Amherst Town Board

Regular Meeting of the Town Board

Minutes

5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Monday, December 4, 2023 | **7:00 PM** | **Amherst Municipal Building**

I. IN MEMORY

II. INVOCATION

Supervisor Kulpa

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL:

7:00 PM Meeting called to order on December 4, 2023 at Amherst Municipal Building, 5583 Main Street, Williamsville, NY.

Attendee Name	Organization	Title	Status	Arrived
Brian J. Kulpa	Town of Amherst	Supervisor	Present	
Deborah Bruch Bucki	Town of Amherst	Deputy Supervisor	Present	
Jacqualine Berger	Town of Amherst	Councilmember	Present	
Shawn Lavin	Town of Amherst	Councilmember	Present	
Michael Szukala	Town of Amherst	Councilmember	Present	
Francina J. Spoth	Town of Amherst	Town Clerk	Present	
Timothy Koller	Town of Amherst	Deputy Town Clerk	Present	
Martin A. Polowy	Town of Amherst	Town Attorney	Present	
Daryl Bramer	Town of Amherst	Comptroller	Present	
Lynda Juul	Town of Amherst	Director of Finance	Present	
Daniel J. Ulatowski	Town of Amherst	Assistant Planning Director/ZEO	Present	

V. MINUTES APPROVAL

1. Thursday, November 09, 2023

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Monday, November 13, 2023

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

VI. PROCLAMATIONS AND ANNOUNCEMENTS

VII. PUBLIC HEARINGS

Speakers will be limited to 3 minutes.

1. Resolution 2023-955

Planned Unit Development - Amherst Central Park

Planned Unit Development Request (PUD) - Proposed Conceptual Development Plan for a New Community Park at 772 North Forest Road, 385 & 391 Maple Road.

12/4/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was opened at 7:06 PM.

Dan Howard, Planning Director, Dan Ulatowski, Assistant Planning Director and Jeffrey Szatkowski, Landscape Architect, presented.

The following speakers spoke in opposition:
Jennifer Snyder-Haas, 183 Fairways Blvd
Frank Wopperer, 143 Fairways Blvd
Maureen Schmitt, 866 N Forest
Maryann Hochberg, 1075 N Forest
Bill Vaughan, 11 Fariways Blvd
Judy Ferraro, 213 Donna Lea Blvd
Tom Frank, 5403 Main St
Kathy Aquilina, 215 Maple Rd
Mike Kozelsky, 60 Fruehauf Ave
Judith Battaglia, 215 Washington Hwy
Georgine Tripodi, 199 Burbank Dr
David Truty, 176 Cranburne Ln
Matt Plunkett, 299 Northill Dr
Mary Shapiro, 16 Royalwoods Ct

Gerry O'Connor, 27 Chateau Ter S
Shelly Schratz, 1952 Kensington Ave
Dennis Hoban, 216 California Dr
John Buttino, 41 Joliet Ln
Kathleen Murphy, 26 Forest Stream Rd
Frank Vicks, 240 Hamilton Dr
Jane Cox, 4584 Harlem Rd

There were no further speakers therefore Supervisor Kulpa moved to close the hearing, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was closed at 8:48 PM.

RESULT:	**HEARING CLOSED**

2. Resolution 2023-910

Local Law Amending Chapter 121 - Historic Preservation

Public hearing with respect to a Local Law Amending Chapter 121 - Historic Preservation.

11/13/2023
A motion to open the public hearing was made by Deputy Supervisor Bucki, seconded by Councilmember Lavin and unanimously approved 4-0. The public hearing was opened at 7:13 PM.

James Quinn, Assistant Planner, and Nora Robshaw, Deputy Town Attorney, presented.

The following speaker addressed the Board:
Jane Cox, 4584 Harlem Rd. - questioned the timeline and implementation

There were no further speakers from the public, therefore Deputy Supervisor Bucki moved to adjourn the hearing to the December 4th Town Board meeting, seconded by Councilmember Berger and unanimously approved 4-0.

12/4/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. The public hearing was opened at 7:01 PM.

Susan Palmer, Chair of the Historic Preservation Commission, spoke.

There were no speakers from the public, therefore Supervisor Kulpa moved to close the hearing and set a decision date for the December 18th Town Board meeting, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was closed at 7:06 PM.

RESULT:	**DECISION DATE [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Jacqualine Berger, Councilmember	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

3. Resolution 2023-956

420 New Road Rezoning

Request to rezone 420 New Road from SA to R-3.

12/4/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was opened at 8:48 PM.

Joseph Rubino presented.

There were no speakers from the public, therefore Supervisor Kulpa moved to close the hearing and set a decision date for the December 18th Town Board meeting, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was closed at 8:54 PM.

RESULT:	**DECISION DATE [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Jacqualine Berger, Councilmember	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

4. Resolution 2023-623

1350 Eggert Road Rezoning

Request to rezone 1350 Eggert Road from OB-TNB-1 to TI-2.5.

7/24/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. The public hearing was opened at 8:14 PM.

Sean Hopkins, Esq. presented.

The following speakers spoke in opposition:
Ray Volpe, 302 Crosby Blvd
Dan Dolloff, 278 Crosby Blvd

Susan Aureli, 312 Crosby Blvd
Pamela & John Sander, 34 Olney Dr
Kristen Lane, 37 Olney Dr
Janice Colvin, 49 Olney Dr
Jessica Kerr, 22 Olney Dr

There were no further speakers from the public, therefore Supervisor Kulpa moved to adjourn the hearing until August 21st, seconded by Councilmember Lavin and unanimously approved 5-0.

8/21/2023
Supervisor Kulpa made a motion to adjourn the hearing until September 18th at the earliest, for the petitioner to submit information regarding a storm water mitigation plan, a traffic analysis and to hold a meeting with the residents within the 600 ft. radius, seconded by Deputy Supervisor Bucki and unanimously approved 5-0.

12/4/2023
A motion to adjourn was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Jacqualine Berger, Councilmember	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

5. Resolution 2023-957

4774 & 4780 Sheridan Drive Rezoning

Request to rezone 4774 & 4780 Sheridan Drive from R-3 to R-4.

12/4/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. The public hearing was opened at 8:54 PM.

Sean Hopkins, Esq., presented.

The following speakers spoke in opposition:
Sharon Easterbrook, 80 Tristan Ln
Alicia Schreier, 79 Tristan Ln

There were no further speakers from the public, therefore Supervisor Kulpa moved to close the hearing and set a decision date for the December 18th Town Board meeting, seconded by Councilmember Lavin and unanimously approved 5-0. The public hearing was closed at 9:23 PM.

RESULT:	**DECISION DATE [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Shawn Lavin, Councilmember	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

VIII. DEVELOPMENT REVIEW ACTIONS

1. Resolution 2023-958

Notice of Completion - Final Supplemental Generic Environmental Impact Statement (FSGEIS) 772 North Forest Road, 385 Maple Road & 391 Maple Road

WHEREAS, on October 6, 2023 this Town Board issued a positive SEQR declaration for a Planned Unit Development (PUD) application and development plan for the proposed Amherst Central Park at 772 North Forest Road, 385 Maple Road and 391 Maple Road, commonly known as the former Westwood Country Club Golf Course Property, and

WHEREAS, a final generic environmental impact statement (FGEIS) and SEQRA Findings were previously prepared by the Town of Amherst for a proposed mixed-use development on the subject Property, and this Town Board has determined that a supplemental generic environmental impact statement is necessary for the planned unit development application and development plan for the proposed community park, and

WHEREAS, as part of the Positive SEQR declaration issued by this Town Board on October 6, 2023 the Town indicated that it would be preparing a supplemental generic environmental impact statement (SGEIS) and has subsequently notified all interested and involved agencies of its intent to prepare such supplement, and

WHEREAS, a draft supplemental generic environmental impact statement (DSGEIS) was prepared by the Town, and

WHEREAS, on October 16, 2023 this Town Board determined that the draft supplemental generic environmental impact statement (DSGEIS) was adequate for public review and directed the Town Clerk to prepare and issue a notice of completion pursuant to 617.12(a)(iii) of the SEQR regulations to allow adequate time for comment by the interested /involved agencies and the general public, and

WHEREAS, a final supplemental generic environmental impact statement (FSGEIS) has been prepared by the Town to address public and agency comments, and this Town Board issues the final supplemental generic environmental impact statement (FSGEIS) as it adequately addresses the substantive public and agency comments,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby directed to file a copy of the FSGEIS and "Notice of Completion" as set forth below:

A. Copies of the FSGEIS and "Notice of Completion" shall be emailed

simultaneously to the involved and interested agencies;

B. A copy of the "Notice of Completion" shall be sent to the New York State Department of Environmental Conservation's Environmental Notice Bulletin for publication; and

C. Copies of said FSGEIS and "Notice of Completion" shall be filed in the office of the Town Clerk for the Town of Amherst and made available for public inspection and review and placed on the Town's "Pending Development Projects" web page.

12/4/2023
A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-959

SEQR Determination 2350 Sweet Home Road, Z-2016-16_D & Z-2017-11_B

RESOLVED, that pursuant to 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) and Town Code Chapter 104, as amended, the Town Board is deemed the Lead Agency for those actions which it has sole discretionary power, including but not limited to rezoning decisions and adoptions of local laws, and be it further

RESOLVED, that this Town Board as SEQR Lead Agency has reviewed a request to amend a declaration of restrictions required as part of a rezoning decision at 2350 Sweet Home Road and has identified the areas of environmental concern, thoroughly analyzed them for significant adverse impact, including any concerns and/or recommendations from other agencies, and be it further

RESOLVED, that the requirements of SEQR are now complete therefore this Town Board issues the attached Negative Declaration as its determination of environmental significance, for the subject action.

12/4/2023
A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

3. Resolution 2023-960

Adoption to Amend Declaration of Restrictions Required as Part of a Rezoning Decision (2350 Sweet Home Road, Z-2016-16D & Z-2017-11B)

RESOLVED, that pursuant to 6NYCRR Part 617 (SEQR) and Town Code Section 104, as amended, that the requirements of SEQR are complete, and be it further

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board does not concur with the findings of the Planning Board as stated in their resolution of April 20, 2023, and be it further

RESOLVED, that this Board believes that the proposed request to amend the declaration of restrictions required as part of a previous rezoning decision at 2350 Sweet Home Road is consistent with the adopted Bicentennial Comprehensive Plan, as amended, and be it further

RESOLVED, that in accordance with Section 203-8-3 of the Town Code (Zoning), the Town Board adopts an amendment to condition number 4 of the declaration of restrictions required as part of a rezoning decision made on October 1m 2018 to:

4. That the residential buildings to be constructed on the project site shall be limited to single-story residential units with second story loft space. Second story windows are not permitted on the rear side of second story loft space in Buildings Nos. 1, 2, 4, 5, 6, 7, 8 and 14 as depicted on the Site Plan prepared by Carmina Wood Morris dated December 16, 2022, and be it further

RESOLVED, that the petitioner plant the additional trees as agreed to in the attached correspondence dated August 20, 2023 (page 2 of 3), now therefore

BE IT FURTHER RESOLVED, the filed Amended declaration of restrictions be amended and filed in the Erie County Clerk's office for the subject properties and that copies of the filed amended declaration of restriction be provided to the Town of Amherst.

12/4/2023
A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and approved via Roll Call vote 3-2 (nay, Lavin & Szukala).

RESULT:	**ROLL CALL VOTE (ADOPTED) [3 TO 2]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger
NAYS:	Lavin, Szukala

IX. PERSONAL APPOINTMENTS TO BOARDS & COMMITTEES

Board Appointments - Amherst Conservation Advisory Council, Board of Ethics, Historic Preservation, IDA, Planning, Recreation, Recycling & Waste, Traffic Safety and the Zoning Board of Appeals.

NOTE - The number of vacancies is listed after the Committee name.

1. **9/11 Commemoration Committee**

   Membership is unlimited.

2. **Amherst Committee on Disabilities (6)**

3. **Amherst Community Diversity Commission (4)**

4. **Amherst Conservation Advisory Council (5)**

5. **Amherst Government Financial Advisory Board**

   Membership is full.

6. **Amherst Industrial Development Agency**

   Membership is full.

7. **Amherst Veterans Committee (6)**

8. **Arts & Culture in Public Places Board**

9. **Board of Assessment Review**

   Membership is full.

10. **Board of Electrician Examiners**

    Membership is full.

11. **Board of Ethics (1)**

12. **Board of Plumbing and Drainage Examiners**

    Membership is full.

13. **Design Advisory Board**

14. **Employee Suggestion Program Merit Award Board**
    Membership is full.

15. **Employee Suggestion Review Committee**

16. **Energy Conservation Citizens Advisory Committee (3)**

17. **Freedom of Information Law (FOIL) Board**

18. **Glen Park Joint Board**

19. **Historic Preservation Commission**
    Membership is full.

20. **Information Technology Advisory Committee (1)**

21. **Library Board of Trustees**
    Membership is full.

22. **Minority / Woman Owned Business (4)**

23. **Open Government Advisory Board (7)**

24. **Planning Board**
    Membership is full.

25. **Recreation Commission (1)**

26. **Recycling and Waste Committee (3)**

27. **Senior Services Advisory Board (6)**

28. **Traffic Safety Board**
    Membership is full.

29. **Youth Board**
    Adult vacancies (6), Youth vacancies (0)

30. **Zoning Board of Appeals**

X. PUBLIC EXPRESSION

This is an opportunity for residents to <u>comment</u> on matters involving Amherst other than those pertinent to Public Hearings that day. <u>Speakers will be limited to</u>

3 minutes.

A motion to open Public Expression was made by Supervisor Kulpa, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. Public Expression was opened at 9:26 PM.

The following speakers addressed the Town Board:
Tod Craggs, 1974 Langdon Rd - Resolution 2023-976
Karen Salzarullo, 12 Fair Woods Dr - tax hike
Shelly Schratz, 1925 Kensington Ave - tax hike and transparency
Andrea Morgante, 253 Woodshire Ct - questions about town government
Kimberly Gabel, 41 Presidents Walk - boards & committees
Jina Gentry, 65 Bissell Dr - tax hike
Matt Plunkett, 299 Northill Dr - out of control spending and salaries
Joe Voytovich, 35 Bucyrus Dr - department of Economic Development
Christina Coyle Lenz, 64 Chateau Ter E - resolution 2023-955

There were no further speakers from the public, therefore Supervisor Kulpa moved to close Public Expression, seconded by Councilmember Berger and unanimously approved 5-0. Public Expression was closed at 10:11 PM.

XI. CONSENT AGENDA

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

XII. COUNCILMEMBER RESOLUTIONS

A. SUPERVISOR KULPA:

B. DEPUTY SUPERVISOR BUCKI:

C. COUNCILMEMBER BERGER:

1. Resolution 2023-961

Authorization to Purchase Personal Protective Equipment - Radio Batteries

WHEREAS, the Amherst Fire Safety Division responds to various types of Emergency related incidents and provides a high level of safety and professionalism in performing duties as Fire Inspectors; and

WHEREAS, radio communication is key to keeping the Fire Inspectors safe while conducting their duties; and

WHEREAS, the Amherst Town Fire Safety Division has the need to maintain radio equipment utilized in performing the Fire Inspector's duties.

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Board approves the purchase of personal protective equipment and various equipment from Avoidable Alarm Fund T-2999.4002.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Councilmember
SECONDER:	Brian J. Kulpa, Supervisor
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

D. COUNCILMEMBER LAVIN:

E. COUNCILMEMBER SZUKALA:

XIII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS

A. TOWN ATTORNEY:

1. Resolution 2023-962

License Agreement - 72 Sunburst Circle (Armitage) (CRS #4446)

AGENDA ITEM : DECEMBER 4th, 2023

TO: **Town Board**

FROM: **Nicole M. Burroughs, Senior Paralegal**

DATE: **November 29, 2023**

RE: **Request for License Agreement (CRS #4446)**
Repositioning of Pool and Installation of Fencing
Property Located At:
72 Sunburst Circle, East Amherst, New York 14051

Kindly adopt a resolution authorizing the Supervisor to execute the attached License Agreement pending successful completion of the Contract Routing System (CRS).

The owners of the above-referenced property are seeking permission to reposition their in-ground pool and to install fencing in a Town-owned easement, the details and stipulations of which are more fully described in the License Agreement.

This request was reviewed and approved by the Highway Department.

Thus, kindly adopt the following resolution:

RESOLVED, the Town Board authorizes the Supervisor to execute the attached License Agreement, pending successful completion of the Contract Routing System (CRS).

Thank you.

NMB:hs
Attachment
c: Tim Koller, Deputy Town Clerk *(w/attachment*, **Agenda Item : December 4, 2023**)
Craig Schreck, General Crew Chief (*w/o attachment*)

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-963

Temporary Access Agreement (CRS #4445)

AGENDA ITEM : DECEMBER 4TH, 2023

FROM: Martin A. Polowy, Esq., Senior Deputy Town Attorney

DATE: November 29, 2023

RE: Temporary Access Agreement (CRS #4445)
Access Through Town-Owned Right-of-Way Through Royal Park

Kindly adopt a resolution authorizing the Supervisor to execute the attached agreement pending successful completion of the Contract Routing System.

The agreement will grant temporary access to National Grid through Town-owned right-of-way through Royal Park to reach National Grid structures in need of FAA light replacement.

Thank you.

MAP:nmb
Attachment

c: Tim Koller, Deputy Town Clerk (w/attachment, **Agenda Item - December 4, 2023**)

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

3. Resolution 2023-964

Settlement of Article 7 Matter - 9300 Transit, LLC V. Town of Amherst

AGENDA ITEM : DECEMBER 4TH, 2023

TO: **Town Board**

FROM: **Samuel A. Alba, Esq., Senior Deputy Town Attorney**

DATE: **November 29, 2023**

RE: **Settlement of Article 7 Matter**
9300 Transit, LLC v. Town of Amherst

Kindly adopt a resolution authorizing the following:

(1) Settlement of the above matter as detailed in the attached Consent Order; and

(2) Authorizing Senior Deputy Town Attorney Samuel A. Alba, Esq. to sign the attached Consent Order as the Attorney for the Respondent, Town of Amherst.

Thank you.

SAA:rms
Attachment
c: Tim Koller, Deputy Town Clerk
(*w/attachment,* **Agenda Item : December 4th, 2023**)
Emily Murphy, Town Assessor

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

B. TOWN CLERK:

1. Resolution 2023-965

Authorization for Pre-Payment to RDT Mail Corp. (Previously DXO Communications of Buffalo, Inc.)

We are requesting approval for and directive to the Comptroller for pre-payment to RDT Mail Corp. for the mailing of the 2024 Town and County Tax Bills ($15,417.00) and for the 2024 Town and County Tax Receipts ($13,133.00).

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-966

Permission for Insert in Tax Bill Mailing CRS #4444

We are requesting that the Town Board authorizes the use of mail inserts as an informational tool, to make taxpayers aware of the various contactless payment methods available. This permission is for the 2024 Town and County Tax Collection. Pending successful completion of the Contract Routing System.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

C. ASSESSOR:

1. Resolution 2023-967

Extension of GAR Contract (Original CMS #2261, Extension CRS #4420)

Upon the recommendation of the Town Assessor, kindly adopt a resolution approving an extension of GAR Associates LLC CMS #2261, CRS #4420.

The contract will be extended from 1/1/2024 through 12/31/2024.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

D. BUILDING/BUILDING MAINTENANCE:

E. CENTRAL ALARM:

F. COMPTROLLER:

1. Resolution 2023-968

Year End Budget Transfers

To facilitate the closing of year end 2023, I am requesting approval from the Town Board to move budgeted funds from accounts within the same department with department head approval without coming back to the Town Board for approval.

Additionally, I am requesting to include accounts such as health insurance, utilities, payroll, etc. within the current operating budgets of the Town. This will allow us to prepare for the year-end audit.

This does not include budget transfers from contingency accounts or budget amendments.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-969

Budget Transfers and Amendments

For December 4, 2023 Town Board Agenda

To: Town Board
From: Office of Town Comptroller
Date: 11/29/2023
Re: Various Department Budget Transfers / Amendments

I have received the following request(s) requiring budget transfers and / or amendments. Based on my review, I ask that the Town Board approve the following list;

BUDGET TRANSFERS - 2023

FROM:	***TO:***
A1990.4000 General Fund - Contingency $55,000	A6773.4000 Nutrition - Contractual $55,000

To transfer funds from contingency to Nutrition for food purchases for the rest of year.

BUDGET AMENDMENTS - 2023

INCREASE:	***INCREASE:***
N2323.02785 CDBG & VG- PI $170.00	N2323.4000 Contractual $170.00

To recognize Community Development program income from 169 Hillcrest, Amherst.

N2350.02785 TONA Rehab- PI $74,150.00	N2350.4000 Contractual $74,150.00

To recognize Community Development program income from 180 Hawthorne, Tonawanda.

A3126.03089 DCJS Grant- State Aid $45,000.00	A3126.2130 Computer Equipment $45,000.00

To set up DCJS Computer Equipment Grant.

G9000.03089 Sewer Maintenance - State Aid $65,000	G9000.4000 Contractual $65,000

To set up budget for CRS#4273 Mapping Grant.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

G. CONTRACT COMPLIANCE:

1. Resolution 2023-970

Extension for Town Wide Paint Contract - CRS #4386 (Original CRS/CMS #3880/3533)

WHEREAS, Erie County Bid #222374-002 for Paint - Sherwin Williams, (Original CRS #3880) has been extended through December 31, 2024;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the contract extension with Sherwin Williams Co. for participation in the Erie County Contract for Bid #222374-002; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the one-year contract extension with Sherwin Williams Co.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-971

Extension of Third Party Administrator Services for Workers' Compensation CRS #4392

WHEREAS, the current contract with PMA Management Corp. for Third Party Administration Services for Workers' Compensation expires on December 31, 2023; and

WHEREAS, the Contract Compliance and Administration Department has issued an RFP for a new contract, but that contract will not be in place prior to December 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes a two-month contract extension from January 1, 2024 through March 1, 2024 with PMA Management Corp.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract extension.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

3. Resolution 2023-972

Extend RFP #202111 Employee Assistance Program CRS #4393 (Original CRS/CMS #3048/2945)

WHEREAS, eviCore healthcare MSI, LLC dba eviCore healthcare has agreed to hold pricing and extend the contract for RFP #202111 Employee Assistance Program;

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves a two-year extension of the contract with eviCore healthcare for the period January 1, 2024 through December 31, 2025; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract extension with eviCore healthcare.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

4. Resolution 2023-973

Contract for Pre-Employment Physicals and Related Medical Services - CRS #4404

WHEREAS, the Contract Compliance and Administration Department is requesting approval to enter into a contract with HealthWorks-WNY for Pre-Employment Physicals and Related

Medical Services; and

WHEREAS, the contract term will be December 4, 2023 through December 31, 2025;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the contract with HealthWorks-WNY.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

5. Resolution 2023-974

Award Bid #2023046 Calcium Nitrate - CRS #4413

WHEREAS, bids were received on October 19, 2023 for Bid #2023046 Calcium Nitrate Solution; and

WHEREAS, two (2) bids were received as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Thatcher Company of New York, Inc.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Thatcher Company of New York Inc.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

6. Resolution 2023-975

Award Bid #2023050 Building Department Vehicles - CRS #4425

WHEREAS, the Contract Compliance and Administration Department received bids on November 9, 2023 for Bid #2023050 Building Department Vehicles; and

WHEREAS, the bid process resulted in a response from three (3) vendors, as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award the bid (Items 2a & 2b) for the purchase of two (2) 2024 or newer Ford Broncos from Delacy Ford, Inc.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Building Department to trade in the vehicles listed in the table below:

Car #	Year	VIN	Make/Model	Color	Mileage	Trade Amt.
BD-106	2017	1FMCU9GD4HUC85395	FORD ESCAPE SE AWD	GRAY	38,700	$12,525.00
BD-102	2018	1FMCU9GD7JUB69792	FORD ESCAPE SE AWD	BLUE	48,200	$13,525.00

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Delacy Ford, Inc.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

7. Resolution 2023-976

Award Bid #2023049 Transportation of Stabilized Sludge Cake, Grit & Screenings - CRS #4434 & 4435

WHEREAS, bids were received on November 2, 2023 for Bid #2023049 Transportation of Stabilized Sludge Cake, Grit & Screenings; and

WHEREAS, three (3) bids were received as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid as follows: Line items 1 & 2 for a 12-month term to the low-bidder Stancor, LLC.; Line items 1A, 1B, 2A, and 2B for a 12-month term to the low-bidder Modern Disposal; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contracts with Stancor, LLC and Modern Disposal; and

BE IT FURTHER RESOLVED, that approval of the contract with Modern Disposal is pending successful completion of the Contract Routing System, as some contract paperwork is still

needed.

