	23"L x 14.75"W x 3.5"H

EPA		LBS	
060W - 110W: .23sq. ft. 160W - 340W: .33sq. ft.		060W - 110W: 16 lbs 160W - 340W: 22.5 lbs	

10 YEAR

111 West 34th Street, Boise, ID 83714 sales@simplyleds.com

C-BD-A-BLD Series
LED Pathway Lights
Replaces 100W PSMH

C-

LIGHT UP THE NIGHT

Designed to help increase security along perimeters and pathways, the C-Lite LED Pathway Light delivers 2450 lumens and features durable die-cast housing and a 5-year limited warranty. It's available in 36-inches or 42-inches and a medium bronze or black finish.

PRODUCT SPECIFICATIONS

OVERVIEW

- Initial Delivered Lumens: 2450 Lumens
- CRI: ≥ 70
- CCT: 4000K, 5000K
- Mounting height: Ground level
- Input Power: 20W
- Recommended Spacing: Up to 46-feet
- Operating Temperature Range: -40˚F to 104˚F (-4
- Estimated L70 Lifetime @ 25˚C: > 100,000 hours
- Power Factor: > 0.9
- Total Harmonic Distortion: < 20%
- Limited Warranty: 5 Years*
- Replaces 100W PSMH

FEATURES	RECOMMENDED USE	INPUT VOL
• Replaces 100-watt Pulse Start Metal Halide (PSMH) • 36-inch or 42-inch LED Pathway Light with 2450 delivered lumens • 5-year limited warranty • Features quick connect for easy install	• Security • Perimeter • Commercial	• Universal (120V through

ORDERING INFORMATION
Example: C-BD-A-BLD-2L-40K-T5-36-MB

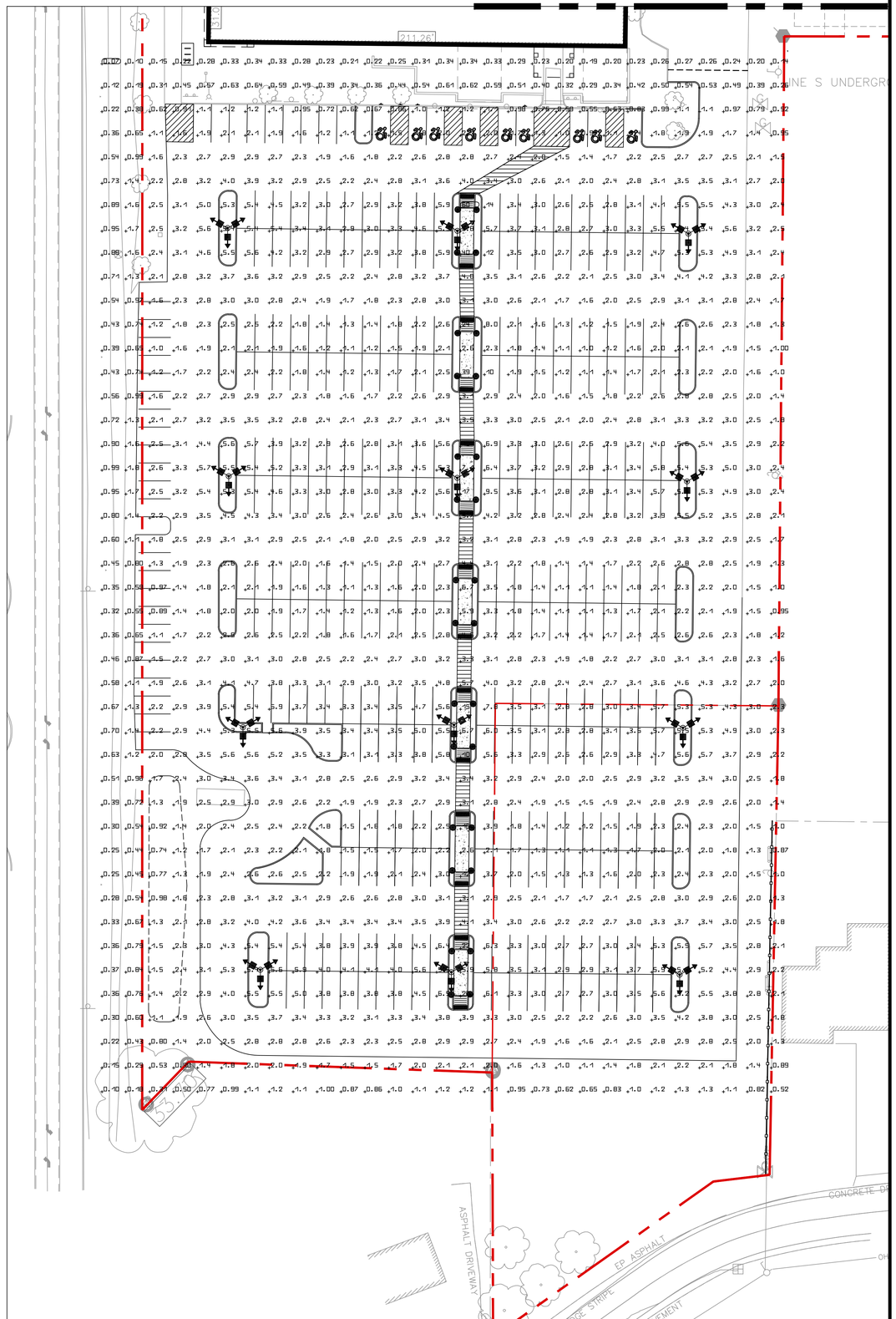
C-BD	A	BLD	2L			
PRODUCT	**SERIES**	**TYPE**	**LUMEN PACKAGE**	**CCT (COLOR TEMP)**	**DISTRIBUTION**	**HEIGHT**
C-BD	A	BLD	2L	**40K** Neutral White (4000K) 20W **50K** Cool White (5000K) 20W	**T5** Type V Distribution	**36** 36-inches **42** 42-inches

CERTIFICATIONS-

Rev. Date: 02/02/2021

For informational purposes only. Content is subject to change. *See lighting.cree.com/warranty for details

MATCHLINE A-A



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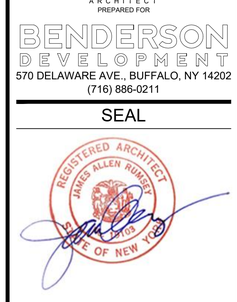


TITLE:

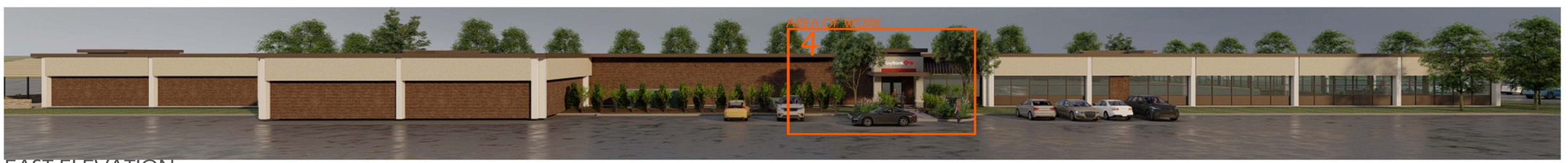
Lighting Plan

SCALE: 1" = 30'
DRAWN BY: DMZ
CHECKED BY: MAO
DATE: 08.05.2021
DRAWING NO.: C8.0

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42. H)

WEST ELEVATION

NORTH ELEVATION



EAST ELEVATION

SOUTH ELEVATION

PROPOSED GRAY METAL PANEL CORNICE
PROPOSED BEIGE EIFS FACADE
PROPOSED METAL PANEL CANOPY
PROPOSED SPLITFACE CMU BASE
EXISTING GRAY METAL PANEL CORNICE
EXISTING STOREFRONT GLAZING
EXISTING BRICK

TYP.
PROPOSED 18'-0"
EX. 15'-5"

ENLARGED 1

ENLARGED 2

ENLARGED 3

PROPOSED GRAY METAL PANEL CORNICE
PROPOSED BEIGE EIFS FACADE
PROPOSED METAL PANEL CANOPY
PROPOSED SPLITFACE CMU BASE
EXISTING CORREGATED METAL CANOPIES
EXISTING METAL PANEL CORNICE
EXISTING STOREFRONT GLAZING
EXISTING BRICK

ENLARGED 4

ENLARGED 5

ENLARGED 6

ENLARGED 7

FACADE RENOVATION

4224 RIDGE LEA ROAD

AMHERST, NY

Attachment: SP-1983-42H drawings 092321 (24575 : Sp-1983-42_H)

DRAFT (9/23/21)
TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-1983-42_H

PETITIONER

Benderson Development
570 Delaware Avenue
Buffalo, NY 14202

PROPERTY LOCATION

4224 Ridge Lea Rd. and 256 Meyer Rd.

WHEREAS, the Town of Amherst Planning Board on Thursday, September 23, 2021 held a public hearing on a Site Plan for an expansion to an existing parking lot and upgrades to the building façade for an existing office building, and

WHEREAS, in accordance with 6 NYCRR, Part 617 and Local Law #3-82, as amended, the Town Board completed a SEQR review for the Boulevard Central District planning area, which included a Final Environmental Impact Statement and a Findings Statement was adopted on January 6, 2020, and

WHEREAS, the subject site plan is a within the aforementioned Boulevard Central District planning area, and has been determined to be consistent with the findings statement adopted on January 6, 2020, therefore, the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment, and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project, and

WHEREAS, the Site Plan was referred to the Town's various review agencies, and

WHEREAS, in accordance with Section 8-7-9 of the Zoning Ordinance, the Planning Board finds that:

A. The proposed site plan is consistent with the development plan if one is required.

B. The proposed site plan is consistent with the purpose and specific requirements of the Zoning Ordinance and generally consistent with the policies of the Comprehensive Plan.

C. Adequate services and utilities will be available prior to occupancy.

D. The site plan is consistent with all other applicable laws.

E. Pursuant to Local Law #3-82, as amended, the Planning Board has determined that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act may be waived because the parcel is developed.

Attachment: SP-1983-42_H_draft_Resolution_092321 (24575 : Sp-1983-42_H)

DRAFT (9/23/21)
TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-1983-42_H

PETITIONER	PROPERTY LOCATION
Benderson Development	4224 Ridge Lea Rd. and 256 Meyer Rd.

NOW THEREFORE BE IT RESOLVED that in accordance with 6 NYCRR, Part 617 and Local Law #3-82, as amended, the Planning Board has issued a Negative Declaration attached hereto, and

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board, in accordance with Section 8-7 of the Zoning Ordinance **approves/denies** said Site Plan subject to the following conditions:

1. That the consideration of signs is specifically excluded from this approval as they require a separate review and approval by the Town.

2. That all dumpsters/trash containers and all mechanical equipment, utility structures, multiple meter boards, generators, and similar appurtenances, including those which are mounted on any part of a primary structure shall be appropriately screened with a fence, wall, and/or landscaping. Provide gate on dumpster enclosure that shall be closed whenever dumpster is not being serviced, enclosure shall be high enough to screen the dumpster(s) within.

3. That as-built record drawings, including location of utilities, be provided to the Engineering Department prior to issuance of a Certificate of Occupancy by the Building Department.

4. That the BCD mitigation cost of $_____ be paid.

5. That the petitioner and/or his contractor obtain any required permits for work within the I-290 right-of-way from the NYSDOT.

The foregoing resolution was adopted by the Town of Amherst Planning Board, _____; moved by - _____; seconded by - _____; ayes _, noes _; absent - ____.

_____ _____
Robert J. Gilmour, Chair Date

TV/bf
X:\Current_Planning\Files\Site Plans\1983\SP-1983-42_H_(4224_Ridge_Lea_Rd)_2021\SP-1983-42_H_Blurb_092321.doc
cc: Town Clerk
Commissioner of Building
Town Engineer
Fire Chiefs
Traffic/Safety
Highway Superintendent
Benderson Development, 570 Delaware Avenue, Buffalo, NY 14202
James Boglioli, Esq., Benderson Development, 570 Delaware Avenue, Buffalo, NY 14202

Approved Plan:
Received:

Attachment: SP-1983-42_H_draft_Resolution_092321 (24575 : Sp-1983-42_H)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-1983-42_H

PETITIONER

Benderson Development
570 Delaware Avenue
Buffalo, NY 14202

PROPERTY LOCATION

4224 Ridge Lea Rd. and 256 Meyer Rd.

OCT01'21 AM 9:55 RVD

WHEREAS, the Town of Amherst Planning Board on Thursday, September 23, 2021 held a remote public hearing on a Site Plan for an expansion to an existing parking lot and upgrades to the building façade for an existing office building, and

WHEREAS, in accordance with 6 NYCRR, Part 617 and Local Law #3-82, as amended, the Town Board completed a SEQR review for the Boulevard Central District planning area, which included a Final Environmental Impact Statement and a Findings Statement was adopted on January 6, 2020, and

WHEREAS, the subject site plan is a within the aforementioned Boulevard Central District planning area, and has been determined to be consistent with the findings statement adopted on January 6, 2020, therefore, the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment, and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project, and

WHEREAS, the Site Plan was referred to the Town's various review agencies, and

WHEREAS, in accordance with Section 8-7-9 of the Zoning Ordinance, the Planning Board finds that:

A. The proposed site plan is consistent with the development plan if one is required.

B. The proposed site plan is consistent with the purpose and specific requirements of the Zoning Ordinance and generally consistent with the policies of the Comprehensive Plan.

C. Adequate services and utilities will be available prior to occupancy.

D. The site plan is consistent with all other applicable laws.

E. Pursuant to Local Law #3-82, as amended, the Planning Board has determined that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act may be waived because the parcel is developed.

Attachment: SP-1983-42H signed resolution 092321 (24575 : Sp-1983-42_H)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-1983-42_H

PETITIONER

Benderson Development

PROPERTY LOCATION

4224 Ridge Lea Rd. and 256 Meyer Rd.

OCT 01 '21 AM 9:55 RCVD

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board, in accordance with Section 8-7 of the Zoning Ordinance approves said Site Plan subject to the following conditions:

1. That the consideration of signs is specifically excluded from this approval as they require a separate review and approval by the Town.
2. That all dumpsters/trash containers and all mechanical equipment, utility structures, multiple meter boards, generators, and similar appurtenances, including those which are mounted on any part of a primary structure shall be appropriately screened with a fence, wall, and/or landscaping. Provide gate on dumpster enclosure that shall be closed whenever dumpster is not being serviced, enclosure shall be high enough to screen the dumpster(s) within.
3. That as-built record drawings, including location of utilities, be provided to the Engineering Department prior to issuance of a Certificate of Occupancy by the Building Department.
4. That the petitioner address the comments of the Zoning Enforcement Officer, Planning Department, and Landscape Architect in the Planning Department letter dated August 30, 2021 to the satisfaction of the respective bodies.
5. That the petitioner provides a revised Stormwater Pollution Prevention Plan that satisfactorily addresses the comments of the Town's Stormwater Officer in their letter dated August 16, 2021.
6. That any required Boulevard Central District mitigation costs related to the project be paid prior to issuance of approved site plan drawings by the Planning Department.

The foregoing resolution was adopted by the Town of Amherst Planning Board, September 23, 2021; moved by - Guliani; seconded by - Gelber; ayes 6, noes 0; abstain - Chmiel.

Robert J. Gilmour, Chair — Date 9-30-21

TV/bf
X:\Current_Planning\Files\Site Plans\1983\SP-1983-42_H_(4224_Ridge_Lea_Rd)_2021\SP-1983-42_H_Blurb_092321.doc

cc: Town Clerk
Commissioner of Building
Town Engineer
Fire Chiefs
Traffic/Safety
Highway Superintendent
Benderson Development, 570 Delaware Avenue, Buffalo, NY 14202
James Boglioli, Esq., Benderson Development, 570 Delaware Avenue, Buffalo, NY 14202

Approved Plan: September 16, 2021
Received: August 10, 2021

Attachment: SP-1983-42H signed resolution 092321 (24575 : Sp-1983-42_H)

Amherst Planning Board
5583 Main Street
Williamsville, NY 14221

Meeting: 09/23/21 06:30 PM
Department: Planning
Category: Rezoning and Relief from Conditions of Rezoning
Prepared By: Amy Carrato
Initiator: Dan Howard
Sponsors:
DOC ID: 24693 A

DEFEATED

PLANNING BOARD ITEM (ID # 24693)

Amended Request to Rezone 6.7± ACRES OF LAND FROM SA TO R-3, Z-2020-15

Property located at 1789 Dodge Road
Joe Rubino, Petitioner

The purpose of this rezoning request is to allow construction of a proposed 16-lot single-family residential subdivision and related site improvements. The proposed development will consist of 15 detached single family homes and a stormwater management lot located in the eastern most portion of the property. A public roadway ending in a hammer-head turnaround and a single curb cut onto Dodge Road are proposed. Seventy-five feet of frontage along Dodge Road is proposed to remain as greenspace with the exception of the access roadway. Approximately 1.5± acres of the 6.7 acre site will remain as permanent open space.

Sean Hopkins, Esq., Hopkins Sorgi and McCarthy, represented the petitioner, explained the proposal and was available to answer questions from the Board. Joe Rubino was also present.

In response to the Board's questions, Mr. Hopkins stated open space was provided instead of increasing the size of the lots, the entrance to the subdivision was designed to give a rural feeling, the permanent open space is subject to oversight by the Homeowner's Association, and the Comprehensive Plan guides future development in this area.

William Pitz, 1815 Dodge Rd.; Nick Rockwell, 1765 Dodge Rd.; Sandy Mack, 1790 Dodge Rd.; Cheryl Anastasia, 1860 Dodge Rd.; Annalisa Capaccio, 1810 Dodge Rd.; and Merja Kenola, 1800 Dodge Rd. spoke in opposition of the proposal.

No further comments were heard on this proposal. The hearing was closed.

Mr. Giuliani moved to deny the request because it is not in character with the neighborhood. The motion was seconded by Mr. Gill and carried. Ayes 5, Noes 2.

ATTACHMENTS:

- Z-2020-15 applicaiton 092321 (PDF)
- Z-2020-15 drawing 092321 (PDF)
- Z-2020-15_draft_Resolution_092321 (PDF)
- SP-1983-42H signed resolution 092321 (PDF)

RESULT:	**DENIED [5 TO 2]**
MOVER:	Dal Giuliani, Board Member
SECONDER:	Harbinder Gill, Board Member
AYES:	Chmiel, Gill, Giuliani, Penberthy, Raffaele Jr.
NAYS:	Robert J. Gilmour, Stephanie S. Gelber

Amended Rezoning Application & Supporting Documentation
Rezoning of 1789 Dodge Road from SA to R-3
Applicant: Joe Rubino
Date: August 16, 2021

Applicant Joe Rubino c/o Sean Hopkins, Esq.,
5500 Main Street, Suite 343
Williamsville, NY 14221
Tel: 716.510-4338
E-mail: shopkins@hsr-legal.com

Orrginal

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Rezoning Review and, if required Comprehensive Plan Amendment

For Official Use

File #: Z-2020-15 **Acreage** 6.7 **Fee $** _____

Address Verified by Assessor's Office _____ VERIFIED BY DATE

Materials Accepted by Town Clerk & Fee Paid _____ ACCEPTED BY DATE

Materials Checked by Building Dept. _____ RECEIVED BY DATE

Materials Received by Planning Dept. 8/16/21 RECEIVED BY DATE

		Fill In Applicable Fees
2 ACRES OR LESS	**$1,250**	$1,250.00
2 – 20 ACRES **$1,250 + $250/acres or fraction thereof over 2 acres**		$1,250.00
20 – 30 ACRES **$5,700 + $150/acre or fraction thereof over 20 acres**		_____
OVER 30 ACRES **$6,900 +$75/acre or fraction thereof over 30 acres**		_____
Request for Relief of/Change to Conditions of Zoning Approval	**$ 1,200**	_____
AFFIDAVIT FEE FOR PUBLIC HEARING	**$ 15.00**	$15.00
	TOTAL FEE:	**$** 2,515.00 [Filing Fee paid previously]

RECEIVED AUG 16 2021 TOWN OF AMHERST PLANNING DEPT.