12/4/2023
Supervisor Kulpa made a motion to adjourn, seconded by Deputy Supervisor Bucki and unanimously approved 5-0.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Deborah Bruch Bucki, Deputy Supervisor	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

8. Resolution 2023-977

Award Bid #2023055 Police Vehicles - CRS #4450

WHEREAS, the Contract Compliance and Administration Department received bids on November 21, 2023 for Bid #2023055 Police Vehicles; and

WHEREAS, the bid process resulted in a response from one (1) vendor, as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Delacy Ford, Inc.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Police Department to trade in the vehicles listed in the table below:

CAR #	YEAR	VIN	MAKE/MODEL	MILEAGE	DELACY FORD
105	2022	1FM5K8AW6NNA00205	SUV Hybrid	105,798	$7,000.00
107	2022	1FM5K8AW3NNA00209	SUV Hybrid	101,084	$7,000.00
115	2018	1FAHP2MK0JG133894	Taurus	117,612	$2,500.00
115a	2020	1FM5K8AW3LGC92851	SUV Hybrid	102,512	$6,000.00
134	2015	1FAHP2MK4FG170082	Taurus	89,883	$2,000.00
135a	2017	1FAHP2MK2HG126357	Taurus	98,940	$2,500.00
					$27,000.00

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Delacy Ford, Inc., pending successful completion of the Contract Routing System due to the need to order the vehicles with the vendor as soon as possible.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

9. Resolution 2023-978

Approve Piggyback Contract for Ice Melt Products - CRS #4436

WHEREAS, the Contract Compliance and Administration Department is requesting approval to piggyback on Erie County contract #230264-004 with SiteOne Landscape Supply for the purchase of Ice Melt Products; and

WHEREAS, the contract term will be from date of Town Board approval through October 31, 2024; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the piggyback contract with SiteOne Landscape Supply.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

H. COURT:

1. Resolution 2023-979

Newly Elected Amherst Town Justice A. Nichols to Attend Training

Newly Elected Amherst Town Justice to attend Office of Court Administration Fall 2023 Taking the Bench Certification Course to Newly Elected Town & Village Justices in Albany, NY from 12/10/23 to 12/15/23 at a cost of $1316.22.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Shawn Lavin
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

I. ECONOMIC DEVELOPMENT:

J. EMERGENCY SERVICES:

1. Resolution 2023-980

Ambulance Contract CRS ID #4455

WHEREAS, after extensive review and an RFP, the Emergency Medical Services Board recommends that the Town of Amherst renew its contract with Twin City Ambulance with a two (2) year right of renewal; and

WHEREAS, the cost to the public will not change and as ever the safety of the community will always be of utmost importance; and

NOW THEREFORE BE IT RESOLVED the Town of Amherst approves of an Intermunicipal Agreement with the Towns of Amherst, Clarence, Newstead, Villages of Akron and Williamsville, fire districts of Clarence, Eggertsville and Snyder to award the ambulance service contract to Twin City Ambulance for a three (3) year term starting 1/1/2024 to 12/31/2026; and

BE IT RESOLVED that said award is contingent on all other municipalities approving said award;

BE IT FURTHER RESOLVED upon the above conditions being met and successful completion of the contract routing process, the Supervisor is hereby authorized to execute said contract.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

K. ENGINEERING SERVICES:

1. Resolution 2023-981

Resolution Amendment – Robinhill Rd. & Swanson Terr. Waterline Replacement TOA Project No. 2021.042

As per Resolution 2023-516, the above referenced project was awarded from accounts KP2309.4972 and KP2120.4972. At this time and in effort to maximize available funds for current and future waterline repairs, we recommend and request amendment of the above resolution as per the following amended allocations for this project award:

Account	Award Allocation	Amended Allocation
KP2309.4972	$831,979.25	$735,097.25
KP2120.4972	$40,925.00	$137,625.00
Totals	$872,722.25	$872,722.25

Thank you for considering this request.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-982

Resolution Amendment – Red Oak Waterline Replacement TOA Project No. 2020.017 CRS No. 4329

As per Resolution 2022-578, the above referenced project was awarded from accounts KP2024.4972 as well as KP2119.4972. At the October 2, 2023 Town Board meeting, Resolution 2023-818 was approved in error to reduce the awarded construction contract by $80,530.85 from account KP2024.4972. At this time and in effort to correct this error, we recommend and request the Town Board to amend resolution 2023-818 and approve the same negative change order amount and reduce the amount of required funding back to KP2119.4972, instead of KP2024.4972.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

3. Resolution 2023-983

Change Order #1 and Final – Montante Construction – General Contract North Amherst Recreation Center Football Fieldhouse TOA Job # 2021.044 CRS No. 4437

We are requesting the Town Board Consider approval of this resolution authorizing the Supervisor to sign the above referenced Change Order, which decreases the overall contract by $3,921.25. This change reflects a credit due to windows being substituted due to availability as well as added cost for additional signage and the removal of an existing guiderail. Upon approval, the final value of the referenced contract will be $1,079,978.75

Please note that the above request is contingent pending successful completion of the contract review procedure.

This credit shall be applied to the project account KP2101.4972.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

4. Resolution 2023-984

Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc. Amherst Central Park Ice Ribbon Town Project No. 2023.016E CRS No. 4458

The Town is a member of Sourcewell; which offers hundreds of competitively solicited cooperative contracts. As such, we have obtained the attached Sourcewell-based contractor quotation to provide pre-construction engineering design consultant services for Amherst Central Park's Ice Skating Ribbon. CIMCO is able to provide a significantly reduced cost rate by piggybacking off of the Sourcewell cooperative purchase agreement contract number 120320-CIM. As such, we recommend and request approval of the CIMCO Refrigeration Inc., 2502 Commercial Park Drive, Mobile, Alabama 36606, contract per the

attached cost proposal and corporate hourly list prices in an amount not to exceed $64,796.16.

Please note that the above request is contingent pending successful completion of the contract review procedure.

Funds are available for this contract from KP2336.4971. Thank you for considering this request.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

L. FINANCE:

M. HIGHWAY

N. HUMAN RESOURCES:

1. Resolution 2023-985

Recreation Leader - PT/Senior Services

Please appoint a Recreation Leader - PT to the Senior Services Department. Temporary, Effective December 5, 2023 at an hourly rate of $18.50, Step 1 for Doreen Notaro.

Contingent upon completing all pre-employment requirements.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-986

Supervising Tax Clerk/ Town Clerk

Please appoint a Supervising Tax Clerk to the Town Clerk's Office. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective December 5, 2023 at an annual salary of $44,406, Grade 7, Step D for Ashley Brownson.

This is a Permanent appointment for an employee who has been serving Provisionally.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

3. Resolution 2023-987

Clerk Typist/Senior Services

Please appoint a Clerk Typist to the Senior Services Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective December 5, 2023 at an annual salary of 29,058, Grade 2, Step A for Zaneta Oviasogie.

Contingent upon completing all pre-employment requirements.

Replacing an employee who retired.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

4. Resolution 2023-988

Public Safety Dispatcher/Central Fire Alarm

Please appoint a Public Safety Dispatcher to Central Fire Alarm. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule

XIII. Effective December 5, 2023 at an hourly rate of $22.542, Step 1 for Logan Girdlestone.

Contingent upon completing all pre-employment requirements and Erie County Civil Service Rules and Regulations.

Please authorize a six (6) month residency waiver.

Replacing an employee who resigned.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

5. Resolution 2023-989

Deputy Superintendent of Highways-Highway Department

Please appoint an Exempt Deputy Superintendent of Highways to the Highway Department. Effective December 5, 2023 at an annual salary of $72,289.84, Grade 6, Step A of the Exempt Department Head Salary Schedule for Kurt Stanley.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

6. Resolution 2023-990

Deputy Director of Youth & Recreation/Youth & Recreation

Please authorize the reclassification of Program Supervisor as an exempt Deputy Department Head serving as Deputy Director of Youth & Recreation. Effective December 5, 2023 at an annual salary of $103,454.70, Grade 4, Step I of the 2023 Exempt Department Head Salary Schedule for Janice Zapfel.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

7. Resolution 2023-991

Lieutenant of Detectives/Police Department (2 Positions)

Please appoint two (2) Lieutenant of Detectives to the Police Department. Temporary, effective December 5, 2023 at an annual salary of $104,892 for Cheryl Julicher and Patrick Mayer.

These are promotions for employees currently serving as Police Lieutenant.
Replacing an employee who was promoted and an employee who is retiring.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

8. Resolution 2023-992

Police Lieutenant/Police Department (2 Positions)

Please appoint two (2) Police Lieutenants to the Police Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective December 5, 2023 at an annual salary of $104,142 for Jared Billica and Michael Beyers. Contingent upon completion of all employment requirements and Erie County Civil Service Rules and Regulations.

These promotions are for employees currently serving as Police Officers.
Replacing employees who are being promoted.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

O. INFORMATION TECHNOLOGY:

P. PLANNING:

1. Resolution 2023-993

SEQR Determination Amendment to Chapter 203 of Town Code (Zoning) Relating to Accessory Dwelling Units, ZTA-2023-03

RESOLVED, that pursuant to 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) and Town Code Chapter 104, as amended, the Town Board is deemed the Lead Agency for those actions which it has sole discretionary power, including but not limited to rezoning decisions and adoptions of local laws, and be it further

RESOLVED, that this Town Board as SEQR Lead Agency has reviewed a request for an amendment to Chapter 203 of Town Code (Zoning) relating to Accessory Dwelling Units and has identified the areas of environmental concern, thoroughly analyzed them for significant adverse impact, including any concerns and/or recommendations from other agencies, and be it further

RESOLVED, that the requirements of SEQR are now complete therefore this Town Board issues the attached Negative Declaration as its determination of environmental significance, for the subject action.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-911

Adoption of Local Law to Amend Chapter 203 of Town Code relating to Accessory Dwelling Units, ZTA-2023-03

RESOLVED, that pursuant to 6NYCRR Part 617 (SEQR) and Town Code Section 104, as amended, that the requirements of SEQR are complete, and be it further

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board concurs with the findings of the Planning Board as stated in their resolution of October 19, 2023 that the proposed amendment to Chapter 203 of Town Code (Zoning) relating to accessory dwelling units is consistent with the adopted Bicentennial Comprehensive Plan, as amended, and be it further

RESOLVED, that in accordance with Section 203-8-3 of the Town Code (Zoning), the Town Board adopts Local Law (#_____) to amend Chapter 203 of Town Code, subject to the following conditions as recommended by the Planning Board:

1. That the language in §2-4 be amended to "a period of time longer than 6 months."

11/13/2023
A motion to open the public hearing was made by Deputy Supervisor Bucki, seconded by Councilmember Berger and unanimously approved 4-0. The public hearing was opened at 7:21 PM.

Daniel Ulatowski, Assistant Planning Director and Laurie Stillwell, Community Development Director presented.

The following speaker addressed the Board:
Jane Cox, 4584 Harlem Rd. - possible issues arising from renting/airbnb

There were no further speakers from the public, therefore Deputy Supervisor Bucki moved to close the hearing and set a decision date for the December 4th Town Board meeting, seconded by Councilmember Berger and unanimously approved 4-0. The public hearing was closed at 7:43 PM.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

3. Resolution 2023-994

Resolutions Dated March 17, 2003 and June 16, 2003 Geotechnical Analysis

WHEREAS, on March 17, 2003 the Amherst Town Board adopted a resolution requiring that the long environmental assessment forms that the Town of Amherst uses be amended to require that a geotechnical analysis be provided, AND

WHEREAS, on June 16, 2003 the Amherst Town Board amended the aforementioned resolution to not require soil testing and a geotechnical analysis when proposed zoning amendments were being considered on previously developed sites, AND

WHEREAS, subsequent to the aforementioned resolutions, in October of 2005 the U.S. Army Corps of Engineers prepared and in-depth study for the Town of Amherst which investigated residential foundation failures within the Town of Amherst and provided recommended corrective actions, AND

WHEREAS, since the preparation of such study the Town Building Commissioner has routinely been requiring soil testing and geotechnical evaluations for residential and commercial construction consistent with changes in the NYS Uniform Fire Prevention and Building Code, AND

WHEREAS, section 8-2-2D(2) of the Zoning Ordinance continues to allows for additional studies and/or information to be requested of a petitioner to deem an application complete for a SEQR determination as determined by the Planning Director, AND

WHEREAS, such geotechnical evaluations will continue to be required by the Town of Amherst Building Commissioner at the time of a building permit application, NOW THEREFORE BE IT

RESOLVED, that the resolutions adopted on March 17, 2003 and June 16, 2003 are hereby rescinded and the environmental assessment form which the town amended as an addendum may be revised to no longer require the provision of a geotechnical analysis when a development review submission is made, AND BE IT

FURTHER RESOLVED, that the Planning Director and/or the Building Commissioner may request that a geotechnical analysis report be provided if deemed necessary during his/her review of a development action consistent with section 8-2-2D(2) of the Zoning Ordinance.

12/4/2023
A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and approved via Roll Call vote 4-1 (nay, Bucki).

RESULT:	**ROLL CALL VOTE (ADOPTED) [4 TO 1]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Berger, Lavin, Szukala
NAYS:	Bucki

Q. POLICE:

1. Resolution 2023-995

Request for Additional Funds 2023 Asset Forfeiture Trust Account

Town Board Agenda Item: December 4, 2023

TO: **Town Board**

FROM: **Scott P. Chamberlin, Chief of Police**

RE: **Request for Additional Funds**
2023 Asset Forfeiture Trust Account

Kindly adopt a resolution authorizing the approval to spend up to an additional $20,000.00 from T2917 Asset Forfeiture Trust Account. This account is federally regulated by instituted guidelines regarding the expenditure of funds.

Thank you.

SPC: msl
C: Tim Koller, Deputy Town Clerk **(Agenda Item: December 4, 2023)**

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

R. SENIOR SERVICES:

1. Resolution 2023-996

Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379

We respectfully request Town Board and the Supervisors permission to purchase a Reach In Freezer from B & G Restaurant and Supplies.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-997

Request to Use Trust and Agency Funds

We respectfully request Town Board permission to authorize the Supervisor to approve the request to spend up to $725.00 in Trust and Agency Funds - Account T2100.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

S. SEWER/PLANT 16:

1. Resolution 2023-998

GraniteNet Software Renewal Cues, Inc. CRS No. 4448

The Engineering Department - Sewer Maintenance Division is requesting Town Board approval for the expenditure of $2,726 from account G9000-2600 for the above referenced software renewal plan for the department's CCTV truck.

This request is pending the successful completion of the contract review procedure.

Thank you for considering this request.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-999

Emergency Procurement - Transportation of Liquid Sludge Modern Disposal Services, LLC CRS 4447

Currently the Town of Amherst Water Pollution Control Facility is experiencing a biological process upset the Stage I/II Activated Sludge System (WPCF). In an attempt to resolve this critical issue, the Plant Management has contracted with Modern Disposal Service, LLC to haul in activated sludge from the Tonawanda WWTP. The WPCF has followed the emergency purchase requirements for transportation of this sludge with an original NTE amount of $20,000.00. Please note that additional sludge/seed may be required with this procurement.

At this time, the Engineering Department, WPCF division is requesting that the Town Board authorize the Comptroller's Office to pay Modern Disposal Services for the transportation costs accrued with this project.

Funds for this request are available in G9916-4950/4960.

Thank you for considering this request.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

T. YOUTH AND RECREATION:

1. Resolution 2023-1000

2024 ID Card Fees

Set 2024 Resident ID Card fees at $10.00 per person, with an early bird discount of $2.00 if purchased prior to May 13, 2024.

This recommendation has been reviewed and approved by the Amherst Recreation Commission.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Resolution 2023-1001

2024 Summer Camp Fees

Set 2024 summer camp fees at $200.00 per week for elementary camps and $220.00 per week for middle school camp.

These fees have been reviewed and approved by the Amherst Youth Board.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

3. Resolution 2023-1002

2024 Golf Rates

Authorize the Town Board to approve the 2024 rates for the Audubon Golf Course and the Audubon Par 3 as attached.

These rates have been reviewed and approved by the Amherst Recreation Commission.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

4. Resolution 2023-1003

Erie County DSS Child Day Care Contract - Amendment to CRS #4328

Authorize the Supervisor to sign an Amendment to the Erie County DSS Child Day Care Services contract (CRS #4328) adding 220 Northpointe Parkway as an approved afterschool childcare site, qualifying the Town of Amherst for reimbursement for DSS clients served at that location, pending satisfactory completion of the contract routing process.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

5. Resolution 2023-1004

Notice of Award (HHS) - CRS #4457

Authorize the Town of Amherst to accept a grant from the US Department of Health and Human Services on behalf of the Amherst Youth & Community Coalition for Year 4 funding under the Drug Free Communities program.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

6. Resolution 2023-1005

Authorization to Pay Vendor

WHEREAS, the Youth & Recreation Department is in the process of putting together a new bid for printing, and

WHEREAS, the Department would like to combine this bid with the upcoming Senior Center bid to take advantage of volume discounts, and

WHEREAS, the Department still needed to put out a Fall 2023 program guide,

NOW THEREFORE BE IT RESOLVED that the Amherst Town Board authorizes payment of Penny Lane invoices until the new contract has been awarded.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

XIV. UNFINISHED BUSINESS

XV. COMMUNICATIONS

1. Communication 2023-131

Request for Public Hearing - 2280 Wehrle Drive

Request from Jeffery Palumbo, Esq., for a public hearing to Amend the Comprehensive Plan for 2280 Wehrle Drive.

This public hearing has been scheduled for the second Town Board meeting in January.

12/4/2023
Consent

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

2. Communication 2023-132

Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive

Letters from Rob Savarino providing information on the proposed rezoning of 4774 & 4780 Sheridan Drive.

12/4/2023
Referred to Town Attorney & Planning

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

---

3. Communication 2023-133

Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road

Letters from Sean Hopkins, Esq. providing updates regarding the proposed rezoning of 1350 Eggert Road.

12/4/2023
Referred to Town Attorney & Planning

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

---

4. Communication 2023-134

Letter from Judy Ferraro

From: Judith Ferraro
Subject: Re: 11% tax hike?
Date: November 28, 2023 at 1:19:22 PM EST
To: "Hon. Deborah Bruch Bucki" <dbucki@amherst.ny.us <mailto:dbucki@amherst.ny.us>>, "Kulpa, Brian J." <bkulpa@amherst.ny.us <mailto:bkulpa@amherst.ny.us>>, fspoth@amherst.ny.us <mailto:fspoth@amherst.ny.us>, jberger@amherst.ny.us <mailto:jberger@amherst.ny.us>, slavin@amherst.ny.us <mailto:slavin@amherst.ny.us>, mszukala@amherst.ny.us <mailto:mszukala@amherst.ny.us>

Amherst's Town Board:

Regarding the unprecedented 11% increase in taxes for Amherst residents with the

stated reason for “what people want” simply is not true. If people had the facts and choices of taking more money out of their pockets, at a time of economic crisis, in exchange for a mall that the town does not own and should not be involved; LED lights; a transformation of Westwood into an active amusement park. The belief and mantra was always for a passive park to preserve this beautiful, peaceful piece of nature with environmental and historical significance in central Amherst.

As leaders of Amherst and having a concern for the well-being of every citizen, at this trying time, what are the cuts that you have offered in your budget? The above is all discretionary spending that no one is clamoring for. Our future is today, not 10 years from now. You are taking the citizenry down a road of destruction for us and our children, both today and the future.

Please rethink your priorities for the citizens, not for the profiteers, always at the trough. Thank you.

Judy Ferraro
Amherst

12/4/2023
Received & Filed

RESULT:	**RECEIVED & FILED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

5. Communication 2023-135

Notice of Claim: Lawrence J. Howard Vs. Town of Amherst

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

6. Communication 2023-136

Notice of Claim: Robert Giolando Vs. Town of Amherst

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

7. Communication 2023-137

Summons and Complaint: Lee Fang Vs. Town of Amherst

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

8. Communication 2023-138

Summons and Complaint: Tracy M. Benzel Vs. Town of Amherst Et Al.

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

9. Communication 2023-139

Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

XVI. PUBLIC IMPROVEMENT PERMITS

XVII. PUBLIC EXPRESSION #2

This is an opportunity for residents to comment on matters involving Amherst other than those pertinent to Public Hearings that day. Speakers will be limited to 3 minutes.

A motion to open Public Expression was made by Supervisor Kulpa, seconded by Councilmember Lavin and unanimously approved 5-0. Public Expression was opened at 10:13 PM.

There were no speakers from the public, therefore Supervisor Kulpa moved to close Public Expression, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. Public Expression was closed at 10:13 PM.

XVIII. ADJOURNMENT

There being no further business to come before the Town Board, Supervisor Kulpa moved to adjourn, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. The Town Board meeting of December 4, 2023 was adjourned at 10:13 PM.

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 28263 **RESOLUTION 2023-955** **HEARING CLOSED**

Planned Unit Development - Amherst Central Park

Planned Unit Development Request (PUD) - Proposed Conceptual Development Plan for a New Community Park at 772 North Forest Road, 385 & 391 Maple Road.

12/4/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was opened at 7:06 PM.

Dan Howard, Planning Director, Dan Ulatowski, Assistant Planning Director and Jeffrey Szatkowski, Landscape Architect, presented.

The following speakers spoke in opposition:
Jennifer Snyder-Haas, 183 Fairways Blvd
Frank Wopperer, 143 Fairways Blvd
Maureen Schmitt, 866 N Forest
Maryann Hochberg, 1075 N Forest
Bill Vaughan, 11 Fariways Blvd
Judy Ferraro, 213 Donna Lea Blvd
Tom Frank, 5403 Main St
Kathy Aquilina, 215 Maple Rd
Mike Kozelsky, 60 Fruehauf Ave
Judith Battaglia, 215 Washington Hwy
Georgine Tripodi, 199 Burbank Dr
David Truty, 176 Cranburne Ln
Matt Plunkett, 299 Northill Dr
Mary Shapiro, 16 Royalwoods Ct
Gerry O'Connor, 27 Chateau Ter S
Shelly Schratz, 1952 Kensington Ave
Dennis Hoban, 216 California Dr
John Buttino, 41 Joliet Ln
Kathleen Murphy, 26 Forest Stream Rd
Frank Vicks, 240 Hamilton Dr
Jane Cox, 4584 Harlem Rd

There were no further speakers therefore Supervisor Kulpa moved to close the hearing, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was closed at 8:48 PM.

RESULT: HEARING CLOSED

Amherst
Town of Amherst Planning Department
Erie County, New York

Brian J. Kulp
Supervisor

Daniel C. Howard,
Planning Direc

Daniel J. Ulatowski,
Assistant Planning D

Town Board Agenda of December 4, 2023

November 28, 2023

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Planned Unit Development Request (PUD) - Proposed Conceptual Development Plan for a New Community Park, property located at 772 North Forest Road, 385 and 391 Maple Road, Town of Amherst Town Board, Petitioner. (SP-2023-11).

Honorable Members:

The Planned Unit Development (PUD) Application for the Amherst Central Park Conceptual Development Plan initiated by the Town Board on October 2, 2023 was recommended for approval by the Planning Board on November 16, 2023. As set forth in the PUD Application, a planned unit development (PUD) is afforded by the Town's Zoning Ordinance pursuant to section 6-9 which gives the Town Board the authority to review any development on a parcel that is 30 acres or more in size. A planned unit development plan is afforded flexibility to respond to market demand. The PUD process allows the Town Board to adjust the regulations, standards and criteria of the Zoning Ordinance. The Town Board is the approval authority for a planned unit development, while the Planning Board provides an advisory recommendation on an application. The proposed PUD Application sets forth the allowable uses, design standards, signage requirements and procedures for review that will govern development within the Town-owned Park.

As part of the approval of the PUD application and conceptual development plan for the Amherst Central Park, the Town Board will be proposing adjustments to the uses permitted in the RC-Recreation Conservation zoning district consistent with sections 6-9-2A and 8-4-6F of the Zoning Ordinance, including:

1. All permitted uses as listed in the Recreation Conservation (RC) zoning district that are not in an enclosed building shall not be considered a nuisance or offense beyond the lot line as stipulated in section 6-9-2C(1) .

2. The harboring of limited amounts of livestock associated with the Buffalo Niagara Heritage Village(BNHV) living museum shall be permitted in fields 1 & 2.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

3. The raising of bees/bee keeping associated with the Buffalo Niagara Heritage Village(BNHV) living museum shall be permitted.

3. Retail sales associated with the Winter Market area shall be permitted.

4. Any accessory restaurant/café associated with the theater building shall be permitted.

5. Any accessory concession or food services associated with the converted club house, skate rental building, amphitheater or BHNV building shall be permitted.

Additionally, adjustments to the review process are also being proposed by the Town Board consistent with sections 6-9-2A and 8-4-6F of the Zoning Ordinance. The review of the physical components which comprise the conceptual plan will be done by a newly formed Amherst Central Park Planning Team comprised of staff experts that currently participate in development reviews for the Town as part of the Planning Board site plan approval process (e.g. Engineering Department, Building/Fire Inspections Department, Traffic Safety Coordinator and Planning Department). The ACP Planning Team will ensure that the development standards required for Planned Unit Developments as identified in section 6-9-3 of the Zoning Ordinance are generally followed for project components that make up the conceptual development plan. Of note, the signage required for the Park will be adjusted to ensure appropriate wayfinding. The Director of Facilities and the Planning Department will coordinate the review process for the Team and provide a written recommendation to the Town Board as the plan approval entity. The Town Board, through its bond authorization process will consider the Team's recommendation and approve the component development plans if it chooses to fund a park project component. The process for review will be consistent with the flow chart on the following page and the description as specified in the supplemental FGEIS. Therefore, the requirements of section 8-7 (site plan review) of the Zoning ordinance will not be required as stipulated in section 8-4-6E of the Zoning Ordinance.

The Conceptual Development Plan to be considered as part of the Planned Unit Development application approval will guide development of the park for the long term and beyond the terms of the current elected Town Board. Features illustrated on the plan are shown to demonstrate the maximum desired development of the community park. Initial work will begin in the southern portion of the Property. Using an existing entrance with access to North Forest Road and a proposed entrance to Sheridan Drive, the Plan proposes the following features moving from the southeast to the southwest portion of the parcel:

• Ice Ribbon and Ice Rink, approximately 25,000 SF

• Inclusive Playground, approximately 12,500 SF

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

• Splash Pad, approximately 6,100 SF

• Public Plaza, approximately 20,000 sf, including a Winter Market, approximately 5,000 SF (buildings)

• Renovation of the former clubhouse into a Community Building, approximately 2,500 SF addition to existing (approximately 44,500 SF total at completion, including basement and all floors), to provide services including space for a Universal Pre-Kindergarten (UPK) program

• Outdoor Amphitheater, approximately 3,300 SF

• Community Theater Building, approximately 31,600 SF

• New building for the Buffalo Niagara Heritage Village Museum – approximately 36,000 SF, as well as relocation of historical buildings associated with the museum, totaling approximately 20,000 SF

• Enhancement of an existing wetland as a decorative pond and associated onsite mitigation (if required) and filling or modification of non-regulated wetlands

• Ancillary park improvements such as playgrounds, gardens/greenhouses, pedestrian access/pathways, educational kiosks and access drives as shown conceptually on the PUD Plan

• Construction of required mechanical buildings, public restrooms, parking lots, and supportive utilities such as storm sewers and stormwater management features, sanitary sewers, water, fiber optic cables, electric and natural gas service

The northern portion of the proposed Amherst Central Park is planned for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas. From the southern portion, moving to the north, a proposed main loop drive provides access to features such as maintained trails and bike paths, natural playgrounds, and a variety of community gardens and tree plantings. Pedestrian access from the existing town par 3 golf course is a suggested component not shown that the Town Board may want to consider in its consideration of the conceptual development plan /PUD application approval.

The Planning Board offers the following findings consistent with Section 8-3-5 and 8-4-5 of the Zoning Ordinance and recommends approval of the Planned Unit Development (PUD) application and the conceptual development plan:

A. The conceptual development plan meets the purpose and objectives of the RC-Recreation Conservation zoning district by providing public and private civic uses related to recreation and conservation.

B. The conceptual development plan will be consistent with any applicable use regulations in part 6 of the zoning ordinance, or as adjusted by the Town Board under Section 8-4-6(F) of the ordinance.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

C. The conceptual development plan and the proposed uses which comprise the proposed community park are consistent with the policies of the comprehensive plan.

D. The proposed community park will have adequate services and utilities available at the time of proposed construction.

E. The proposed community park is compatible with the current RC- Recreation Conservation zoning of the property and the surrounding residential zoning and existing residential neighborhood character.

F. The proposed community park improves the balances of uses in the adjacent surrounding community by converting an abandoned former private golf course into a regional public asset which will provide recreational and cultural opportunities for the residents of the Town of Amherst.