[Note: A completed Amended Part 1 of the Full Environmental Assessment Form dated August 16, 2021 along with Page 5[a] is attached as Exhibit "2".]

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

TO BE COMPLETED BY APPLICANT

1. **Petitioner:** Name: Joe Rubino

Address: c/o Sean Hopkins, Esq.
5500 Main Street, Suite 343
Williamsville, New York 14221
City State Zip Code

Phone: 510-4338 Fax:

E Mail shopkins@hsr-legal.com

2. **The undersigned hereby petitions the Honorable Town Board to rezone the following described property**

From: SA District

To: R-3 District

3. **Street address of land to be rezoned:** (must be verified by Town Assessor's Office)

1789 Dodge Road

SBL #: 42.00-1-45.2

4. **Area of land to be rezoned** (in acres): 6.7 acres

5. **Owner of Land:**

Name: Joe Rubino

Address: 1789 Dodge Road, East Amherst, NY 14051

Telephone:

6. **Representative** (Architect, Engineer, Landscape Architect, Surveyor or Attorney):

Other Representative:
Christopher Wood, P.E.
Carmina Wood Morris DPC
487 Main Street, Suite 600
Buffalo, New York 14202
Tel: 842-3165 [Ext. 103]
E-mail: cwood@cwm-ae.com

Name: Sean W. Hopkins, Esq.

Address: 5500 Main Street, Suite 343
Williamsville, New York 14221
Tel: 716.510-4338 - E-mail: shopkins@hsr-legal.com
City State Zip Code

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

7. **Petitioner's interest in property**

[Note: Authorization Letter of the Property Owner signed on December 28, 2020 attached as Exhibit "1" of this Amended Rezoning Application.]

_____Option to purchase

__X__Owner

_____Other (explain) _____

8. **The following are all others having an interest in this application and join herein with the petitioner named above:** (describe extent of interest; attach sheets as needed)

Not Applicable.

9. **Attach Survey and Legal description of land to be rezoned. The Survey must be prepared by a New York State Licensed Land Surveyor.** Legal description of property to be rezoned from SA to R-3 is attached as Exhibit "3" and copy of the Survey prepared by Nussbaumer & Clarke Inc. is attached as Exhibit "4".

10. **Said property has the following deed restrictions or Covenants:** (attach copy) Not Applicable.

Liber _____ Page _____

11. **Information on proposed project:**

A. Description of the character of the proposed development:

See Exhibit 5.

B. Rationale for rezoning request:

1. Why was this site chosen?

See Exhibit 5.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

2. Why cannot land be used with the existing zoning?

See Exhibit 5.

3. How will this rezoning impact surrounding properties?

See Exhibit 5.

4. How will this rezoning impact the school system?

See Exhibit 5.

12. Quantitative Data:

A. Total # of dwelling units: 15 [The Applicant was previously proposed 17 residen lots for detached single-family homes]

B. Distribution of dwelling units by type: The dwelling units will consist exclusively of detached single-family homes on individual lots.

C. Gross Residential Density per acre: 2.23 homes per acre.

D. Total amount of Open Space: 2.7 acres

E. Proposed Non-Residential Floor Area: Not Applicable

[Note: A reduced size copy of the Concept Plan Plan [Drawing C-100] prepared by Carmina Wood Morris is provided at Exhibit "7" and a full size copy is also attached.]

13. Development Schedule:

Start: Spring 2022

Finish: 2023 [Completion date dependent on build-out period for the single-family homes.]

Stages (# of): 1

14. If any portion of the proposed development is planned to be sold or leased, please describe:

The single-family homes and residential lots will be sold.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

15. Open Space ownership and maintenance provisions (if applicable):

Greenspace and landscaping will be privately owned and maintained. With the exception of the Permanent Open Space on the rear of the 15 proposed residential lots, the Permanent Open Space along the Dodge Road frontage and on the easternmost portion of the Project Site will be owned and maintained by association to be formed.

16. Basis for Findings (Sec. 8-3-5 of the Town Zoning Code) (Attach sheets and supplemental materials as necessary.)

A. <u>The proposed zoning and development plan must be generally consistent with the policies of the Comprehensive Plan and the Town Zoning Ordinance.</u>

1. State in detail why the proposed zoning is consistent with the adopted Town of Amherst Bicentennial Comprehensive Plan. Cite specific sections, maps, and/or figures in the plan that support the proposed zoning at this location (The Comprehensive Plan document is available at the Planning Department, Town Clerk's Office, Amherst libraries, or at www.amherst.ny.us). Add sheets as needed.

See Exhibit 6.

2. Pursuant to NYS Town Law Section 272a(11), "all Town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this Section." The Town Board adopted the Comprehensive Plan pursuant to NYS Town Law 272 on January 2, 2007. If the rezoning is approved, the Town Board may require the Plan to be amended, as applicable.

Cite all text, map, and / or figures that must be amended to support the proposed zoning at this location (attach pages as necessary) and provide detailed suggested amendments.

See Exhibit 6.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

3. State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:

See Exhibit 6.

B. Adequate Services and Utilities are available or are proposed to be made available with the construction of the development:

1. Sanitary Sewer
   Yes.
2. Storm Sewer/Drainage
   Yes.
3. Water
   Yes.
4. Other Yes.

C. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:

See Exhibit 6.

D. Suitability of the subject property for uses permitted by the current versus the proposed district:

See Exhibit 6.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

E. **Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:**

See Exhibit 6.

17. The petitioner encloses herewith the sum of $ N/A to pay the fee, and consents to the placement of a sign(s) at the described location identifying this request for a period of time to be determined by the Town Clerk.

18. The undersigned certifies that all information required to be disclosed pursuant to Section 809 of the General Municipal Law (see below) is as follows:

The undersigned swears or affirms that all statements made herein are true, that all drawings submitted correctly show the situation involved in this petition.

[Note: Authorization Letter of Property Owner signed attached as Exhibit "1".]

Counsel for Petitioner

Signature of Petitioner

Subscribed and sworn to before me this 16th day of August, 20 21

Notary Public, Erie County, New York Patricia C. Maynard

PATRICIA C. MAYN
Notary Public, State of N
Registration No. 01MA6
Qualified in Erie Co
Commission Expires Dec.

N.Y.S. General Municipal Law - Section 809 Disclosure in certain applications:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provision of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state office or any office or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them

   (a) is the applicant, or
   (b) is an officer, director, partner or employee of the applicant, or
   (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
   (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such applicant, petition or request.

3. In the county of Nassau the provisions of subdivisions one and two of this section shall also apply to a party officer. "Party Officer" shall mean any person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision four or section two of the election law.

4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

P/CurrPlan/Applications2007/Rezoning & Comp Plan Amend App.
10/08

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Exhibit 1 – Authorization Form of Property Owner as Signed on December 28, 2020

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

AUTHORIZATION

Joe Rubino, as the owner of property located at 1789 Dodge Road in the Town of Amherst [SBL 42.00-1-45.2] (the "Project Site") hereby authorizes Hopkins Sorgi & McCarthy PLLC and Carmina Wood Morris DPC, to seek all required approvals and permits from the Town of Amherst and other involved governmental agencies relative to the intended use of the Project Site as a residential subdivision including but not limited to an amendment of the zoning classification of the Project Site from SA to R-3.

Date: December 28, 2020

Joe Rubino

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Exhibit 2 – Part 1 of the Amended Full Environmental Assessment Form Prepared Pursuant to the State Environmental Quality Review Act ("SEQRA") with Attached Page 5[a]

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Amended Part 1 of Full Environmental Assessment Form - Rezoning of 1789 Dodge Road from SA to R-3
Applicant: Joe Rubino

Full Environmental Assessment Form
Part 1 - Project and Setting

Prepared By: Sean W. Hopkins Sorgi & McCarthy PLLC
5500 Main Street, Suite 343
Williamsville, New York 14221
Tel: 716.510-4338
E-mail: shopkins@hsr-legal.com

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: Proposed Residential Subdivision		
Project Location (describe, and attach a general location map): 1789 Dodge Road - Town of Amherst - Erie County		
Brief Description of Proposed Action (include purpose or need): The proposed project ("action") consists of a rezoning of approximately 6.7 acres of land at 1789 Dodge Road ("Project Site") from Suburban Agriculture ("S-A") to Residential District Three ("R-3") to accommodate a proposed 18 lot residential subdivision (15 homes) along with all related site improvements. A copy of the Sketch Plan [Drawing C-100 - Date: 07/14/21] depicting the layout of the proposed residential subdivision as prepared by Carmina Wood Morris DPC is attached to the Amended Rezoning Application. The frontage of the Project Site will consist of Permanent Open Space. The proposed action has been defined broadly to include all required discretionary approvals and permits as well as all proposed site improvements including proposed detached single family homes, a public roadway, a roadway connection onto Dodge Road, driveways, lighting, an on-site storm water management system, and all required utility improvements. The project purpose is to develop the Project Site for Single-Family Residential Use per the recommended land use in Figure 6 of the Town's adopted Comprehensive Plan. The Project Sponsor believes the project will not result in any potentially significant adverse environmental impacts and that the issuance of a negative declaration by the designated lead agency [anticipated to be the Amherst Town Board] is both appropriate and justified.		
Name of Applicant/Sponsor: Joe Rubino c/o Sean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC	Telephone: 716.510-4338 E-Mail: shopkins@hsmlegal.com	
Address: 5500 Main Street, Suite 343		
City/PO: Williamsville	State: New York	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Same as Project Sponsor	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

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	Town Board - Rezoning and Public Improvement Permits	December 28, 2020 [Amended Application: August 16, 2021]
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board - Preliminary Plat and Final Plat Approval	To be determined
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☑Yes ☐No	Engineering Dept. - Stormwater Permit; Building Dept. - Demolition Permit and Building Permits	To be Determined
e. County agencies ☑Yes ☐No	ECDPW - Highway Work Permit; ECWA - Water; ECHD - Sewer and Water	To be Determined
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSDEC - SPDES Permit and DSCA Approval	To be Determined
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

[Note: The proposed action will not have any adverse impacts on the West Erie Canal Corridor.]

If Yes, identify the plan(s):

NYS Heritage Areas:West Erie Canal Corridor

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):

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

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?
Suburban Agriculture District ("SA")

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? Residential District Three ("R-3")

C.4. Existing community services.

a. In what school district is the project site located? Williamsville Central School District

b. What police or other public protection forces serve the project site?
Town of Amherst Police Department

c. Which fire protection and emergency medical services serve the project site?
Volunteer Fire Department

d. What parks serve the project site?
There are various Town parks that will be accessible to the future residents of the proposed residential subdivision.

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)? Residential subdivision consisting of detached single-family homes on individual lots with public roadway.

b. a. Total acreage of the site of the proposed action? 6.7 acres
b. Total acreage to be physically disturbed? 3.7 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 6.7 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? 18 [There will be 15 lots for detached single-family homes.]
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: _____

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

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	15			
At completion of all phases	15			

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:
Runoff from impervious surfaces on the Project Site including roof of homes, roadway and driveways.
iii. If other than water, identify the type of impounded/contained liquids and their source.
Not Applicable
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):
Earth fill.

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.

iv. 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): There is a small wetland with a size of 0.054 acres on the eastern portion of the Project Site, and 436.3 linear feet of a jurisdictional ditch per the wetland delineation of the Project Site prepared by Earth Dimensions, Inc. dated December 21, 2020. The small wetland area is subject to the jurisdiction of the NYSDEC and USACE.

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ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, 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: 6,.600 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: ECWA
- 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: 6,600 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):
Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: Town of Amherst Waste Water Treatment Plant on Tonawanda Creek Road.
- Name of district: Town of Amherst Consolidated Sanitary Sewer 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

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- 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)

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h. Will the proposed action generate or emit methane (including, but not limited to, sewage tre ent 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: 7:00 am to 7:00 pm
- Saturday: 7:00 am to 5:00 pm
- Sunday: As needed
- Holidays: Not Applicable

ii. During Operations:

- Monday - Friday: Not Applicable
- Saturday: _____
- Sunday: _____
- Holidays: _____

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m. Will the proposed action produce noi[illegible]nat will exceed existing ambient noise levels du[illegible] construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Construction activities in furtherance of the construction of the proposed residential subdivision will result in temporary unavoidable adverse noise impacts during daytime hours. The project will not result in any long-term adverse noise impacts.

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:

There will be lighting provided within the public right-of-way per Town's standards for a residential street.

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: _____

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s. Does the proposed action include cons tion or modification of a solid waste manageme acility? ☐ 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:

The properties in the vicinity of the Project Site have various zoning classifications - The principal use of the nearby parcels consists of single-family homes on individual lots.

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	.3	1.495	1.2
• Forested	1.9	1.5	(0.4)
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	3.45	0	(3.45)
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0.054	0.054	0.054
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Lawn/Permanent Open Space	1.0	2.7	1.7

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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):

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v. Is the project site subject to an instit[illegible]nal 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? > 5 ft. 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:

Elnora Loamy Fine Sand	53 %
Wayland Soils Complex	28 %
Cheektowaga Fine Sandy Loam	19 %

d. What is the average depth to the water table on the project site? Average: 5 feet

e. Drainage status of project site soils:
☐ Well Drained: ____% of site
☐ Moderately Well Drained: 53 % of site
☐ Poorly Drained 47 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % 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 837-47 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name NYS Wetland, Federal Waters, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) CC-15

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:
Name - Pollutants - Uses:Ransom Creek, Lower, and tribs – Pathogens;D.O./Oxygen Demand – Recreation;Aquatic Life

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: _____

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m. Identify the predominant wildlife sp s that occupy or use the project site:
Typical suburban speices

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:

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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 Joe Rubino Date August 16, 2021

Signature _____ Title Counsel for Project Sponsor

PRINT FORM

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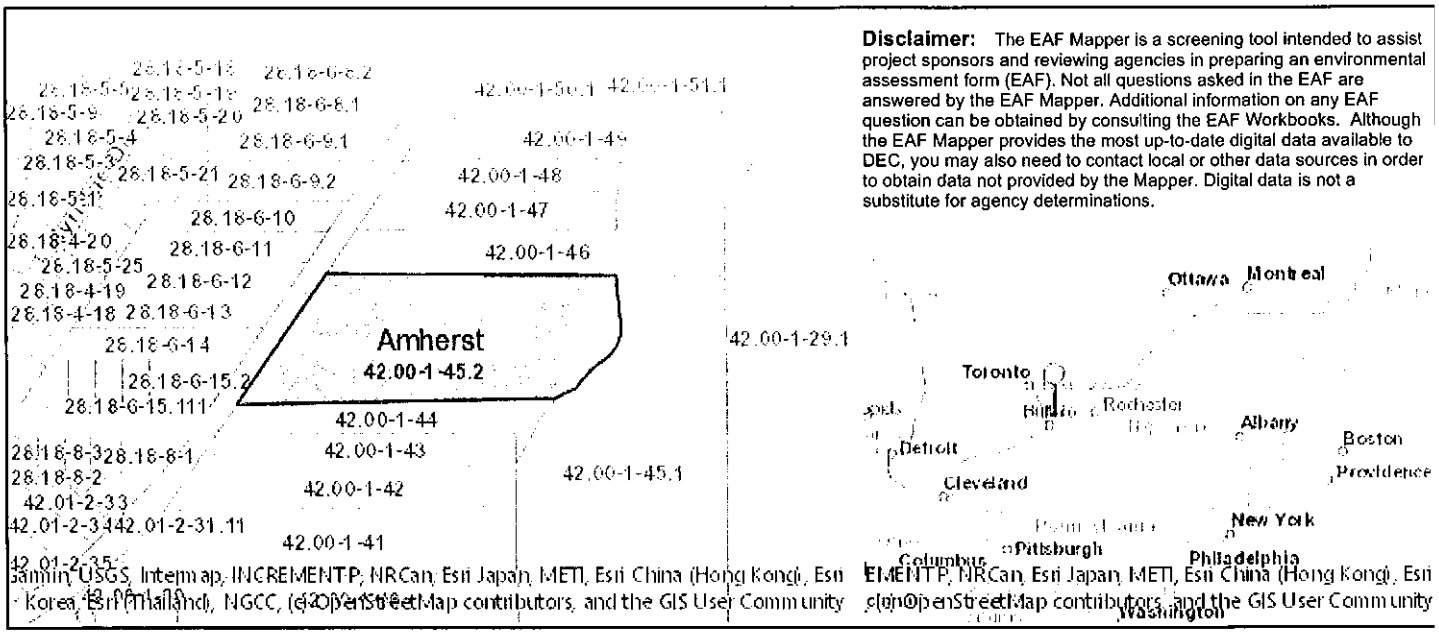
EAF Mapper Summary Report

Monday, December 21, 2020 3:37 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	837-47
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	NYS Wetland, Federal Waters
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):182.9
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	CC-15

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E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Ransom Creek, Lower, and tribs – Pathogens;D.O./Oxygen Demand – Recreation;Aquatic Life
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

TOWN OF AMHERST ATTACHMENT
State Environmental Quality Review
ENVIRONMENTAL ASSESSMENT FORM

1. For each applicable category of proposed new structures, including additions to existing structures, provide the following information for all soil types on the project site (*according to Soil Survey of Erie County, NY; Table 11, Building Site Development, pp 294-305):*

Soil Name	Shallow excavations	Dwellings without basements	Dwellings with basements	Small commercial buildings	Local roads and streets
Wayland Soils Complex	Severe	Severe	Severe	Severe	Severe
Cheektowaga Fine Sandy Loam	Severe	Severe	Severe	Severe	Severe
Elnora Loamy Fine Sand	Severe	Moderate	Severe	Moderate	Moderate

2. If the Soil survey indicates either "severe" or "moderate" suitability for the proposed types of construction, a geotechnical and hydrological analysis based on one test per 3.5 acres of project area must be provided (per Town Board resolution, 3/17/03, amended 6/16/03).

✓ Geotechnical report attached _____ Not applicable

[Note: Three copies of the Geotechnical Report prepared by Barron & Associates dated January 14, 2021 were submitted to the Planning Department on January 20, 2021.]

3. Is your property located: On Youngs Road between Dodge and Klein Roads? ☐ Yes ● No
On Wehrle Dr. between Spindrift Dr. and Oakwood Rd? ☐ Yes ● No

If so, the property may be within an area of the Town that is affected by a moratorium on connections to the sanitary sewer system.

4. Are there alternative locations on the site for this project? ☐ Yes ● No

5. Location and size of real property owned by petitioner within one (1) mile of subject proposal:

Not Applicable.

6. Are you aware of current or future plans or intentions by others in the Town of Amherst to develop property within 1000± ft. of the present project request: ● Yes ☐ No
Describe: Residential subdivision at 1696, 1701 and 1721 Dodge Road that received Final Plat Approval on 03/18/21.

(Potential environmental impacts from adjacent or nearby projects undergoing the approval process will receive a coordinated environmental review to determine cumulative effects on common receivers (e.g. traffic and drainage corridors) and other relevant environmental concerns.)

7. Maximum number of vehicular trips to be generated per peak hour upon completion of project 15
Source: ITE Trip Generation Report

8. Will blasting occur during construction? ☐ Yes ● No

9. Does the project propose to connect and be tributary to the public sanitary sewer system? ● Yes ☐ No

10. Proposed net additional gallons per day (gpd) of sanitary sewer discharge upon completion of project:
6,600 gpd average flow 26,400 gpd peak flow.

(Average flows of 2,500 gpd or greater will require an Engineer's Report that includes a detailed downstream sewer capacity analysis and the identification of and commitment to required I/I offset work during peak wastewater flow conditions.)

11. Based on the Town's *2011 Reconnaissance Level Survey of Historic Resources,* is your property 'blue-rated' for historic significance? ☐ Yes ● No

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Exhibit 3 – Legal Description of Property to be Rezoned from Suburban Agriculture District ("S-A") to Residential District Three ("R-3")

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

EXHIBIT 3 OF AMENDED REZONING APPLICATION

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED FROM SUBURBAN AGRICULTURE DISTRICT ("SA") TO RESIDENTIAL DISTRICT THREE ("R-3")

All that tract or parcel of land, situate in the Town of Amherst, County of Erie and State of New York, being part of Lot No: 52, Township 12, Range 7 of the Holland Land Company's Survey, described as follows:

Beginning at a point in the northerly line of the lands conveyed to Eli J. and Doris A. Bongiovanni recorded in Erie County Clerk's Office in Liber 7853 of Deeds at page 327 distant two hundred eighty and twenty-three hundredths (280.23) feet westerly from the easterly line of Lot 52; thence S 89° 52' 30" W along the northerly line of the said Bongiovanni a distance of eight hundred seven and thirty-five hundredths (807.35) feet to the centerline of Dodge Road; thence S 33° 53' 27" VV along the centerline of Dodge Road a distance of four hundred six and twenty hundredths (406.20) feet to the southwesterly corner of the said Bongiovanni; thence N 89° 30' 52" E along the southerly line of the said Bongiovanni a distance of eight hundred fifty-seven and forty-eight hundredths (857.48) feet, said point being in the approximately centerline of Town of Amherst Ditch 26B; thence along the approximate centerline of Ditch 26B.the following courses and distances: 1) N 43° 02' 20" East distance of eighty-three and five tenths (83.5) feet, 2) N 60° 40' 20" East a distance of one hundred twenty-five and seventy-three hundredths (125.73) feet, N 02° 43' 40" East a distance of two hundred five and eighty hundredths (205.80) feet to the point of beginning.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Exhibit 4 – Reduced Size Copy of Survey of Project Site as Prepared by Nussbaumer & Clarke, Inc. [Note: Full Size Copy of the Survey also attached]

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Exhibit 5 – Responses to Questions 11A & 11B of the Rezoning Application

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

EXHIBIT 5 OF AMENDED REZONING APPLICATION

REZONING OF 1789 DODGE ROAD FROM S-A TO R-3

Question 11(A): **Description of the character of the proposed development:**

Response to Question 11(A): The proposed residential project on the parcel 1789 Dodge Road ("Project Site") will be upscale in character and will feature fifteen (15) lots for detached single-family homes.[1] The conceptual layout of the proposed residential subdivision is depicted on the full size updated Sketch Plan [Drawing C-100 – Date: 07/14/21] prepared by Carmina Wood Morris P.C. attached to this Amended Rezoning Application. A reduced size color copy of the updated Sketch Plan depicting the proposed 2.7 acres of Permanent Open Space is also provided at Exhibit "7". The proposed residential lots will be accessed via a proposed public roadway complying with the Town specifications as depicted on the Sketch Plan. Approximately 1.5 acres of the approximately 6.7 acre Project Site will consist of Permanent Open Space.

Question 11(B)(1): **Rationale for rezoning request: 1. What was this site chosen?**

Response to Question 11(B)(1): The Project Site is an appropriate location for the requested rezoning from S-A to R-3 given the character and scale of nearby land uses. It is also important to mention that the requested amendment of the zoning classification of the Project Site is consistent with the Conceptual Land Use Plan for the Town of Amherst provided Figure 6 of the adopted Bicentennial Comprehensive Plan ("Comprehensive Plan"), which designates the Project Site as appropriate for

[1] The previously submitted Sketch Plans for the proposed residential subdivision depicted seventeen (17) proposed residential lots. The two previous lots with frontage on Dodge Road have been eliminated and replaced with additional Permanent Open Space that will be consistent with the character of the segment of Dodge Road in the vicinity of the Project Site.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

"Single Family Residential" use. A color copy of Figure 6 of the Comprehensive Plan is attached as Exhibit "8".

Question 11(B)(2): Why cannot land be used with the existing zoning?

Response to Question 11(B)(2): The Project Site is currently zoned S-A and is not a suitable location for agricultural uses given that the predominant use of nearby parcels consists of single-family homes. It would not be feasible to develop a residential subdivision on the Project Site without amending the zoning classification from S-A to R-3.

Question 11(B)(3): How will this rezoning impact surrounding properties?

Response to Question 11(B)(3): The requested rezoning of the Project Site from S-A to R-3 to accommodate the proposed residential subdivision for fifteen (15) homes on individual lots and 2.7 acres of Permanent Open Space will not result in any potentially significant adverse impacts on surrounding properties. The density of the proposed residential subdivision is only 2.23 homes per acre and is less than the density of many of the nearby residential subdivisions on parcels zoned R-3, CR-3A and MFR-4A.

Question 11(B)(4): How will this rezoning impact the school system?

Response to Question 11(B)(4): The proposed project will have positive impacts on the school district since the property taxes that will be generated on an annual basis will be substantially higher than the current property taxes. The proposed project will potentially generate demand for educational services provided by the Williamsville Central School District but the proposed residential subdivision will have positive fiscal impacts since the annual school taxes will be higher than the

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

cost of educational services for school age children of the owners of the detached single-family homes.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Exhibit 6 – Responses to Questions 16A, 16B, 16D & 16E of the Rezoning Application

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

EXHIBIT 6 OF AMENDED REZONING APPLICATION

REZONING OF 1789 DODGE ROAD FROM S-A TO R-3

Question 16(A)(1): **State in detail why the proposed zoning is consistent with the adopted Town of Amherst Bicentennial Comprehensive Plan. Cite specific sections, maps and/or figures in the plan that support the proposed zoning at this location.**

Response to Question 16(A)(1): The Town of Amherst adopted the Bicentennial Comprehensive Plan in January of 2007 after completing a lengthy planning process that included numerous public meetings and public hearings involving the Comprehensive Plan Advisory Committee, the Planning Board and the Town Board.[1] In June of 2019, the Town Board adopted amendments to the Bicentennial Comprehensive Plan.

Figure 6 of the Bicentennial Comprehensive Plan is the Conceptual Land Use Plan and it depicts the parcel at 1789 Dodge Road (the "Project Site") as being appropriate for "Single Family Residential" use. A copy of Figure 6 of the Comprehensive Plan is provided at Exhibit "8". The Conceptual Land Use Plan is intended to communicate the overall direction and concept of future development in the Town of Amherst.

Single Family Residential is described on Pages 3-30 and 3-31 of the Comprehensive Plan as consisting of 2 to 4 residential units per acre. The density of the proposed residential subdivision that will consist of fifteen (15) lots for detached-single homes will only be 2.23 residential units

[1] A copy of the resolution adopted by the Town Board on January 2, 2007 for the purpose of adopting the Bicentennial Comprehensive Plan pursuant to Town Law Section 272-a is included at the beginning of the Comprehensive Plan. This resolution recites the lengthy planning history that incorporated numerous opportunities for public input as well as a coordinated environmental review pursuant to SEQRA that involved the preparation a Generic EIS and the issuance of a Findings Statement.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

per acre. The text on Page 3-31 of the Comprehensive Plan indicates that opportunities exist for infill residential development. The Project Site represents an example of an appropriate location for an infill residential subdivision since the proposed use and the proposed R-3 zoning classification is consistent with the adopted Comprehensive Plan.

Question 16(A)(2): Cite all text, map, and/or figures that must be amended to support the proposed zoning at this location and provide detailed suggested amendments.

Response to Question 16(A)(2): The Applicant does not believe that the proposed rezoning of the Project Site from S-A to R-3 to accommodate the proposed low-density residential subdivision requires an amendment to the Bicentennial Comprehensive Plan.

Question 16(A)(3): State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:

Response to Question 16(A)(3): Section 1-2-1 of the Zoning Code is titled "Purpose" and it states as follows:

> *"The purpose of this Zoning Ordinance and the intent of the legislative authority in its adoption is to promote the environment of the town and its public health, safety, convenience, comfort, prosperity and the general welfare by regulating the use of buildings, other structures and land for residences, open space, public facilities, business, services, industry or other purposes; by regulating and restricting the bulk, height, design, building coverage and location of structures; by regulating and limiting population density; and for the aforesaid purposes, to divide the land within the limits of the town into districts of such number and dimensions generally consistent with the policies of the Comprehensive Plan and to provide procedures for the administration and amendment of said Zoning Ordinance."*

The proposed rezoning of the Project Site from S-A to R-3 to accommodate the proposed residential subdivision for fifteen (15) lots for detached single-family homes is consistent with the "Purpose" of the Zoning Code. Section 1-2-2 of the Zoning Code sets forth the objectives of the

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Zoning Code. This section of the Zoning Code lists 13 objectives that are discussed below as follows:

A. To protect the character and values of residential, institutional and public uses, business, commercial and manufacturing uses and to insure their orderly and beneficial development;

Response: The proposed rezoning and will be consistent with the objective of protecting the character and value of existing land uses. The proposed rezoning will allow the Project Site to be utilized as a fifteen (15) lot residential subdivision with substantial Permanent Open Space as such represents orderly and beneficial development.

B. To provide adequate open spaces for light, air and outdoor uses to include public, common and private open space areas;

Response: The proposed rezoning of the Project Site from S-A to R-3 and the proposed fifteen (15) lot residential subdivision will not be inconsistent with this objective.

C. To prevent overcrowding of land;

Response: The proposed rezoning and the proposed residential subdivision will not result in the overcrowding of land. The density of the subdivision per the updated Sketch Plan is only 2.23 residential units per acre.

D. To prevent excessive concentration of population and to prevent spare and uncoordinated development;

Response: The proposed rezoning of the Project Site from S-A to R-3 will not result in excessive concentration of population. The residential project consists of a low density residential subdivision.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

E. To regulate and control the location and spacing of buildings on the lot and in relation to the surrounding property generally consistent with the policies of the Comprehensive Plan.

Response: The responses to the Questions in Section 16 of the Rezoning Application set forth the reasons the proposed rezoning is consistent with the policies of the Comprehensive Plan.

F. To protect persons and property from damage and injury due to fire or flood;

Response: The Preliminary Plat review process will trigger the need for an Engineer's Report and SWPPP prepared by a licensed engineer to be prepared for review and approval by the Town's Engineering Department. The project will not increase the likelihood of damage and injury due to fire and flood. The proposed single-family homes will be constructed per the stringent requirements of the NYS Building Code including the fire safety standards contained therein.

G. To preserve and protect significant natural features and vegetation, thereby preventing ecological damage and visual blight which occur when those features or vegetation are eliminated or substantially altered to serve development purposes only.

Response: The proposed rezoning and residential project will not be inconsistent with this objective. The Project Sponsor has made a deliberate effort to propose a layout for the proposed residential subdivision that will avoid the 0.054 acres of wetlands on the easternmost portion of the Project Site.

H. To assure that structure and land use arrangements are aesthetically harmonious with nearby areas and structures.

Response: The development of the Project Site in a manner consistent with the updated Sketch Plan that includes Permanent Open Space along the Dodge Road frontage will be aesthetically harmonious with nearby areas and structures.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

I. To regulate the location of buildings and intensity of uses in relation to streets according to plans so as to cause the least interference with and be damaged least by traffic movements and hence result in lessened street congestion and improved public safety.

Response: The layout of the proposed low-density residential subdivision as depicted on the full size updated Sketch Plan prepared by Carmina Wood Morris DPC attached to this Amended Rezoning Application demonstrates the residential project will not result in any potentially significant traffic impacts. The Project Sponsor acknowledges that it will be required to obtain a Highway Work Permit from the Erie County Department of Public Works since Dodge Road is an Erie County Highway.

J. To establish zoning patterns that insure economical extensions for sewers, water supply waste disposal and other public utilities, as well as development of recreation, schools and other public facilities;

Response: The Project Site has access to sanitary sewer and water lines as well as necessary public utilities to service the proposed residential subdivision.

K. To guide the future development of the town so as to being the gradual conformity of land, structures and uses generally consistent with the policies of the Comprehensive Plan.

Response: The proposed rezoning of the Project Site from S-A to R-3 is consistent with this objective since the project is consistent with the policies contained in the Comprehensive Plan.

L. To accomplish the specific intents and goals set forth in the introduction to the respective sections.

Response: The proposed rezoning of the Project Site from S-A to R-3 will be consistent with this objective.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

M. To protect the community from visual pollution resulting from the unregulated use of signs and other advertising devices.

Response: The proposed rezoning and residential project will not be inconsistent with this objective.

Question 16(C): Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:

Response to Question 16(C): The proposed residential subdivision consisting of fifteen (15) lots for detached single-family homes is compatible with the present zoning and conforming uses of nearby properties and the character of the neighborhood. There are numerous residential subdivisions in the vicinity of the Project Site. The proposed R-3 zoning classification is clearly more suitable than the existing S-A zoning classification which expressly permits high-intensity agricultural uses that would be inconsistent with character of the surrounding neighborhood.

Question 16(D): Suitability of the subject property for uses permitted by the current versus the proposed district:

Response to Question 16(D): The Project Site is not suitable for agricultural uses given its size and location. The Applicant believes the proposed residential subdivision is more appropriate for the Project Site than uses that are permitted in the existing S-A zoning classification.

Question 16(E): Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:

Response to Question 16(D): The proposed change in the zoning classification of the Project Site from S-A to R-3 to accommodate the proposed residential subdivision for fifteen (15) detached single-family homes on individual lots with approximately 2.7 acres of Permanent Open Space will have

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

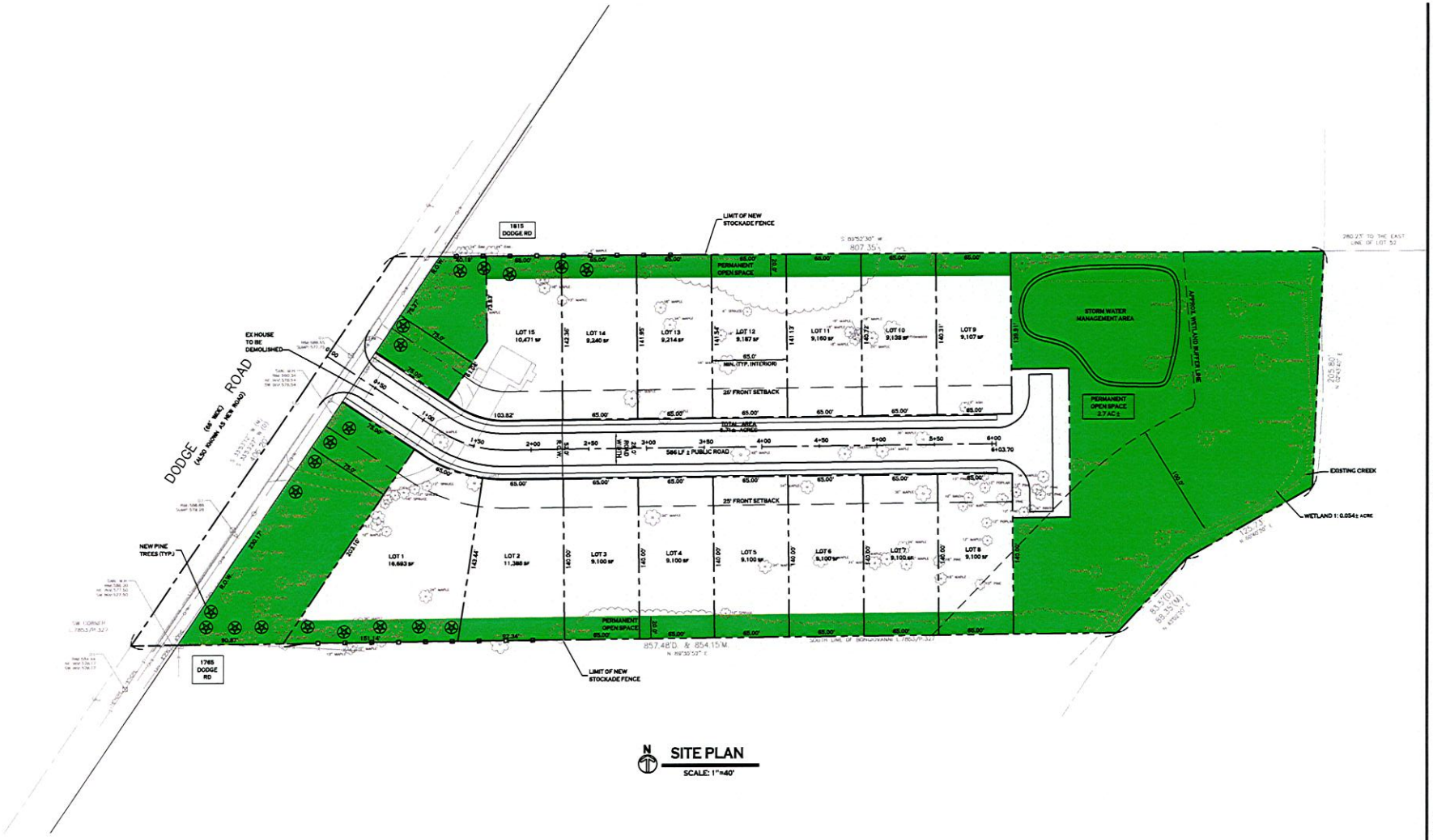
positive impacts on the balance of uses in the Town since there is demand for upscale detached single-family homes on individual lots.

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Exhibit 7 – Reduced Size Copy of Color Sketch Plan [Drawing C-100 – Date: 07/14/21] as Prepared by Carmina Wood Morris DPC [Note: Full Size Copy of the Sketch Plan also attached]

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

© Carmina Wood Morris DPC



SITE PLAN
SCALE: 1"=40'

SITE DATA (REZONED FROM SA TO R-3 ZONING)

AREA = 6.7 ACRES ±

MIN. LOT WIDTH = 65 FT INTERIOR LOTS
MIN. LOT WIDTH = 75 FT CORNER LOTS

MIN. LOT AREA = 8,450 SF INTERIOR LOTS
MIN. LOT AREA = 9,750 SF CORNER LOTS

FRONT SETBACK = 30 FT (OFF EDGE OF PVMT)
SIDE SETBACK = 5 FT
REAR SETBACK = 30 FT

MAXIMUM LOT COVERAGE = 35%
MAXIMUM BUILDING HEIGHT = 35 FT

MINIMUM FLOOR AREA = 1,000 SF (1 STORY)
MINIMUM FLOOR AREA = 1,200 SF (2 STORIES)

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD MORRIS, P.C. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

40' 40 0 40 80FT

Carmina Wood Morris DPC
487 Main Street Suite 600
Buffalo, New York 14203
P 716.842.3195
F 716.842.0261

REVISIONS:
No. Description Date

PROJECT NAME:
New Construction
Single Family Subdivision
1789 Dodge Road
Amherst, New York

Date: 7/14/21
Drawn by: C. Wood
Scale: As Noted

DRAWING NAME:
Concept Plan

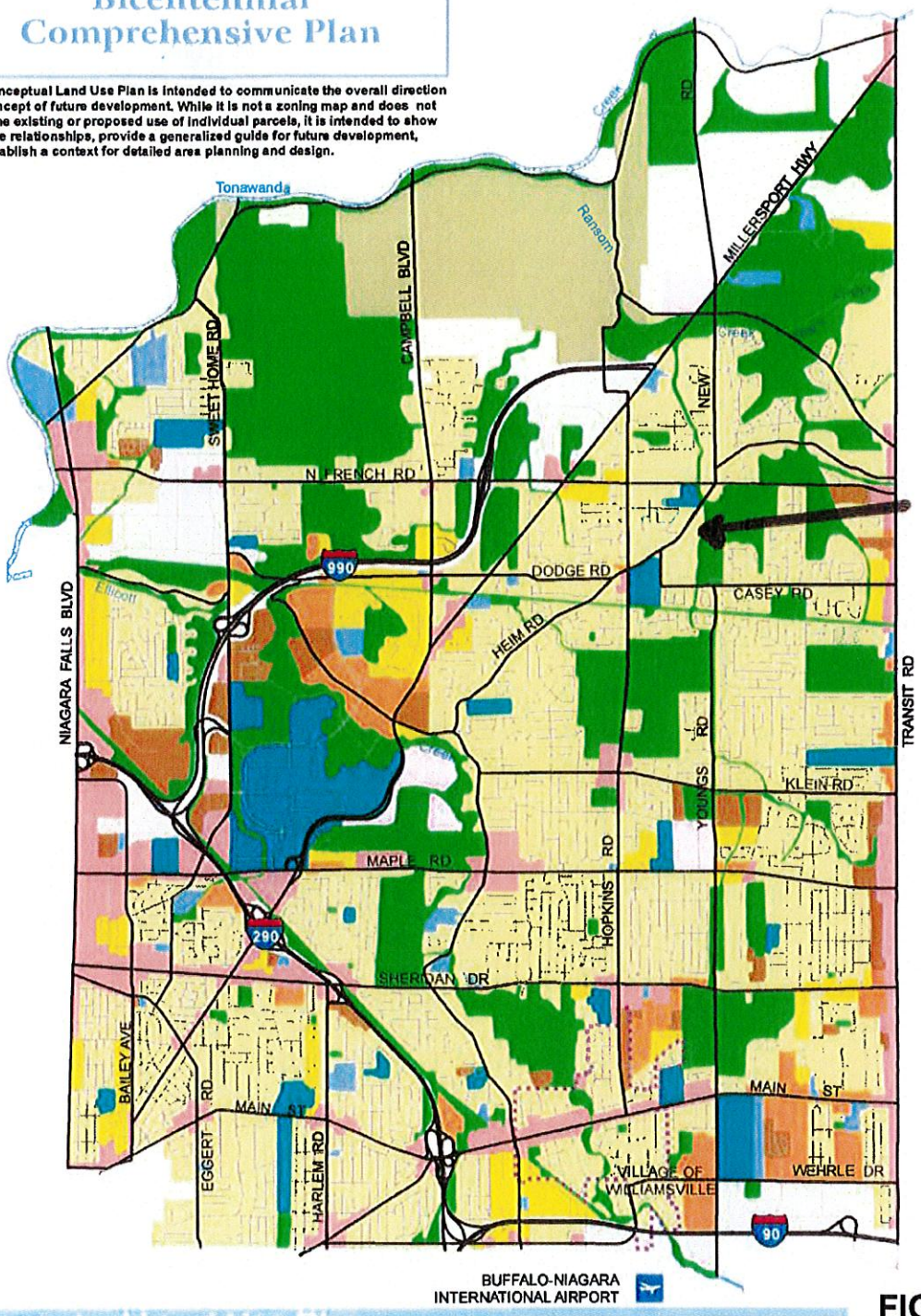
DRAWING NO.
C-100
Project no.: 20,247

Exhibit 8 – Color Copy of Figure 6 of the Town of Amherst Comprehensive Plan titled "Conceptual Land Use Plan"

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)

Town of Amherst Bicentennial Comprehensive Plan

The Conceptual Land Use Plan is intended to communicate the overall direction and concept of future development. While it is not a zoning map and does not show the existing or proposed use of individual parcels, it is intended to show land use relationships, provide a generalized guide for future development, and establish a context for detailed area planning and design.