The Planning Department requests that the Town Board open a Public Hearing on the proposed Planned Unit Development Plan for the Amherst Central Park at its meeting of December 4, 2023. The PUD application is undergoing a SEQR review with preparation of a Supplemental Generic Environmental Impact Statement (SGEIS). A decision on the PUD application cannot be made until the Town Board issues its Findings on the SGEIS. The Planning Department will prepare a draft resolution for the Board's decision on the PUD when it issues its SEQR Findings.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DU/du/ac
Att.
X:\Current_Planning\Files\Site Plans\2023\SP-2023-11(772 N_ Forest Road_385_&_391_Maple Road)\SP-2023-11 PUD TB letter 120423.docx
cc: Martin Polowy, Town Attorney

Planning Board Approval November 16, 2023
Ayes 7; Noes 0

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2023-11

PETITIONER

Town of Amherst
5583 Main Street
Williamsville, New York 14221

PROPERTY LOCATION

772 North Forest Road, 385 & 391
Maple Road

NOV 20 2023 AM9

WHEREAS, the Town of Amherst Planning Board on Thursday, November 16, 2023 held a public hearing on a Planned Unit Development Application (PUD) and Conceptual Development Plan for a new town community park (Amherst Central Park), and

WHEREAS, the Planning Board reviewed the PUD application and conceptual development plan for the proposed project, and

WHEREAS, the PUD application was also referred to the Town's various review agencies

WHEREAS, the Planning Director compiled the comments from the Town's various review agencies and provided a report to the Planning Board, and

WHEREAS, in accordance with Section 8-3-5 and 8-4-5 of the Zoning Ordinance, the Planning Board finds that:

A. The conceptual development plan meets the purpose and objectives of the RC-Recreation Conservation zoning district by providing public and private civic uses related to recreation and conservation.

B. The conceptual development plan will be consistent with any applicable use regulations in part 6 of the zoning ordinance, or as adjusted by the Town Board under Section 8-4-6(F) of the ordinance.

C. The conceptual development plan and the proposed uses which comprise the proposed community park are consistent with the policies of the comprehensive plan.

D. The proposed community park will have adequate services and utilities available at the time of proposed construction.

E. The proposed community park is compatible with the current RC- Recreation Conservation zoning of the property and the surrounding residential zoning and existing residential neighborhood character.

F. The proposed community park improves the balances of uses in the adjacent surrounding community by converting an abandoned former private golf course into a regional public asset which will provide recreational and cultural opportunities for the residents of the Town of Amherst.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2023-11

PETITIONER

Town of Amherst
5583 Main Street
Williamsville, New York 14221

PROPERTY LOCATION

772 North Forest Road, 385 & 391
Maple Road

NOV 20 2023 AM 9

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board, in accordance with Section 8-4-4 of the Zoning Ordinance recommends approval of said Planned Unit Development (PUD) application and conceptual development plan.

The foregoing resolution was adopted by the Town of Amherst Planning Board, November 16, 2023; moved by Giuliani; seconded by Chmiel; ayes 7, noes 0.

Robert J. Gilmour, Planning Board Chair

11-18-2023
Date

DU/ac
X:\Current_Planning\Files\Site Plans\2023\SP-2023-11(772 N_ Forest Road_385_&_391_Maple Road)\SP-2023-11_resolution_111623.docx

cc: Commissioner of Building
Town Engineer
Fire Chiefs
Traffic/Safety
Highway Superintendent
ECDEP
NYSDOT
NYSDEC

Approved Plan: Dover, Kohl & Partners
Received: October 2, 2023

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Planned Unit Development (PUD) Review

For Official Use

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

Address Verified by Assessor's Office _____ VERIFIED BY DATE

Materials Received by Planning Department _____ RECEIVED BY DATE

Fee Paid to Town Clerk _____ RECEIVED BY DATE

PUD Plan Review fees to be determined

To Be Completed By Applicant

Petitioner:

Name: Town of Amherst Town Board

Address: Town of Amherst

5583 Main Street

Williamsville NY 14221

city state zip code

Phone: 716-631-7051 Fax: _____

E Mail: planningemail@amherst.ny.us

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

Name: Daniel C. Howard, AICP, Planning Director

Address: Town of Amherst

5583 Main Street

Williamsville, NY 14221

city state zip code

Phone: 716-631-7051 Fax: _____

E Mail: dhoward@amherst.ny.us

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION (con't)

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

Address: 772 North Forest, 385 Maple Road, 391 Maple Road

Williamsville, NY

SBL No(s): 68.01-1-1.2, 55.18-4-9 & 55.18-4-10

Project Name: Amherst Central Park

Project Description:

Adoption of a conceptual development plan for a planned unit development for the conversion of a former private golf course to a community park to include cultural, recreational and civic public spaces on an approximately 170.5 +/- acre parcel (see attached description)

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):

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION (con't) *Page 3*

Gross Floor Area (non-residential):	13,411 sf (existing)	175,077 sf (proposed)	188,488 sf (total)
Gross Floor Area Residential:	0 (existing)	0 (proposed)	0 (total)
Number of Residential Units:	0 (existing)	0 (proposed)	0 (total)
Number of Parking Spaces:	240 (existing)	323 (proposed)	563 (total)

Acreage of Parcel: 170.5 +/- acres

(list each parcel separately)

Frontage on Public Roads: 1823.97 feet Sheridan Drive, 887.89 feet North Forest Road

(list each road separately) & 110 feet Maple Road

Existing Zoning District(s) RC- Recreation Conservation

X:\Current_Planning\Application Forms 2021\PUD Application Packet_2023.docx
REVISED July 2023

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

Conceptual Development Plan for Amherst Central Park Planned Unit Development

The Town of Amherst Conceptual Development Plan for the Amherst Central Park Planned Unit Development (PUD Plan) proposes the development of a Town Park on 170.55 acres of land on the former Westwood County Club property located at 772 North Forest Road and 385 & 391 Maple Road ("Property"). The future Amherst Central Park is an opportunity to create a beautiful natural community resource for the enjoyment of people of all ages. The Park will provide a place for people to connect and interact in a shared environment and brings intrinsic environmental, civic, and recreation benefits to residents and visitors to the Town.

Background

In November 2017 the Town Board, acting as the Lead Agency, issued a Final Generic Environmental Impact Statement ("FGEIS") for the proposed development of a 170 acre the former Westwood Country Club ("Property"). The FGEIS was prepared in response to an application submitted by the then-owner of the Property, requesting approval to rezone it from Recreation Conservation (RC) District to Traditional Neighborhood Development District (TND), Multi-Family Residential District 7 (MFR-7) and General Business District (GB). The "Westwood Neighborhood Rezoning Application" involved 130 town homes, 180 multi-family residential units, 26 larger patio homes, 57 smaller patio homes, 41 single-family homes, 104 senior independent living units, 130 hotel rooms and finally 212 multi-family residential units in mixed-use buildings.

Following preparation of the FGEIS, the Town Board issued its State Environmental Quality Review (SEQR) Findings Statement on December 11, 2017, and concluded that:

> Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Project does not avoid or minimize adverse environmental impacts to the maximum extent practicable, and that adverse impacts will not be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

The rezoning application was denied.

Since that time, the Town of Amherst has purchased the property and through planning and public input has prepared a proposed Conceptual Development Plan for the Amherst Central Park. The Town Board has prepared an Application for the Property to be subject to a Planned Unit Development to implement the Conceptual Development Plan.

The Amherst Central Park PUD Plan

The proposed Town of Amherst Central Park PUD Plan is the product of a multi-year participatory planning process involving municipal leaders, residents, community stakeholders and consultants. The Plan proposes a multi-use park featuring natural resources, a community center for activities related to environmental education, fine arts, active and passive recreation, and historic preservation. The Park will provide a place for people to connect and interact in a shared environment and brings intrinsic environmental, civic, and recreation benefits to residents and visitors to the Town.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

AMHERST
New York

CENTRAL PARK
Concept Plan
October 2, 2023

COMMISSIONED BY
THE TOWN OF AMHERST, N.Y.

Prepared By
DOVER, KOHL & PARTNERS

Modified By
The Town of Amherst



LEGEND

UNIQUE FEATURES
1) Community Building (Former Club House)
2) Music Fare Theater
3) The Winter Market
4) Ice Ribbon + Ice Rink
5) Splash Pad + Inclusive Playground
6) Amphitheater
7) Lake Front Pavilion
8) Outdoor Exercise Equipment (10 Stations)
9) Community Gardens (can be any size)
10) Greenhouse
11) Maintenance Area
12) Low Ropes Course or suspended bridges
13) Sheltered Bus Stop (at South Entrance)
14) Buffalo Niagara Heritage Village (Relocated)
15) Multi-use Pavilion

Multiple Features
- Playground (Conventional Equipment)
- Playground (Natural)
- Restrooms
- Roofed Open Air Shelters
- Outdoor Classrooms
- Public Art / Sculpture Sites
- Off-road Bike Trails, 4-feet wide, dirt
- Accentuated Rise (mounded hills)
- Minor Entrance Gates.
- Bicycle Parking Racks (size to be determined)

- Existing Deciduous
- Existing Tree Canopy
- Existing Water
- Proposed Marsh / Water

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

The area envisioned for the Amherst Central Park has been designated for recreation and open space uses as proposed in the PUD Plan for a long time. As a former Country Club, the Property included golf, tennis, swimming and civic uses associated with its Clubhouse. Recommended as Recreation, Open Space, and Greenways in the Town's Bicentennial Comprehensive Plan (Figure 6), and a component of the Amherst Local Waterfront Revitalization Program (LWRP) Plan (Section 4), the Park, with its location along Ellicott Creek is a featured project for recreation and waterfront enhancement in the Town.

Figure 1 illustrates the proposed Conceptual Development Plan for the PUD. Initial work will begin in the southern portion of the Property. Using an existing entrance with access to North Forest Road and a proposed entrance to Sheridan Drive, the Plan proposes the following features moving from the southeast to the southwest portion of the parcel:

- Ice Ribbon and Ice Rink, approximately 25,000 SF
- Inclusive Playground, approximately 12,500 SF
- Splash Pad, approximately 6,100 SF
- Public Plaza, approximately 20,000 sf, including a Winter Market, approximately 5,000 SF (buildings)
- Renovation of the former clubhouse into a Community Building, approximately 2,500 SF addition to existing (approximately 44,500 SF total at completion, including basement and all floors), to provide services including space for a Universal Pre-Kindergarten (UPK) program
- Outdoor Amphitheater, approximately 3,300 SF
- Community Theater Building, approximately 31,600 SF
- New building for the Buffalo Niagara Heritage Village Museum – approximately 36,000 SF, as well as relocation of historical buildings associated with the museum, totaling approximately 20,000 SF
- Enhancement of an existing wetland as a decorative pond and associated onsite mitigation (if required) and filling or modification of non-regulated wetlands
- Ancillary park improvements such as playgrounds, gardens/greenhouses, pedestrian access/pathways, educational kiosks and access drives as shown conceptually on the PUD Plan
- Construction of required mechanical buildings, public restrooms, parking lots, and supportive utilities such as storm sewers and stormwater management features, sanitary sewers, water, fiber optic cables, electric and natural gas service

The northern portion of Amherst Central Park is planned for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas. From the southern portion, moving to the north, a proposed main loop drive provides access to features such as maintained trails and bike paths, natural playgrounds, and a variety of community gardens and tree plantings.

Supplemental Environmental Review

The PUD Plan is subject to review under the SEQR Act. A supplement to the FGEIS (SGEIS) is required because, pursuant to 6 NYCRR 617.10(d)(4), "[t]he subsequent proposed action was not addressed or was

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

not adequately addressed in the Generic EIS and the subsequent action may have one or more significant adverse environmental impacts." The Town has prepared a Part 1 Environmental Assessment Form for the Central Park Project, as well as a proposed Part 2 and Part 3 for consideration by the Town Board. There are four potential significant adverse environmental impacts that should be addressed in a supplement to the FGEIS. The following are the four impacts:

1. Impact on land
2. Impact on surface water
3. Impact on transportation
4. Impact on human health

The Town Board will prepare a Supplement FGEIS for the four items requiring further analysis. It should be noted that in light of the prior SEQRA analysis for the Property, and public outreach, the Town Board may decide to waive scoping for the preparation of the Supplemental FGEIS. As part of the planned unit development process, both the Planning Board and the Town Board will be holding public hearings on the PUD Plan Application.

Amherst Central Park Facility Improvements Review Process

The Town is developing the Park pursuant to the Planned Unit Development (PUD) Process set forth in Section 6-9 of the Zoning Code, as the Property is in excess of 30 acres. As set forth in Zoning Code 6-9-1, the purpose of the PUD Process is to permit coordinated development that allows flexibility to respond to market demands. Pursuant to Zoning Code 6-9-2, the Town Board intends to adjust the regulations, standards and criteria of the Zoning Ordinance as part of the PUD Process for the Amherst Central Park to implement the Conceptual Development Plan and future improvements that are not part of the Conceptual Development Plan. Figure 2 on the following page sets forth the process for developing, approving and implementing the improvements in Amherst Central Park.

As part of the development of the Amherst Central Park, the Town Board will establish an Amherst Central Park (ACP) Planning Team, which will include, but not be limited to, the Director of Facilities, the Town Engineer, Town Architect, Building Commissioner, Planning Director, and Police/Fire Representative.

The Amherst Central Park (ACP) Facility Improvement Review Process depicted in figure 2 is described in more detail below.

1. The Director of Facilities will initiate planning for a Park improvement, which may commence through his or her own initiative; through specific direction by the Town Board; through implementation of projects previously approved by the Board or set forth in the Town's Capital Improvement Program (CIP).
2. Once the concept has been initiated, the Director of Facilities will direct the ACP Planning Team to commence planning and design of the improvement.
3. The Director of Facilities will work with the Planning Director to determine the level of review necessary (major or minor) and prepare a Facilities Improvement Plan application ("ACP Application") for the ACP Planning Team to review.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

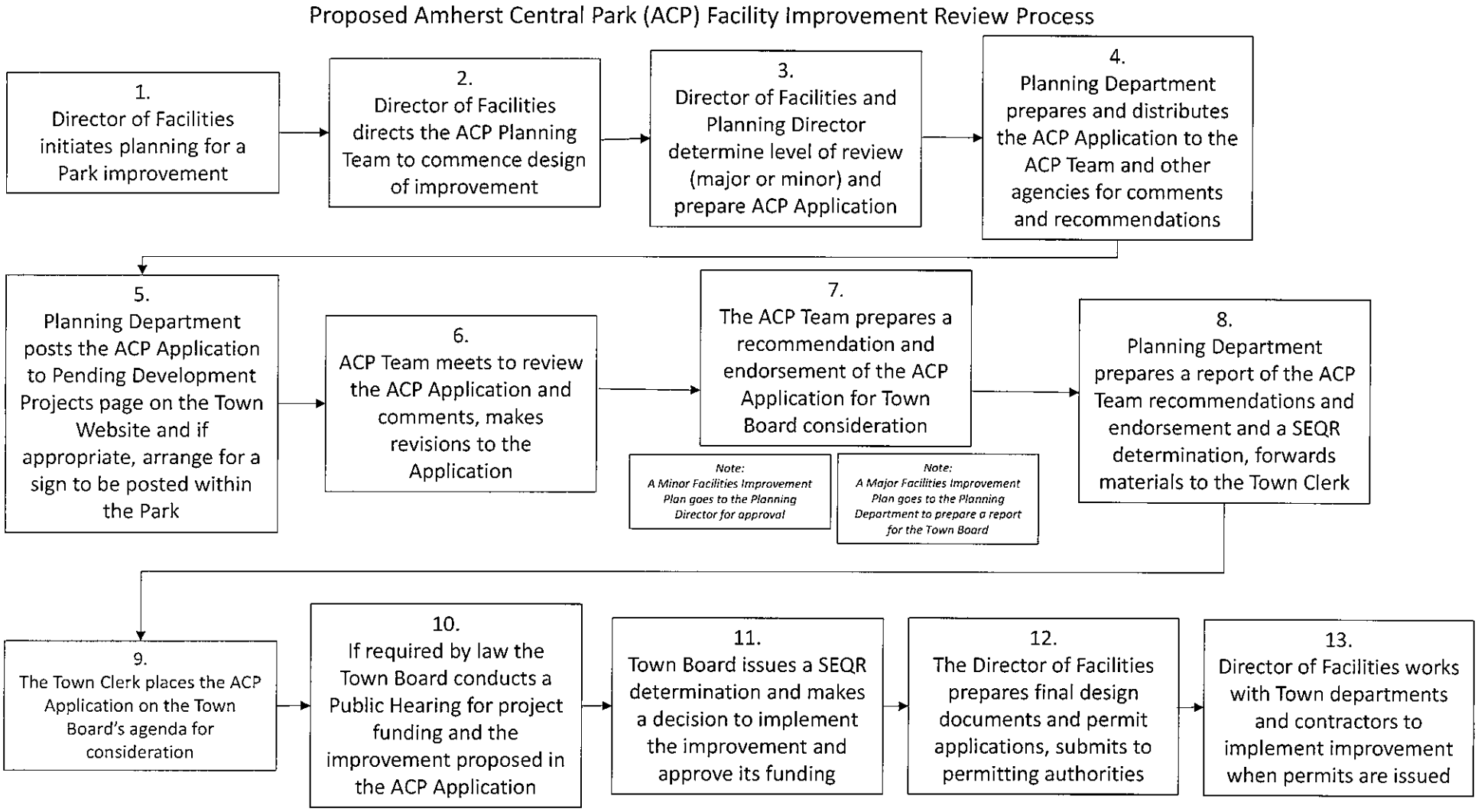


Figure 2

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

4. The Planning Department will prepare and distribute the ACP Application to the ACP Planning Team, and other agencies as appropriate, for comments and recommendations.

5. The Planning Department will post the ACP Application to its Pending Development Projects page on the Town Website and, if appropriate, arrange to post a sign with notice of the improvement within the Park.

6. The ACP Planning Team will meet to review the ACP Application and comments received, and, if necessary, makes revisions to the ACP Application based upon the comments received.

7. The ACP Planning Team will prepare a recommendation and endorsement in support of the ACP Application for consideration by the Town Board.

8. The Planning Department prepares a report of the ACP Team recommendations and endorsement and a SEQR determination, forwards materials to the Town Clerk.

9. The Town Clerk will place the ACP Application on the Town Board's agenda for consideration.

10. If required by law, the Town Board will conduct a Public Hearing for project funding and the improvement proposed in the ACP Application.

11. The Town Board will issue a SEQRA determination and makes a decision whether to proceed with approving and implementing the improvement set forth in the ACP Application and its funding.

12. The Director of Facilities will prepare final design documents and appropriate permitting applications, submits materials to the permitting authority.

13. Director of Facilities will work with appropriate Town Departments and contractors to implement the improvement once the permitting authorities issue the necessary permits.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Amherst Central Park		
Project Location (describe, and attach a general location map): Property located at 772 North Forest Road, 385 & 391 Maple Road		
Brief Description of Proposed Action (include purpose or need): Adoption of a conceptual development plan for a planned unit development for the conversion of a former private golf course to a community park to include cultural, recreational and civic public spaces on an approximately 170.5 +/- acre parcel.		
Name of Applicant/Sponsor: Town of Amherst	Telephone: (716) 631-7051 E-Mail:	
Address: 5583 Main Street		
City/PO: Williamsville	State: NY	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Daniel C. Howard, AICP, Planning Director	Telephone: (716) 631-7051 E-Mail: dhoward@amherst.ny.us	
Address: 5583 Main Street		
City/PO: Williamsville	State: NY	Zip Code: 14221
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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	October 2023
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board (PUD recommendation)	TBD
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☑Yes ☐No	Amherst Building Department - Construction permits	TBD
e. County agencies ☑Yes ☐No	Erie County Dept of Environment and Planning 239GML & ECDPW - ROW permits	October 2023
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSDOT - ROW permit NYSDEC - SPDES and wetland permits	TBD
h. Federal agencies ☑Yes ☐No	US Army Corps of Engineers -CWA 404	TBD

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):

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-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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?
RC- Recreation Conservation

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? no zoning district change, however, adjustments are proposed as part of the PUD application

C.4. Existing community services.

a. In what school district is the project site located? Williamsville Central School

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?
Snyder Fire District, Millard Fillmore Suburban Hospital

d. What parks serve the project site?
Town of Amherst Audubon Golf Course, Town of Amherst Northtown Center (Ice Rink) & Recreation Complex (Athletic Fields), Town of Amherst Par 3 Golf Course, Town of Amherst Ellicott Creek Trailway (bike path and tennis courts)

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)? Mixed - Recreation, Civic, Community Facility, Commercial

b. a. Total acreage of the site of the proposed action? 170.5 acres
b. Total acreage to be physically disturbed? 17+/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 170.5 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated TBD
- Anticipated commencement date of phase 1 (including demolition) June month 2024 year
- Anticipated completion date of final phase June month 2034 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
The southern portion of the project site will be completed first, which will have the most intensive development with recreation, community and civic facilities.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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 11+/-new plus 20 +/- relocated structures
ii. Dimensions (in feet) of largest proposed structure: 40 height; 150 width; and 200 length
iii. Approximate extent of building space to be heated or cooled: 30,000 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: creation of decorative 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: 937.79 million gallons; surface area: 0.96 acres
v. Dimensions of the proposed dam or impounding structure: 3 height; 450+/- length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
excavation of existing town drainage way

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? Removal of soil for buildings and pond construction
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): TBD
- Over what duration of time? TBD

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. removal of existing natural soil strata and historical soil fill material from golf course construction. Management and off site disposal of any soils will be under the appropriate oversight of NYS DEC. ☐ ☑
iv.
v. What is the total area to be dredged or excavated? TBD acres
vi. What is the maximum area to be worked at any one time? TBD acres
vii. What would be the maximum depth of excavation or dredging? TBD feet
viii. Will the excavation require blasting? ☐Yes ☑No
ix. Summarize site reclamation goals and plan:
site to be reclaimed for passive and active recreation.

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): see isolated wetlands and unregulated tributaries in the delineation report prepared by Earth Dimensions, Inc. dated June12, 2023

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, o alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
The Town will alter the wetlands identified as wetland W11 and W12 to accommodate the location of a theater and museum building. Tributary 3 will be also be altered. These water bodies will be altered to accommodate stormwater detention and a decorative pond.

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☑Yes ☐No
If Yes, describe: construction of a decorative pond may disturb existing sediments in tributary 3

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: _____
Disturbed area will be reclaimed to a decorative pond in the southwest corner of the initial project area.

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: 100,000 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: Town of Amherst/ECWA Lease Management Area
- Does the existing public water supply have capacity to serve the proposal? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No
- Do existing lines serve the project site? ☑Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☑Yes ☐No
If Yes:
- Describe extensions or capacity expansions proposed to serve this project: building service lines and a new main extension will be constructed to service the buildings.
- 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: N/A
- Date application submitted or anticipated: N/A
- Proposed source(s) of supply for new district: N/A

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: 80,000 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 will be generated, including splash pad spray to drain system and backwash water for swimming pool

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 #16
- Name of district: Town of Amherst Consolidated 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-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

- Do existing sewer lines serve the project? ☑ 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:

A sanitary main extension will be constructed to service the site with individual laterals for each new occupied buildings.

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☑ No

If Yes:

- Applicant/sponsor for new district: N/A
- Date application submitted or anticipated: N/A
- What is the receiving water for the wastewater discharge? N/A

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):

N/A

vi. Describe any plans or designs to capture, recycle or reuse liquid waste:

N/A

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 16.85 acres (impervious surface)

_____ Square feet or 170.5 acres (parcel size)

ii. Describe types of new point sources. The creation of new parking lots, impervious park spaces, paved pathways, Town facilities, landscaped/ manicured lawn spaces and park/access roads.

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)?

Site runoff will be captured and treated in source proximity before being conveyed through a piped tiered system to a storm detention pond for additional treatment and attenuation. Ultimately, runoff will be discharged to Ellicott Creek.

- If to surface waters, identify receiving water bodies or wetlands:

Ellicott Creek, Wetland W11 and tributary 3

- 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-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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 240 Proposed 563 Net increase/decrease + 323

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:

The project site consists of improving the entry off of North Forest Road and adding a driveway along Sheridan Drive.

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: TBD

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 (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: 7am to 7pm
- Saturday: 7am to 7pm
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: available 24 hours
- Saturday: available 24 hours
- Sunday: available 24 hours
- Holidays: available 24 hours

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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:

Heavy equipment will be used on site during construction during 7am to 7pm Monday through Friday.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: The intent is to keep natural buffers intact between land uses.

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:

The project will consist of parking lot and street lighting as per Town of Amherst Engineering road standards and Zoning Code requirements per Chapter 203-7-3.

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:

The proposed Buffalo Niagara Heritage Village museum will have outdoor living displays ,which may include livestock and poultry. Such displays will be 150'+/- from the nearest occupied structures to the west of the project site.

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):

During operation, pesticide use may include routine rodent baiting associated with food service operations.
During operation, limited herbicide use may be utilized to control invasive weed growth.

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: building materials waste tons per TBD (unit of time)
- Operation : refuse/food wastes tons per TBD (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: TBD
- Operation: source separation of recyclables

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: TBD
- Operation: Solid waste landfill

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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 Unknown if hazardous waste will be generated as part of construction remediation activities. If yes, hazardous materials will be disposed of at a hazardous waste facility with concurrence of NYSDEC.

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): Municipal Facility, Recreation and Utilities

ii. If mix of uses, generally describe:

The project site was operated as a private golf course surrounded predominantly by residential housing. The Town's Highway Department is located to the east and the Town Audubon and Par 3 golf courses are located to the north of the property. Within close proximity are commercial land uses.

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	8.66	25.51	16.85
• Forested	14.97	14.97	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	136.66	109.21	-27.45
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	3.34	4.3	+0.96
• Wetlands (freshwater or tidal)	10.26	10.09	-0.17
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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:
Maplemere Elementary 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:
soil contaminates have been identified on the site associated with the use of herbicides and pesticides when operated as a golf course by prior owners.