Project Site Designated as Single Family Residential

FIGURE 6

Conceptual Land Use Plan

- Rural Residential
- Single Family Residential
- Mixed Residential
- Medium Residential
- Commercial / Mixed Use*
- Special Use Center
- Commercial - Office
- Industrial - Office
- Community Facilities
- Educational Campus
- Recreation, Open Space & Greenways
- Agriculture
- Transportation
- Surface Water
- Village of Williamsville Boundary

* See Map Figure 6-A for Form/Type Designation

SOURCE NOTES:

Original Source Data Provided by the Town of Amherst Information Technology Department, URS Corporation and Wallace Roberts & Todd, LLC

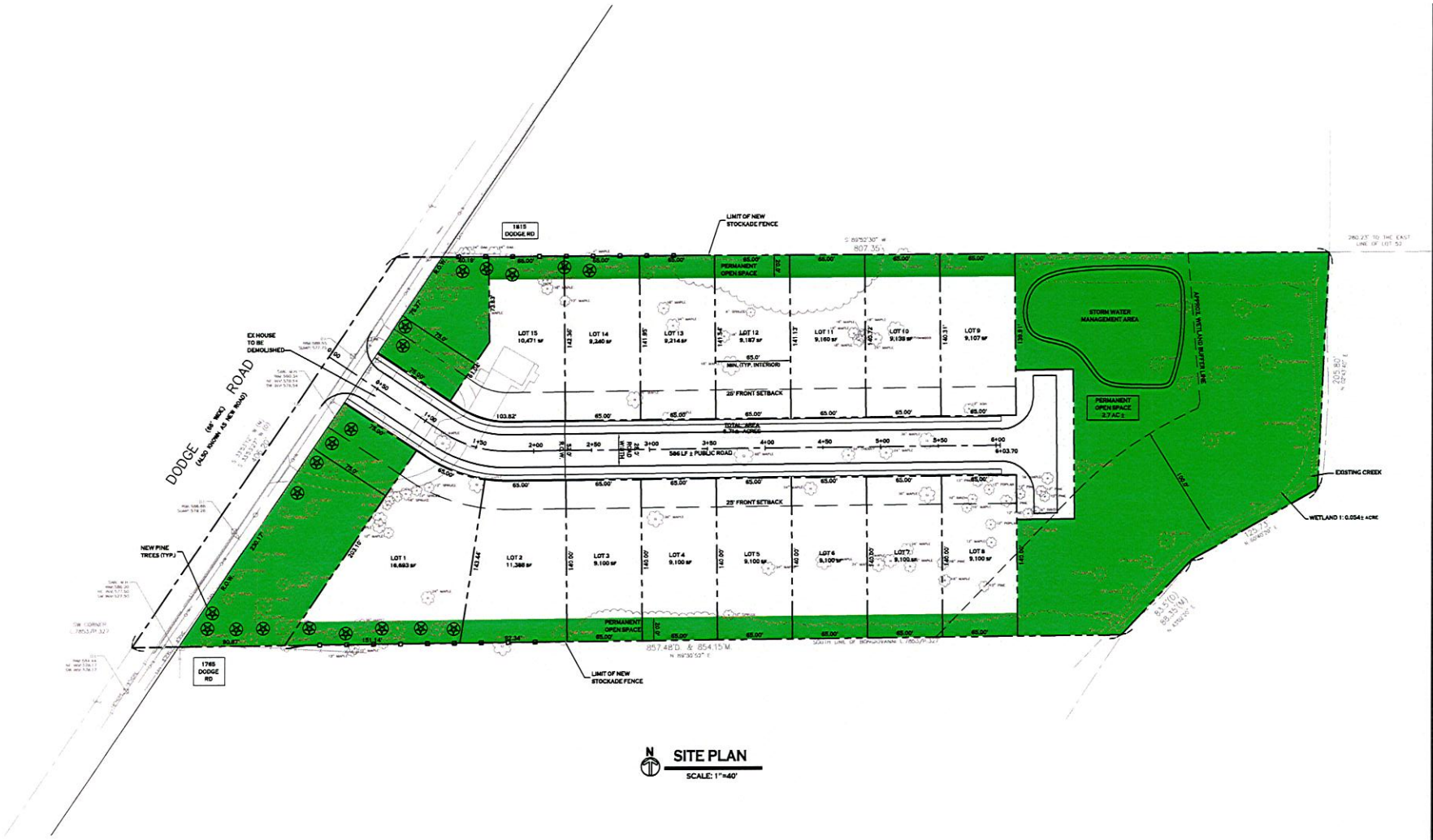
Map Compiled by the Town of Amherst Planning Department

Date: December 2017

N

0 0.2 0.4 0.6 0.8 1 Miles

Attachment: Z-2020-15 applicaiton 092321 (24693 : Z-2020-15)



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SITE PLAN

SCALE: 1"=40'

SITE DATA (RE'ZONED FROM SA TO R-3 ZONING:

AREA = 6.7 ACRES ±

MIN. LOT WIDTH = 65 FT INTERIOR LOTS
MIN. LOT WIDTH = 75 FT CORNER LOTS

MIN. LOT AREA = 8,450 SF INTERIOR LOTS
MIN. LOT AREA = 9,750 SF CORNER LOTS

FRONT SETBACK = 30 FT (OFF EDGE OF PVMT)
SIDE SETBACK = 5 FT
REAR SETBACK = 30 FT

MAXIMUM LOT COVERAGE = 35%
MAXIMUM BUILDING HEIGHT = 35 FT

MINIMUM FLOOR AREA = 1,000 SF (1 STORY)
MINIMUM FLOOR AREA = 1,200 SF (2 STORIES)

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD MORRIS, P.C. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

40' 40 0 40 80FT

© Carmina Wood Morris DPC

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REVISIONS:

No.	Description	Date

PROJECT NAME:
New Construction
Single Family Subdivision
1789 Dodge Road
Amherst, New Yor

Date: 7/14/21
Drawn by: C. Wood
Scale: As Noted

DRAWING NAME:
Concept Plan

DRAWING NO.
C-100
Project no.: 20,247

Attachment: Z-2020-15 drawing 092321 (24693 : Z-2020-15)

LEGEND

- Existing Deciduous Shade Tree
- Existing Evergreen Tree
- Proposed Wood 2-Rail Split Rail Fence
- Proposed 6-foot high Wood Board-on-Board Fence or 6-foot high solid Vinyl Fence (Buff color recommended)

Attachment: Z-2020-15 drawing 092321 (24693 : Z-2020-15)

Recommended Plant List

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
SMALL/ORNAMENTAL TREES					
AC	9	Amelanchier canadensis	Downy Serviceberry	8 ft. high min.	B&B; clump form, minimum 3 major stems
CC	7	Cercis canadensis	Eastern Redbud	8 ft. high min.	B&B; clump form, minimum 3 major stems
EVERGREEN TREES					
CF	9	Abies concolor	Concolor Fir	5’ High Min.*	B&B; full to ground
SHRUBS					
CA	6	Clethra alnifolia	Summersweet		
CS	43	Cornus sericea ‘Artic Fire’	Arctic Fire Red Twig Dogwood	No. 3 Cont.	Minimum 24” high (space 4’ on center)
HV	3	Hamamelis virginiana	Common Witch Hazel	No. 5 Cont.	Minimum 24” high (space 6’ on center)
RH	9	Rhodondendron x ‘PJM’	PJM Rhododendron	No. 5 Cont.	Minimum 24” high (space 5’ on center)
RT	8	Rhus typhina ‘Bailtiger’	Tiger Eyes Staghorn Sumac	No. 5 Cont.	Minimum 24” high (space 5’ on center)
VT	6	Viburnum tomentosum ‘Mariesi’	Doublefile Viburnum	No. 5 Cont.	Minimum 24” high (space 5’ on center)

* measured to bottom of leader

NOTE: All planting beds and trees shall receive a minimum 3-inch depth of dark shredded hardwood bark mulch

Attachment: Z-2020-15 drawing 092321 (24693 : Z-2020-15)

DRAFT (9/23/21)
TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2020-15

PETITIONER

Joe Rubino
c/o Sean Hopkins, Esq.
Hopkins, Sorgi & McCarthy PLLC
5500 Main Street, Suite 343
Williamsville, New York 14221

PROPERTY LOCATION

1789 Dodge Road

WHEREAS the Town of Amherst Planning Board on Thursday, September 23, 2021 held a remote public hearing on the proposed rezoning of land from Suburban Agriculture (SA) to Single Family Residential District Three (R-3), and

WHEREAS the Planning Board has reviewed plans and other materials regarding the rezoning proposal, and

WHEREAS the materials and plans have been referred to the Town's various review agencies, and

WHEREAS in accordance with Section 8-3-5 of the Zoning Ordinance the Planning Board finds that:

A. The proposed zoning and development plan is generally consistent with the policies of the Comprehensive Plan and the Zoning Ordinance. The proposal is also consistent with the Conceptual Land Use Plan which shows Single Family Residential use in this area of the Town.

B. There are adequate services and utilities available or proposed to be made available in the construction of the development.

C. The proposal is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood.

D. The subject property is suitable for uses permitted by the current versus the proposed district.

E. The proposed change does tend to improve the balance of uses, or meets a specific demand in the Town.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act is required since hydric/potentially hydric soils have been identified on the parcel. The NYSDEC has determined that state jurisdictional wetlands are located in or adjacent to New York State regulated freshwater wetland CC-15 or its regulated 100-foot-wide adjacent area.

Attachment: Z-2020-15_draft_Resolution_092321 (24693 : Z-2020-15)

DRAFT (9/23/21)
TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2020-15

PETITIONER

Joe Rubino

PROPERTY LOCATION

1789 Dodge Road

Pursuant to Local Law #3-82, as amended, the Planning Board recommends that the Town Board determine that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

NOW THEREFORE BE IT RESOLVED that the Planning Board recommends to the Town Board in accordance with Section 8-3-4 of the Zoning Ordinance, that the rezoning request be **approved** with the following conditions:

1.

The foregoing resolution was adopted by the Town of Amherst Planning Board, _____;
moved by - _____; seconded by - _____; ayes _, noes _; absent - ____.

_____ _____
Robert J. Gilmour, Chair Date

RR/bf
X:\Current_Planning\Files\Rezonings\2020\Z-2020-15_(1789_Dodge_Rd)_2020\Z-2020-15_Blurb_092321.doc
cc: Town Clerk
Commissioner of Building
Highway Superintendent
Town Engineer
Traffic/Safety Coordinator
Sean Hopkins, Esq. Hopkins Sorgi & McCarthy, PLLC, 5500 Main St., Ste. 343, Williamsville, NY 14221
Christopher Wood, P.E., Carmina Wood Morris, DPC, 487 Main St., Suite 600, Buffalo, NY 14202

Attachment: Z-2020-15_draft_Resolution_092321 (24693 : Z-2020-15)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-1983-42_H

PETITIONER

Benderson Development
570 Delaware Avenue
Buffalo, NY 14202

PROPERTY LOCATION

4224 Ridge Lea Rd. and 256 Meyer Rd.

OCT01'21 AM 9:55 RVD

WHEREAS, the Town of Amherst Planning Board on Thursday, September 23, 2021 held a remote public hearing on a Site Plan for an expansion to an existing parking lot and upgrades to the building façade for an existing office building, and

WHEREAS, in accordance with 6 NYCRR, Part 617 and Local Law #3-82, as amended, the Town Board completed a SEQR review for the Boulevard Central District planning area, which included a Final Environmental Impact Statement and a Findings Statement was adopted on January 6, 2020, and

WHEREAS, the subject site plan is a within the aforementioned Boulevard Central District planning area, and has been determined to be consistent with the findings statement adopted on January 6, 2020, therefore, the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment, and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project, and

WHEREAS, the Site Plan was referred to the Town's various review agencies, and

WHEREAS, in accordance with Section 8-7-9 of the Zoning Ordinance, the Planning Board finds that:

A. The proposed site plan is consistent with the development plan if one is required.

B. The proposed site plan is consistent with the purpose and specific requirements of the Zoning Ordinance and generally consistent with the policies of the Comprehensive Plan.

C. Adequate services and utilities will be available prior to occupancy.

D. The site plan is consistent with all other applicable laws.

E. Pursuant to Local Law #3-82, as amended, the Planning Board has determined that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act may be waived because the parcel is developed.

Attachment: SP-1983-42H signed resolution 092321 (24693 : Z-2020-15)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-1983-42_H

PETITIONER

Benderson Development

PROPERTY LOCATION

4224 Ridge Lea Rd. and 256 Meyer Rd.

OCT01'21 AM 9:55 RCVD

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board, in accordance with Section 8-7 of the Zoning Ordinance approves said Site Plan subject to the following conditions:

1. That the consideration of signs is specifically excluded from this approval as they require a separate review and approval by the Town.
2. That all dumpsters/trash containers and all mechanical equipment, utility structures, multiple meter boards, generators, and similar appurtenances, including those which are mounted on any part of a primary structure shall be appropriately screened with a fence, wall, and/or landscaping. Provide gate on dumpster enclosure that shall be closed whenever dumpster is not being serviced, enclosure shall be high enough to screen the dumpster(s) within.
3. That as-built record drawings, including location of utilities, be provided to the Engineering Department prior to issuance of a Certificate of Occupancy by the Building Department.
4. That the petitioner address the comments of the Zoning Enforcement Officer, Planning Department, and Landscape Architect in the Planning Department letter dated August 30, 2021 to the satisfaction of the respective bodies.
5. That the petitioner provides a revised Stormwater Pollution Prevention Plan that satisfactorily addresses the comments of the Town's Stormwater Officer in their letter dated August 16, 2021.
6. That any required Boulevard Central District mitigation costs related to the project be paid prior to issuance of approved site plan drawings by the Planning Department.

The foregoing resolution was adopted by the Town of Amherst Planning Board, September 23, 2021; moved by - Guliani; seconded by - Gelber; ayes 6, noes 0; abstain - Chmiel.

Robert J. Gilmour, Chair — Date 9-30-21

TV/bf
X:\Current_Planning\Files\Site Plans\1983\SP-1983-42_H_(4224_Ridge_Lea_Rd)_2021\SP-1983-42_H_Blurb_092321.doc

cc: Town Clerk
Commissioner of Building
Town Engineer
Fire Chiefs
Traffic/Safety
Highway Superintendent
Benderson Development, 570 Delaware Avenue, Buffalo, NY 14202
James Boglioli, Esq., Benderson Development, 570 Delaware Avenue, Buffalo, NY 14202

Approved Plan: September 16, 2021
Received: August 10, 2021

Attachment: SP-1983-42H signed resolution 092321 (24693 : Z-2020-15)

Amherst Planning Board
5583 Main Street
Williamsville, NY 14221

ADOPTED

Meeting: 09/23/21 06:30 PM
Department: Planning
Category: Miscellaneous
Prepared By: Amy Carrato
Initiator: Dan Howard
Sponsors:
DOC ID: 24700 A

PLANNING BOARD ITEM (ID # 24700)

Request to Amend the Comprehensive Plan, BCPA -2021-01

Property located at 4252-4258 Ridge Lea Road (BCD)
Benderson Development Co. LLC, Petitioner

The proposed request to amend the comprehensive plan is for the purpose of rezoning 14.81± acres of land from the Center -8 (CTR-8) zoning district to its previous zoning district of Research and Development (RD). The Town rezoned the property as part of a cluster of rezonings to implement the new mixed-use zoning districts. The rezoning from CTR-8 back to RD will allow for a proposed 108,000± sf warehouse building and its connection to an existing 21,736± sf warehouse building to the south along with additional parking, site utilities, drainage and landscaping.

James Boglioli, Esq., Benderson Development Company LLC. represented the petitioner, explained the proposal and was available to answer questions from the Board.

In response to the Board's questions, Mr. Boglioli reviewed the buffer location, stated the buffer will have a six foot tall fence near the parking lot and be heavily landscaped at the rear residential lots, and that there will be no business or loading in the front of the building.

Geri DiCosco, 378 Meyer Rd.; and William Clease, 378 Meyer Rd. spoke in opposition of the proposal.

No further comments were heard on this proposal. The hearing was closed.

Following later discussion, Mr. Giuliani moved to approve the request based on the resolution.
The motion was seconded by Mr. Gilmour and carried. Ayes 6, Noes 0, Abstain 1 (Chmiel).

ATTACHMENTS:

- BCPA-2021-01 applicaiton 092321 (PDF)
- BCPA-2021-01 drawings 092321 (PDF)
- BCPA-2021-01_draft_Resolution_092321 (PDF)
- BCPA-2021-01 signed resolution092321 (PDF)

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Dal Giuliani, Board Member
SECONDER:	Robert J. Gilmour, Chair
AYES:	Gilmour, Gelber, Gill, Giuliani, Penberthy, Raffaele Jr.
ABSTAIN:	Michael Chmiel

TOWN OF AMHERST PLANNING DEPARTMENT

Comprehensive Plan And Zoning Text Amendment Application

File # BCPA-2021-01

1. Amend Comprehensive Plan ☒
2. Zoning Code Text Amendment ☒
3. Other ☐ _____

PETITIONER:

- ☒ Town Board
- ☒ Planning Board
- ☐ Zoning Board of Appeals
- ☐ Commissioner of Building
- ☐ Planning Director

Sections Proposed to be Amended: (Attach sheets as necessary.)

Figure 3 at page 3-4_____
Figure 6 at page 3-30_____
Figure 6-A at page 3-37_____
_____

Description of Amendments: (Attached sheets as necessary.)

Figure 3 at page 3-4: Change the subject property from the "New Community District" designation to "Industrial."
Figure 6 at page 3-30: On the Conceptual Land Use Plan change the subject property from Commercial/Mixed use to Industrial/Office.
Figure 6-A at page 3-37: Remove the subject property from the Suburban Center designation.
Add a discussion to 3.3.4 Office and Industrial that this site has historically been zoned RD and that the continued use and redevelopment of this property with uses consistent with the RD district is desirable due to its location to the I-290.

Materials Received by Planning Department

RECEIVED BY 8/23/21 DATE

Materials Filed with Town Clerk

ACCEPTED BY DATE

P/Currplan/Application Comp Plan & Zoning Text Amend.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Rezoning Review and, if required Comprehensive Plan Amendment

For Official Use

File #: _____ **Acreage** _____ **Fee $** _____

Address Verified by Assessor's Office _____
VERIFIED BY DATE

Materials Accepted by Town Clerk & Fee Paid _____
ACCEPTED BY DATE

Materials Checked by Building Dept. _____
RECEIVED BY DATE

Materials Received by Planning Dept. _____
RECEIVED BY DATE

		Fill In Applicable Fees
2 ACRES OR LESS	**$1,250**	_____
2 – 20 ACRES $1,250 + $250/acres or fraction thereof over 2 acres		_____
20 – 30 ACRES $5,700 + $150/acre or fraction thereof over 20 acres		_____
OVER 30 ACRES $6,900 +$75/acre or fraction thereof over 30 acres		_____
Request for Relief of/Change to Conditions of Zoning Approval	**$ 1,200**	_____
AFFIDAVIT FEE FOR PUBLIC HEARING	**$ 15.00**	_____
	TOTAL FEE:	**$**_____

Town of Amherst Planning Department 5583 Main Street Williamsville New York 14221
(716) 631-7051 Fax (716) 631-7153 Web www.amherst.ny.us

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

TO BE COMPLETED BY APPLICANT

1. **Petitioner:** Name: Benderson Development Company, LLC

Address: 570 Delaware Avenue

Buffalo, New York 14202

City State Zip Code

Phone: 716-878-9626 Fax: 716-886-1026

E Mail jmb@benderson.com

2. **The undersigned hereby petitions the Honorable Town Board to rezone the following described property**

From: CTR-8.0 District

To: RD District

3. **Street address of land to be rezoned:** (must be verified by Town Assessor's Office)

4224 - 4256 Ridge Lea Road

SBL #: 54.02-1-51, 54.02-1-43, 54.02-1-44.2, 54.02-1-44.1, 54.15-1-4.1, 54.15-1-8.1

4. **Area of land to be rezoned** (in acres): 14.81

5. **Owner of Land**:

Name: 93 NYRPT, LLC

Address: 570 Delaware Avenue, Buffalo, NY 14202

Telephone: 716-878-9626

6. **Representative** (Architect, Engineer, Landscape Architect, Surveyor or Attorney):

Name: James A. Boglioli

Address: 570 Delaware Avenue

Buffalo, New York 14202

City State Zip Code

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

7. **Petitioner's interest in property**

_____Option to purchase

_____Owner

X
_____Other (explain) Affiliated Company

8. **The following are all others having an interest in this application and join herein with the petitioner named above:** (describe extent of interest; attach sheets as needed)

9. **Attach Survey and Legal description of land to be rezoned. The Survey must be prepared by a New York State Licensed Land Surveyor.**

10. **Said property has the following deed restrictions or Covenants:** (attach copy)

Liber _____ Page _____

11. **Information on proposed project:**

A. Description of the character of the proposed development:

See attached letter

B. Rationale for rezoning request:

1. Why was this site chosen?

See attached letter

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

2. Why cannot land be used with the existing zoning?

See attached letter

3. How will this rezoning impact surrounding properties?

See attached letter

4. How will this rezoning impact the school system?

See attached letter

12. Quantitative Data:

A. Total # of dwelling units N/A

B. Distribution of dwelling units by type N/A

C. Gross Residential Density per acre N/A

D. Total amount of Open Space

E. Proposed Non-Residential Floor Area

13. Development Schedule:

Start

Finish

Stages (# of)

14. If any portion of the proposed development is planned to be sold or leased, please describe:

N/A

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

15. **Open Space ownership and maintenance provisions (if applicable):**

N/A

16. **Basis for Findings (Sec. 8-3-5 of the Town Zoning Code) (Attach sheets and supplemental materials as necessary.)**

A. **The proposed zoning and development plan must be generally consistent with the policies of the Comprehensive Plan and the Town Zoning Ordinance.**

1. State in detail why the proposed zoning is consistent with the adopted Town of Amherst Bicentennial Comprehensive Plan. Cite specific sections, maps, and/or figures in the plan that support the proposed zoning at this location (The Comprehensive Plan document is available at the Planning Department, Town Clerk's Office, Amherst libraries, or at www.amherst.ny.us). Add sheets as needed.

See attached letter

2. Pursuant to NYS Town Law Section 272a(11), "all Town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this Section." The Town Board adopted the Comprehensive Plan pursuant to NYS Town Law 272 on January 2, 2007. If the rezoning is approved, the Town Board may require the Plan to be amended, as applicable.

Cite all text, map, and / or figures that must be amended to support the proposed zoning at this location (attach pages as necessary) and provide detailed suggested amendments.

See attached letter

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

3. State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:

See attached letter

B. **Adequate Services and Utilities are available or are proposed to be made available with the construction of the development:**

1. Sanitary Sewer See attached letter
2. Storm Sewer/Drainage See attached letter
3. Water See attached letter
4. Other

C. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:**

See attached letter

D. **Suitability of the subject property for uses permitted by the current versus the proposed district:**

See attached letter

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

E. **Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:**

See attached letter

17. The petitioner encloses herewith the sum of $_____ to pay the fee, and consents to the placement of a sign(s) at the described location identifying this request for a period of time to be determined by the Town Clerk.

18. The undersigned certifies that all information required to be disclosed pursuant to Section 809 of the General Municipal Law (see below) is as follows:

The undersigned swears or affirms that all statements made herein are true, that all drawings submitted correctly show the situation involved in this petition.

Signature of Petitioner

Subscribed and sworn to before me this 23 day of June, 20 21

Notary Public, ~~Erie County~~ Niagara County, New York

COURTNEY L. ADAMO
Notary Public-State of New York
No. 01AD6413282
Qualified in Niagara County

N.Y.S. General Municipal Law - Section 809 Disclosure in certain applications:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provision of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state office or any office or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them

   (a) is the applicant, or
   (b) is an officer, director, partner or employee of the applicant, or
   (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
   (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such applicant, petition or request.

3. In the county of Nassau the provisions of subdivisions one and two of this section shall also apply to a party officer. "Party Officer" shall mean any person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision four or section two of the election law.

4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

P/CurrPlan/Applications2007/Rezoning & Comp Plan Amend App
10/08

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section 5. Effective Date.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and published pursuant to Sections 130 & 133 of the Town Law and Chapter 28 of the Code of the Town of Amherst.

Marjory Jaeger
Town Clerk
Town of Amherst
County of Erie, State of New York

P/CurrPlan Applications 2007/Local Law

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

APPENDIX "E'

TOWN OF AMHERST PLANNING DEPARTMENT

SUBMITTAL OF REVISED SURVEY & LEGAL DESCRIPTION

For Official Use

File # _____
(SAME Z # AS ORIGINAL FILE)

Materials Checked by Building Dept.
RECEIVED BY _____ DATE _____

Materials Received by Planning Dept.
RECEIVED BY _____ DATE _____

Materials Accepted by Town Clerk
RECEIVED BY _____ DATE _____

TO BE COMPLETED BY APPLICANT

ONLY IF LEGAL DESCRIPTION HAS BEEN REVISED

1. **Petitioner:**

Name: Benderson Development Company, LLC

Address: 570 Delaware Avenue

City Buffalo State NY Zip Code 14202

Phone: 716-878-9626 Fax: 716-886-1026
E Mail jmb@benderson.com

2. **Street address of land to be rezoned:**

4224 - 4256 Ridge Lea

3. **Submitted by:**

Name: Benderson Development Company, LLC

Address: 570 Delaware Avenue, Buffalo, New York

Required Materials:

- ☐ Revised Survey and Legal Description
- ☐ Legal Description in the form of a Local Law
- ☐ Legal Description in a Microsoft Word Document

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

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: Amherst Commerce Center - Proposed Rezoning		
Project Location (describe, and attach a general location map): 4252 - 4256 Ridge Lea Road, Town of Amherst, Erie County		
Brief Description of Proposed Action (include purpose or need): The proposed project is a rezoning request to rezone 14.8 acres +/- of land to the RD (Research & Development) zoning district to allow for a new 108,000 SF Warehouse building and to connect the proposed warehouse to the existing southerly 21,736 SF building with a 3,000 SF building addition along with new parking, utilities, drainage and landscaping.		
Name of Applicant/Sponsor: Benderson Development Company, LLC	Telephone: 716-878-9626 E-Mail: jamesboglioli@benderson.com	
Address: 570 Delaware Ave		
City/PO: Buffalo	State: NY	Zip Code: 14202
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

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	Town Board - Rezoning	6/2021
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board - Site Plan Approval	6/2021
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☑Yes ☐No	Town of Amherst - Traffic Safety Board	6/2021
e. County agencies ☑Yes ☐No	Erie County - Planning Dept	6/2021
f. Regional agencies ☐Yes ☑No		
g. State agencies ☐Yes ☑No		
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):

_____

_____

_____

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):

_____

_____

_____

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

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?
CTR-8 (Center 8) District

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? RD - Research & Development

C.4. Existing community services.

a. In what school district is the project site located? Sweet Home School District

b. What police or other public protection forces serve the project site?
Town of Amherst Police, Erie County Sheriffs and New York State Police

c. Which fire protection and emergency medical services serve the project site?
North Bailey Fire Protection District

d. What parks serve the project site?
None

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)? Warehouse/Industrial

b. a. Total acreage of the site of the proposed action? 14.8 +/- acres
b. Total acreage to be physically disturbed? 14.8 +/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 52.1 +/- 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: 15 months
ii. If Yes:
- Total number of phases anticipated 1
- Anticipated commencement date of phase 1 (including demolition) 4 month 22 year
- Anticipated completion date of final phase 7 month 23 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

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 1

ii. Dimensions (in feet) of largest proposed structure: 36 height; 180 width; and 600 length

iii. Approximate extent of building space to be heated or cooled: 111,000 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: Stormwater Detention Pond

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: 15 million gallons; surface area: 0.75 +/- acres

v. Dimensions of the proposed dam or impounding structure: 8 height; 200 length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

earth fill

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.

iv. 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):

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

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: 11,000 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: Erie County Water Authority
- 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: 9,900 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):
sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: Amherst Plant #16
- Name of district: Amherst Sewer District #16
- 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

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- 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 9.33 acres (impervious surface)

_____ Square feet or 14.8 acres (parcel size)

ii. Describe types of new point sources. roof drains and parking lot catch basins

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)?

on site stormwater management facility

- 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)

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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 167 Proposed 399 Net increase/decrease 232

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: _____

77.7 kWh

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

via grid/local utility

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: 7 AM - 9 PM
- Saturday: 7 AM - 9 PM
- Sunday: none
- Holidays: 7 AM - 9 PM

ii. During Operations:

- Monday - Friday: 7 AM - 9 PM
- Saturday: 7 AM - 9 PM
- Sunday: 7 AM - 9 PM
- Holidays: 7 AM - 9 PM

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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:

Construction equipment 7 AM to 8 PM

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:

dark sky, LED fixtures mounted at 15 to 25 feet per zoning code requirements

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: _____

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5.a

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	3.77	9.33	+5.56
• Forested	N/A	N/A	N/A
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	N/A	N/A	N/A
• Agricultural (includes active orchards, field, greenhouse etc.)	N/A	N/A	N/A
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.0	0.75	+.75
• Wetlands (freshwater or tidal)	N/A	N/A	N/A
• Non-vegetated (bare rock, earth or fill)	N/A	N/A	N/A
• Other Describe: landscape area	11.03	4.72	-6.31

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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:
Sweet Home Middle School

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):

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v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐

- 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? > 7 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:

CfB - Cayuga Silt Loam	18.4 %
CoA - Churchville Silt Loam	70.2 %
Od - Odessa Silt Loam	11.4 %

d. What is the average depth to the water table on the project site? Average: 3 feet

e. Drainage status of project site soils:

☐	Well Drained:	_____% of site
☑	Moderately Well Drained:	18.4 % of site
☑	Poorly Drained	81.6 % of site

f. Approximate proportion of proposed action site with slopes:

☑	0-10%:	100 % 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: _____

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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: _____

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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: Ellicott Creek - 1.5 miles; Tonawanda Creek - 2.2 miles; Niagara River - 4.3 miles

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

iii. Distance between project and resource: see above 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 Matthew J. Oates, P.E. Date 06/23/2021

Signature _____ Title Director, Engineering

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PRINT FORM

ERIE COUNTY CLERK'S OFFICE

County Clerk's Recording Page

Return to:
BOX 286

Party 1:
4512 MAIN STREET INC

Party 2:
BENDERSON 85-1 TRUST 101485 TR

Book Type: D Book: 11286 Page: 8548
Page Count: 5
Doc Type: DEED
Rec Date: 10/20/2015
Rec Time: 01:08:09 PM
Control #: 2015214686
UserID: Faith
Trans #: 15170346
Document Sequence Number
TT2015006093

Recording Fees:

RECORDING	$45.00
COE CO $1 RET	$1.00
COE STATE $14.25 GEN	$14.25
COE STATE $4.75 RM	$4.75
RP5217 CNTY $9	$9.00
RP5217 ST-NON RES $241	$241.00
TP584	$10.00

Consideration Amount: 34000.00

BASIC MT	$0.00
SONYMA MT	$0.00
ADDL MT/NFTA	$0.00
SP MT/M-RAIL	$0.00
NY STATE TT	$136.00
ROAD FUND TT	$170.00

Total: $631.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Christopher L. Jacobs
County Clerk

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

Box 286

BARGAIN AND SALE DEED

THIS BARGAIN AND SALE DEED, made this 15th day of October, 2015

Between:

4512 MAIN STREET, INC.,
a New York corporation
1140 SW 11th Avenue, Suite 500
Portland, Oregon 97205
(hereinafter referred to as the "Grantor")

and

Ronald Benderson, Randall Benderson and David H. Baldauf as Trustees under a trust agreement dated October 14, 1985 known as the Benderson 85-1 Trust as to an undivided 39.2% interest as tenant in common; 570 Associates I, LLC, a New York limited liability company, as to an undivided 19.6687% interest as tenant in common; 570 Associates II, LLC, a New York limited liability company, as to an undivided 32% interest as tenant in common; Blvdcon-1 LLC, a New York limited liability company, as to an undivided 2.8% interest as tenant in common; Trahwen-A, LLC, a New York limited liability company as to an undivided 6.3313% as tenant in common, all with offices at 7978 Cooper Creek Boulevard, Suite 100, University Park, Florida 34201
(hereinafter referred to as the "Grantee")

WITNESSETH, that the Grantor for and in consideration of the sum of ONE DOLLAR and MORE ($1.00 and MORE), lawful money of the United States, paid by the Grantee, does hereby convey, grant and release unto the Grantee and its assigns forever:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amherst, County of Erie and State of New York, more particularly described in **Exhibit "A"** attached hereto and made a part hereof,

TOGETHER with all of the appurtenances and all of the estate and rights of the Grantor in and to the said premises.

SUBJECT TO easements, restrictions and rights of way of record.

TO HAVE AND TO HOLD the above granted premises unto the Grantee and its assigns forever.

AND THE GRANTOR COVENANTS that, except as otherwise set forth in **Exhibit "B"** attached hereto and made a part hereof with respect to permitted encumbrances, it has not done or suffered anything whereby the said premises have been encumbered in any way whatever. The Grantor covenants further that, in compliance with Section 13 of the Lien Law, the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total of the same for any other purpose.

214686 Town 34.00 Deed — 4 Amh

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

THIS CONVEYANCE which does not constitute all or substantially all of the assets of the Grantor, will not render the Grantor insolvent and is not made to defraud creditors. This conveyance has been authorized by Grantor in compliance with the Limited Liability Company Law of the State of New York

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed and delivered as of the day and year first above written.

4512 MAIN STREET, INC.,
a New York corporation

By: _____
Douglas L. Obletz, President

STATE OF Oregon)
) ss:
COUNTY OF Multnomah)

On the 15th day of October in the year 2015, before me, the undersigned, a notary public in and for said state, personally appeared Douglas L. Obletz, President, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

OFFICIAL STAMP
JENNIFER MAY WEST
NOTARY PUBLIC-OREGON
COMMISSION NO. 927430
MY COMMISSION EXPIRES APRIL 14, 2018

_____
Notary Public

709286.0006/6439022.4

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

Exhibit "A" to Bargain and Sale Deed

Grantor: **4512 MAIN STREET, INC.**

Grantee: **Ronald Benderson, Randall Benderson and David H. Baldauf as Trustees under a trust agreement dated October 14, 1985 known as the Benderson 85-1 Trust as to an undivided 39.2% interest as tenant in common; 570 Associates I, LLC, a New York limited liability company, as to an undivided 19.6687% interest as tenant in common; 570 Associates II, LLC, a New York limited liability company, as to an undivided 32% interest as tenant in common; Blvdcon-1 LLC, a New York limited liability company, as to an undivided 2.8% interest as tenant in common; Trahwen-A, LLC, a New York limited liability company as to an undivided 6.3313% as tenant in common**

Legal Description

All that Tract or Parcel of Land, situate in the Town of Amherst, County of Erie and State of New York, being part of Lot No. 85, Township 12, Range 7 of the Holland Land Company Survey, bounded and described as follows:

BEGINNING at a point in the northwesterly line of Meyer Road, distant 347.40 feet westerly from the intersection of the northwesterly line of Meyer Road with the east line of said Lot No. 85; thence northerly parallel with the east line of said Lot No. 85, 538.14 feet to the northerly line of lands conveyed to Howard D. Bogner and Laura L. Bogner, his wife, by deed recorded in Liber 4203 of Deeds at Page 273; thence westerly along the northerly line of said Bogners' lands, 218.17 feet ± to the easterly line of lands conveyed to Charles Andrea and Violet Agnes Andrea, his wife, by deed recorded in Liber 4347 of Deeds at page 314; thence southerly along the easterly line of said Andrea lands, 558.54 feet to the northwesterly line of Meyer Road; thence northeasterly along the northwesterly line of Meyer Road 85.99 feet; thence northerly at an interior angle of 90° 00' 26", 165 feet to the northerly line of lands conveyed to Robert D. Berk and Carolyn J., his wife, by liber 8370 of Deeds at Page 507 extended westerly; thence parallel with Meyer Road and along the extension westerly of the northerly line of Berks' lands and along the northerly line of Berks' lands, 95.43 feet to the easterly line of said Berks' lands; thence southerly along the easterly line of said Berks' lands, 165 feet to the northwesterly line of Meyer Road; thence easterly along the northwesterly line of Meyer Road, 37.82 feet to the point or place of beginning.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

Exhibit "B" to Bargain and Sale Deed

Grantor: **4512 MAIN STREET, INC.**

Grantee: **Ronald Benderson, Randall Benderson and David H. Baldauf as Trustees under a trust agreement dated October 14, 1985 known as the Benderson 85-1 Trust as to an undivided 39.2% interest as tenant in common; 570 Associates I, LLC, a New York limited liability company, as to an undivided 19.6687% interest as tenant in common; 570 Associates II, LLC, a New York limited liability company, as to an undivided 32% interest as tenant in common; Blvdcon-1 LLC, a New York limited liability company, as to an undivided 2.8% interest as tenant in common; Trahwen-A, LLC, a New York limited liability company as to an undivided 6.3313% as tenant in common**

Permitted Encumbrances

1. Right of Way granted by Robert L. Tennis Corporation to Buffalo Pipeline Corporation, dated August 18, 1937 and recorded September 11, 1937 in Liber 2703 of Deeds, page 126.

2. Easement granted by Howard D. Bogner and Laura L. Bogner, his wife to Town of Amherst, dated February 27, 1963 and recorded April 3, 1963 in Liber 6873 of Deeds, page 227.