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): C915291
☐ 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):

Brownfield site C915291 was terminated from the NYS Brownfield Program in April 2023 by notice of the transfer of the Property to the Town of Amherst. Adjacent site C915207 is "completed" per the NYSDEC Site Registry.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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? >80 inches 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:

Odessa (silt loam)	38 %
Claverack (loamy fine)	18 %
Cosad (loamy fine sand)	15 %

d. What is the average depth to the water table on the project site? Average: 0.5-1.5 feet

e. Drainage status of project site soils:
☐ Well Drained: ____ % of site
☑ Moderately Well Drained: 90 % of site
☑ Poorly Drained 10 % 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 837-25 Ellicott Creek Classification B
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Federal Waters, Federal Waters, Federal Waters,... 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: _____
Name - Pollutants - Uses:Ellicott Creek, Lower, and tribs – Nutrients;Silt/Sediment – 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: _____

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

m. Identify the predominant wildlife species that occupy or use the project site:
deer, rabbits, squirrels, mice
turkeys
red fox, coyotes

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-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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: Eligible property:829 NORTH FOREST RD, AMHERST

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 Daniel C. Howard, AICP Date October 2, 2023

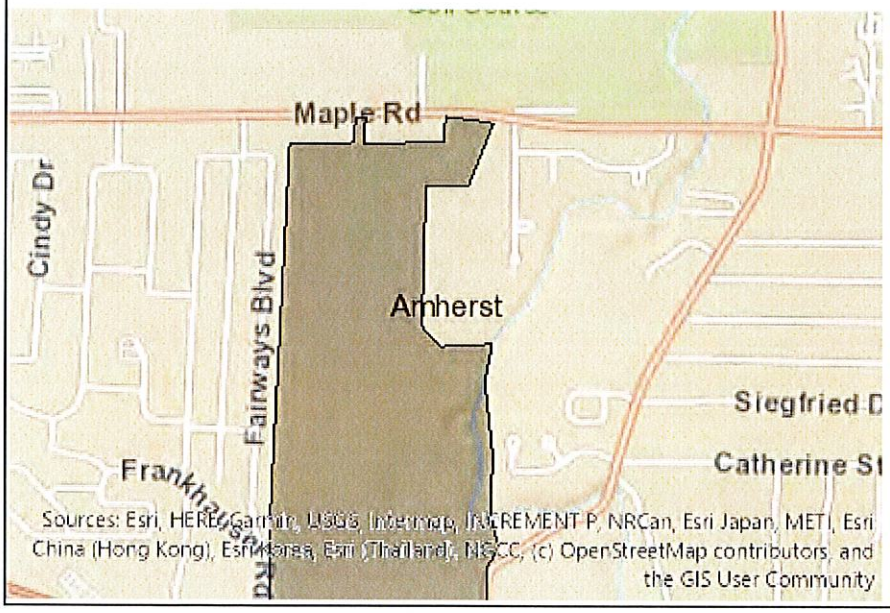
Signature _____ Title Planning Director

PRINT FORM

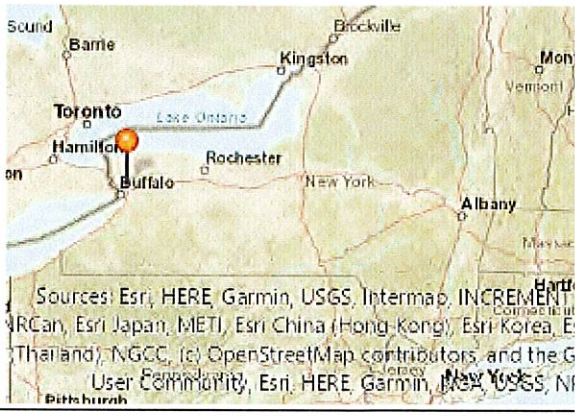
Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

EAF Mapper Summary Report

Friday, August 18, 2023 2:08 PM



Disclaimer: The EAF Mapper is a screening tool intended to assi project sponsors and reviewing agencies in preparing an environment 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. Althoug 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 orde 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]	Remediaton Sites:C915291, NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	C915291
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 - Stream Name]	837-25
E.2.h.iv [Surface Water Features - Stream Classification]	B
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Ellicott Creek, Lower, and tribs – Nutrients;Silt/Sediment – Aquatic Life
E.2.i. [Floodway]	Yes
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]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:829 NORTH FOREST RD, AMHERST
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

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

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

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☑ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☑
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☑	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☑	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☑	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☑
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☑	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☑	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☑	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☑	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☑	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☑	☐

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

l. Other impacts: _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☐NO ☑YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☑	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☑	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☑	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☑	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☑	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☑	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☑	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☐NO ☑YES

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

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

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

g. Other impacts: _____		☐	☐

6. Impacts on Air

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

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

7. Impact on Plants and Animals

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

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources

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

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

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

☐ NO ☑ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

d. Other impacts: _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☑	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☑	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☑	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

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

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. ☐ NO ☑ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☑	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☑
c. The proposed action will degrade existing transit access.	D2j	☑	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☑	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☑
f. Other impacts: _____		☐	☐

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☑ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☑	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☑	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☑	☐

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☐ NO ☑ YES

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

	Relevant Part I Question(s)	No,or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☑	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☑
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☑	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☑	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☑	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☑
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☑	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☑
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☑	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☑	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☑	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☑	☐
m. Other impacts: _____		☐	☐

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) ☑ NO ☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) ☑ NO ☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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

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

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

Reasons Supporting This Determination:
To complete this section:

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

1. Impact on Land - The proposed conversion of the former golf course to a community park may involve the excavation and removal of more than 1000 tons of soil from the 170.5 +/- acre site.

2. Impact of Surface Water - The construction of a 0.96+/- acre decorative pond within an existing unnamed tributary may disturb existing bottom sediments of such tributary. Additionally, a 0.17 +/- acre isolated wetland will be filled to accommodate a parking area.

3. Impact on Transportation - The proposed action will result in the construction of paved parking for 500 or more vehicles and the proposed action may alter the present pattern of movement of people or goods.

4. Impact on Human Health - The project site has evidence of soil contaminants as a result of past use of herbicides/pesticides. Adequate control measures will be in place to ensure that any contaminated soils are managed in accordance with applicable laws and be protective of the environment and human health.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

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

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

Upon review of the information recorded on this EAF, as noted, plus this additional support information

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

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

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

Name of Action: Amherst Central Park

Name of Lead Agency: Town of Amherst

Name of Responsible Officer in Lead Agency: Brian J. Kulpa

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency: Date: October 2, 2023

Signature of Preparer (if different from Responsible Officer) Date: October 2, 2023

For Further Information:

Contact Person: Daniel C. Howard, AICP, Planning Director

Address: 5583 Main Street, Williamsville, New York 14221

Telephone Number: 716-631-7051

E-mail: dhoward@amherst.ny.us

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

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

PRINT FULL FORM

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

TOWN OF AMHERST

ENGINEERING DEPARTMENT

ERIE COUNTY – NEW YORK

JEFFREY S. BURROUGHS, P.E., TOWN ENGINEER

November 6, 2023

TO: Daniel J. Ulatowski, Assistant Planning Director/ZEO

REVIEWER: Vaishali Reberholt, P.E, CPESC – Assistant Town Engineer

SUBJECT: PUD Application Review; SP-2023-11
Proposed Conceptual Development Plan for a New Community Park

ADDRESS: 772 North Forest Rd, 385 & 391 Maple Rd

PETITIONER: Town of Amherst

PUD Application Sanitary Review

- The sewer maintenance division agrees with the review process detailed in the PUD Application, sewer flow related approvals shall be given during specific project related site plan reviews. Please note that the splash pad needs to be isolated from sanitary sewer when not in use by adding a valve/diverter, so rainwater can be collected and used for irrigation purposes if needed.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

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

TOWN OF AMHERST
BUILDING DEPARTMENT
ERIE COUNTY, NEW YORK
5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E.
Commissioner of Building

RECEIVED
NOV 01 2023
TOWN OF AMHERST
PLANNING DEPT.

DATE: October 24, 2023

TO: Planning Department

FROM: Doug Gesel Supervising Code Enforcement Officer

RE: Conceptual Plan SP-2023-11 for 772 N Forest Rd, 385 & 391 Maple Rd

☒ Site Plan is: ☐ Subdivision is: ☐ ODA is: ☐ CSP is:

☒ Approved as Submitted

☐ Approved with the following conditions or changes:

☐ Denied for the following reasons:

☐ Not reviewable at this stage because the following information is not provided:

☐ Not applicable to this department at this time.

NOTE:

☒ Floodplain Development Permit required.

☒ Wetlands on property.

☐

*This review was for site compliance only.
*Approval does not grant permission to start construction.

Douglas Gesel

Supervising Code Enforcement Officer
Town of Amherst Building Department

X:\DOCS\DGG\Site Plan reviews\772 N Forest Rd 10-24-23.doc 10/24/2023

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

TOWN OF AMHERST
BUILDING DEPARTMENT
ERIE COUNTY, NEW YORK
5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E., CFM
Commissioner of Building

Date: October 31, 2023

To: Daniel Ulatowski, AICP- Asst. Planning Director

From: Alan D. Herberger, Sr. Plumbing Inspector

Re: SP-2023-11; Proposed Conceptual Development Plan; New Community Park; 772 North Forest Rd., 385 & 391 Maple Rd. Town of Amherst, Petitioner

The Proposed PUD Application Review is Approved as Submitted. – Plumbing Dept.

cc: Engineering Dept.
Building Dept.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

AMHERST FIRE CHIEFS' ASSOCIATION INC.

To: Dan Howard, Planning Director Date: 11/7/23

From: Krista Halt, Liaison to Amherst Fire Safety Committee

RE: Concept Plan: Amherst Central Park
Address: 772 North Forest

Petitioner: Town Of Amherst

The above referenced ☒ Site Plan is ☐ Subdivision is ☐ Minor Modification is:

☒ See comments

☐ Denied due to the following:

☐ Not reviewable at this time due to the following:

☒ 1. Section 503 FCNYS 2020 – Fire Apparatus Access Road

- ☐ A. Section 503 Firelanes (fire apparatus access roads) be provided in accordance with the FCNYS 2020
- ☒ B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled. Clubhouse, Restroom and Skate rental, museum buildings are the ones in question.
- ☐ C. 503.1.2 – provide an additional fire apparatus access road
- ☒ D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7
  - ☒ 1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertical clearance of 13 feet 6 inches.
  - ☒ 2. 503.2.2 – increase width of fire apparatus access road to __26__ feet to be adequate for fire or rescue operations. Where access roads contain a hydrant and where aerial access is needed.
  - ☒ 3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside. Provide a truck turning plan through the site.
  - ☐ 4. 503.2.5 – dead end fire apparatus access roads in excess of 150 feet, shall be provided with an approved area for turning around fire apparatus.
  - ☒ 5. 503.3 – fire apparatus access roads must be marked as firelanes per the signage specification established by Appendix D FCNYS 2020
  - ☒ 6. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads. Distance from buildings > 30'H should be 15'min. and 30' max.
  - ☒ 7. Appendix D 103.2 Grade: Fire apparatus access rds. Shall not exceed 10 percent in grade. Particularly at the Musical Fare Building

☒ 2. Section 506 FCNYS 2020 – Key Boxes – A fire department Knox key box is required for access to building keys.

☒ 3. Section 507 FCNYS 2020 – Fire Protection Water Supplies

- ☒ A. Indicate all existing Fire Hydrants on plans. Provide a water plan that shows Fire Main connections w/RPZ and Hotbox, fire line to sprinklered buildings and new and existing hydrants.
- ☒ B. All waterlines with numerous hydrants should be looped or on a grid system.
- ☐ C. All fire hydrants must be within 500 feet of each other. (Subdivisions)
- ☐ D. Section 507.5.1 – provide an additional Fire Hydrant within 400 feet of the most remote point of the building (as the fire hose would be laid out) or within 600 feet if the building is equipped with a Fire Sprinkler system.
- ☒ E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building. Fire Dept. connections should be located on fire access rd. side.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

COMMENTS: Due to the size of the site, Snyder Fire Chief is requesting a garage/tool room for storage of fire equipment. (This was discussed at a meeting with Dan Rizzo and Anne Dafchik.) A concrete pad w/ a hydrant for training is also desirable.

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

RECEIVED
NOV 03 2023
TOWN OF AMHERST
PLANNING DEPT.

TOWN OF AMHERST

TRAFFIC SAFETY BOARD

ENGINEERING DEPARTMENT – 1100 NORTH FOREST ROAD, WILLIAMSVILLE, NEW YORK 14221
TRAFFIC SAFETY COORDINATOR - TELEPHONE 631-7154 - FAX 631-7222

MICHAEL SZUKALA
Councilmember & Liaison Officer

ERIC FRAAS
Chairman

GREGORY DIONNE
Vice Chairman

CHRISTOPHER P. SCHREGEL
Traffic Safety Coordinator

MEMBERS

DANIEL J. RIDER, P.E.
KENNETH A. SMITH
J. MICHNIEWICZ, P.E., P.T.O.E.
MARK STORCH
MAXWELL KAHN
KEVIN CANTWELL
KRISTIN GOSS
PATRICK WANAMAKER, P.E.

DEPT. LIAISONS

THOMAS VOIGT
Planning

CAPT. CHARLES PERSONS
Police

WILLIAM PRENEVAU
Building

AL SPOTH
Highway

November 2, 2023

TO: Scott Marshall – Principal Planner
Mark S. Berke – Commissioner of Buildings

FROM: Christopher P. Schregel – Traffic Safety Coordinator

SUBJECT: PUD Application Review, **SP-2023-11**
Proposed Conceptual Development plan for a New Community
TOA Job # 2023.16

ADDRESS: 772 North Forest Road, 385 & 391 Maple Road

PETITIONER: Town of Amherst

X PUD APPLICATION REVIEW IS

X APPROVED WITH CONDITIONS

1. Reconsider altering the location and geometry of the N. Forest Road curb-cut as proposed. The proximity of the bends along N. Forest Road at this curb-cut location present challenges given the number trips expected, particularly coming from the north as there is not a proposed access from either Maple Road or Frankhauser Road. Reconsideration of the roundabout configuration is suggested.
2. Provide a pedestrian connection between the public sidewalk along the south side of Maple Road and the internal walking paths that loop near Maple Road.
3. Similar to comment #2, it is expected that park users will utilize the internal pathway system from the north end. Suggested that the Audubon Par 3 parking lot be utilized as a location for park users to park and access the paths within Amherst Central Park (ACP). As such, provide a pedestrian connection between the existing Par 3 parking lot and the internal walking paths within ACP within the golf course. Consider expanding parking at the Par 3 to accommodate this new "trail head".
4. Provide additional internal parking near key park features. Consider utilizing parallel parking along areas where park users may want to access by vehicle, e.g. playgrounds, outdoor exercise area, etc.
5. Traffic Safety Board agrees with the Draft SGIES that while the signal warrants are not met, that a traffic signal still be considered for the ACP driveway on Sheridan Drive at Fenwick to address the projected long delays and queues out of both the site driveway and Fenwick Road. Further providing for an improved pedestrian crossing to the residential subdivision across Sheridan Drive.

CPS/ch
Cc: Jeff Burroughs, Town Engineer
Mary-Diana Pouli, Exec. Director of Youth and Recreation

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

TOWN OF AMHERST

ASSESSOR'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
PHONE: 716-631-7038

Emily A. Murphy
Assessor
emurphy@amherst.ny.us

MEMORANDUM

TO: Daniel Ulatowski, AICP, Associate Planning Director
Douglas Gesel, Supervising Code Enforcement Officer
Jeff Burroughs, Town Engineer
Scott Marshall, Principle Planner

FROM: Bonnie B. Arnold, Real Property Appraiser

DATE: November 9, 2023

SUBJECT: PUD Application Review: **SP-2023-11**
Proposed: Conceptual Development Plan for a New Community Park
Property Location: **772 North Forest Rd., 385 & 391 Maple Rd**
Petitioner: Town of Amherst

Site plan approved once properties are merged.

cc: Jeff Burroughs, Town Engineer
Mary-Diana Pouli, Exec Dir. Youth and Recreation

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y. AND REPLY TO MUNICIPALITY

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE
Case No.: M617-23-610
Postmark/Delivery Date: 10-18-23

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 l - nn
A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

Description of Proposed Action

1. Name of Municipality: Town of Amherst

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.
If the county fails to reply within such period, the referring body may take final action.
However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)
The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

2. Hearing Schedule: Date 12/4/2023 Time 7PM Location 5583 Main Street, Williamsville

3. Action is before: ☑ Legislative Body ☐ Board of Appeals ☐ Planning Board

4. Action consists of: ☐ New Ordinance ☐ Rezone/Map Change ☐ Ordinance Amendment
☐ Site Plan ☐ Variance ☐ Special Use Permit ☑ Other: PUD Application

5. Location of Property: ☐ Entire Municipality ☑ Address: 772 North Forest Road, 385 & 391 Maple Road

5a. S.B.L. of Property: 68.01-1-1.2,55.18-4-9&10

6. Referral required as site is within 500' of: ☐ State or County Property/Institution ☐ Municipal Boundary ☐ Farm Operation located in an Agricultural District
☐ Expressway ☑ County Road ☑ State Highway ☐ Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: *(specify the action, such as the scope of variances or site plans)* adoption of a planned unit development and implementation of a conceptual development plan for 171+/- acre community park.

8. Other remarks: date prepared: 10/17/2023

9. Submitted by: Daniel J. Ulatowski, AICP, Assistant Planning Dir. **Email:** dulatowski@amherst.ny.us

10. Return Address: Amherst Town Hall, 5583 Main Street, Williamsville, NY 14221

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 10/18/23. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. ☐ **The proposed action is not subject to review under the law.**
2. ☐ **Comment on proposed action is attached hereto.**
3. ☐ **The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.**
4. ☒ **No Recommendation; proposed action has been reviewed and determined to be of local concern.**

By the Division of Planning: Dan M. Hall **Date:** 11/20/23

ZR1
Revised 5/22

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

Amherst

Town of Amherst Planning Department *Erie County, New York*

RECEIVED
NOV 06 2023
TOWN OF AMHERST
PLANNING DEPT.

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

MEMORANDUM - TIME SENSTIVE REQUEST October 17, 2023

TO:

Douglas Gesel, Supervising Code Enforcement Officer
Patrick Lucey, Hwy. Superintendent/ Eric Blocher, General Crew Chief
Brian J. Armstrong, Director of Engineering Services
Vaishali Reberholt, PE, Assistant Town Engineer
Emily Murphy, Town Assessor
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Alan Herberger, Senior Plumbing Inspector (c/o Bldg)
Nora Robshaw, Right-of-Way Agent
Jeffrey Szatkowski, Landscape Architect

The hwy will have no maintenance responsibil in town park
11-3-23 EB

FROM: Daniel J. Ulatowski, Assistant Planning Director/ZEO DJU

The lines on Fawl that drain the pa have been flush and camered o are clear.
11/3/23

SUBJECT: **PUD APPLICATION REVIEW, SP-2023-11**; PROPOSED CONCEPTUAL DEVELOPMENT PLAN FOR A NEW COMMUNITY PARK; PROPERTY LOCATED AT **772 NORTH FOREST RD, 385 & 391 MAPLE ROAD**; TOWN OF AMHERST, PETITIONER.

Attached please find a Planned Unit Development Application as amended and a conceptual development plan for the proposed Amherst Central Park. Please review the PUD Application and conceptual development plan and submit your comments and/or recommendations to the Planning Department pursuant to section 8-4-3A of the Town Zoning Ordinance.

Your comments and/or recommendations will be incorporated into a report which our office must prepare for the Planning Board's consideration on **November 16, 2023**. Our office will be seeking your written comments in advance of such date to allow sufficient time for the Planning Board to review. Thank you for your prompt attention to this matter.

DU/ac
Att.
X:\Current_Planning\Files\Site Plans\2023\SP-2023-11(772 N_ Forest Road__385_&_391 Maple Road)\SP-2023-1_PUD Internal_Transmittal_10_17_2023.doc

cc: Jeff Burroughs, Town Engineer
Mary-Diana Pouli, Exec. Dir. Youth and Recreation

5583 Main Street • Williamsville • New York • 14221 • (716) 631-7051 • Fax (716) 631-7153

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

TOWN OF AMHERST

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7030
FAX (716) 631-7101
www.amherst.ny.us

Martin A. Polowy
Town Attorney

Elizabeth A. Burakowski
Director of Special Projects

Nicole M. Burroughs
Senior Paralegal

Samuel A. Alba
Sr. Deputy Town Attorney

Nora B. Robshaw
Sr. Deputy Town Attorney

Brittanylee Penberthy
Town Prosecutor

TO: **Scott Marshall, Planning Department**

FROM: **Nora B. Robshaw, Senior Deputy Town Attorney** NBR/rms
Right-of-Way Review

DATE: **October 25, 2023**

RE: **Proposed PUD Application Review**
SP-2023-11; Proposed Conceptual Development Plan for a New Community Park
772 North Forest Road, 385 & 391 Maple Road
Town of Amherst, Petitioner

This office has reviewed the materials submitted by your correspondence dated October 17, 2023, and has no comments.

We are returning copies of the materials for your file.

NBR:hs

c: Douglas Gesel, Senior Code Enforcement Officer, *(w/o attachment)*
Brian J. Armstrong, EIT, Director of Engineering Services, *(w/o attachment)*
Jeffrey Burroughs, PE, Town Engineer, *(w/o attachment)*
Mary-Diana Pouli, Executive Director of Youth & Recreation *(w/o attachment)*

Attachment: SP-2023-11_PUD_Letter_and_Packet 120423 (RES-2023-955 : Planned Unit Development - Amherst Central Park)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 28183 **RESOLUTION 2023-910** **DECISION DATE**

Local Law Amending Chapter 121 - Historic Preservation

Public hearing with respect to a Local Law Amending Chapter 121 - Historic Preservation.

11/13/2023
A motion to open the public hearing was made by Deputy Supervisor Bucki, seconded by Councilmember Lavin and unanimously approved 4-0. The public hearing was opened at 7:13 PM.

James Quinn, Assistant Planner, and Nora Robshaw, Deputy Town Attorney, presented.

The following speaker addressed the Board:
Jane Cox, 4584 Harlem Rd. - questioned the timeline and implementation

There were no further speakers from the public, therefore Deputy Supervisor Bucki moved to adjourn the hearing to the December 4th Town Board meeting, seconded by Councilmember Berger and unanimously approved 4-0.

12/4/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. The public hearing was opened at 7:01 PM.

Susan Palmer, Chair of the Historic Preservation Commission, spoke.

There were no speakers from the public, therefore Supervisor Kulpa moved to close the hearing and set a decision date for the December 18th Town Board meeting, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was closed at 7:06 PM.

RESULT:	**DECISION DATE [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Jacqualine Berger, Councilmember	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

LOCAL LAW NO. ___-2023

TOWN OF AMHERST

COUNTY OF ERIE, STATE OF NEW YORK

A Local Law Amending Chapter 121 of the Code of the Town of Amherst, Historic Preservation

Be it enacted by the Town of Amherst as follows:

Section 1. Title.

This Local Law shall be referred to as, "A Local Law Amending Chapter 121 of the Code of the Town of Amherst, Historic Preservation."

Section 2. Purpose.

This Local Law will amend various sections of Chapter 121 of the Code of the Town of Amherst.

Section 3.

Chapter 121 of the Code of the Town of Amherst is hereby amended as follows:

§ 121-1. **Designation; title.**

This chapter shall be Chapter **121** of the Code of the Town of Amherst and may be cited as the "Historic Preservation Law of the Town of Amherst."

§ 121-2. **Authority.**

[Amended 5-16-2018 by L.L. No. 10-2018]

In accordance with Section 96-a of the General Municipal Law of the State of New York entitled "Protection of historical places, buildings and works of art," and Article 5-K of the General Municipal Law of the State of New York, entitled "Historic Preservation," the Town Board of the Town of Amherst has the authority to provide, by local law, regulations, special conditions and restrictions for the protection, enhancement, perpetuation and the use of places, districts, sites, buildings, structures, works of art and other objects having special character or special historical or other aesthetic interest or value. Pursuant to that authority, the Town Board has prepared and adopted this Chapter setting forth standards to be followed in historic preservation.

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

§ 121-3. **Purpose.**

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts is necessary to promote the economic, cultural, educational and general welfare of the public. Inasmuch as the identity of a people is founded in its past and inasmuch as Amherst has many significant historic, architectural and cultural resources which constitute its heritage, this chapter is intended to:

A. Protect and enhance the landmarks and historic districts which represent distinctive elements of Amherst's historic, architectural and cultural heritage.

B. Foster civic pride in the accomplishments of the past.

C. Protect and enhance Amherst's attractiveness to visitors and support and stimulate the Town's economy.

D. Ensure the harmonious, orderly and efficient growth and development of the Town.

§ 121-4. **Definitions.**

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

ADAPTIVE REUSE

Conversion of a building originally designed for a certain purpose to a different purpose.

ALTER

To change one or more exterior architectural features of a landmark, an improvement on a landmark site or a structure within an historic district.

BUILDING

Any structure or part thereof having a roof supported by columns or walls for the shelter or enclosure of persons or property.

BUILDING COMMISSIONER

The Commissioner of Building of the Town of Amherst.

CERTIFICATE OF APPROPRIATENESS

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

A certificate issued by the Preservation Commission approving plans for the alteration, construction, removal, improvement or demolition of all or part of the exterior of a landmark, ~~an improvement to~~ a landmark site or a structure within an historic district.

CONSTRUCTION

Building an addition or making an alteration to an existing structure or building a new principal or accessory structure.

DEMOLITION

Destruction of a building, structure or improvement.

DEMOLITION PERMIT

A permit issued by the Building Commissioner allowing the applicant to demolish and remove all or part of a building, structure or improvement.

EXTERIOR

Architectural style, design, general arrangement and components of the outer surfaces of an improvement, building or structure as distinguished from the interior surfaces, including but not limited to the kind and texture of building material and the type and style of windows, doors, signs and other such exterior fixtures.

FACADE

The exterior of a building or structure that can be viewed.

HISTORIC DISTRICT

A geographically definable area so designated pursuant to this code.

IMPROVEMENT

Any building, structure, place, parking facility, fence, gate, wall, work of art or other object constituting a physical betterment or any part thereof.

LANDMARK

Property, object, structure or natural feature or any part thereof so designated pursuant to this code.

LANDMARK SITE

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

A significant historical or cultural site(s) where buildings or structures no longer exist, so designated pursuant to this code.

OWNER

A person, firm or corporation which owns the fee of property or a lessor state therein, a mortgage or vendee in possession, a receiver, an administrator, an executor, a trustee or any other person, firm or corporation in control of property.

PRESERVATION

Retention of essential character of an improvement, object, building, natural feature or structure as embodied in its existing form, integrity and material. This term includes the retention of trees, landscaping and vegetative cover of a site. This term may include temporary stabilization work, as well as ongoing maintenance of historic building materials.

PRESERVATION COMMISSION or COMMISSION

The Town of Amherst Historic Preservation Commission.

PROPERTY

Land and improvements thereon.

RECONSTRUCTION

Reproduction of the exact form and detail of a vanished building, structure, improvement or part thereof as it appeared at a specific time.

REHABILITATION

Repair or alteration that enables buildings, structures or improvements to be efficiently utilized while preserving those features of buildings, structures or improvements that are significant to their historic, architectural or cultural values.

RESTORATION

Recovery of the form and details of a building, structure or improvement and its site during a particular time.

SCENIC LANDMARK

Scenic landmarks encompass structures that are not buildings, such as bridges, piers, parks, cemeteries, sidewalk, clocks and trees.

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES

Principles developed by the National Park Service (36 CFR 68.3, as may be amended) to help protect historic properties by promoting consistent preservation practices and providing guidance to the historic building owners and building managers, preservation consultants, architects, contractors, and project reviewers on how to approach the treatment of historic properties. The Secretary of the Interior Standards for the Treatment of Historic Properties may also be referred to in this local law as "Secretary of the Interior Standards".

SITE

~~A plot or parcel of land.~~

The location of a significant event, a prehistoric of historic occupation of activity, or a building or structure, whether standing, ruined or vanished, where the location itself maintains historical or archeological value regardless of the value of any existing buildings, structures or other objects. Examples of a site are a battlefield, designed landscape, trail or campsite.

STRUCTURE

Anything constructed or erected which requires permanent or temporary location on the ground. This term shall include but not be limited to buildings, walls, fences, signs, billboards, lighting fixtures, screen enclosures and works of art.

TOWN

The Town of Amherst, County of Erie, State of New York.

TOWN BOARD

The Town Board of the Town of Amherst, Erie County, New York.

TOWN CLERK

The Town of Amherst Town Clerk.

§ 121-5. **Historic Preservation Commission.**

[Amended 5-16-2018 by L.L. No. 10-2018]

A. There is hereby created a commission to be known as the "Town of Amherst Historic Preservation Commission."

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

B. The Commission shall consist of seven (7) members. The Town of Amherst shall be the primary residence of each Commission member. Commission members shall serve terms of four years, with the exception of the initial term, in which four (4) members shall serve terms of four (4) years and three (3) members shall serve terms of two (2) years.

C. Appointment of Commissioners shall be made by the Town Board.

D. To the extent available in the Town of Amherst, the Commission should consist of the following:

(1) At least one (1) shall be an architect.

(2) At least one (1) shall be an historian.

(3) At least one (1) shall be a licensed real estate broker.

(4) At least one (1) shall be a licensed professional engineer.

(5) All members shall have demonstrated significant interest and commitment to the field of historic preservation.

(6) The Director of the Buffalo Niagara Heritage Village, or his/her designee shall be a nonvoting, *ex officio* member of the Commission and the designee
shall be a resident of the Town of Amherst.

E. The Chairperson and the Vice Chairperson shall be elected by and from voting members of the Commission. The terms of office shall be two (2) years. If the Chairperson or Vice Chairperson cannot fulfill his or her term of office, a Chairperson or Vice Chairperson shall be elected by and from the membership to fulfill the remainder of the term until the next regular election.

F. If any Commissioner resigns or otherwise cannot fulfill his or her term of office, the Town Board shall appoint an interim member to serve the remainder of the term.

G. The Vice Chairperson shall ensure that minutes of all Commission meetings are suitably recorded, prepared and distributed.

H. The powers and duties of the Commission shall include:

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

(1) To ~~designation of~~ recommend to the Town Board ~~historic~~ landmarks, sites and historic districts for ~~its~~ the designation and adoption by local law. ~~consideration of the Town Board.~~

(2) To advise and recommend to the Town Board on matters of employment of staff and professional consultants as necessary to carry out the duties of the Commission.

(3) To promulgate rules and regulations as necessary for the conduct of its business.

(4) To adopt criteria for the identification of significant historic architectural and cultural landmarks and ~~or for the delineation of~~ historic districts.

(5) To conduct surveys of significant historic, architectural and cultural landmarks within the Town.

(6) To make recommendations to the Town Board on the acceptance or donation of facade easements and development rights, the acquisition of facade easements and development rights or other interests in real property as necessary to carry out the purposes of this chapter.

(7) To increase public awareness of the value of historic, cultural and architectural preservation and the understanding of the value of historic preservation, the history and resources of the town by developing and participating in education programs.

(8) To make recommendations to the Town Board concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the Town.

(9) To recommend acquisition of a landmark or structure by the Town where its preservation is essential to the purposes of this chapter and where private preservation is not feasible.

(10) To approve, approve with modifications, or ~~disapprove~~ deny applications for certificates of appropriateness, subject to review by the Building Commissioner pursuant to this Chapter.

(11) To maintain an inventory of locally designated historic resources and districts within the Town and publicize the inventory.

I. The Commission shall meet at least monthly if any business is pending. Meetings may be held at any time on the written request of any two Commission members.

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

J. A quorum for the transaction of business shall consist of a majority of the Commission members, but not less than a majority of the full authorized membership may grant or deny a certificate of appropriateness.

~~§ 121-6. **Designation of historic landmarks, sites and districts.**~~

~~[Amended 5-16-2018 by L.L. No. 10-2018]~~

~~**A.** The Commission may recommend designation of an individual property as a landmark, subject to Town Board approval, if it:~~

~~**(1)** Is associated with the lives of individuals or of people or of events significant in the national, state or local history.~~

~~**(2)** Embodies the distinctive characteristics of a type, a period or a method of construction.~~

~~**(3)** Represents the work of a master architect or designer or possesses high artistic values.~~

~~**(4)** Represents a significant or distinguished entity whose components may lack individual or special distinction.~~

~~**(5)** Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.~~

~~**B.** The Commission may recommend designation of a property or a group of properties as an historic site, subject to Town Board approval, if it:~~

~~**(1)** Contains significant historical or cultural sites where buildings or structures no longer exist, such as a battlefield, a cemetery or a former transportation facility; or sites which may yield information important to area history or prehistory.~~

~~**C.** The Commission may recommend designation of a group of properties as an historic district, subject to Town Board approval, if it:~~

~~**(1)** Contains properties which meet one or more of the criteria for designation as a landmark; or~~

~~**(2)** Is an area that represents several periods or styles of architecture typical of different areas of history; or~~

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

(3) Is an area that has several buildings of the same architectural period or style and thus constitutes unified architectural streetscape consistency or a significant community uniformity of style; or

(4) Is an area connected with significant events or cultural happenings or development its involving ethnic, religious groups or other groups of special historical interest; and

(5) By reason of possessing such qualities, constitutes a distinct section of the Town of Amherst.

D. The boundaries of each proposed historic district designated henceforth shall be specified in detail and shall be filed, in writing, in the Town Clerk's office for public inspection.

E. Notice of a proposed designation shall be sent by the Town Clerk thirty (30) days prior to a public hearing to the owner(s) of any property(ies) proposed for historic designation. The notice shall describe the property proposed for designation, summarize the proposed action and announce the date, time and location of the public hearing. A copy of the notice of proposed designation shall also be sent to the Town Board.

F. Once the Historic Preservation Commission has issued a notice of a proposed designation, no building permits shall be issued by the Building Commissioner except for emergency repairs until a final determination on the proposed designation has been reached. The Historic Preservation Commission shall provide a copy of any notice of proposed designation to the Building Commissioner.

G. The notice of proposed designation shall also be sent to the Town of Amherst Highway Department, the Town of Amherst Engineering Department, the Town of Amherst Planning Department, the Town of Amherst Assessor's Department, the Buffalo Niagara Heritage Village and any other Town department and/or county or state agency as appropriate. Each department/agency shall be given thirty (30) days from the date of transmission to provide comments on the proposed designation to the Historic Preservation Commission.

H. The Commission shall hold a public hearing prior to recommending designation of any landmark, historic site or historic district. The Commission, the property owner and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments or other evidence offered outside of the hearing. A public hearing notice must be

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

~~published by the Town Clerk in the Town's designated official newspaper at least fifteen (15) days prior to the hearing date.~~

~~**I.** The Commission will recommend to the Town Board the designation of an historic landmark, site or district. The Town Board will also conduct a public hearing prior to acting on the recommendation.~~

~~**J.** The Commission shall file notice of each property designated as a landmark and of the boundaries of each designated historic district with the Erie County Clerk's office, the Town of Amherst Clerk's office, the Town of Amherst Building Department, the Town of Amherst Planning Department, the Town of Amherst Highway Department, the Town of Amherst Engineering Department and the Town of Amherst Assessor's Department.~~

~~**K.** Minutes of any business conducted by the Historic Preservation Commission hall be placed on file in the Town of Amherst Clerk's office and will be posted to the Town's website.~~

§ 121-6. Criteria and Designation of Landmarks, Sites or Historic Districts.

The commission shall delineate landmarks or historic districts and recommend them to the Town Board for designation under local law.

A. Individual Landmark: The commission may recommend an individual property as an individual landmark if it:

(1) exemplifies or possesses special character, or historic or aesthetic interest of value as part of the political, economic, or social history of the Town;

(2) is identified with persons or events significant in local, state, or national history;

(3) embodies the distinguishing characteristics of a type, period or method of construction or design style, or is a valuable example of the use of indigenous materials or craftsmanship; or is representative of the work of a designer, architect or builder;

(4) represents an established and familiar visual feature of the community by virtue of its unique location or singular physical characteristic, represents an established and familiar visual feature of the community; or

(5) has yielded or may be likely to yield information important in prehistory or history.

B. Historic District: The commission may recommend a group of properties within the Town as an historic district if it:

(1) contains properties which meet one or more of the criteria for designation as a landmark and which may have within its boundaries other properties or structures that, while not of

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district; and

(2) constitutes a unique section of the Town by reason of possessing those qualities that would satisfy such criteria.

C. Interior Landmark: The commission may recommend the interior of a property as an interior landmark if such interior has special historical or aesthetic interest or value as part of the development, heritage or cultural characteristics of the town, and:

(1) it is customarily open or accessible to the public; or

(2) it is an interior into which the public is customarily invited.

D. Scenic Landmark: The commission may recommend a landscape feature or group of features. Recommendations for designation must be accompanied by such historical and architectural information as is required by the commission to make an informed recommendation concerning the application.

~~D.~~ E. The boundaries of each proposed landmark, interior landmark, scenic landmark, or historic district designated henceforth shall be specified in detail with reference to the tax map identification number and shall be filed, in writing, in the Town Clerk's office for public inspection.

~~E.~~ F. Notice ~~of~~ for a public hearing for a proposed designation shall be sent by the Town Clerk thirty (30) days prior to a public hearing to the owner(s) of any property(ies) ~~proposed for historic designation~~. The notice shall describe the property proposed for designation, summarize the proposed action and announce the date, time and location of the public hearing. A copy of the notice of proposed designation shall also be sent to the Town Board.

~~F.~~ G. Once the Historic Preservation Commission has issued a notice of a proposed designation, no building permits shall be issued by the Building Commissioner except for emergency repairs until a final determination on the proposed designation has been reached. The Historic Preservation Commission shall provide a copy of any notice of proposed designation to the Building Commissioner.

~~G.~~ H.The notice of proposed designation shall also be sent to the Town of Amherst Highway Department, the Town of Amherst Engineering Department, the Town of Amherst Planning Department, the Town of Amherst Assessor's Department, the Buffalo Niagara Heritage Village and any other Town department and/or county or state agency as appropriate. Each department/agency shall be given thirty (30) days from the date of transmission to provide comments on the proposed designation to the Historic Preservation Commission.

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

~~H.~~ I. The Commission shall hold a public hearing prior to recommending designation of any landmark, historic site or historic district. The Commission, the property owner and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments or other evidence offered outside of the hearing. A public hearing notice must be published by the Town Clerk in the Town's designated official newspaper at least fifteen (15) days prior to the hearing date.

~~I.~~J. The Commission will recommend to the Town Board the designation of a~~n~~ historic landmark, site or district. The Town Board will also conduct a public hearing prior to acting on the recommendation.

~~J.~~ K. The Commission shall file notice of each property designated as a landmark and of the boundaries of each designated historic district with the Erie County Clerk's office, the Town of Amherst Clerk's office, the Town of Amherst Building Department, the Town of Amherst Planning Department, the Town of Amherst Highway Department, the Town of Amherst Engineering Department and the Town of Amherst Assessor's Department.

~~K.~~ L. Minutes of any business conducted by the Historic Preservation Commission shall be placed on file in the Town of Amherst Clerk's office and will be posted to the Town's website.

~~§ 121-7. **Certificates of appropriateness required.**~~

~~No person shall carry out any exterior alteration, restoration, reconstruction, excavation, grading, demolition, new construction or moving of a designated landmark or property within an historic district, nor shall any person make any material change to such property, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements which affect the appearance or cohesiveness of the landmark or historic district without first obtaining a certificate of appropriateness from the Historic Preservation Commission.~~

§ 121-7. Certificate of Appropriateness for Alteration, Demolition, or New Construction Affecting Individual Landmarks or Historic Districts.

(a) The Town of Amherst Historic Preservation Commission is responsible for the approval or disapproval of proposals for exterior changes to a historic property designated under this local law. No person shall carry out any exterior alteration, excavation, grading, restoration, reconstruction, demolition, new construction, or move of a designated historic landmark or property within a historical district nor shall any person make any change within such property, it's light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

which affect the appearance or cohesiveness of the landmark or a designated historic district without first obtaining a Certificate of Appropriateness that authorizes such work from the Town of Amherst Historic Preservation Commission.

(b) All changes to Town owned property affecting an individual landmark or within a historic district shall be subject to the provisions of this local law.

(c) The building department shall receive and file all applications issued for any individual landmark, interior or landmark, scenic landmark, or historic district to which this local law applies. The building department shall transmit a copy of any such application to the Planning Department which shall review same, and when the application is complete, forward said application to the Historic Preservation Commission.

(d) The commission may require that the application for certificate of appropriateness be supplemented by such additional information and/or materials as may be necessary for a complete review by the commission. The commission may impose such conditions or restrictions as it deems necessary or appropriate on a case-by-case basis to promote or achieve the purpose of this local law.

~~§ 121-8. **Criteria for approval of certificate of appropriateness.**~~

~~**A.** In passing upon an application for a certificate of appropriateness, the Historic Preservation Commission shall not consider changes to the interior of buildings.~~

~~**B.** The Commission's decision shall be based upon the following principles:~~

~~**(1)** Features which contribute to the character of the historic landmark or district shall be retained with as little alteration as possible.~~

~~**(2)** Any alteration of existing features shall be compatible with its historic character as well as with the surrounding property.~~

~~**(3)** New construction shall be compatible with the property in which it is located and/or surrounding historic district.~~

~~**C.** In applying the principle of compatibility, the Commission shall consider the following factors:~~

~~**(1)** The general design, character and appropriateness to the property of the proposed alteration or new construction.~~

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

~~**(2)** The scale of proposed alteration or new construction in relation to itself, surrounding properties and the neighborhood.~~

~~**(3)** Texture, materials and color and their relation to the property itself, surrounding properties and the neighborhood.~~

~~**(4)** Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape and the rhythm of spacing of properties on streets, including setback.~~

~~**(5)** The importance of historic, architectural or other features to the significance of the property.~~

§ 121-8. Criteria for Issuing a Certificate of Appropriateness.

A. Certificate of appropriateness; general criteria: The commission shall approve the issuance of a certificate of appropriateness only if it determines that the proposed work will not have any adverse impact on the aesthetic, historical, or architectural significance and value of the individual landmark or if the proposed work is within a historic district, proposed work will not have a substantial adverse effect on the aesthetic, historical, or architectural significance of the property itself, the district or neighboring properties in such district.

B. In making this determination, the commission's decision to approve, approve with modification(s) or deny an application for a certificate of appropriateness for an individual landmark, interior landmark, scenic landmark or property within a historic district will be guided by the current edition of the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as general criteria.

(1) the commission's decision to approve, approve with modification(s), or deny an application for a certificate of appropriateness for an improvement to property located within a historic district shall be based on the following principles:

i. properties which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible;
ii. any alteration of existing properties shall be compatible with the surrounding historic district; and
iii. new construction shall be compatible with the historic district in which it is located;

C. In applying the principle of compatibility set forth in paragraph (b) of this Section, the commission shall consider the following factors:

(1) the general design and character of the proposed alteration or new construction relative to existing features of the property or improvement;

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

(2) the scale and visual compatibility of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;

(3) texture, materials and color and their relation to similar features of the property and other properties in the neighborhood;

(4) visual compatibility with surrounding properties, including proportion of the property's facade, proportion and arrangement of windows and other openings within the facade, roof shape, and the rhythm of spacing of properties on streets, including setback, and;

(5) the importance of historic physical and visual features to the significance of the property.

D. In approving an application for a certificate of appropriateness, the commission shall find that the building or structure for which the permit was requested, if erected or altered in accordance with the submitted plan or with stated modifications, would be consistent with the spirit and intent of this local law, would not be visually offensive or inappropriate by reason of poor quality of exterior design, monotonous similarity or visual discord in relation to the sites or surroundings, would not mar the appearance of the area, would not impair the use, enjoyment and desirability or reduce the values of properties in the area, would not be detrimental to the character of the neighborhood, would not prevent an appropriate development and utilization of the site or of adjacent lands and would not adversely affect the functioning, economic stability, prosperity, health, safety and general welfare of the community. In addition the Commission's decision shall be guided by the current edition of the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as general criteria.

E. Where the commission grants a certificate of appropriateness under circumstances where the permitted activity is likely to uncover or affect archaeological resources, the commission shall require reasonable efforts to protect and preserve such resources. Where such protection and preservation is not feasible, the commission shall nonetheless impose appropriate and reasonable conditions to ensure that the archaeological resource is made accessible for a reasonable period to qualified persons. In cases where the owner is a government entity and thereby the lead agency, the New York State SEQR regulations shall apply.

F. The liaison in the Planning Department for the Commission will forward a draft of the application of the certificate of appropriateness to the Commission. The commission may require that the application for certificate of appropriateness be supplemented by such additional information or materials as may be necessary for a complete review by the Commission. The Commission may impose reasonable conditions or restrictions as it deems necessary or appropriate on a case-by-case basis to promote or achieve the purposes of this chapter.

§ 121-9. **Application for certificate of appropriateness.**

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

A. Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such certificate with the Historic Preservation Commission. The application shall contain, but not be limited to:

(1) The name, address, ~~and~~ telephone number and/or email of the applicant.

(2) The location and photographs of the property.

(3) Elevation drawings of proposed changes, if available.

(4) Perspective drawings of proposed changes, if available.

(5) Samples of color and/or materials to be used.

(6) Where the proposal includes signs or lettering, a scale drawing showing the type(s) of lettering to be used, all dimensions and colors, a description of materials to be used, the method of illumination and a plan showing the sign's proposed location on the property.

(7) Any other information which the Commission may deem necessary in order to visualize the proposed work.

B. No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Historic Preservation Commission. The Commission shall act to approve, approve with modifications, or deny a certificate of appropriateness within 65 days of the date upon which a completed application is filed with the Historic Preservation Commission. If the application is not acted upon within 65 days, the application shall be deemed approved. The applicant may request an extension of the decision deadline date if so desired. The certificate of appropriateness required by this chapter shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the Town of Amherst.

§ 121-10. **Hardship criteria.**

A. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that:

(1) The property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible.

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

(2) The property cannot be adapted for any other use permitted by Chapter **203**, Zoning, which would result in a reasonable return.

(3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

B. An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that:

(1) ~~T~~the property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible;.

(2) The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or the neighborhood;

(3) The requested relief, if granted, will not alter the essential character of the neighborhood; and

(4) The alleged hardship has not been self-created.

§ 121-11. **Hardship application procedure.**

A. After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship application process.

B. The Commission shall hold a public hearing on the hardship application, at which time an opportunity will be provided for proponents and opponents of the application to present their views.

C. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.

D. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail, and a copy shall be filed with both the Town Clerk's office and with the Building Department. The Commission's decision shall state the reasons for granting or denying the hardship application.

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

E. No building permit or demolition permit shall be issued while the hardship application is pending. The Commission shall make a determination on whether a hardship exists. Building and demolition permits shall be issued in accordance with that determination.

§ 121-12. **Affirmative Maintenance and repair required.**

A. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any architectural feature of a landmark or property within an historic district which does not involve a change in design, material, color or outward appearance.

B. No owner or person with an interest in real property designated as a landmark or included within an historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any architectural feature which would, in the judgment of the Historic Preservation Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself. Examples of such deterioration include:

(1) Deterioration of exterior walls or other vertical supports.

(2) Deterioration of roof or other horizontal members.

(3) Deterioration of exterior chimneys.

(4) Deterioration or crumbling of exterior stucco or mortar.

(5) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.

(6) Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for public safety.

§ 121-13. **Administration and enforcement; display of certificate.**

A. Administration. The Building Commissioner shall administer and enforce the provisions of this chapter. In connection with overseeing this responsibility, the Building Commissioner shall provide a permit procedure coordinated with the established building permit procedure.

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

B. Enforcement. All work performed pursuant to this chapter shall conform to any requirements included herein. It shall be the duty of the Building Commissioner to inspect periodically any such work to assure compliance. In the event that work is found that is not being performed in accordance with the certificate of appropriateness, the Building Commissioner shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the project as long as the stop-work order is in effect.

C. The certificate of appropriateness shall be displayed on the building in a location conspicuously visible to the public while work pursuant to the certificate is being done.

§ 121-14. **Penalties for offenses.**

A. Any person who violates any provision of this chapter or any regulation adopted hereunder is guilty of an offense punishable by a fine not exceeding $250 or imprisonment for a period not to exceed 15 days, or both. Each week's continued violation shall constitute a separate violation.

B. Failure to comply with any of the provisions of this chapter shall result in the termination of any permits issued or any proceedings commenced under provisions of this chapter.

C. Any person(s) who demolishes, alters, constructs or permits a landmark to fall into a serious state of disrepair which results in a violation of this chapter shall be required to restore the property and its site to an appearance acceptable to the Historic Preservation Commission. Any action to enforce this subsection shall be brought by the Town Attorney upon authorization by the Town Board. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

D. Failure to comply with any of the provisions of this chapter m**ay result in the application of penalties and/or fines issued by the Building Commissioner of the Town of Amherst as** provided for in Chapter 151 of the Town Code, Property Maintenance.

§ 121-15. **Appeals.**

[Amended 6-20-2011 by L.L. No. 18-2011; 5-16-2018 by L.L. No. 10-2018]

Any person aggrieved by a decision of the Historic Preservation Commission relating to designation, hardship, demolition permit application (see Chapter **151**, Section 56 for related regulations) or a certificate of appropriateness may, within thirty (30) days of the filing of the decision in the Town Clerk's office, file a written application with the Town Board for review of the decision. The Town Board shall schedule a public hearing on the matter

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

without unnecessary delay. The appeal of the Commission's decision may be based only upon the record and criteria utilized by the Commission to render its decision. If new information becomes available subsequent to the Commission's decision, a new application must be submitted to the Commission. The Town Board's decision on the appeal shall be considered final.

§ 121-16. **Conflict with other provisions.**

Where this chapter imposes greater restrictions than are imposed by the provisions of any law, ordinance or regulation, the provisions of this chapter shall apply. Where greater restrictions are imposed by any law, ordinance or regulation, such greater restrictions shall apply.

§ 121-17. **Compliance required prior to action.**

No decision to carry out or approve an action subject to the provisions of this chapter shall be rendered by any department, board, commission, officer or employee of the Town of Amherst until there has been full compliance with all requirements of this chapter. This shall not prohibit environmental, engineering, economic feasibility or other studies, preliminary planning or budgetary processes, nor the granting of an application relating only to technical specifications and requirements, but not authorizing commencement of action until full compliance with this chapter has been met.

§ 121-18. **Applicability.**

This chapter shall apply to the entire area of the Town of Amherst, excluding that area within the corporate limits of the Village of Williamsville.

§ 121-19. **Severability.**

If any section, clause or provision of this chapter or the application thereof to any persons is adjudged invalid, the adjudication shall not affect other sections, clauses or provisions or the application thereof which can be sustained or given effect without the invalid section, clause or provision or application, and, to this end, the various sections, clauses or provisions of this chapter are declared to be severable.

§ 121-20. **When effective.**

This chapter shall take effect immediately.

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

Section 4. 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. Tax year 2023-24 will be the first year of eligibility for the above referenced exemptions.

Francina J. Spoth, Town Clerk
Town of Amherst
County of Erie, New York

Attachment: DraftLocalLaw (RES-2023-910 : Local Law Amending Chapter 121 - Historic Preservation)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 28262 **RESOLUTION 2023-956** **DECISION DATE**

420 New Road Rezoning

Request to rezone 420 New Road from SA to R-3.

12/4/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was opened at 8:48 PM.

Joseph Rubino presented.

There were no speakers from the public, therefore Supervisor Kulpa moved to close the hearing and set a decision date for the December 18th Town Board meeting, seconded by Councilmember Berger and unanimously approved 5-0. The public hearing was closed at 8:54 PM.

RESULT:	**DECISION DATE [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Jacqualine Berger, Councilmember	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, A
Planning Directo

Daniel J. Ulatowski, A
Assistant Planning Dir

Town Board Agenda of December 4, 2023

November 28, 2023

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Request to rezone 1.09± acres of land from SA to R-3, Z-2023-08; property located at 420 New Road. Joseph Rubino, Petitioner. (Z-2023-08)

Honorable Members:

The subject property is a 0.17 ± acre rectangular parcel located on the Northwest corner of New Road and Autumn Meadows Lane, approximately 0.4 miles south of the intersection of New Road and Smith Road. An existing 1,650± sq. ft. single-family residential home is located on the northern portion of the property with a detached garage. The rest of the property is lawn area with scattered trees. For information on the surrounding zoning and land use, please refer to the attached sketch.

The purpose of this request is to utilize the dimensional standards of the R-3 District in order to facilitate a split of the parcel into 3 separate lots. Each lot as proposed will consist of a single-family residential home and meet the dimensional standard of the district.

There is no history of any previous rezoning requests or site plan approvals for the subject property.

The Planning Board offers the following findings consistent with Section 8-3 of the Zoning Ordinance.

INTENT AND OBJECTIVES OF THE COMPREHENSIVE PLAN

The proposed rezoning seeks to benefit from a change in dimensional standards while keeping the use of the land unchanged. Figure 6 of the Bicentennial Comprehensive Plan shows this parcel and the surrounding properties as appropriate for "single Family Residential" land use. As presented, the applicant is seeking to utilize the land for the construction of single-family residential homes and therefore the request is consistent with the objectives and policies of the Comprehensive Plan.

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Honorable Town Board

Rezone land from SA to R-3; property located at 420 New Road. Agenda of December 4, 2023

INTENT AND OBJECTIVES OF THE ZONING ORDINANCE

The intent of the R-3 District is "to provide areas within the Town for low-density single-family detached residential development where each dwelling unit shall be located on an individual lot of at least 8,450 square feet." The concept plan shows the division of the existing lot into three (3) lots. The existing single family home will be retained on one lot. The other two lots will be developed as single family homes. Therefore, the proposed rezoning request is consistent with the applicable section of the Zoning Ordinance.

CONSISTENCY/COMPATIBILITY WITH SURROUNDING DEVELOPMENT/ZONING

The properties to the west and south are zoned R-3 and are single family homes on individual lots. The property to the north is zoned Suburban Agriculture (SA) and is an existing single-family home. The property to the east is zoned MFR-5 and is the Charlesgate Village development which is comprised of single family attached residential development. The proposed rezoning and future development of the site as single-family residential lots will be compatible with the surrounding zoning and development.

ADEQUATE SERVICES AND UTILITIES

All services and utilities necessary for the proposed rezoning are available and adequate at the subject location. This is an Unlisted action pursuant to 6 NYCCR §617.7.

RECOMMENDATION

The Planning Board at their meeting of October 19, 2023 held a public hearing on the subject rezoning request and recommended that the Town Board find that pursuant to Local Law #3-82, as amended, the requirements of SEQR have been completed and that the subject request will not have a significant adverse effect on the environment. The Planning Board also recommended that the subject rezoning request be approved.

The Planning Department requests that if the Town Board desires to act on the rezoning request, that a decision date be established after the public hearing so that the Planning Department can prepare a determination of environmental significance pursuant to SEQR, and prepare a resolution for the Town Board's consideration.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/TV/ac
Att.
X:\Current_Planning\Files\Rezonings\2023\Z-2023-08_(420_New_Rd)_2023\Z-2023-08_TB_letter_120423.docx
cc: Martin Polowy, Town Attorney

Planning Board Approval: October 19, 2023
Ayes 6, Noes 0; Absent 1

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2023-08

PETITIONER

Joseph Rubino
5462 Sheridan Drive, Suite 1
Williamsville, NY 14221

PROPERTY LOCATION

420 New Road

WHEREAS the Town of Amherst Planning Board on Thursday, October 19, 2023 held a public hearing on the proposed rezoning of land from Suburban Agriculture (SA) district to Residential District Three (R-3) district, 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.