3. Any state of facts a currently dated survey may reveal.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

ERIE COUNTY CLERK'S OFFICE

County Clerk's Recording Page

Return to:
BOX 286

Party 1:
RIDGE LEA ASSOCIATES LLC

Party 2:
BENDERSON 85-1 TRUST 101485 TR

Book Type: D Book: 11286 Page: 8553
Page Count: 10
Doc Type: DEED
Rec Date: 10/20/2015
Rec Time: 01:08:09 PM
Control #: 2015214687
UserID: Faith
Trans #: 15170346
Document Sequence Number
TT2015006094

Recording Fees:

RECORDING	$70.00
COE CO $1 RET	$1.00
COE STATE $14.25 GEN	$14.25
COE STATE $4.75 RM	$4.75
RP5217 CNTY $9	$9.00
RP5217 ST-NON RES $241	$241.00
TP584	$10.00

Consideration Amount: 12569224.17

BASIC MT	$0.00
SONYMA MT	$0.00
ADDL MT/NFTA	$0.00
SP MT/M-RAIL	$0.00
NY STATE TT	$50,278.00
ROAD FUND TT	$62,847.50

Total: $113,475.50

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Christopher L. Jacobs
County Clerk

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

BARGAIN AND SALE DEED

Box 286

THIS BARGAIN AND SALE DEED, made this 15th day of October, 2015

Between:

RIDGE LEA ASSOCIATES L.L.C.,
a New York limited liability company
1140 SW 11th Avenue, Suite 500
Portland, Oregon 97205
(hereinafter referred to as the "Grantor")

and

Ronald Benderson, Randall Benderson and David H. Baldauf as Trustees under a trust agreement dated October 14, 1985 known as the Benderson 85-1 Trust as to an undivided 39.2% interest as tenant in common; 570 Associates I, LLC, a New York limited liability company, as to an undivided 19.6687% interest as tenant in common; 570 Associates II, LLC, a New York limited liability company, as to an undivided 32% interest as tenant in common; Blvdcon-1 LLC, a New York limited liability company, as to an undivided 2.8% interest as tenant in common; Trahwen-A, LLC, a New York limited liability company as to an undivided 6.3313% as tenant in common, all with offices at 7978 Cooper Creek Boulevard, Suite 100, University Park, Florida 34201
(hereinafter referred to as the "Grantee")

WITNESSETH, that the Grantor for and in consideration of the sum of ONE DOLLAR and MORE ($1.00 and MORE), lawful money of the United States, paid by the Grantee, does hereby convey, grant and release unto the Grantee and its assigns forever:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amherst, County of Erie and State of New York, more particularly described in **Exhibit "A"** attached hereto and made a part hereof,

TOGETHER with all of the appurtenances and all of the estate and rights of the Grantor in and to the said premises.

SUBJECT TO easements, restrictions and rights of way of record.

TO HAVE AND TO HOLD the above granted premises unto the Grantee and its assigns forever.

AND THE GRANTOR COVENANTS that, except as otherwise set forth in **Exhibit "B"** attached hereto and made a part hereof with respect to permitted encumbrances, it has not done or suffered anything whereby the said premises have been encumbered in any way whatever. The Grantor covenants further that, in compliance with Section 13 of the Lien Law, the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total of the same for any other purpose.

214687

Comm 12,569,224.17 Deed-9 2p Amt

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

THIS CONVEYANCE which does not constitute all or substantially all of the assets of the Grantor, will not render the Grantor insolvent and is not made to defraud creditors. This conveyance has been authorized by Grantor in compliance with the Limited Liability Company Law of the State of New York

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed and delivered as of the day and year first above written.

RIDGE LEA ASSOCIATES L.L.C.,
a New York limited liability company

By: _____
Douglas L. Obletz, Manager

STATE OF Oregon)
) ss:
COUNTY OF Multnomah)

On the 15th day of October in the year 2015, before me, the undersigned, a notary public in and for said state, personally appeared Douglas L. Obletz, Manager, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

OFFICIAL STAMP
JENNIFER MAY WEST
NOTARY PUBLIC-OREGON
COMMISSION NO. 927430
MY COMMISSION EXPIRES APRIL 14, 2018

Jennifer May West
Notary Public

709286.0006/6295300.3

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

EXHIBIT "A" TO BARGAIN AND SALE DEED

Grantor: **RIDGE LEA ASSOCIATES L.L.C.**

Grantee: **Ronald Benderson, Randall Benderson and David H. Baldauf as Trustees under a trust agreement dated October 14, 1985 known as the Benderson 85-1 Trust as to an undivided 39.2% interest as tenant in common; 570 Associates I, LLC, a New York limited liability company, as to an undivided 19.6687% interest as tenant in common; 570 Associates II, LLC, a New York limited liability company, as to an undivided 32% interest as tenant in common; Blvdcon-1 LLC, a New York limited liability company, as to an undivided 2.8% interest as tenant in common; Trahwen-A, LLC, a New York limited liability company as to an undivided 6.3313% as tenant in common**

Legal Description for 4224 to 4256 Ridge Lea Road, Amherst property

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Lots 79 and 85, Township 12, Range 7 of the Holland Land Survey (so-called), bounded and described as follows:

Beginning at the intersection of the east line of lands appropriated by the People of the State of New York, Map No. 78, Parcel No. 102 with the north line of lands conveyed by Deed to Howjohn Realty Co. recorded in the Erie County Clerk's Office in Liber 6894 of Deeds at page 373;
THENCE Easterly along said north line a distance of 155.60 feet;
THENCE Northerly parallel with the east line of Lot 85 a distance of 747.08 feet to the southerly line of Ridge Lea Road (66.0 feet wide);
THENCE along the southerly line of Ridge Lea Road the following three (3) courses and distances:

1) Easterly a distance of 265.33 feet to a point of curvature;

2) Southeasterly on a curve to the right having a radius of 541.47 feet an arc distance of 358.48 feet to a point of tangency;

3) Southeasterly a distance of 159.02 feet to the westerly line of lands appropriated by the People of the State of New York recorded in Liber 9007 of Deeds at page 77, Map No. 2, Parcel No. 2.

THENCE along said southwesterly line and the northeasterly line of lands conveyed by Deed to Ridge Lea Associates, LLC recorded in Liber 10923 of Deeds at page 9214, a distance of 1,137.95 feet to an angle point;
THENCE continuing southeasterly forming an exterior angle of 171° 59' 35", with the last course and along the northeasterly line of said Ridge Lea Associates, LLC lands and the southwesterly line of land appropriated by the People of the State of New York recorded in Liber 9007 of Deeds at Page 77, Map No. 2, Parcel No. 4, a distance of 761.41 to the east line of lands described in Liber 4616 of Deeds at page 302;
THENCE Southerly along the said east line having an interior angle of 137° 08' 44" a distance of 74.95 feet to the northwest line of lands appropriated by the People of the State of New York in Liber 9007 of Deeds at page 77, Map No. 2, Parcel No. 5;

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

THENCE Southwesterly along said northwest line having an interior angle of 117° 43' 03" a distance of 160.67 feet to the north line of Meyer Road (49.5 feet wide)
THENCE Westerly along said north line having an interior angle of 151° 21' 36" a distance of 353.17 feet;
THENCE Northerly an at interior angle of 90° 02' a distance of 125.00 feet;
THENCE Westerly, parallel with the north line of Meyer Road a distance of 547.21 feet to the west line of Lot 79;
THENCE Northerly along the west line of Lot 79 having an interior angle of 89° 36' 38" a distance of 395.91 feet;
THENCE Westerly having an interior angle of 270°-28' a distance of 100.00 feet
THENCE West at an exterior angle to the right of 178° 28' 40", 243.42 feet to the west line of lands conveyed to George Roetzer;
THENCE South along the west line of lands conveyed to George Roetzer, 4.43 feet to the south line of land conveyed to Stephen Luczak
THENCE West along the last mentioned lands, 341.86 feet;
THENCE South at an exterior angle of 90° 24' 00", 336.13 feet;
THENCE, West at an interior angle of 90° 00' 00", 142.11 feet
THENCE South at an exterior angle of 90° 00' 00", 181.46 feet;
THENCE West at an interior angle of 90° 00' 00", 152.40 feet;
THENCE Southwest at an exterior angle of 135° 00' 00", 33.70 feet to the east boundary of North Bailey Avenue as now laid out and the east line of Map No. 78, Parcel No. 102;
THENCE North along the last mentioned boundary 1,202 feet to the POINT OF BEGINNING

The above premises is being and intended to be the same premises conveyed by Deeds recorded in Liber 10923 of Deeds, page 9412; Liber 10923 of Deeds, page 9214; Liber 10930 of Deeds, page 632; Liber 10930 of Deeds, page 646; Liber 10930 of Deeds, page 665; Liber 10930 of Deeds, page 672; Liber 10930 of Deeds, page 679; Liber 10930 of Deeds, page 689; Liber 10930 of Deeds, page 694; Liber 10958 of Deeds, page 6753; Liber 11127 of Deeds, page 1933; and Liber 11127 of Deeds, page 1921.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

Legal Description For 256 Meyer Road, Amherst Property:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amherst, County of Erie and State of New York, being part of Lot No. 85, Township 12, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING AT A POINT in the northerly line of Meyer Road 687.24 feet westerly of the east line of Lot No. 85; running thence northerly and parallel with the east line of Lot No. 85, a distance of 224.88 feet; running thence westerly a distance of 70 feet; running thence southerly and parallel to the east line of Lot No. 85, a distance of 260.09 feet to the northerly line of Meyer Road a distance of approximately 81.54 feet to the point or place of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amherst, County of Erie and State of New York, being part of Lot No. 85, Township 12, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the northerly line of Meyer Road a distance of 858.64 feet westerly from the east line of Lot No. 85 as measured along the northerly line of Meyer Road; running thence northerly and parallel with the east line of Lot No. 85, a distance of 316.43 feet; running thence easterly a distance of 70 feet; running thence southerly and parallel to the east line of Lot No. 85, a distance of 260.09 feet to the northerly line of Meyer Road; running thence southwesterly along the northerly line of Meyer Road a distance of 89.86 feet to the point or place of beginning.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

EXHIBIT "B" TO BARGAIN AND SALE DEED

Grantor: **RIDGE LEA ASSOCIATES L.L.C.**

Grantee: **Ronald Benderson, Randall Benderson and David H. Baldauf as Trustees under a trust agreement dated October 14, 1985 known as the Benderson 85-1 Trust as to an undivided 39.2% interest as tenant in common; 570 Associates I, LLC, a New York limited liability company, as to an undivided 19.6687% interest as tenant in common; 570 Associates II, LLC, a New York limited liability company, as to an undivided 32% interest as tenant in common; Blvdcon-1 LLC, a New York limited liability company, as to an undivided 2.8% interest as tenant in common; Trahwen-A, LLC, a New York limited liability company as to an undivided 6.3313% as tenant in common**

Listed Permitted Encumbrances for 4224 to 4256 Ridge Lea Road, Amherst property

1. Easement granted by George N. Roetzer, Jr. to Niagara Mohawk Power Corporation and New York Telephone Company, dated April 19, 1966 and recorded May 3, 1966 in Liber 7227 of Deeds, page 224.

2. Right of Way granted by the Estate of Jacob Allenbach by Jacob C. Allenbach, Administrator and Lena Allenbach to Buffalo Pipe Line Corporation, dated August 7, 1937 and recorded November 22, 1937 in Liber 2725 of Deeds, page 476.

3. Option granted by Stephen Luczak and Lucy Luczak, his wife and Frances Zajac to Lakehead Pipe Line Company, Inc., dated October 5, 1961 and recorded December 26, 1961 in Liber 6729 of Deeds, page 692.

4. Right of Way granted by Robert L. Tennis Corporation to Buffalo Pipe Line Corporation, dated August 18, 1937 and recorded September 11, 1937 in Liber 2703 of Deeds, page 126. Assigned to Atlantic Pipeline Corp. on October 16, 1985 in Liber 9498 of Deeds, page 524.

5. Option granted by Edwin J. Cudney and Eugenia A Cudney, his wife to Lakehead Pipe Line Company, Inc., dated November 21, 1961 and recorded December 26, 1961 in Liber 6729 of Deeds, page 697.

6. Right of Way granted by The Estate of Elizabeth Muck, by Hattie L. Neumann, executrix and Lauretta M. Krueger to Buffalo Pipe Line Corporation, dated July 10, 1937 and recorded November 22, 1937 in Liber 2725 of Deeds, page 480. Assigned to Atlantic Pipeline Corp. on October 16, 1985 in Liber 9498 of Deeds, page 524.

7. Right of Way granted by Hattie L. Neumann and Lauretta M. Krueger to Buffalo Pipe Line Corporation, dated December 3, 1937 and recorded January 10, 1938 in Liber 2736 of Deeds, page 451. Assigned to Atlantic Pipeline Corp. on October 16, 1985 in Liber 9498 of Deeds, page 524.

8. Right of Way granted by David J. Siegel and Anna Siegel, his wife to Buffalo Pipe Line Corporation, dated July 10, 1937 and recorded September 11, 1937 in Liber 2703 of Deeds, page 212. Assigned to Atlantic Pipeline Corp. on October 16, 1985 in Liber 9498 of Deeds, page 524.

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9. Easement granted by Ellsworth Morey to Town of Amherst, dated January 19, 1963 and recorded March 6, 1963 in Liber 6866 of Deeds, page 208.

10. Easement granted by Lillian Ippolito to Niagara Mohawk Power Corporation and New York Telephone Company, dated September 11, 1962 and recorded September 24, 1962 in Liber 6817 of Deeds, page 585.

11. Easement granted by Maret Development Corporation of New York to Niagara Mohawk Power Corporation, dated July 17, 1967 and recorded September 11, 1967 in Liber 7392 of Deeds, page 474.

12. Right of Way granted by Maret Development Corporation of New York to Iroquois Gas Corporation, dated June 12, 1967 and recorded September 29, 1967 in Liber 7399 of Deeds, page 98.

13. Easement granted by Maret Development Corp. of N.Y. to Town of Amherst, dated December 2, 1966 and recorded October 30, 1967 in Liber 7410 of Deeds, page 323.

14. Easement granted by Maret Development Corp. of N.Y to Town of Amherst, dated December 2, 1966 and recorded October 30, 1967 in Liber 7410 of Deeds, page 325.

15. Easement granted by Maret Development Corp. of New York to Town of Amherst, dated April 29, 1968 and recorded September 19, 1968 in Liber 7514 of Deeds, page 87.

16. Easement granted by John Hancock Mutual Life Insurance Company to New York Telephone Company, dated January 20, 1971 and recorded February 4, 1971 in Liber 7767 of Deeds, page 581.

17. Easement granted by Amherst Commerce Park to New York Telephone Company, dated March 8, 1983 and recorded March 22, 1983 in Liber 9211 of Deeds, page 164.

18. Easement granted by Bernard L Obletz, individually and as agent for Frank.J. Zappala, Jr., Frank J. Nascone, David Spatz and Orchard Park Associates, a joint venture consisting of David Spatz and Howard R. Slater to Niagara Mohawk Power Corporation and New York Telephone Company, dated ----- and recorded April 17, 1984 in Liber 9323 of Deeds, page 121.

19. Easement granted by Ridge Lea Associates, a New York partnership to Niagara Mohawk Power Corporation and New York Telephone Company d/b/a NYNEX, dated June 15, 1996 and recorded August 13, 1997 in Liber 10919 of Deeds, page 9198.

20. Declaration of Cross Easements made by Bernard I. Obletz Grantor Trust U/A dated October 3, 1996 by Douglas L. Obletz, Trustee; Frank J. Zappala, Jr.; The Estate of Frank J. Nascone, National City Bank of Pennsylvania, executor; David Spatz; and Orchard Park Associates, a joint venture consisting of David Spatz, Paul E. Slater, Jan Barnow and Elizabeth Slater with Ridge Lea Associates, L.L.C., dated March 15, 1998 and recorded April 1, 1998 in Liber 10930 of Deeds, page 718.

21. Easement granted by Ridge Lea Associates, LLC to New York Telephone Company, dated January 14, 2000 and recorded February 17, 2000 in Liber 10963 of Deeds, page 3506.

22. Easement granted by Ridge Lea Associates, LLC to Verizon New York, Inc., dated February 7, 2002 and recorded March 21, 2002 in Liber 11002 of Deeds, page 8754.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

23. Declaration of Restrictions made by FJF Associates d/b/a Amherst Commerce Park, dated ------- and recorded August 14, 1998 in Liber 10937 of Deeds, page 2945.

24. Easement granted by Bernard I. Obletz, individually and as agent for Frank J. Zappala, Jr., Frank J. Nascone, David Spatz, Orchard Park Associates, a joint venture organized under the laws of New York State consisting of David Spatz and Howard R. Slater to Niagara Mohawk Power Corporation and New York Telephone Company, dated April 9, 1984 and recorded April 17, 1984 in Liber 9323 of Deeds, page 121.

25. Easement granted by Lillian Ippolito to Andrew L. Coppolla and Janet Coppolla, his wife, dated April 10, 1962 and recorded April 10, 1962 in Liber 6757 of Deeds, page 434.

26. Memorandum of Lease made by Amherst Commerce Park to Upstate Cellular Network, dated March 22, 1996 and recorded April 23, 1996 in Liber 10900 of Deeds, page 4011. Assigned to Crown Atlantic Company LLC by Memorandum of Assignment and Assumption Agreement recorded March 9, 2001 in Liber 10977 of Deeds, page 9311.

27. ALTA/ASCM Land Title Survey map made by GPI Engineering & Surveying, LLP, dated February 2, 2015, Job No. 96020-ALTA discloses:

a. 25' wide sanitary sewer easement area running along the southerly line of Ridge Lea, also being the north line of premises. See Liber 7514 of Deeds, page 87 and Liber 7410 of Deeds, page 325.

b. Sunoco Pipeline Marker(s) located on and along the southerly line of Ridge Lea, also being the north line of premises. See Liber 2703 of Deeds, pages126 & 212, Liber 2725 of Deeds, pages 476 & 480, Liber 2736 of deeds, page 451 as assigned by Liber 9498 of Deeds, page 524.

c. New York Telephone Easement area running along the southerly line of Ridge Lea, also being the north line of premises. See Liber 7767 of Deeds, page 581.

d. Enbridge Pipe Line marker(s) located on and along the southerly line of Ridge Lea, also being the north line of premises. See Liber 6729 of Deeds, pages 692 & 697.

e. Town of Amherst 25' wide easement area running along the north line of premises. See Liber 7410 of Deeds, page323.

f. Fences easement area surrounding Antenna Tower located near the southeasterly corner of premises. See Liber 10090 of Deeds, page 4001 as assigned by Liber 10977 of Deeds, page 9311.

g. 10' wide Verizon easement area located near the southeasterly corner of premises. See Liber 11002 of Deeds, page 8754.

h. 5' wide NY Telephone easement area located near the southeasterly corner of premises. See Liber 10963 of Deeds, page 3506.

i. 10' wide sanitary sewer easement area running along the southerly line of premises, also being the north line of Meyer Road. See Liber 6866 of Deeds, page 208.

j. Utility poles running along the southerly line of premises, also being the north line of residential lots fronting on Meyer Road, See Liber 6817 of Deeds, page 585.

k. 10' wide easement area running along the west line of Lot No. 79 and traverses easterly into Lot No. 79. See Liber 10919 of Deeds, page 9198.

l. Shed encroaches up to 5.7' north from a residential lot fronting on Meyer Road.

m. Stone parking area encroaches from 34.5' to 55' easterly from lot owned now or formerly by Scott Roetzer and Kimberly Discipio by deed recorded in Liber 11180 of Deeds, page 2331.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

n. Concrete area encroaches up to 2.3' east onto premises from property fronting on Meyer Road owned now of formerly by Gary and Rebecca Smith by deed recorded in Liber 10867 of Deeds, page 6726.

o. Iroquois Gas easement area traversing that part of premises located in Lot No. 85. See Liber 7399 of Deeds, page 98 as assigned by Liber 8189 of Deeds, page 13.

p. 10' wide Niagara Mohawk easement area traversing that part of premises located in Lot No. 85. See Liber 7392 of Deeds, page 474.

q. 10'x75' Niagara Mohawk easement area located east of Building No. 4226. See Liber 9323 of Deeds, page 121.

r. 40' wide ingress/egress parking area traverses part of premises located in Lot No. 85. See Liber 10930 of Deeds, page 718.

s. Pavement area located south of Building No. 4230 encroaches up to 8.0' onto premises next west.

t. Various light standards, man holes and drainage recepticals located within the title lines of premises.

u. Pond located within the title lines of premises.

v. Fence lines are at variance.

w. Billboard located near the southerly line of Ridge Lea, also being the north line of premises.

28. Access Restrictions contained in Deed recorded in Liber 10923 of Deeds at page 9214.

Listed Permitted Encumbrances for 256 Meyer Road, Amherst property

29. Right of Way granted by Robert L. Tennis Corporation to Buffalo Pipeline Corporation, dated August 18, 1937 and recorded September 11, 1937 in Liber 2703 of Deeds, page 126.

30. Easement granted by Charles Villa Reale and Mabel J. Reale, his wife to Town of Amherst, dated February 9, 1963 and recorded April 3, 1963 in Liber 6873 of Deeds, page 207.

31. Easement granted by John D'Andrea and Maxine D'Andrea, his wife to Town of Amherst, dated February 9, 1963 and recorded April 3, 1963 in Liber 6873 of Deeds, page 220.

32. Any state of facts a currently dated survey may reveal.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

BENDERSON DEVELOPMENT COMPANY, LLC. • 570 Delaware Ave., Buffalo, NY 14202 • 716/886-0211• FAX 716/886-2269 • www.benderson.com

June 23, 2021

VIA HAND DELIVERY
Brian J. Kulpa, Town Supervisor
Town of Amherst
5583 Main Street
Williamsville, NY 14221

RE: Proposed Rezoning of 4252 – 4256 North Bailey Ave
BDP# 5077

Dear Mr. Kulpa and Members of the Town Board:

In connection with the above-referenced property, please accept this letter and the enclosed application materials in support of our request to rezone the parcel located at 4252 – 4256 North Bailey Ave (portion of "Amherst Commerce Center") from Center 8 District ("CTR-8") to Research and Development District ("RD").

Information on the Project:

A. Description of the Character of the Proposed Development

Delta Sonic Carwash Systems, Inc. (hereinafter "Delta Sonic") currently has operations in three states: New York, Pennsylvania and Illinois. As part of these operations, Delta Sonic fabricates parts for the car wash facilities, as well as stores and ships products to all of the car wash facilities. Delta Sonic maintains warehouse space throughout Western New York to meet this need. Delta Sonic is proposing to consolidate all its warehouse and distribution facilities on a single property in Amherst. As part of this proposal, Delta Sonic is proposing to construct a new 111,000 s.f. warehouse building, as well as utilize the three existing +/- 65,161 s.f. buildings that currently exist. Delta Sonic would be moving the following operations to the new Amherst campus:

- **Soap Blending Facility**: Packaged bulk manufactured soaps and other cleaning agents are brought to the facility by drum, tote, and bulk truck, to be stored and or blended together for centralized storage and distribution to all Delta Sonics.

- **Warehousing**: and distribution of operational supplies such as uniforms, small wears equipment, lights, napkins, towels, small equipment, coffee machines, ice machines, etc.

- **Equipment Manufacturing**: Fabrication of Car Wash operational equipment. Bulk steel, pumps, motors, electronic sensors, etc. are brought into the facility and used to make equipment for the car wash tunnel, auto detailing operations, signage, etc. Sometimes new equipment designs, and layouts are set up for mechanical R&D purposes.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

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- **Print Shop**: Design and printing of advertising signage for company operations

- **Equipment Storage and distribution**: Operational equipment such as food service furniture, reach-in cooler, millwork, detail vacuums, cooler/freezer racking, registers, computers, new fuel dispensers, hoses, etc.

Delta Sonic will be making a significant investment in its new Amherst Campus. In addition to relocating jobs form the surrounding area to this property, Delta Sonic will be creating new job opportunities as Delta Sonic continues to expand its business. Delta Sonic is currently under construction with new car wash facilities on Niagara Falls Blvd. in Amherst and in Oswego, Illinois, as well as recently opened a new facility in Lancaster, NY. In addition, we have numerous new projects being proposed, as well as expansions to existing facilities. This will result in continued growth and opportunity at the new Amherst campus.

B. Rationale for the Rezoning Request

1. Why was the site chosen?

The site is owned by the Benderson family who also owns and operated Delta Sonic. The site was previously located in the RD zoning district. It is currently improved with three existing 65,161 s.f. buildings with uses that are consistent with those permitted in the in the RD zoning district. Further, the site has suitable available land for the addition of the 111,000 s.f. building with sufficient property to buffer the development. In addition, Delta Sonic utilizes the Thruway (I-90) to distribute its products and materials and the site has easy access to the I-290, and therefore easy access to the I-90.

2. Why cannot land be used with the existing zoning?

The land is currently being used for uses permitted by the RD zoning. This area of the site is not suitable for the increased density permitted buy the current zoning. Further, it would require removal of the existing buildings and infrastructure.

3. How will this rezoning impact the surrounding properties?

The proposed rezoning will not have a negative impact on the surrounding properties. In fact, all the abutting properties, except the residential properties located along Meyer Road are owned and operated by Benderson Development. Further, the proposed zoning district is consistent with the prior zoning district for the property, therefore resulting in no negative impacts. Further, the proposed Delta Sonic campus will integrate and be consistent with the future development of the remainder of the property and will provided for a more significant buffer between the proposed use and the adjacent residential uses that the current zoning allows along with

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providing a good transition between the existing residential homes and the higher density allowed in the Center-8 District.

As discussed herein, the proposed RD represents a suitable blend of uses between the existing development of Amherst Commerce Center and the possible redevelopment opportunities available as part of the CTR-8 zoning for the remainder of the property. The proposed project is located adjacent to three existing buildings in the southeast section of the property and will be incorporated into the overall design of this area of the property while also providing appropriate buffers to the adjacent residential properties that are much greater than the buffers required within the CTR-8 district. The Project Site is located directly to the west of Interstate 290 and north/east of existing residential homes that have been rezoned into the CTR 8 district as part of the Town of Amherst's redevelopment plan of this area.

4. How will this rezoning impact the school system?

This rezoning will have a positive impact on the school system. It will increase school taxes while not imposing any burden on the school system.

Basis for Findings (Sec. 8-3-5 of the Town Code).

A. The proposed zoning and development plan must be generally consistent with the policies of the Comprehensive Plan and the Town Zoning Ordinance.

1. State in detail why the proposed zoning is consistent with the adopted Town of Amherst Bicentennial Comprehensive Plan.

The proposed project meets Economic Development goals, policies and objectives as identified in the Comprehensive Plan. As noted in the introduction of Comprehensive Plan Section 5.0 "*since the Town's industrial and retail sectors are expected to grow more modestly… steps must be taken in the coming years to ensure these sectors remain stable*." That section continues that this process should include "the *construction of new space that allows for flexibility for tenants.*"

Comprehensive Plan Section 5.2 *provides "A Town with a strong tax base and ample economic opportunities for a diverse base of employers and employees, housed in attractive, state of the art commercial developments in convenient and accessible locations*." The project as proposed will improve the tax base in Amherst. Further it will bring a number of employees to the area and is conveniently located in proximity to the I-290, I-990 and Niagara Falls Blvd. As noted on page 5-3 of the Comprehensive Plan "studies have shown that …. Industrial development partially subsidize(s) the cost of providing high quality facilities and services. Without such development, the burden on the residential taxpayers would be significantly higher."

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

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Further, Comprehensive Plans section 3.3 at Tables 1 and 2 provide that the for the existing land use, industrial accounts for 1.0% (Table 1) and that the plan seeks to have industrial-office land use account for 3.2%. This project helps achieve that goal.

2. Pursuant to NYS Town Law section 212a(11), "all Town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this section." The Town Board adopted the Comprehensive Plan pursuant to NYS Town law 272 on January 2, 2007. If the rezoning is approved, the Town Board may require the Plan to be amended as applicable. Cite all text, map, and/or figures that must be amended to support the proposed zoning at this location and provide detailed suggested amendments.

   The following changes to the Comprehensive Plan are suggested:

   - Figure 3 at page 3-4: Change the subject property from the "New Community District" designation to "Industrial."
   - Figure 6 at page 3-30: On the Conceptual Land Use Plan change the subject property from Commercial/Mixed use to Industrial/Office.
   - Figure 6-A at page 3-37: Remove the subject property from the Suburban Center designation.
   - Add a discussion to 3.3.4 Office and Industrial that this site has historically been zoned RD and that the continued use and redevelopment of this property with uses consistent with the RD district is desirable due to its location to the I-290.

3. State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance.

   The ordinance is intended to achieve, among others, the following objectives:

   a) To protect the character and values of residential, institutional and public uses, business, commercial and manufacturing uses and to insure their orderly and beneficial development

      The proposed project maintains the current character of the commercial and manufacturing uses in the area, while adding a state-of-the-art building and increasing employment opportunities in Amherst.

   b) To prevent overcrowding of the land.

      The project does not result in the overcrowding of land. Under the current zoning significantly more density would be permitted. Further, adequate land is available to buffer the residential uses on Meyer Road.

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c) To prevent excessive concentration of population and to prevent sparse and uncoordinated development.

The project will not result in an excessive concentration of population and the development is being coordinated and laid out in conjunction with the existing development.

d) To regulate and control the location and spacing of buildings on the lot and in relation to the surrounding property generally consistent with the policies of the Comprehensive Plan.

The project, through its design will maintain appropriate location and spacing of the buildings (3 of which already exist) so that it is generally consistent with the policies of the Comprehensive Plan.

e) To protect persons and property from damage and injury due to fire or flood.

The project will not result in any risks of injury due to flood and fire.

f) To assure that structure and land use arrangements are aesthetically harmonious with nearby areas and structures.

The proposed project has been designed to be aesthetically harmonious with nearby areas and structures.

g) To regulate the location of buildings and intensity of uses in relation to streets according to plans so as to cause the least interference with and be damaged least by traffic movements and hence result in lessened street congestion and improved public safety.

The proposed project utilizes the existing roadway system and will not result in any increased congestion.

h) To establish zoning patterns that insure economical extensions for sewers, water supply, waste disposal and other public utilities, as well as development of recreation, schools and other public facilities.

Utilities exist and are currently available at the project site

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

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B. Adequate Services and Utilities are available or are proposed to be made available with the construction of the development:

1. Sanitary Sewer: Sanitary sewer currently exists on-site and facilities will be upgraded as needed for the project.
2. Storm Sewer/Drainage: Storm Sewer/Drainage facilities exist on -site and facilities will be upgraded as needed for the project.
3. Water: Water currently exists at the project site and facilities will be upgraded as needed for the project.
4. Other: Gas, Electric and internet also currently exist at the project site.

C. Compatibility with the present zoning and conforming uses of nearby property and the character of the neighborhood.

The surrounding area is developed with several commercial uses, including restaurant, retail, warehouse and manufacturing. There are existing residential uses along Meyer Road that have recently been rezoned. The project and its zoning are compatible with the CTR-8 zoning. The design of the project is compatible with the surrounding zoning and uses. Further, the project will provide employment opportunities which will bring people to the area to support the abutting commercial uses.

D. Suitability of the subject property for the uses permitted by the current versus the proposed district.

This is a unique request as it seeks to return the property to the prior zoning. The proposed use – a Delta Sonic warehouse and manufacturing campus is very suitable for the proposed property. There is significant property for the development and for appropriate buffers. Further, the road network is in place and provide quick access to the Thruway system. Finally, the proposed uses will integrate well into the future development of the abutting properties under the CTR-8 zoning.

E. Whether the proposed change tends to improve the balance of uses or meets a specific Town demand.

As noted above, the proposed change and project will improve the balance of uses and meets a specific Town demand. Comprehensive Plans section 3.3 at Tables 1 and 2 provide that the for the existing land use, industrial accounts for 1.0% (Table 1) and that the plan seeks to have industrial-office land use account for 3.2%. This project helps achieve that goal.

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)

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Conclusion

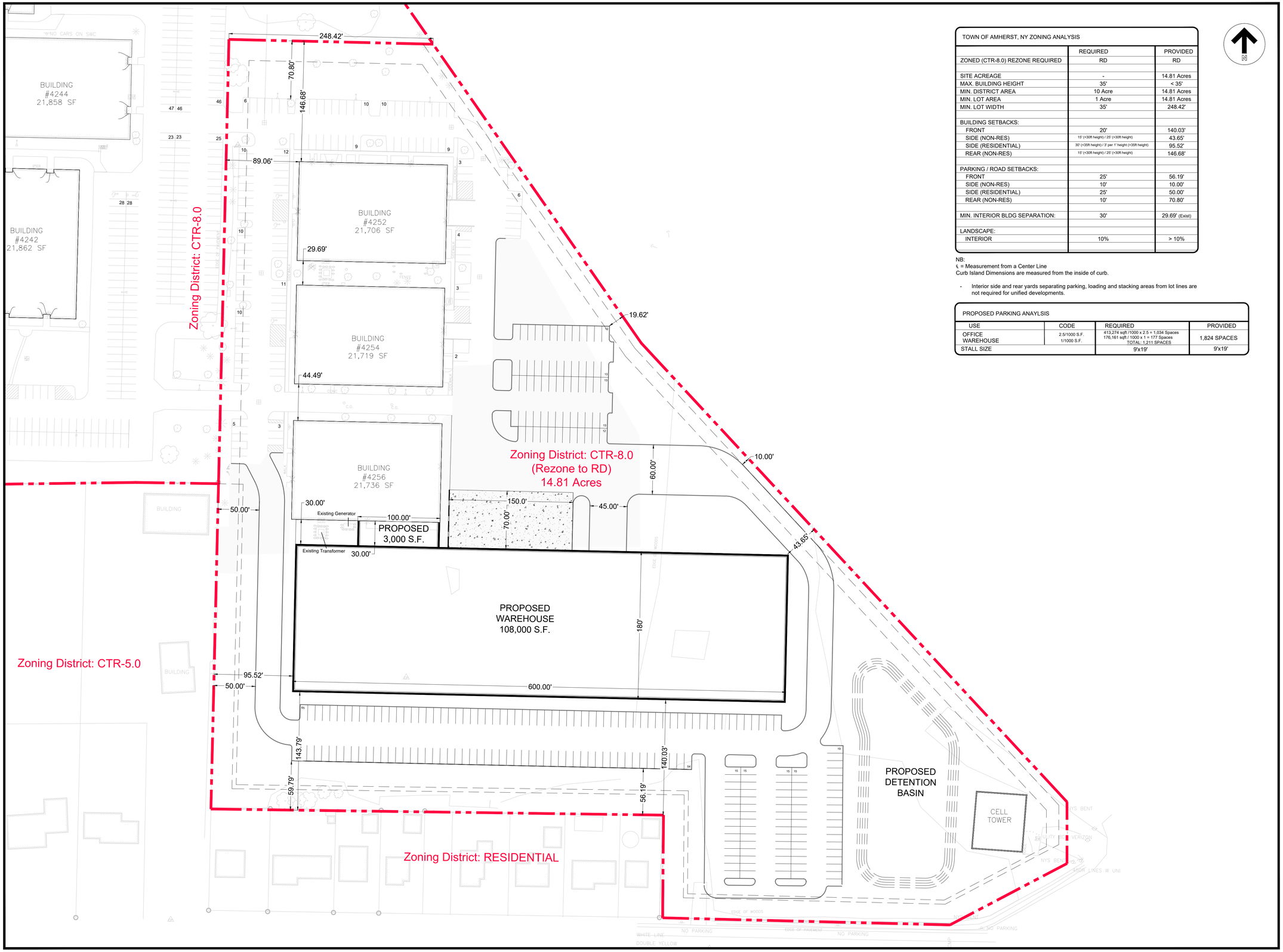
We look forward to working with the Town on this project. We believe this project represents a great development opportunity for this area that is consistent with the previous development of the property. If there are any questions regarding this letter or the enclosed documentation, please feel free to contact me at (716) 878-9626 or jamesboglioli@benderson.com. .

Thank you,
BENDERSON DEVELOPMENT COMPANY, LLC

James A. Boglioli

James A. Boglioli, Esq.
Director, Right to Build – Northeast US

Attachment: BCPA-2021-01 applicaiton 092321 [Revision 1] (24700 : Bcpa-2021-01)



TOWN OF AMHERST, NY ZONING ANALYSIS

	REQUIRED	PROVIDED
ZONED (CTR-8.0) REZONE REQUIRED	RD	RD
SITE ACREAGE	-	14.81 Acres
MAX. BUILDING HEIGHT	35'	< 35'
MIN. DISTRICT AREA	10 Acre	14.81 Acres
MIN. LOT AREA	1 Acre	14.81 Acres
MIN. LOT WIDTH	35'	248.42'
BUILDING SETBACKS:		
FRONT	20'	140.03'
SIDE (NON-RES)	15' (<30ft height) / 25' (>30ft height)	43.65'
SIDE (RESIDENTIAL)	30' (<35ft height) / 3' per 1' height (>35ft height)	95.52'
REAR (NON-RES)	15' (<30ft height) / 25' (>30ft height)	146.68'
PARKING / ROAD SETBACKS:		
FRONT	25'	56.19'
SIDE (NON-RES)	10'	10.00'
SIDE (RESIDENTIAL)	25'	50.00'
REAR (NON-RES)	10'	70.80'
MIN. INTERIOR BLDG SEPARATION:	30'	29.69' (Exist)
LANDSCAPE:		
INTERIOR	10%	> 10%

NB:
℄ = Measurement from a Center Line
Curb Island Dimensions are measured from the inside of curb.

- Interior side and rear yards separating parking, loading and stacking areas from lot lines are not required for unified developments.

PROPOSED PARKING ANAYLSIS

USE	CODE	REQUIRED	PROVIDED
OFFICE WAREHOUSE	2.5/1000 S.F. 1/1000 S.F.	413,274 sqft / 1000 x 2.5 = 1,034 Spaces 176,161 sqft / 1000 x 1 = 177 Spaces TOTAL: 1,211 SPACES	1,824 SPACES
STALL SIZE		9'x19'	9'x19'

DRAWING REVISIONS:

No.	DATE	BY	REMARKS

SPECIAL INFORMATION:

ALL CONTRACTORS SHALL GUARANTEE THEIR WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF OWNERS ACCEPTANCE.

SHOP DRAWING SUBMITTALS ARE REQUIRED FOR ANY AND ALL STRUCTURES.

NOTICE

UNAUTHORIZED ALTERATIONS OF THIS DOCUMENT ARE IN VIOLATION OF SECTION #7209 OF THE STATE EDUCATION LAW.