B. The proposal is consistent with the Conceptual Land Use Plan which shows "Single Family Residential" land 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 not suitable for uses permitted by the current versus the proposed district.

E. The proposed change tends to improve the balance of uses, or meet a specific demand in the Town.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act is not required as the parcel is developed and is maintained as lawn and associated residential landscaping.

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.

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2023-08

PETITIONER	PROPERTY LOCATION
Joseph Rubino	420 New Road

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.

The foregoing resolution was adopted by the Town of Amherst Planning Board, October 19, 2023; moved by Penberthy; seconded by Chmeil; ayes 6, noes 0; absent 1 (Raffaele).

Robert J. Gilmour, Planning Board Chair

10-26-2023
Date

TV/ac
X:\Current_Planning\Files\Rezonings\2023\Z-2023-08_(420_New_Rd)_2023\Z-2023-08_resolution_101923.doc
Cc: Town Clerk
Commissioner of Building
Highway Superintendent
Town Engineer
Traffic/Safety Coordinator
Joseph Rubino, 5462 Sheridan Dr., Suite 1, Williamsville, NY 14221

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Rezoning

For Official Use

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

Address Verified by Assessor's Office _____ VERIFIED BY DATE

Application Received by Planning Department _____ ACCEPTED BY DATE

Materials Checked by Zoning Enforcement Officer _____ CHECKED BY DATE

Materials & Fee Paid to Town Clerk _____ ACCEPTED BY DATE

		Fill In Applicable Fees
2 ACRES OR LESS	**$1,250.**	_____
2 – 20 ACRES **$1,250 + $250/acre or fraction thereof over 2 acres** (fractions of an acre to be counted as 1 acre)		_____
21 – 30 ACRES **$5,700 + $150/acre or fraction thereof over 21 acres** (fractions of an acre to be counted as 1 acre)		_____
OVER 30 ACRES **$6,900 +$75/acre or fraction thereof over 30 acres** (fractions of an acre to be counted as 1 acre)		_____
Request for Relief of / Change to Conditions of Zoning Approval	**$1,200.**	_____
AFFIDAVIT FEE FOR PUBLIC HEARING	**$15.**	_____
	TOTAL FEE:	**$**_____

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: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

TO BE COMPLETED BY APPLICANT

1. **Petitioner:**

Name: Joseph Rubino

Address: 5462 Sheridan Drive Suite 1

Williamsville (City) NY (State) 14221 (Zip Code)

Phone: 716-983-1155 Fax

E Mail: josephrubino@howardhanna.com

2. **The undersigned hereby petitions the Honorable Town Board to rezone the following described property:**

From: SA District

To: R3 District

3. **Street address of land to be rezoned:** (must be verified by Town Assessor's Office)

420 New Road

SBL #: 28.06-1-55.11

4. **Area of land to be rezoned** (in acres): 1.09

5. **Owner of Land:**

Name: Joseph Rubino

Address: 5462 Sheridan Dr. Suite 1

Williamsville (City) NY (State) 14221 (Zip Code)

Phone:

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

Name: Joseph Rubino

Address:

City State Zip Code

Phone: Fax

E Mail:

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

7. Petitioner's interest in property

_____ Option to purchase
__✓__ 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)

N/A

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: Existing house located on the 420 New Road Parcel. Parcel is on the corner of Autumn Meadows Lane. Petitioner would like to create two additional building lots.

B. Rationale for rezoning request:

1. Why was this site chosen? This site has sufficient area and frontage to create two additional building lots.

2. Why cannot land be used with the existing zoning? The existing zoning requires larger lot sizes.

3. How will this rezoning impact surrounding properties? Will have no impact. The surrounding neighborhoods are mostly R3 zoning

4. How will this rezoning impact the school system? No Impact

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

12. Quantitative Data:

A. Total # of dwelling units 2

B. Distribution of dwelling units by type 2 single family homes

C. Gross Residential Density per acre .36

D. Total amount of Open Space 0

E. Proposed Non-Residential Floor Area 0

13. Development Schedule:

Start 12/2023

Finish 12/2024

Stages (# of) 1

14. If any portion of the proposed development is planned to be sold or leased, please describe:

The existing home is to be re sold and 2 new homes will be built and sold.

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.

Consistant with figure 6
shows single family homes

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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 Amherst Town Board adopted the Bicentennial 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, maps, or figures that must be amended to support the proposed zoning at this location (attach pages as necessary) and provide detailed suggested amendments.

3. State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance: The Lots will meet the R3 District requirements

B. Adequate Services and Utilities are available or are proposed to be made available with the construction of the development:

1. Sanitary Sewer Available
2. Storm Sewer/Drainage Available
3. Water Available
4. Other gas & electric are Available

C. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:
Single family homes will be Consistant with Surrounding neighborhood

D. Suitability of the subject property for uses permitted by the current versus the proposed district: Consistant with Surrounding single family homes

E. Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:
There is a high demand for single family housing in the Town of Amherst

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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.

Joseph Rubino — Joanne B. Shubert

Signature of Petitioner

Subscribed and sworn to before me this 15 *day of* August, 2023

Notary Public, Erie County, New York Joseph Rubino

appeared before me + Signed

JOANNE B. SHUBERT
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 4-30-20

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.

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.

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: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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: 420 New Road (subdivide)		
Project Location (describe, and attach a general location map): 420 New Road		
Brief Description of Proposed Action (include purpose or need): 420 New Road has a 3 bedroom home on an acre lot on the Northwest corner of New Road and Autumn Meadows Lane. Applicant would like to create two additional building lots. The home at 420 New Road will have a new lot size of 90' frontage by 150' depth. Lot 1 will have 107.21' frontage on New Road and 150' frontage on Autumn Meadows Lane. Lot 2 will have 90' frontage on Autumn Meadows and 197.21 In depth. Applicant is requesting the parcel be rezoned from SA to R3.		
Name of Applicant/Sponsor: Joseph Rubino	Telephone: 716-983-1155 E-Mail: josephrubino@howardhanna.com	
Address: 5462 Sheridan Dr Suite 1		
City/PO: Williamsville	State: NY	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):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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	TB rezoning	
b. City, Town or Village Planning Board or Commission ☑Yes☐No	PB recommendation on rezoning	
c. City, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	239 M referral	
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: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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?
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? R3

C.4. Existing community services.

a. In what school district is the project site located? Williamsville Central

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

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

d. What parks serve the project site?
Local Amherst Town Parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action? 1.09 acres
b. Total acreage to be physically disturbed? .77 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.09 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)? % 66% Units: 2

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)
Residential
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: 16 months
ii. If Yes:
- Total number of phases anticipated 1
- Anticipated commencement date of phase 1 (including demolition) Jan month 2024 year
- Anticipated completion date of final phase May month 2025 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-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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	2			
At completion of all phases	2			

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☑ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☑ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☐ No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

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: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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: 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: Erie County Water
- Does the existing public water supply have capacity to serve the proposal? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No
- Do existing lines serve the project site? ☑Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☑No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☑No
If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☑No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

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

- Name of wastewater treatment plant to be used: Town Of Amherst
- Name of district: Amherst 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: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

- 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)

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

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

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 8-5
- Saturday: 8-5
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☑ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe:

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

standard residential lighting

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: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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	2,000 +/- sf	7,000 +/- sf	5,000 +/- sf
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: Developed lot for single family home	1.09 Acres	1.09 acres	0

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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):

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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? greater than 8' 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:

Odessa Silt	50% %
Cosad Loamy Fine	50% %
	%

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

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

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

m. Identify the predominant wildlife species that occupy or use the project site:
None known, developed residential lot

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: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

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

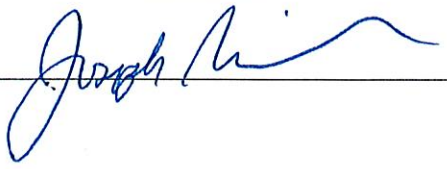
Attach any additional information which may be needed to clarify your project.

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 Joseph Rubino Date 8/08/2023

Signature  Title Property Owner

PRINT FORM

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

TOWN OF AMHERST
State Environmental Quality Review
ENVIRONMENTAL ASSESSMENT FORM
-- ADDENDUM --

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
Odessa			Severe		
Cosad loamy fine Sand			Severe		

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

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:
   No

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_____

   (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 4
   Source: _____

8. Will blasting occur during construction? ☐ Yes ☒ No

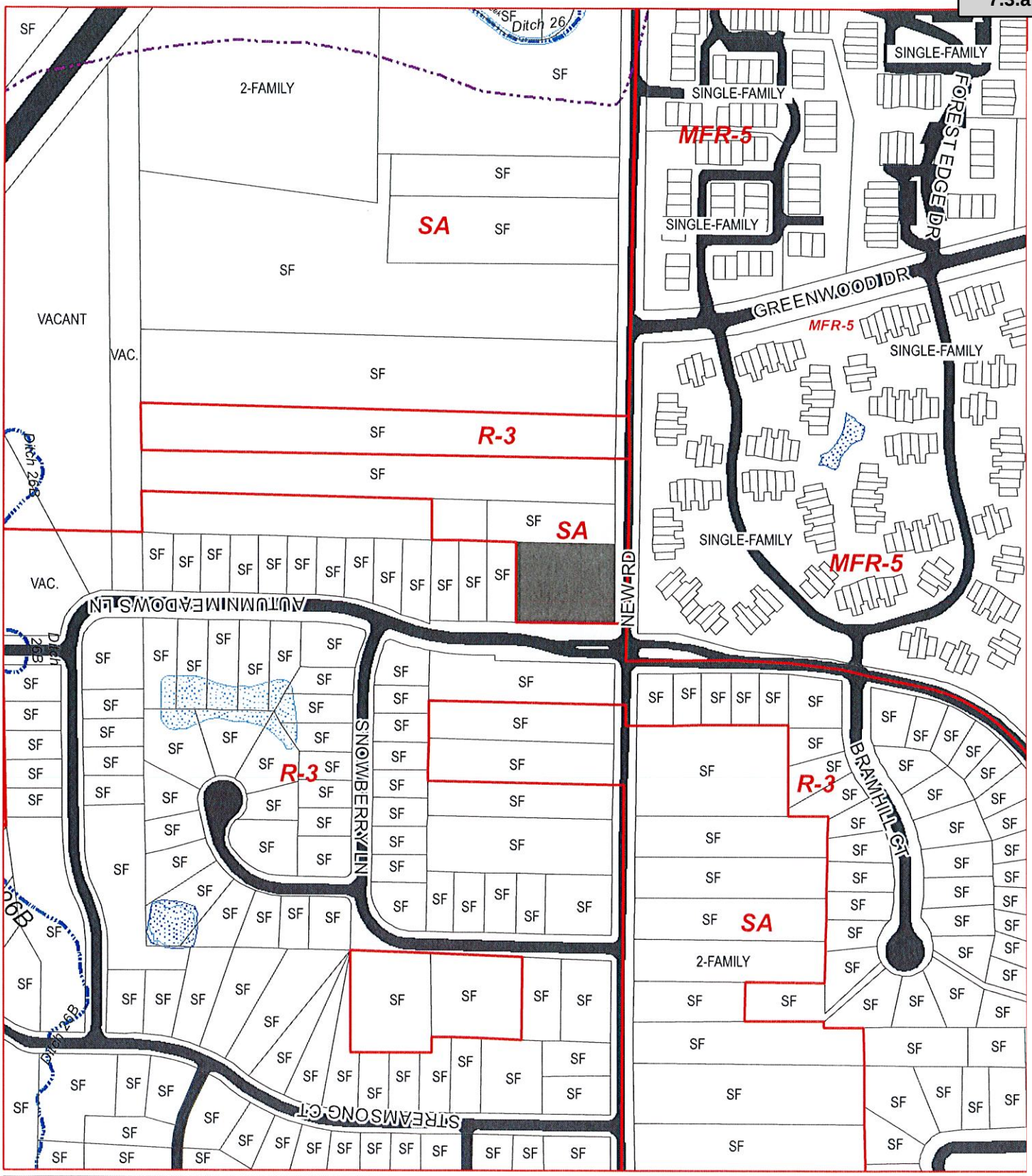
9. Does the project propose to connect and be tributary to the public sanitary sewer system? ☒ Yes ☐ No

10. Proposed net additional gallons per day (gpd) of sanitary sewer discharge upon completion of project:
    600 average flow 2,400 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-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)



Z-2023-08

Request to Rezone 1.09+/- AC of Land from SA to R-3
Property Located at 420 New Road

Joseph Rubino, Petitioner

October 19, 2023

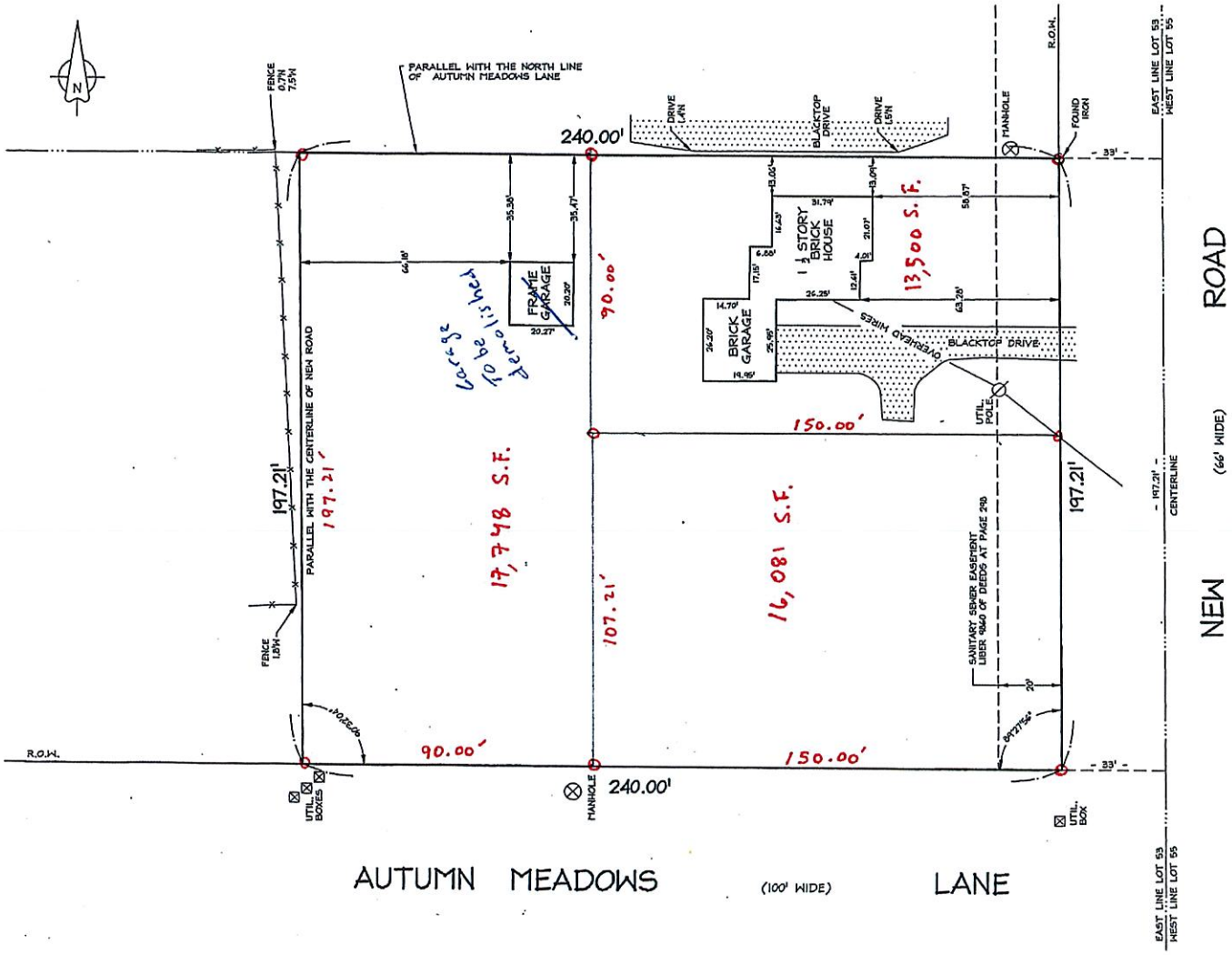
420 New Road

Floodway Boundary

N

Prepared by the Town of Amherst Planning Department

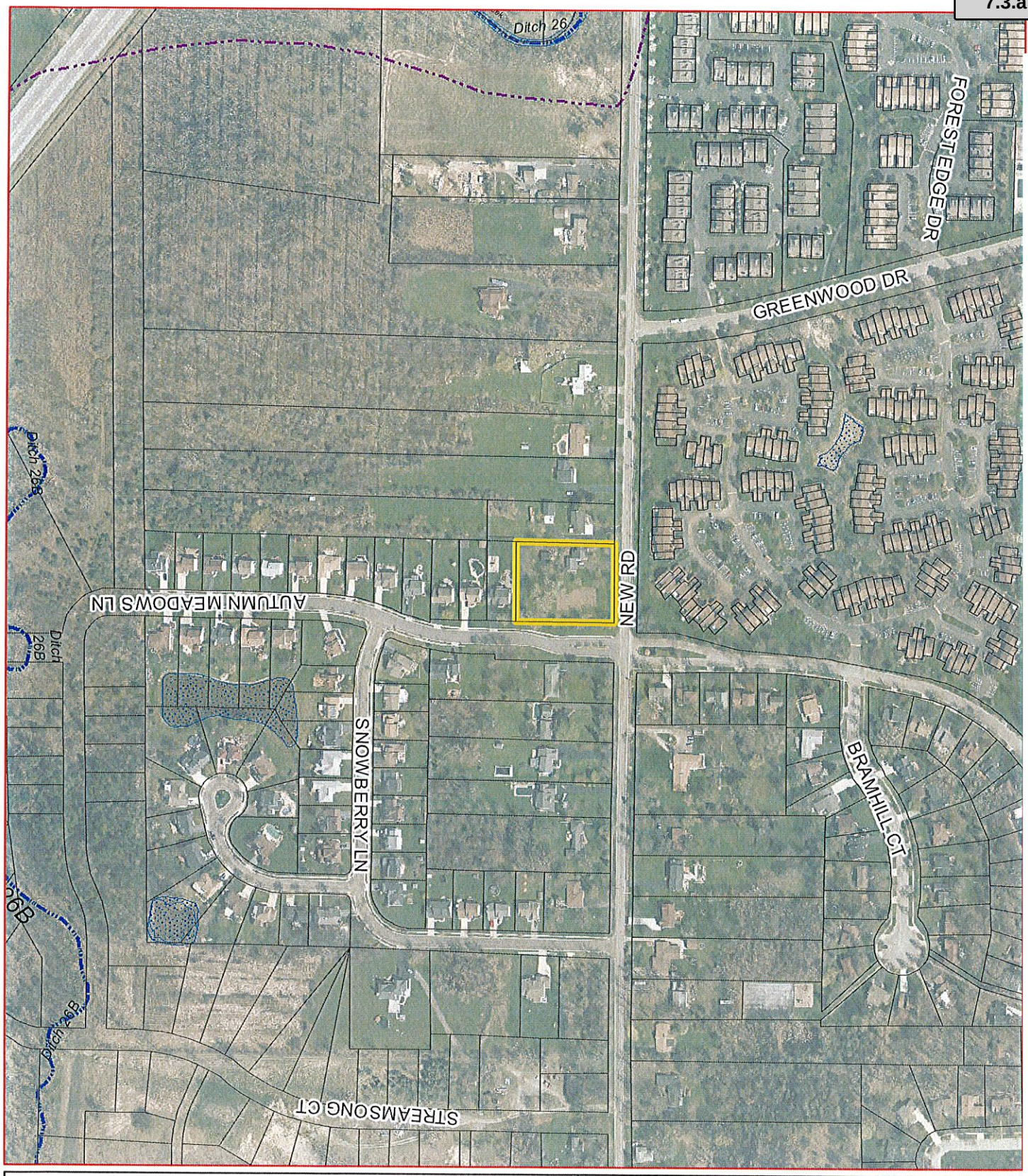
Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)



CONCEPT PLAN

Z-2023-08
420 New Road

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)



Z-2023-08

Request to Rezone 1.09+/- AC of Land from SA to R-3
Property Located at 420 New Road

Joseph Rubino, Petitioner

October 19, 2023

420 New Road

Floodway Boundary

Prepared by the Town of Amherst Planning Department

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

November 15, 2023

James A. Boglioli, Esq.
Benderson Development Company, LLC
570 Delaware Avenue
Buffalo, New York 14202

SUBJECT:	Rezoning Application Review	**Z-2023-09**
	Request:	Rezone 0.82± Acres of land from RD to GI
	Property located at:	**6000-6020 North Bailey Avenue** (portion)
	Application received:	October 11, 2023

Dear Mr. Boglioli,

Please consider the following comments:

1. Please complete the Full Environmental Assessment Form which may be accessed via https://gisservices.dec.ny.gov/eafmapper/ for the proposed request.

2. Complete the attached Town of Amherst Addendum to the EAF. For rezoning actions a geotechnical report is not applicable.

3. Note that any other SEQR-related issues raised during the review process for this rezoning must be addressed prior to action by the Planning Board.

4. Provide an 8½ " x 11" reduction of any revised concept plan **and an electronic version** of any revised plans or information submitted for review.

This is a review only and does not constitute approval of the Rezoning Request. Should you have questions regarding this correspondence, please contact Scott A. Marshall, Principal Planner at smarshall@amherst.ny.us.

Very truly yours,

for Daniel C. Howard, AICP
Planning Director

DH/SM/ac
X:\Current_Planning\Files\Rezonings\2023\Z-2023-09_(6000-6020_N_Bailey_Ave)_2023\Z-2023-09_Pln_Dpt_Rvw_11152023.doc

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Amherst

Town of Amherst Planning Department — Erie County, New York

Brian J. Kulpa
Supervisor
Daniel C. Howard, AI
Planning Director
Daniel J. Ulatowski, Al
Assistant Planning Dire

RECEIVED
OCT 18 2023
TOWN OF AMHERST
PLANNING DEPT.

TOWN OF AMHERST
ENGINEERING
DEPARTMENT
2023 SEP 13 PM 1:54

MEMORANDUM

September 12, 2023

TO: Tim Koller, Deputy Town Clerk
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberhold, Assistant Town Engineer

FROM: Scott Marshall, Principal Planner SM

SUBJECT: REQUEST TO REZONE 1.09± ACRES OF LAND FROM **SA** TO **R-3, Z-2023-08**; PROPERTY LOCATED AT **420 NEW ROAD**. JOSEPH RUBINO, PETITIONER.

GEOTECHNICAL REPORT:
Received September 11, 2023

REVIEW:

Do you agree with all statements made in report? Yes.

If you do not, briefly state why: _____.

General comments relative to your agency interests: NA.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 9/29/23

SM/TV/ac
X:\Current_Planning\Files\Rezonings\2023\Z-2023-08_(420_New_Rd)_2023\Z-2023-08_Rev_Transmittal_091223.doc
cc: Jeff Burroughs, Town Engineer
Joseph Rubino, 5462 Sheridan Dr., Suite 1, Williamsville, NY 14221

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AI(
Planning Director
Daniel J. Ulatowski, AI
Assistant Planning Dire(

MEMORANDUM

September 12, 2023

TO: Tim Koller, Deputy Town Clerk
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberhold, Assistant Town Engineer

FROM: Scott Marshall, Principal Planner TV

SUBJECT: REQUEST TO REZONE 1.09± ACRES OF LAND FROM **SA** TO **R-3, Z-2023-08**; PROPERTY LOCATED AT **420 NEW ROAD**. JOSEPH RUBINO, PETITIONER.

GEOTECHNICAL REPORT:
Received September 11, 2023

REVIEW:

Do you agree with all statements made in report? report received and filed.

If you do not, briefly state why: _____

_____.

General comments relative to your agency interests: _____

_____.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

_____

_____

_____.

Please call the Planning Department if additional information is required (631-7051).

Signature: Doug Gesel **Date:** 10/11/23

SM/TV/ac
X:\Current_Planning\Files\Rezonings\2023\Z-2023-08_(420_New_Rd)_2023\Z-2023-08_Rev_Transmittal_091223.doc
cc: Jeff Burroughs, Town Engineer
Joseph Rubino, 5462 Sheridan Dr., Suite 1, Williamsville, NY 14221

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
700 Delaware Avenue, Buffalo, NY 14209
P: (716) 851-7165 I F: (716) 851-7168
www.dec.ny.gov

SENT VIA EMAIL

September 8, 2023

Daniel Ulatowski
Town of Amherst Planning Department
5583 Main Street
Williamsville, New York

Dear Daniel Ulatowski:

SEQR Lead Agency Designation
420 New Road - Rezone
Town of Amherst, Erie County

This is to acknowledge receipt of your notice, dated August 17, 2023, which requested State Environmental Quality Review Act (SEQR) Lead Agency status for the above-noted project. The New York State Department of Environmental Conservation (NYSDEC) concurs that the Town of Amherst should act as SEQR Lead Agency. However please be aware of the following:

If project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice of Intent (NOI) and prior to commencement of the project. More information on General Permit GP-0-20-001, as well as information on how to electronically submit the eNOI form, is available on the NYSDEC's website at www.dec.ny.gov/chemical/43133.html. Information on permitting requirements and preparation of a necessary Stormwater Pollution Prevention Plan (SWPPP) is available on the NYSDEC's website at www.dec.ny.gov/chemical/8468.html.

The Town of Amherst is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The "MS4 SWPPP Acceptance" form must be signed by the principal executive officer or ranking elected official from the MS4 community, or by a duly authorized representative of that person, and submitted along with the eNOI to receive NYSDEC approval before construction commences.

NEW YORK STATE | Department of Environmental Conservation

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Town of Amherst – 420 New Road
SEQR Lead Agency Coordination

If you have any questions, please feel free to contact Kris Carlson at 716/851-7165 or kristine.carlson@dec.ny.gov .

Sincerely,

David S. Denk

David S. Denk
Regional Permit Administrator

Ecc: Scott Marshall, Town of Amherst
Joseph Rubino, Howard Hanna

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

TOWN OF AMHERST

ASSESSOR'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
PHONE: 716-631-7038

Emily A. Murphy
Assessor
emurphy@amherst.ny.us

MEMORANDUM

TO: Daniel Ulatowski, AICP, Associate Planning Director
Douglas Gesel, Supervising Code Enforcement Officer
Jeff Burroughs, Town Engineer
Scott Marshall, Principle Planner

FROM: Bonnie B. Arnold, Real Property Appraiser

DATE: August 22, 2023

SUBJECT: Request to Rezone 1.09±Acres of Land from SA to R-3,,Z-2023-08
Property Location: **420 New Road**
Petitioner: **Joseph Rubino**

Site plan Conditionally Approved as submitted.
If rezone is being done for construction of single family homes w/condo status then Assessors office does not agree

cc: Jospeh Rubino, 5462 Sheridan Dr.,Suite 1, Williamsville, NY 14221

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AI
Planning Director
Daniel J. Ulatowski, Al
Assistant Planning Dire

RECEIVED
AUG 30 2023
TOWN OF AMHERST
PLANNING DEPT.

MEMORANDUM August 16, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Patrick Lucey, Superintendent of Hwys/ Eric Blocher, General Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
Williamsville Central School District
NYS Office of Parks, Recreation & Historic Preservation
ECDPW

RECEIVED
Williamsville Central School District
AUG 21 2023
Asst Superintendent for
Finance & Management Services

FROM: For Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 1.09± ACRES OF LAND FROM **SA** TO **R-3, Z-2023-08**; PROPERTY LOCATED AT **420 NEW ROAD**. JOSEPH RUBINO, PETITIONER.

REVIEW:

Do you agree with all statements made? No issue with this rezoning request

If you do not, briefly state why: _____

General comments relative to your agency interests: _____

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: Thomas Nathaniel **Date:** 8/22/23

DU/GP/ac
X:\Current_Planning\Files\Rezonings\Forms\Transmittal.doc
cc: Scott Marshall, Principal Planner
Jeff Burroughs, Town Engineer
Joseph Rubino, 5462 Sheridan Dr., Suite 1, Williamsville, NY 14221

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Amherst
Town of Amherst Planning Department — Erie County, New York

Brian J. Kulpa
Supervisor
Daniel C. Howard, AI
Planning Director
Daniel J. Ulatowski, Al
Assistant Planning Dire

RECEIVED
AUG 30 2023
TOWN OF AMHERST
PLANNING DEPT.

MEMORANDUM

August 16, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Patrick Lucey, Superintendent of Hwys/ Eric Blocher, General Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
Williamsville Central School District
NYS Office of Parks, Recreation & Historic Preservation
ECDPW

FROM: DJU For Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 1.09± ACRES OF LAND FROM **SA** TO **R-3, Z-2023-08**; PROPERTY LOCATED AT **420 NEW ROAD**. JOSEPH RUBINO, PETITIONER.

REVIEW:

Do you agree with all statements made? Yes

If you do not, briefly state why: _____

General comments relative to your agency interests: New Rd under Design by Erie County for a drainage & widening project.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: C. Schregel **Date:** 8/10/23

DU/GP/ac
X:\Current_Planning\Files\Rezonings\Forms\Transmittal.doc
cc: Scott Marshall, Principal Planner
Jeff Burroughs, Town Engineer
Joseph Rubino, 5462 Sheridan Dr., Suite 1, Williamsville, NY 14221

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Amherst

n of Amherst Planning Department — Erie County, New York

Brian J. Kulpa
Supervisor
Daniel C. Howard, A
Planning Director
Daniel J. Ulatowski, A
Assistant Planning Dir

MEMORANDUM

August 16, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Patrick Lucey, Superintendent of Hwys/ Eric Blocher, General Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
Williamsville Central School District
NYS Office of Parks, Recreation & Historic Preservation
ECDPW

RECEIVED
AUG 28 2023
TOWN OF AMHERST
PLANNING DEPT.

RECEIVED
AUG 16 2023
TOWN ATTORNEY

FROM: For Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 1.09± ACRES OF LAND FROM SA TO **R-3, Z-2023-08**; PROPERTY LOCATED AT **420 NEW ROAD**. JOSEPH RUBINO, PETITIONER.

REVIEW:

Do you agree with all statements made? _____.

If you do not, briefly state why: _____

_____.

General comments relative to your agency interests: No comments as to Right of way agency.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

_____

_____

_____.

Please call the Planning Department if additional information is required (631-7051).

Signature: NBRobshaw **Date:** 8/21/2023

DU/GP/ac
X:\Current_Planning\Files\Rezonings\Forms\Transmittal.doc
cc: Scott Marshall, Principal Planner
Jeff Burroughs, Town Engineer
Joseph Rubino, 5462 Sheridan Dr., Suite 1, Williamsville, NY 14221

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Amherst

Town of Amherst Planning Department — Erie County, New York

RECEIVED
AUG 22 2023
TOWN OF AMHERST
BUILDING DEPT

Brian J. Kulpa
Supervisor
Daniel C. Howard, AIC
Planning Director
Daniel J. Ulatowski, AI
Assistant Planning Direc

MEMORANDUM

August 16, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Patrick Lucey, Superintendent of Hwys/ Eric Blocher, General Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
Williamsville Central School District
NYS Office of Parks, Recreation & Historic Preservation
ECDPW

FROM: DJU for Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 1.09± ACRES OF LAND FROM **SA** TO **R-3, Z-2023-08**; PROPERTY LOCATED AT **420 NEW ROAD**. JOSEPH RUBINO, PETITIONER.

REVIEW:

Do you agree with all statements made? Yes.

If you do not, briefly state why: _____

General comments relative to your agency interests: floodplain on property, SFHA.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: Doug Gesel **Date:** Aug 22, 23

DU/GP/ac
X:\Current_Planning\Files\Rezonings\Forms\Transmittal.doc
cc: Scott Marshall, Principal Planner
Jeff Burroughs, Town Engineer
Joseph Rubino, 5462 Sheridan Dr., Suite 1, Williamsville, NY 14221

Attachment: Z-2023-08 TB letter 120423 (RES-2023-956 : 420 New Road Rezoning)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 27749 **RESOLUTION 2023-623** **ADJOURNED**

1350 Eggert Road Rezoning

Request to rezone 1350 Eggert Road from OB-TNB-1 to TI-2.5.

7/24/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. The public hearing was opened at 8:14 PM.

Sean Hopkins, Esq. presented.

The following speakers spoke in opposition:
Ray Volpe, 302 Crosby Blvd
Dan Dolloff, 278 Crosby Blvd
Susan Aureli, 312 Crosby Blvd
Pamela & John Sander, 34 Olney Dr
Kristen Lane, 37 Olney Dr
Janice Colvin, 49 Olney Dr
Jessica Kerr, 22 Olney Dr

There were no further speakers from the public, therefore Supervisor Kulpa moved to adjourn the hearing until August 21st, seconded by Councilmember Lavin and unanimously approved 5-0.

8/21/2023
Supervisor Kulpa made a motion to adjourn the hearing until September 18th at the earliest, for the petitioner to submit information regarding a storm water mitigation plan, a traffic analysis and to hold a meeting with the residents within the 600 ft. radius, seconded by Deputy Supervisor Bucki and unanimously approved 5-0.

12/4/2023
A motion to adjourn was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Jacqualine Berger, Councilmember	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, A
Planning Directo

Daniel J. Ulatowski, A
Assistant Planning Di

July 14, 2023

Town Board Agenda of July 24, 2023

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Request to rezone 3.61± acres of land from Office Building-Traditional Neighborhood Business District 1 (OB-TNB-1) to Traditional Infill 2.5 District (TI-2.5); property located at 1350 Eggert Road, 1097 Group LLC, Petitioner. (Z-2023-03).

Honorable Members:

The subject property is a 3.61 ± acre rectangular parcel located on the southwest corner of the intersection of Eggert Road and Crosby Boulevard approximately 500 feet north of the intersection of Main Street and Eggert Road.

The site is currently developed as a mixed-use building with the associated parking. The existing building includes 38 apartments and first floor office space. The building ranges from single-story at the south end to 3-story at the north end due to significant grade change on the site. A semi-circular parking and drop-off/pick-up area is located adjacent to the front building entrance with the majority of the development's parking to the rear of the existing building. A 20 ft. wide easement runs near the north property line of the parcel and provides access to the adjacent property at 289 Crosby Boulevard, currently used as a group home.

For information on the surrounding zoning and land use, please refer to the attached sketch.

The purpose of this request is to utilize a zoning district that allows for a ground floor residential use to introduce new residential buildings to an existing developed site. Based on a concept plan, the proposed development project proposes two, eight-unit residential buildings that are located on the western portion of the site. Additionally, approximately 5,130 square feet of vacant commercial space within the former school building will be converted into three apartment units.

The subject site was zoned Community Facilities (CF) district with the adoption of the Town wide Zoning Map & Ordinance on January 19, 1976.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Honorable Town Board

Rezone land from OB-TNB-1 to TI-2.5;
Property located at 1350 Eggert Road
Agenda of July 24, 2023

Z-2010-07: The subject site at 1350 Eggert Road was included in a request to rezone 26.56± acres of land for the establishment of the Traditional Neighborhood Business (TNB) overlay district. The intent of establishing the overlay district was to advance planning objectives in the Main & Eggert area to encourage investment and improve aesthetic design. The request was adopted by the Town Board on May 17, 2010

Z-2013-16: Request to rezone 3.61± acres of land from CF-TNB-1 to OB-TNB-1 to permit the redevelopment of the former Cantalician Center school site as a mixed-use project to include 38 apartment units and 5,130± sq. ft. of office space.

It should be noted that each parcel proposed to be located within a Traditional Infill District (those listed in §5A-1 of the Zoning Ordinance) is required to have a "frontage type" assigned. The frontage types (§5A-2 of the Zoning Ordinance) function as a supplemental overlay that provides additional design requirements in order to provide a desired character and form. As part of the subject rezoning request, the Planning Board has recommended approval with the condition that the "Residential" frontage type be assigned to this property. A "Residential" frontage type allows for buildings that are closer in mass and scale to large traditional houses. This is accomplished through dimensional requirements for a larger front setback (10'-30'), smaller building massing (40' width maximum) and a pitched roof design. These elements along with other dimensional standards facilitate an architectural form that is consistent with a typical residential building. The Planning Board, in recognition of the character of the surrounding neighborhood deemed this frontage type as the most appropriate for the future proposed development of the subject parcel and recommends the Town Board assign "Residential" frontage type as a condition of the rezoning.

The Planning Board offers the following findings consistent with Section 8-3 of the Zoning Ordinance.

INTENT AND OBJECTIVES OF THE COMPREHENSIVE PLAN

Figure 6A in the Bicentennial Comprehensive Plan illustrates the subject site as appropriate for commercial-mixed use. Further, Figure 6A highlights the appropriate zoning district as Traditional Infill. The Traditional Infill areas are characterized by walkable, pedestrian scaled development that services the surrounding neighborhood. Smaller scale development with attention to architectural design creates a sense of place while preserving the character of the existing community. The subject request if assigned a residential frontage as permitted by the traditional infill zoning district will be consistent with goals and objectives of the Comprehensive Plan. As noted, the petitioner's proposed concept plan and building form must be revised to be consistent with the surrounding residential scale and building form.

INTENT AND OBJECTIVES OF THE ZONING ORDINANCE

The rezoning request is consistent with Section 1-2-2K of the Zoning Ordinance which seeks to guide the future development of the Town so as to bring about the gradual conformity of land and building uses in accordance with the objectives of the Comprehensive Plan. The Petitioner's concept plan should be consistent with the residential frontage standards pursuant to section 5A-2-6 of the Zoning Ordinance.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Honorable Town Board

Rezone land from OB-TNB-1 to TI-2.5;
Property located at 1350 Eggert Road
Agenda of July 24, 2023

CONSISTENCY/COMPATIBILITY WITH SURROUNDING DEVELOPMENT/ZONING

The proposed development faces to the north to a neighborhood park and single family houses. The rezoning request and introduction of a residential land use is compatible with the surrounding land uses which are single family residential to the north and west, zoned Residential District 3 (R-3). Multi-family residential to the northeast, zoned Residential District 4 (R-4), a place of worship to the southeast, zoned Community Facilities with the Traditional Neighborhood Business District overlay (CF-TNB-1), and a commercial office to the south, zoned Office Building with the Traditional Neighborhood Business District overlay (OB-TNB-1).

ADEQUATE SERVICES AND UTILITIES

All services and utilities necessary for the proposed rezoning are available and adequate at the subject location. This is an Unlisted Action, and an environmental assessment consistent with SEQR has been prepared for the subject proposal. Pursuant to Local Law #3-82, as amended, the requirements of SEQR are complete and the proposal is not expected to have a significant adverse effect on the environment.

RECOMMENDATION

The Planning Department requests that if the Town Board desires to act on the rezoning request, that a decision date be established after the public hearing so that the Planning Department can prepare a determination of environmental significance pursuant to SEQR, and prepare a resolution for the Town Board's consideration.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/TV/ac
Att.
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_TB_Letter.doc
cc: Martin Polowy, Town Attorney

Planning Board Approval May 18, 2023
Ayes 6, Noes 0, Absent 1 (Chmiel)

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2023-03

PETITIONER

1097 Group LLC
Hopkins Sorgi & McCarthy
5500 Main St., Suite 343
Williamsville, NY 14221

PROPERTY LOCATION

1350 Eggert Road

'23 MAY 26 AM9:1

WHEREAS the Town of Amherst Planning Board on Thursday, May 18, 2023 held a public hearing on the proposed rezoning of land from Office Building- Traditional Neighborhood Business District 1(OB-TNB-1) to Traditional Infill District 2.5 (TI-2.5) , 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 if revised can be consistent with the policies of the Comprehensive Plan and the Zoning Ordinance.

B. There are adequate services and utilities available or proposed to be made available in the construction of the development.

C. The proposed zoning 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 may be waived since hydric/potentially hydric soils have not been identified on the parcel.

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.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2023-03

PETITIONER

1097 Group LLC

PROPERTY LOCATION

1350 Eggert Road

'23 MAY 26 AM9:1

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 subject to:

1. A residential frontage be assigned to the parcel pursuant to Section 5A-2-1 of the Zoning Ordinance, and as extended along Crosby Boulevard.

2. That the use of the subject property as an ambulance service be prohibited and that a deed restriction prohibiting same on the property be filed with the Erie County Clerk's office.

The foregoing resolution was adopted by the Town of Amherst Planning Board, May 18, 2023; moved by Giuliani; seconded by Kahn; ayes 6; noes 0; absent 1 (Chmiel).

Robert J. Gilmour, Planning Board Chair

5/25/23
Date

TV/ac
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_resolution_051823.docx
cc: Town Clerk
Commissioner of Building
Highway Superintendent
Town Engineer
Traffic/Safety Coordinator
Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Rezoning Application & Supporting Documentation - Rezoning of 1350 Eggert Road from OB-TNB-1 to TI-2.5 Applicant: 1097 Group LLC c/oSean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC

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

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Rezoning Review and, if required Comprehensive Plan Amendment

For Official Use

File #: Z-2023-03 Acreage 3.61 Fee $ 1765

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. 2/21/2023 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		$500.00
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:	~~$1,265.00~~ 1,765.00	1,765.00

RECEIVED FEB 21 2023 TOWN OF AMHERST PLANNING DEPT.

[Note: A completed Part 1 of the Full Environmental Assessment Form along with Page 5[a] and Attachment "A" is attached as Exhibit "1".]

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

TO BE COMPLETED BY APPLICANT

1. **Petitioner:** Name: 1097 Group LLC

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@hsmlegal.com

2. **The undersigned hereby petitions the Honorable Town Board to rezone the following described property**

From: OB-TNB-1 District

To: TI-2.5 District

3. **Street address of land to be rezoned:** (must be verified by Town Assessor's Office)

1350 Eggert Road

SBL #: SBL No. 67.82-3-9.11

4. **Area of land to be rezoned** (in acres): Approximately 3.61 acres

5. **Owner of Land:**

Name: 1097 Group LLC c/o Sean Hopkins, Esq.

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

Telephone: 716.510-4338

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

Name: Sean W. Hopkins, Esq.

Address: 5500 Main Street, Suite 343
Williamsville, New York 14221
Tel: 716.510-4338 - E-mail: shopkins@hsmlegal.com
City State Zip Code

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

7. Petitioner's interest in property

_____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 the property to be rezoned from OB-TNB-1 to TI-2.5 attached as Exhibit "2" and the survey of the Project Site attached as Exhibit "3".

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 4.

B. Rationale for rezoning request:

1. Why was this site chosen?

See Exhibit 4

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

2. Why cannot land be used with the existing zoning?

See Exhibit 4.

3. How will this rezoning impact surrounding properties?

See Exhibit 4.

4. How will this rezoning impact the school system?

See Exhibit 4.

12. Quantitative Data:

A. Total # of dwelling units: 9 proposed two-story attached townhome units

B. Distribution of dwelling units by type: Apartments

C. Gross Residential Density per acre: 13 units per acre

D. Total amount of Open Space: Not Applicable

E. Proposed Non-Residential Floor Area: Not Applicable

[Note: A reduced size copy of the Site Plan for the proposed project is provided at Exhibit "6".]

13. Development Schedule:

Start: Summer 2023

Finish: 2024

Stages (# of): 1

14. If any portion of the proposed development is planned to be sold or leased, please describe:

The apartments will be leased.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

15. Open Space ownership and maintenance provisions (if applicable):

Greenspace and landscaping will be privately owned and maintained.

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 Exhibit 5.

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 5.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

3. State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:

See Exhibit 5.

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 5.

D. Suitability of the subject property for uses permitted by the current versus the proposed district:

See Exhibit 5.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

E. Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:

See Exhibit 5.

17. The petitioner encloses herewith the sum of $ 1,265.00 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 21st day of Feb., 2023

Notary Public, Erie County, New York

NOREEN A. ZIMMERMAN
Notary Public, State of New York
Qualified in Niagara County
My Commission Expires Aug. 31, 20

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: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT 1

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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: Rezoning of 1350 Eggert Road from OB-TNB-1 to TI-2.5		
Project Location (describe, and attach a general location map): 1350 Eggert Road - Town of Amherst - Erie County		
Brief Description of Proposed Action (include purpose or need): The proposed project ("action") consists of a two-story town home building consisting of nine units and related site improvements to be located on a portion of 1350 Eggert Road ("Project Site"). The proposed action has been defined broadly to include all required discretionary approvals and permits as well as all proposed site improvements including an amendment of the zoning classification of the Project Site from OB-TNB-1 to TI-2.5 by the Town of Amherst Town Board. The project purpose is to develop a portion of the Project Site for residential purposes per the recommended land use in Figure 6-A of the Town's adopted Comprehensive Plan. The proposed project which represents an expansion of the previously approved redevelopment of the Project Site is an Unlisted Action and will not result in any potentially significant adverse environmental impacts. There were previous multiple negative declarations issued by the Town of Amherst municipal boards in connection with the environmental reviews of the existing project.		
Name of Applicant/Sponsor: 1097 Group LLC c/o Sean Hopkins, Esq.	Telephone: 716.510-4338 E-Mail: shopkins@hsmlegal.com	
Address: 5500 Main Street, Suite 343		
City/PO: Williamsville	State: NY	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):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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 of Amherst Town Board - Rezoning	January 2023
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Town of Planning Board - Site Plan Amendment	To be Determined
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☐Yes ☑No		
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):
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: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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?
OB-TNB-1

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? TI-2.5

C.4. Existing community services.

a. In what school district is the project site located? Amherst 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?
Various parks including public park contiguous 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)? Residential consisting of two-story attached townhomes for lease.

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? .5 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☑ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 23.6% [38 existing units] Units: 9

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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				9
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☑ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☑ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☑ No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

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: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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: 900 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 Consolidated Water District
- 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: 1,800 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
- 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: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

- 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 .4 acres (impervious surface)

_____ Square feet or 3.3 acres (parcel size)

ii. Describe types of new point sources. Runoff from impervious surfaces

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)?

Municipal system.

- 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)

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

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

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7:00 to 7:00
- Saturday: 7:00 to 5:00
- Sunday: Not Applicable
- Holidays: Not Applicable

ii. During Operations:

- Monday - Friday: Not Applicable
- Saturday: _____
- Sunday: _____
- Holidays: _____

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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 and activities limited to daytime hours is a temporary and unavoidable adverse impact.

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 on building will comply with the stringent lighting standard contained in the Zoning Code.

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: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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): Park

ii. If mix of uses, generally describe:

Mixture of uses and zoning classifications.

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	1.8	2.2	.4
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• 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	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Greenspace/Landscaping	1.5	1.1	(.4)

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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):

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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? >3 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:

Farmington channery loam [FaB]	95.9 %
Ovid silt loam [OvA]	3.2 %
Urban land-Wassaic complex [Ux]	.9 %

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: .9 % of site
☑ Poorly Drained 99.1 % 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: _____

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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: Eligible property:School 13 - Eggert Rd Elementary School, Eligible property:St. Benedicts Roman Catholic Church Complex

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 1097 Group LLC Date February 21, 2023

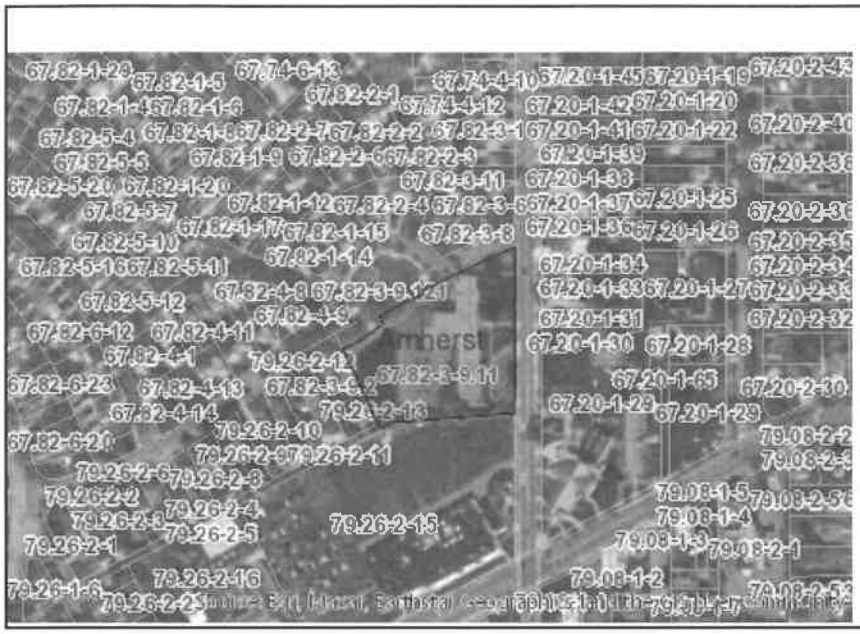
Signature Title Attorney for Project Sponsor

PRINT FORM

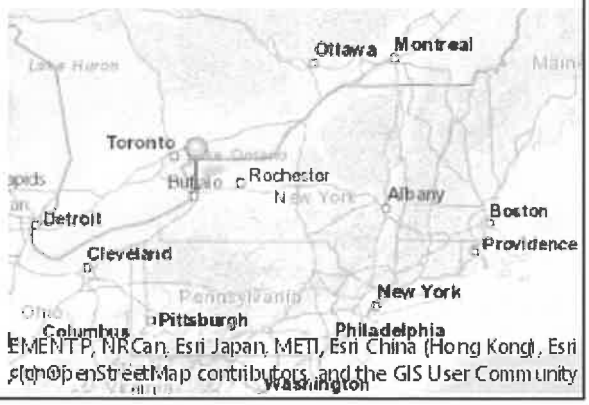
Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EAF Mapper Summary Report

Monday, February 20, 2023 12:59 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]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
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
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

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:School 13 - Eggert Rd Elementary School, Eligible property:St. Benedicts Roman Catholic Church Complex
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Rezoning of 1350 Eggert Road from OB-TNB-1 to TI-2.5

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
Farmington Channery Loam	Severe	Severe	Severe	Severe	Moderate
Ovid Silt Loam	Severe	Severe	Severe	Severe	Severe
Urban Land-Wassaic Complex	Moderate	Moderate	Moderate	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).

   x Geotechnical report attached _____ Not applicable

   [Note: Three copies of the Geotechnical Report prepared by Terracon Consultants - NY, Inc. dated July 28, 2022 have been submitted to the Planning Department].

3. Is your property located: On Youngs Road between Dodge and Klein Roads? ☐ Yes x No
   On Wehrle Dr. between Spindrift Dr. and Oakwood Rd? ☐ Yes x 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 x 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: Not Applicable.

   (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 7 [Weekday A.M. Peak]
   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:
    1,800 average flow 7,200 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: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT 2

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT 2 OF REZONING APPLICATION

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED FROM OB-TNB-1 TO TI-2.5

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 18, Township 12, Range 7 of the Holland Land Company's Survey and known as part of lands shown on map filed in Erie County Clerk's Office under Cover No. 1492, bounded and described as follows:

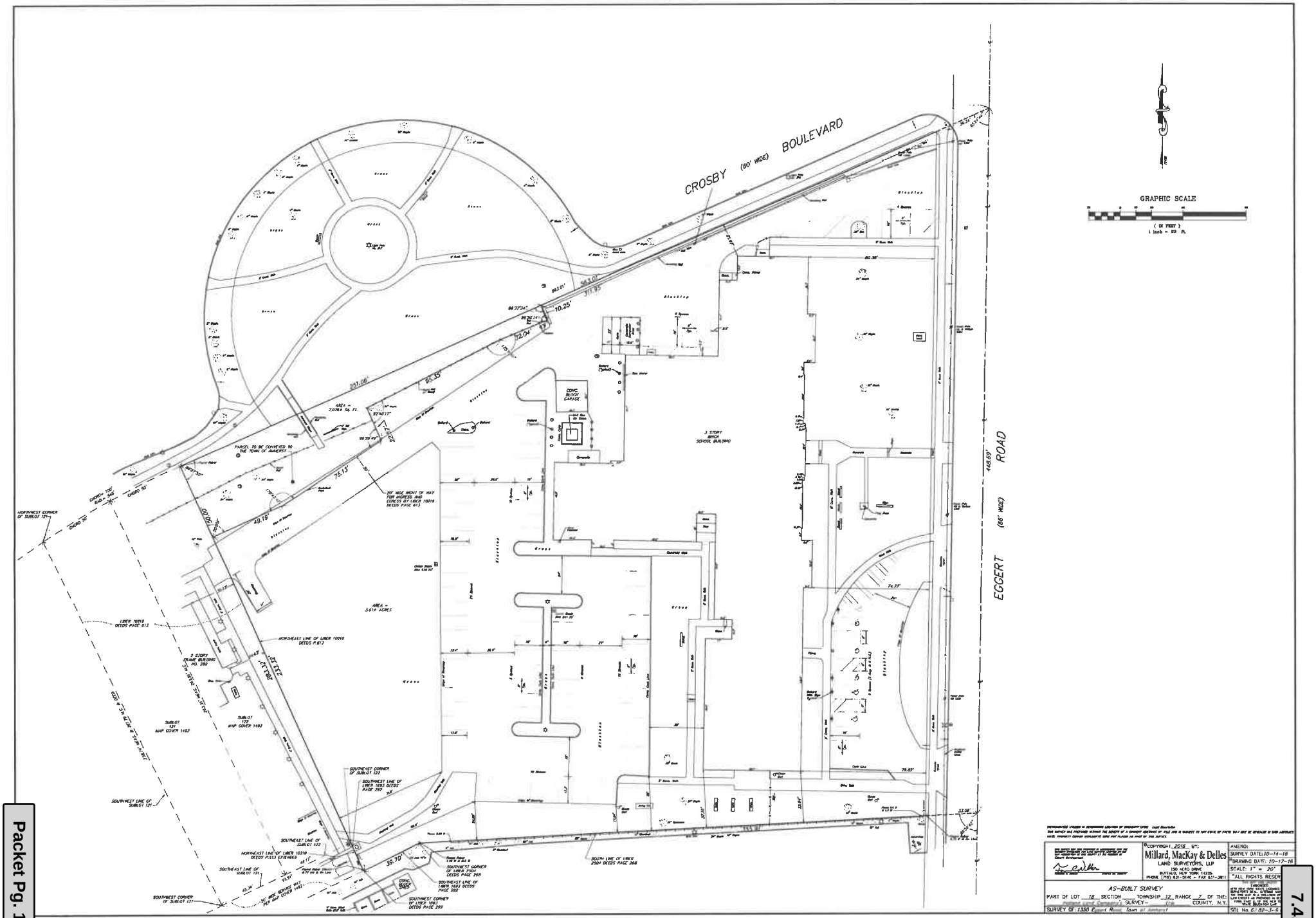
BEGINNING at the intersection of the center line of Eggert Road with southeast line of Crosby Boulevard as shown on said map cover extended northeasterly; Thence southwesterly along the southeast line of Crosby Boulevard, 311.95 feet; Thence southeasterly at an exterior angle of 88°37'34", a distance of 10.25 feet to a point; Thence southwesterly at an exterior angle of 89°30'14", a distance of 32.04 feet to a point; Thence continuing southwesterly at an interior angle of 175°08'50", a distance of 95.35 feet to a point; Thence southeasterly at an interior angle of 92°40'17", a distance of 22.57 feet to a point on the northwesterly line of a 20' wide right of way for ingress and egress granted to Mother of Divine Grace Housing Development Fund Company Inc. and recorded in Erie County Clerk's Office in Liber 10219 of Deeds at page 613; Thence southwesterly at an exterior angle of 99°29'49" along said northwesterly easement line, a distance of 75.13 feet to a point; Thence continuing southwesterly at an exterior angle of 170°43'40" along said northwesterly easement line, a distance of 49.19 feet to a point, said point being on the northeasterly line of premises conveyed to Mother of Divine Grace Housing Development Fund Company, Inc. by Warranty Deed dated September 27, 1990 and recorded in the Erie County Clerk's Office on September 27, 1990 in Liber 10219 of Deeds at page 613; Thence southeasterly at right angles along the northeasterly line of said premises conveyed to Mother of Divine Grace Housing and along an extension of said northeasterly line, a distance of 233.32 feet to the southwest corner of lands conveyed to School District No. 13 by deed recorded in the Erie County Clerk's Office in Liber 1693 of Deeds at page 292; Thence northeasterly along the southeast line of said school lands, a distance of 39.70 feet to the southwest corner of lands conveyed to School District No. 13 by deed recorded in Liber 2504 of Deeds at page 268; Thence easterly along the south line of said school lands, a distance of 355.91 feet to a point on the center line of Eggert Road; Thence northerly along the center line of said road, a distance of 448.69 feet to the point of beginning.