811 Know what's below. Call before you dig.

PROPERTY NUMBER: # 5077

AREA: - -

AMHERST COMMERCE CENTER
4224 - 4256 Ridge Lead Rd,
Amherst, NY

PROPOSED REZONE PLAN

CONSULTANT

JAMES ALLEN RUMSEY
ARCHITECT
PREPARED FOR
BENDERSON DEVELOPMENT
570 DELAWARE AVE., BUFFALO, NY 14202
(716) 886-0211

SEAL

REGISTERED ARCHITECT JAMES ALLEN RUMSEY 019159 STATE OF NEW YORK

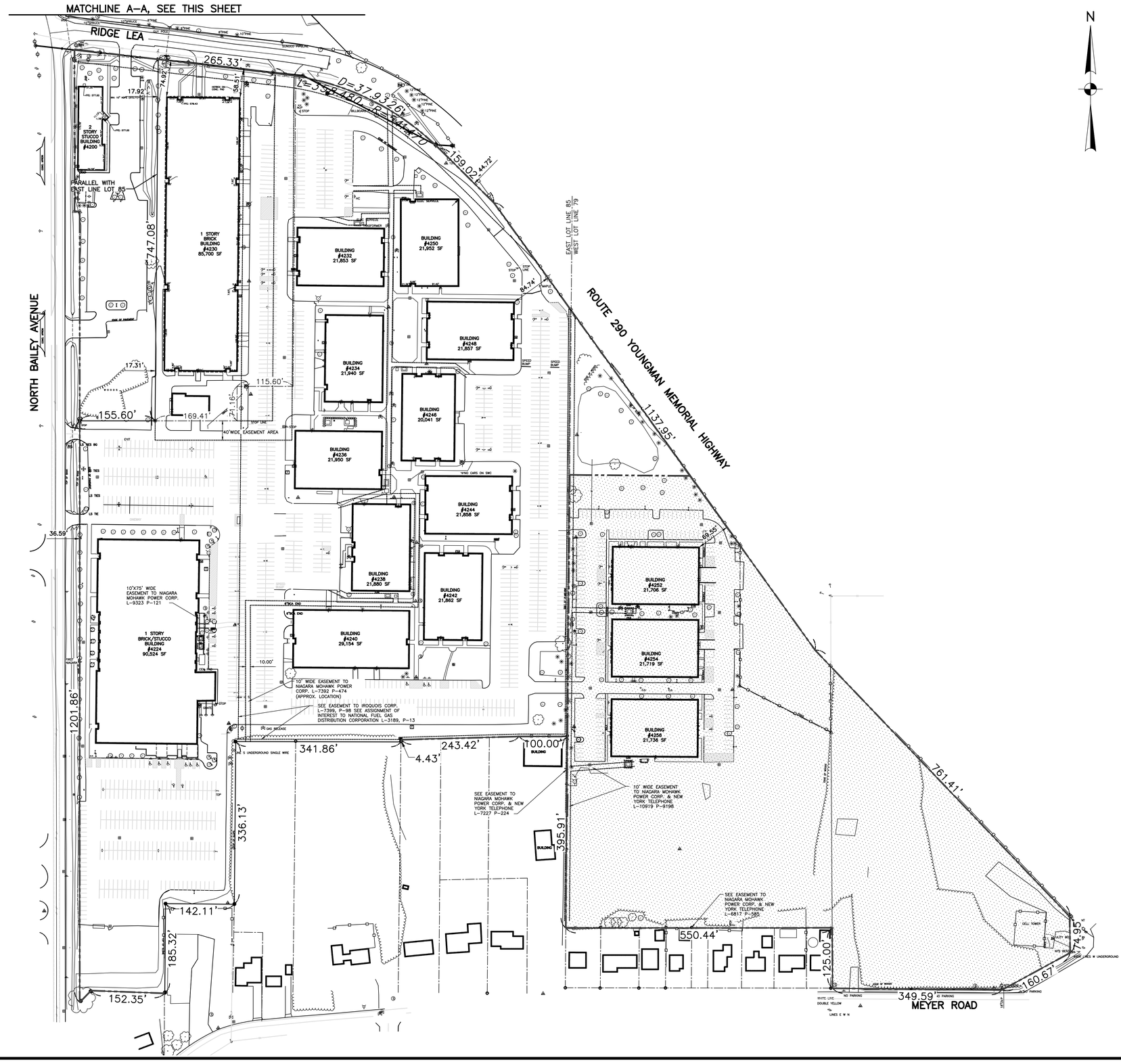
TITLE:
REZONE
SITE PLAN

SCALE: 1:50
DRAWN BY: JJB
CHECKED BY: JJB
DATE: 04.16.2021
DRAWING NO.: RZ-2

Attachment: BCPA-2021-01 drawings 092321 (24700 : Bcpa-2021-01)

LEGEND

- AIR CONDITIONER UNIT
- BENCH
- ROCK/BOULDER
- BENCHMARK
- BOLLARD
- BOLT
- BORE LOCATION
- CATCH BASIN
- CABLE TV BOX
- CATCH BASIN ROUND
- CONIFEROUS BUSH
- COMMUNICATION MANHOLE
- CLEAN OUT
- CHISLED CUT
- CONTROL POINT
- CONIFEROUS TREE
- CABLE TV MANHOLE
- DECIDUOUS BUSH
- DELINEATOR
- DECIDUOUS TREE
- ELECTRIC BOX
- ELECTRIC HANDHOLE
- ELECTRIC MANHOLE
- ELECTRIC METER
- FLOOR DRAIN
- FIRST FLOOR ELEVATION
- FIREPLACE
- UTILITY FLAG
- FOUNTAIN
- FLAG POLE
- GROUND SHOT (1 DEC. PLACE)
- GASWELL
- GAS LINE MARKER
- GAS METER
- GROUND SHOT (2 DEC. PLACES)
- GAS SERVICE BOX
- GUY WIRE
- GAS VALVE
- HANDICAPPED PARKING
- UNKNOWN HAND HOLE
- HUB AND TACK
- FIRE HYDRANT
- DRAINAGE INVERT
- IRON PIPE
- IRON PIN
- LIGHTING HAND HOLE
- LIGHT POLE W/ 4 LIGHTS
- LIGHT POLE W/ 3 LIGHTS
- LIGHT POLE W/ 2 LIGHTS
- LIGHT POLE
- MAG NAIL
- MAIL BOX
- MILE MARKER POST
- MONUMENT
- MONITORING WELL
- OIL LINE MARKER
- PAYPHONE
- NEWSPAPER BOX
- PEDESTRIAN CROSSING POLE
- PILLAR
- PK NAIL
- PARKING METER
- POST
- PERMANENT SURVEY MARKER
- REBAR W/ CAP
- RISER
- RAILROAD SPIKE
- REBAR
- 1 POST SIGN
- 2 POST SIGN
- SATELLITE DISH
- SANITARY MANHOLE
- SPRINKLER HEAD
- STORM MANHOLE
- STUMP
- TEMPORARY BENCHMARK
- TELEPHONE JUNCTION BOX
- TEST PIT
- TELEPHONE HAND HOLE
- TELEPHONE LINE MARKER
- TELEPHONE MANHOLE
- TRAFFIC SIGNAL HAND HOLE
- TRAFFIC SIGNAL MANHOLE
- TRAFFIC SIGNAL POLE
- UNKNOWN MANHOLE
- POWER POLE
- POWER POLE W/ LIGHT
- POWER POLE W/ LIGHT & TRANSFORMER
- POWER POLE W/ TRANSFORMER
- UNKNOWN VALVE
- WATERLINE MARKER
- WATER METER
- WATER MANHOLE
- WATER METER PIT
- WATER SERVICE BOX
- WATER VALVE
- YARD DRAIN



N

NO.	DESCRIPTION	DATE	BY

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THESE PLANS ARE NOT SUITABLE FOR MACHINE GUIDANCE USE OR PURPOSES.

Designed by: TAP
Drawn by: TAP
Checked by: DRH
Date: 4/26/2021
Job No. 21NY072
Dwg Scale: Horiz: 1" = 100' Vert: NONE

KHEOPS Architecture, Engineering & Survey, DPC
300 Pearl Street, Suite 100
Buffalo, New York 14202
P. 716.849.8739
F. 716.855.0282
www.kheopspc.com

STATE OF NEW YORK
TOWN OF AMHERST, ERIE COUNTY

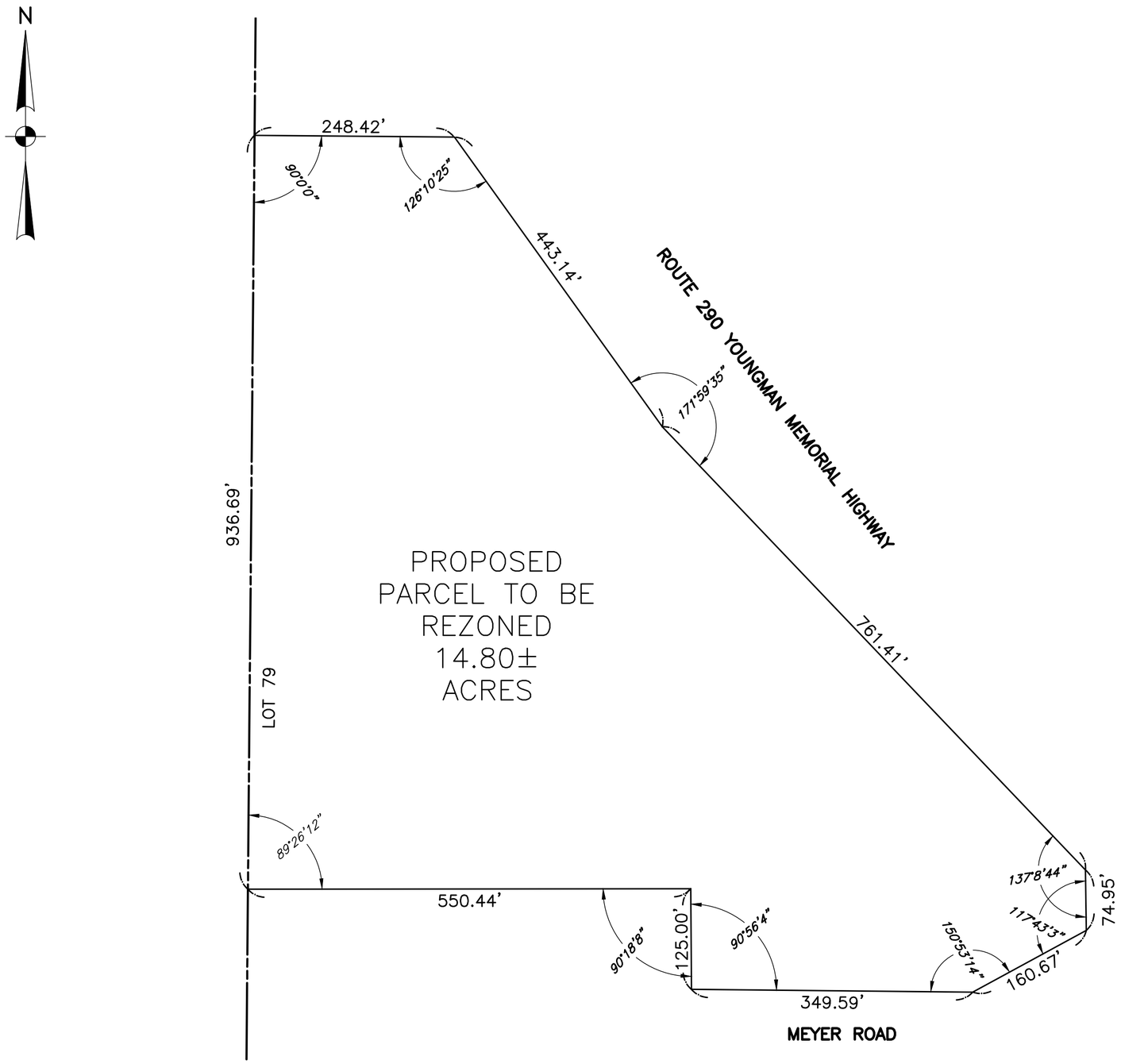
AMHERST COMMERCE CENTER
KEY MAP
PART OF LOTS 79 & 85, TOWNSHIP 12, RANGE 7 HOLLAND LAND SURVEY

SHEET REFERENCE NUMBER: 1
SHEET 1 OF 5

File: N:\2021\21NY072 Amherst rezoning map BPC\S077 - ReZone Survey 04.16.2021-Key Map.dwg, Last saved: 4/26/2021, Plot Date: 4/26/2021, By: DANA ZENDANO, Plot Style: ----

Attachment: BCPA-2021-01 drawings 092321 (24700 : Bcpa-2021-01)

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.



REZONING EXHIBIT MAP

Proposed description of property to be rezoned prepared by KHEOPS on 4/19/21

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County or Erie and State of New York being part of Lot 79, Township 12, Range 7 of the Holland Land Company's survey, bounded and described as follows;

COMMENCING at the intersection of the east line of lands appropriated by the People of the State of New York, Map No. 78 and Parcel No. 102 with the north line of lands conveyed by Deed to Howjohn Realty Co.

Thence easterly along said North Line a distance of 155.60 feet;

Thence Northerly parallel with the east line of Lot 85a distance of 747.08 feet to the southerly line of Ridge Lea Road being 66 feet wide;

Thence along the southerly line of Ridge Lea Road the following three (3) courses and distances;

1. Easterly at a distance of 265.33 feet to a point of curvature;
2. Southeasterly on a curve to the right having a radius of 541.47 feet and an arc distance of 358.48 feet to a point of tangency;
3. Southeasterly a at a distance of 159.02 feet to the westerly line of appropriated by the People of the State of New York recorded in Liber 9007of Deeds at page 77, Map No. 2, Parcel 2;

Thence along said southwesterly line and the northeasterly line of lands conveyed by Deed to Ridge Lea Associates, LLC recorded in Liber 10923 of Deeds at page 9214, a distance of 694.81 feet to the POINT OR PLACE OF BEGINNING;

Thence continuing along the aforementioned line a distance of 443.14 feet to an angle point;

Thence continuing southeasterly forming an exterior angle of 171° 59' 35", with the last course and along the northeasterly line of said Ridge Lea Associates, LLC lands and the southwesterly line of land appropriated by the People of the State of New York recorded in Liber 9007 of Deeds at page 77, Map No. 2, Parcel 4, a distance of 761.41 feet to the east line of lands described in Liber 4616 of Deeds at page 302;

Thence southerly along the said east line having an interior angle of 137° 08' 44" at a distance of 74.95 feet to the northwest line of lands appropriated by the People of the State of New York recorded in Liber 9007 of Deeds at page 77, Map No. 2, Parcel 5;

Thence southwesterly along said northwest line having an interior angle of 117° 43' 03" at a distance of 160.67 feet to the north line of Meyer Road being 49.5 feet wide;

Thence westerly along said north line having an interior angle of 150° 53' 14" a distance of 349.59 feet;

Thence northerly at an interior angle of 90° 56' 03" a distance of 125.00 feet;

Thence westerly and parallel with the north line of Meyer Road with an exterior angle of 90° 18' 08" a distance of 550.44 feet to the west line of Lot 79;

Thence northerly and along the west line of Lot 79 having an interior angle of 89° 26' 13" a distance of 936.69 feet;

Thence easterly at right angles a distance of 248.42 feet to the point or place of beginning, containing 14.80± acres of land more or less.

PART OF L 79 S – T 12 R 7 OF THE HOLLAND LAND COMPANY'S SURVEY
VILLAGE OF – ; ~~CITY~~/TOWN OF AMHERST ; COUNTY OF ERIE ; STATE OF NEW YORK

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN SPECIFICATION PLAN OR REPORT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

REVISION	
DATE	DESCRIPTION

KHEOPS Architecture, Engineering & Survey, DPC
300 Pearl Street, Suite 500
Buffalo, New York 14202
P. 716.849.8739
F. 716.856.0981
WWW.KHAFRA.COM

DRAWN BY DMZ SCALE 1"=50'
CHECKED BY DRH JOB NO. 21NY060
CAD FILE PROPOSED - REZONE SURVEY FIELD/OFFICE DATE 4/19/21
SBL No. – BOOK – PAGE – MAP –

Attachment: BCPA-2021-01 drawings 092321 (24700 : Bcpa-2021-01)

DRAFT (9/23/21)
TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
BCPA-2021-01

PETITIONER

Benderson Development Company LLC
570 Delaware Avenue
Buffalo, NY 14202

PROPERTY LOCATION

4252-4258 Ridge Lea Road (BCD)

WHEREAS the Town of Amherst Planning Board on Thursday, September 23, 2021 held a public hearing on the proposed amendment to the Bicentennial Comprehensive Plan, and

WHEREAS the Planning Board has reviewed plans and other materials regarding the proposal, and

WHEREAS the materials and plans have been referred to the Town's various review agencies, and

WHEREAS in accordance with Section 8-3-5 of the Zoning Ordinance the Planning Board finds that:

A. The proposed request is generally consistent with the Zoning Ordinance and with the following sections of the Comprehensive Plan:
   - Section 3.3.4 which sets forth criteria for new industrial uses in the Town that are outside traditional industrial parks: "direct access to major transportation routes, location away from residential neighborhoods, and large tracts of land that allow for coordinated development of a park with ancillary uses that can be buffered from surrounding areas."
   - Policy 3-9: "Advance the redevelopment and revitalization of underutilized, obsolete, and vacant properties for economically viable uses."

B. There are adequate services and utilities available or proposed to be made available in the construction of the development.

C. While the proposal is not compatible with the present zoning the proposed use is compatible with nearby properties and with the character of the neighborhood.

D. The subject property is not suitable for uses permitted by the current versus the proposed zoning district.

E. The proposed change does tend to improve the balance of uses, or meets a specific demand in the Town.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act is required as potentially hydric soils have been identified on the site.

Attachment: BCPA-2021-01_draft_Resolution_092321 [Revision 1] (24700 : Bcpa-2021-01)

DRAFT (9/23/21)
TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
BCPA-2021-01

PETITIONER	PROPERTY LOCATION
Benderson Development Company LLC	4252-4258 Ridge Lea Road (BCD)

Pursuant to Local Law #3-82, as amended, the Planning Board recommends that the Town Board determine that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

NOW THEREFORE BE IT RESOLVED that the Planning Board recommends to the Town Board in accordance with Section 272-a4 of New York State Town Law, that the Comprehensive Plan Amendment request be approved subject to the following conditions:

1.

The foregoing resolution was adopted by the Town of Amherst Planning Board, _____; moved by _____; seconded by _____; ayes – ; noes –.

_____ _____
Robert J. Gilmour, Chair Date

RR/bf
X:\Current_Planning\Files\Bicentennail Comp Plan Amends\BCPA-2021-01_(4252-4258 Ridge Lea Road)_2021\BCPA-2021-01_Blurb_092321.doc
cc: Town Clerk
Commissioner of Building
Highway Superintendent
Town Engineer
Traffic/Safety Coordinator
James Boglioli, Benderson Development Co. LLC, 570 Delaware Ave., Buffalo, NY 14202

Attachment: BCPA-2021-01_draft_Resolution_092321 [Revision 1] (24700 : Bcpa-2021-01)

TOWN OF AMHERST
PLANNING BOARD
BICENTENNIAL COMPREHENSIVE PLAN
BCPA-2021-01

PETITIONER

Benderson Development Company LLC
570 Delaware Avenue
Buffalo, NY 14202

PROPERTY LOCATION

4252-4258 Ridge Lea Road (BCD)

OCT 01 '21 AM 9:56 RCVD

WHEREAS the Town of Amherst Planning Board on Thursday, September 23, 2021 held a remote public hearing on the proposed amendment to the Bicentennial Comprehensive Plan, and

WHEREAS the Planning Board has reviewed plans and other materials regarding the proposal, and

WHEREAS the materials and plans have been referred to the Town's various review agencies, and

WHEREAS in accordance with Section 8-3-5 of the Zoning Ordinance the Planning Board finds that:

A. The proposed request is generally consistent with the Zoning Ordinance and with the following sections of the Comprehensive Plan:
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C. While the proposal is not compatible with the present zoning the proposed use is compatible with nearby properties and with the character of the neighborhood.

D. The subject property is suitable for uses permitted by the current versus the proposed zoning district.

E. The proposed change does tend to improve the balance of uses, or meets a specific demand in the Town.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act may be waived since hydric/potentially hydric soils have not been identified on the parcel.

Attachment: BCPA-2021-01 signed resolution092321 (24700 : Bcpa-2021-01)

TOWN OF AMHERST
PLANNING BOARD
BICENTENNIAL COMPREHENSIVE PLAN
BCPA-2021-01

PETITIONER

Benderson Development Company LLC

PROPERTY LOCATION

4252-4258 Ridge Lea Road (BCD)

OCT 01 '21 AM 9:56 RCVD

WHEREAS pursuant to Local Law #3-82, as amended, the Planning Board recommends that the Town Board determine that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

NOW THEREFORE BE IT RESOLVED that the Planning Board recommends to the Town Board in accordance with Section 272-a4 of New York State Town Law, that the Comprehensive Plan Amendment request be approved.

The foregoing resolution was adopted by the Town of Amherst Planning Board, September 23, 2021; moved by Giuliani; seconded by Gilmour; ayes 6; noes 0; Abstain 1 (Chmiel).

Robert J. Gilmour, Chair

9-30-21
Date

RR/bf
X:\Current_Planning\Files\Bicentennail Comp Plan Amends\BCPA-2021-01_(4252-4258 Ridge Lea Road)_2021\BCPA-2021-01_Resolution_092321.docx

cc: Town Clerk
Commissioner of Building
Highway Superintendent
Town Engineer
Traffic/Safety Coordinator
James Boglioli, Benderson Development Co. LLC, 570 Delaware Ave., Buffalo, NY 14202

Attachment: BCPA-2021-01 signed resolution092321 (24700 : Bcpa-2021-01)