Said parcel containing an area of 3.61 acres, more or less.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT 3

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)



	©COPYRIGHT 2016 BY: Millard, MacKay & Delles LAND SURVEYORS, LLP 150 AERO DRIVE BUFFALO, NEW YORK 14225 PHONE (716) 821-3140 • FAX 821-3811	AMEND: SURVEY DATE: 10-14-16 DRAWING DATE: 10-17-16 SCALE: 1" = 20' "ALL RIGHTS RESERVED"
	AS-BUILT SURVEY PART OF LOT 18 SECTION TOWNSHIP 12 RANGE 7 OF THE SURVEY OF 1350 Eggert Road Town of Amherst COUNTY, N.Y.	EMBOSSED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL OR THIS MAP IS A VOID FOR ANY LAND SURVEY AS DEFINED IN SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW SRL No. 6: 82-3-6

EXHIBIT 4

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT 4

REZONING OF 1350 EGGERT ROAD FROM OB-TNB-1 TO TI-2.5

Question 11(A): Description of the character of the proposed development:

Response to Question 11(A): The proposed project consists of the development of a portion of the property at 1350 Eggert Road ("Project Site") as a two-story townhome building consisting of nine units with attached garages. A full-size copy of the Site Plan [Drawing C-100] depicting the proposed project is attached is attached and a reduced-size copy of the Site Plan is also attached as **Exhibit "6"**. A copy of the Conceptual Elevation Plan for the proposed two-story townhome building is attached as **Exhibit "7".**

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 OB-TNB-1 to TI-2.5 since the requested zoning classification is consistent with Figure 6-A of the Comprehensive Plan that designates the property on the west side of Eggert Road in the vicinity of Main Street and Eggert Road as a "Traditional Area" [Designation Area No. 32 on Figure 6-A]. A color copy of Figure 6-A 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 being utilized in accordance with its existing zoning classification but the existing OB-TNB-1 zoning classification does not allow the proposed two-story townhome building consisting exclusively of residential units for lease as permitted principal use.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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 R-3 and OB to DC-5 to accommodate the proposed two-story townhome building consisting of nine units will not result in any potentially significant adverse impacts on surrounding properties. A completed Part 1 of the Full Environmental Assessment Form prepared pursuant to the State Environmental Quality Review Act ("SEQRA") is provided at **Exhibit "1"** of this Rezoning Application.

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 it generate property taxes. The proposed townhome project will potentially generate some demand for educational services provided by the school district but it is anticipated will have overall positive fiscal impacts since the annual school taxes will be higher than the cost of educational services for school age children of the future residents of the townhomes.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT 5

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT 5

REZONING OF 1350 EGGERT ROAD FROM OB-TNB-1 TO TI-2.5

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] On December 14, 2020, the Town Board most recently adopted amendments to the Bicentennial Comprehensive Plan. The proposed townhome project is consistent with the Comprehensive Plan including Figure 6-A that designates the Project Site as a "Traditional Area".

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 proposed project is consistent with the Comprehensive Plan and such there is not a need to amend the Comprehensive Plan to accommodate the proposed project.

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:

---

[1] A copy of the resolution adopted by the Town Board 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: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

> *"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 to accommodate the proposed townhome project on a portion of the Project Site is consistent with the "Purpose" of the Zoning Code. Section 1-2-2 of the Zoning Code sets forth the objectives of the Zoning Code. This section of the Zoning Code lists thirteen 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 of the Project Site will be consistent with the objective of protecting the character and value of existing land uses. The proposed rezoning will allow a portion of the Project Site to be redeveloped as a 2-story townhome building consisting of nine units with attached garages, which 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 will not be inconsistent with this objective.

C. To prevent overcrowding of land;

Response: The proposed project will not result in the overcrowding of land. The project is consistent with the type of development designated as appropriate for the Project Site per the adopted Comprehensive Plan.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

D. To prevent excessive concentration of population and to prevent spare and uncoordinated development;

Response: The proposed rezoning of the Project Site will not result in excessive concentration of population and the residential project represents an example of coordinated development.

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 provided above sets 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 Site Plan Application review process will trigger the need for an Engineer's Report to be 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 multifamily building 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 the proposed project will not be inconsistent with this objective. There are not significant natural features located on 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 Site Plan [Drawing C-100] will be aesthetically harmonious with nearby areas and structures.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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 proposed project will have vehicular access to Eggert Road via the existing driveway connection. No new curb cuts onto the streets in the vicinity of the Project Site are proposed.

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 project.

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 is consistent with this objective since the proposed use 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 is consistent with this objective.

M. To protect the community from visual pollution resulting from the unregulated use of signs and other advertising devices.

Response: The proposed rezoning and the proposed 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 rezoning of the Project Site is compatible with the present zoning and conforming uses of nearby properties and the character of the neighborhood which includes a mixture of use including commercial and residential uses.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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 suitable for uses permitted by the existing OB-TNB-1 zoning classification and the proposed TI-2.5 zoning classification of the Project Site.

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 OB-TNB-1 to TI-2.5 to accommodate the proposed project will have positive impacts on the balance of uses in the Town by providing residential units for lease within a portion of the Town that has been designated as appropriate for this use by the Town Board.

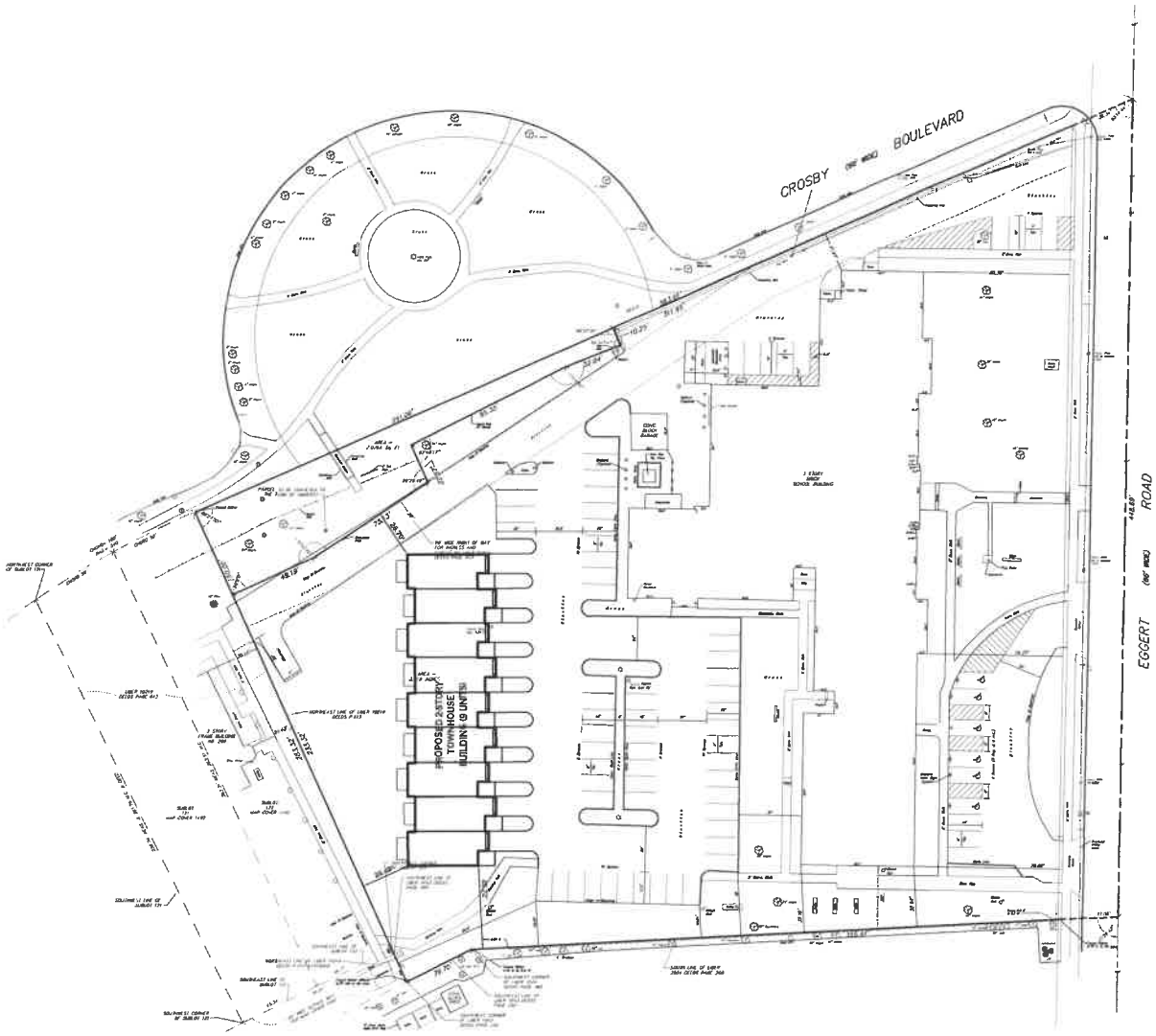
Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT 6

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

© Carmina Wood Morris DPC

All rights reserved. Reuse of these documents without the expressed written permission of Carmina Wood Morris, DPC is prohibited. Violations of the statutes of article 143, sections 2708(a) and 2709 of the New York State Education law for any person, entity, acting under the direction of a registered architect, licensed engineer or land surveyor to alter this drawing. If altered such R.A., P.E. or L.S. shall affix his or her seal, signature, the date, the notation "altered by" and a specific description of the alteration.



NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS, CARMINA WOOD MORRIS, D.P.C. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

30' 30 0 30 60Ft.

Carmina Wood Morris DPC
487 Main Street - Suite 500
Buffalo, New York 14203
P 716.842.3188
F 716.842.0263

PRELIMINARY
NOT FOR CONSTRUCTION

REVISIONS:
No. Description Date

PROJECT NAME:
New Construction for:
Multi-family Development
1350 Eggert Road
Amherst, New York

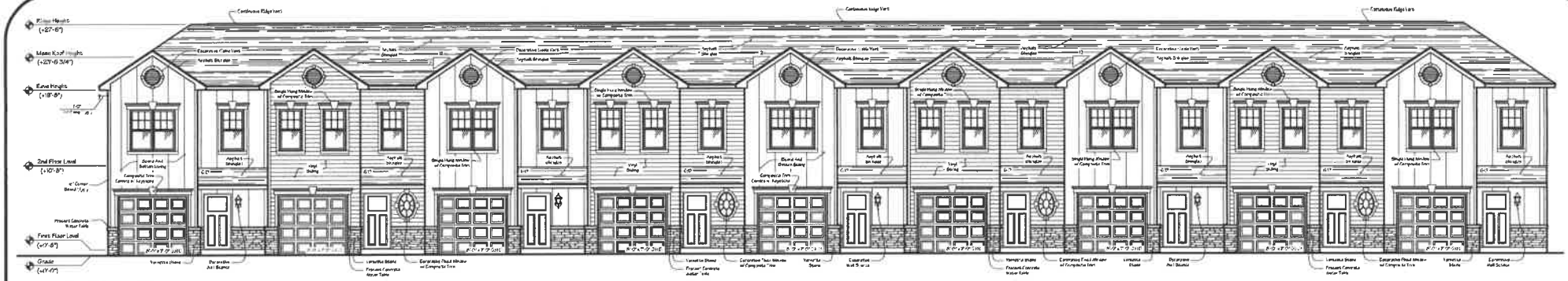
Issued for Construction:
Date: 12/2/21
Drawn by: C. Wood
Scale: As Noted

DRAWING NAME:
Concept Site Plan

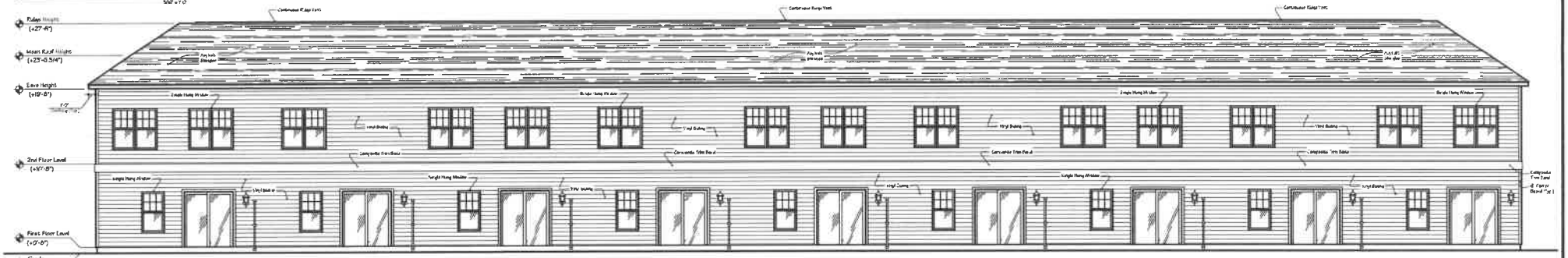
DRAWING NO.
C-100
Project no.: 21.xxx

EXHIBIT 7

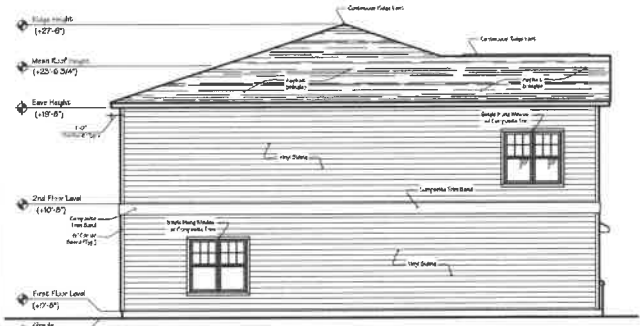
Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)



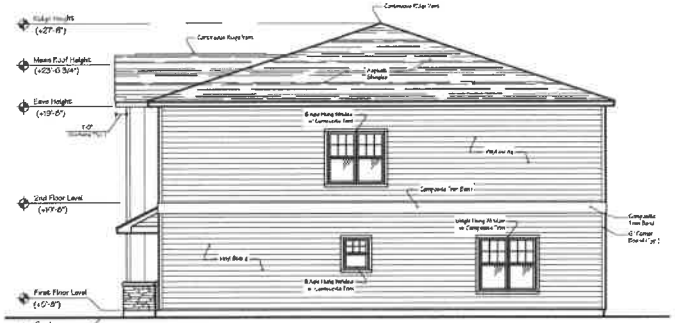
Concept East Elevation



Concept West Elevation



Concept North Elevation



Concept South Elevation

ELLICOTT DEVELOPMENT

Concept Elevations For:
9 Unit Townhouse Building

1350 Eggerst Road Amherst, NY
8/8/22

SUTTON architecture
"Design 2 Build"

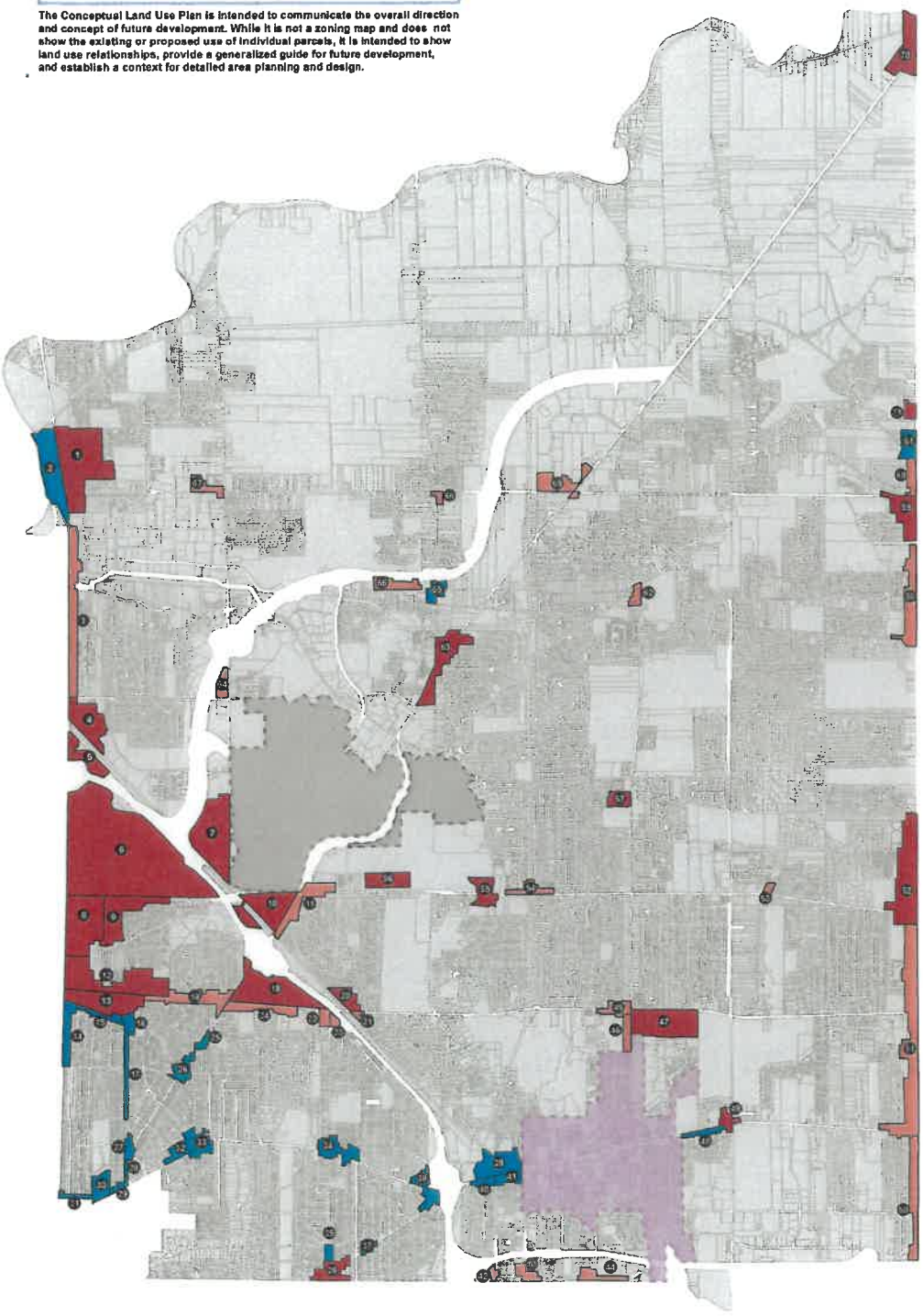
Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT 8

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

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.



1. Wegmans (NFB)
2. Walgreens (NFB)
3. NFB / Ellicott Creek Strip
4. Home Depot (NFB)
5. Innkeepers Lane
6. Consumer Square / Ridge Lea
7. University Place
8. Boulevard Mall
9. Wegmans (Alberta)
10. Golden Triangle
11. Maple / Amherst Manor
12. Walmart (Sheridan)
13. Northtown Plaza
14. NFB Strip
15. Eggert Strip
16. Eggert / Bailey
17. Bailey Strip
18. Sheridan / Millersport Strip
19. Northtown Auto (Sheridan)
20. Sheridan / Sunrise - North Side
21. Sheridan / Sunrise - South Side
22. Sheridan / Harlem - West Side
23. Sheridan / Harlem - East Side
24. Sheridan / Getzville Strip
25. Millersport / Arcade
26. Six Corners
27. Bailey / Grover Cleveland
28. Bailey Live-Work
29. Main / Bailey
30. University Plaza
31. Kenmore Avenue
32. Eggertsville (Main / Eggert - West Side)
33. Eggertsville (Main / Eggert - East Side)
34. Snyder (Main / Harlem)
35. Harlem Strip
36. Harlem / Kensington
37. Kensington / Saratoga
38. Main / Kensington
39. West of Village - North of Main
40. West of Village - South of Main (West Side)
41. West of Village - South of Main (East Side)
42. Wehrle / South Forest
43. Wehrle / South Union
44. Wehrle / Cayuga
45. Sheridan / Hopkins
46. Evans Strip
47. Williamsville Place
48. Main Strip
49. Main / Youngs
50. Transit / Wehrle
51. Transit from Main to Maple
52. Transit / Maple
53. Maple / Ayer
54. Maple Strip
55. Maple / North Forest
56. Gun Club
57. Clearfield Plaza
58. Transit / Casey
59. Transit / North French
60. Transit / Dodge
61. Swormville
62. Hopkins / Dodge
63. Getzville Plaza
64. Sweet Home / Skinnersville
65. Campbell / Dodge
66. Dodge Strip
67. Sweet Home / North French
68. Campbell / North French
69. Crosspointe
70. Transit / Millersport
71. Transit Strip

Commercial and Mixed-Use Designations

- Suburban Center
- Suburban Corridor
- Traditional Areas
- Village of Williamsville
- University at Buffalo

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 2020

N

0 0.2 0.4 0.6 0.8 1 Miles

FIGURE 6-A

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)



Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Z-2023-03

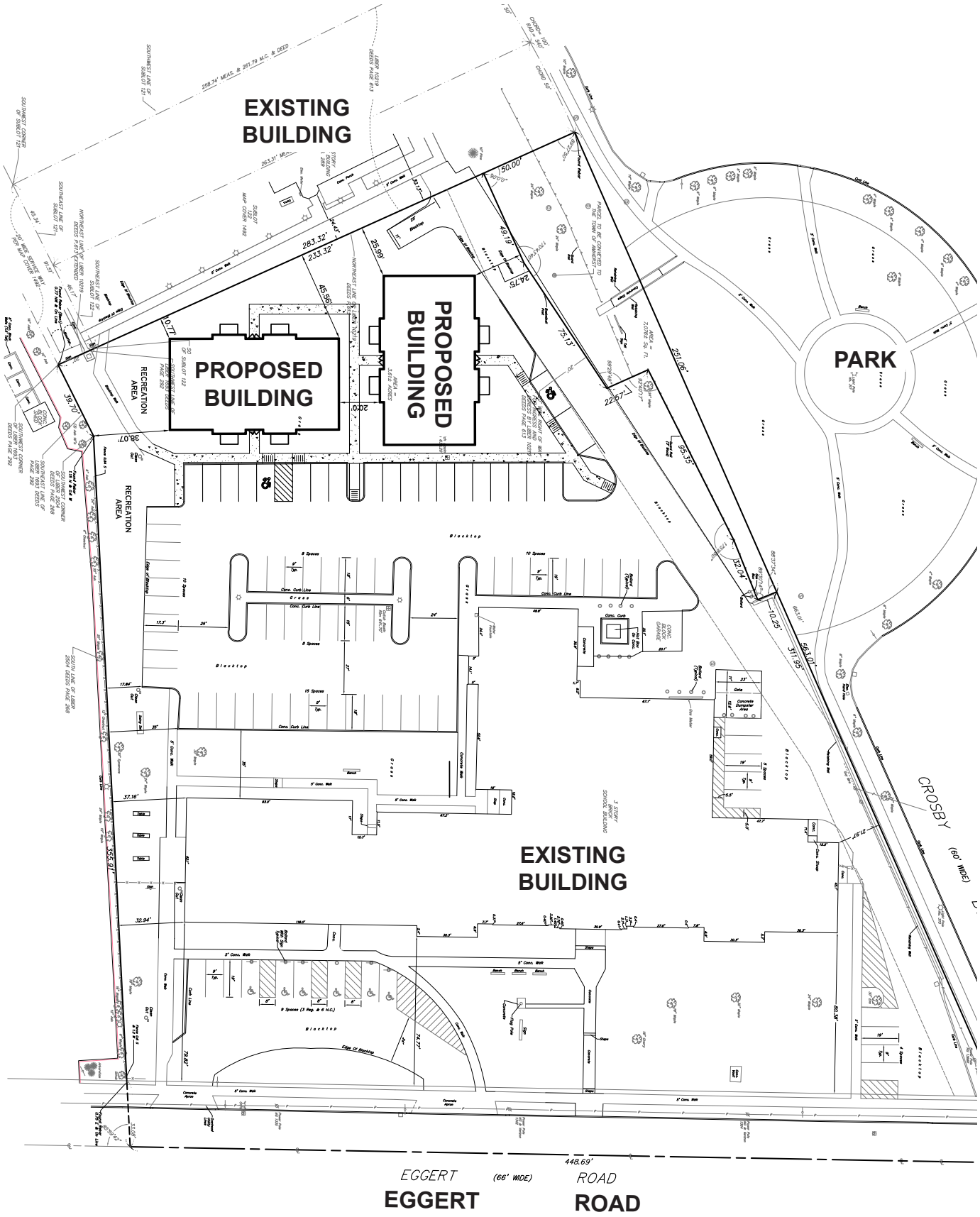
Request to Rezone 3.61± AC of Land from OB-TNB-1 to TI-2.5
Property Located at 1350 Eggert Road
1097 Group LLC, Petitioner

May 18, 2023

1350 Eggert Road

Recreation & Open Space

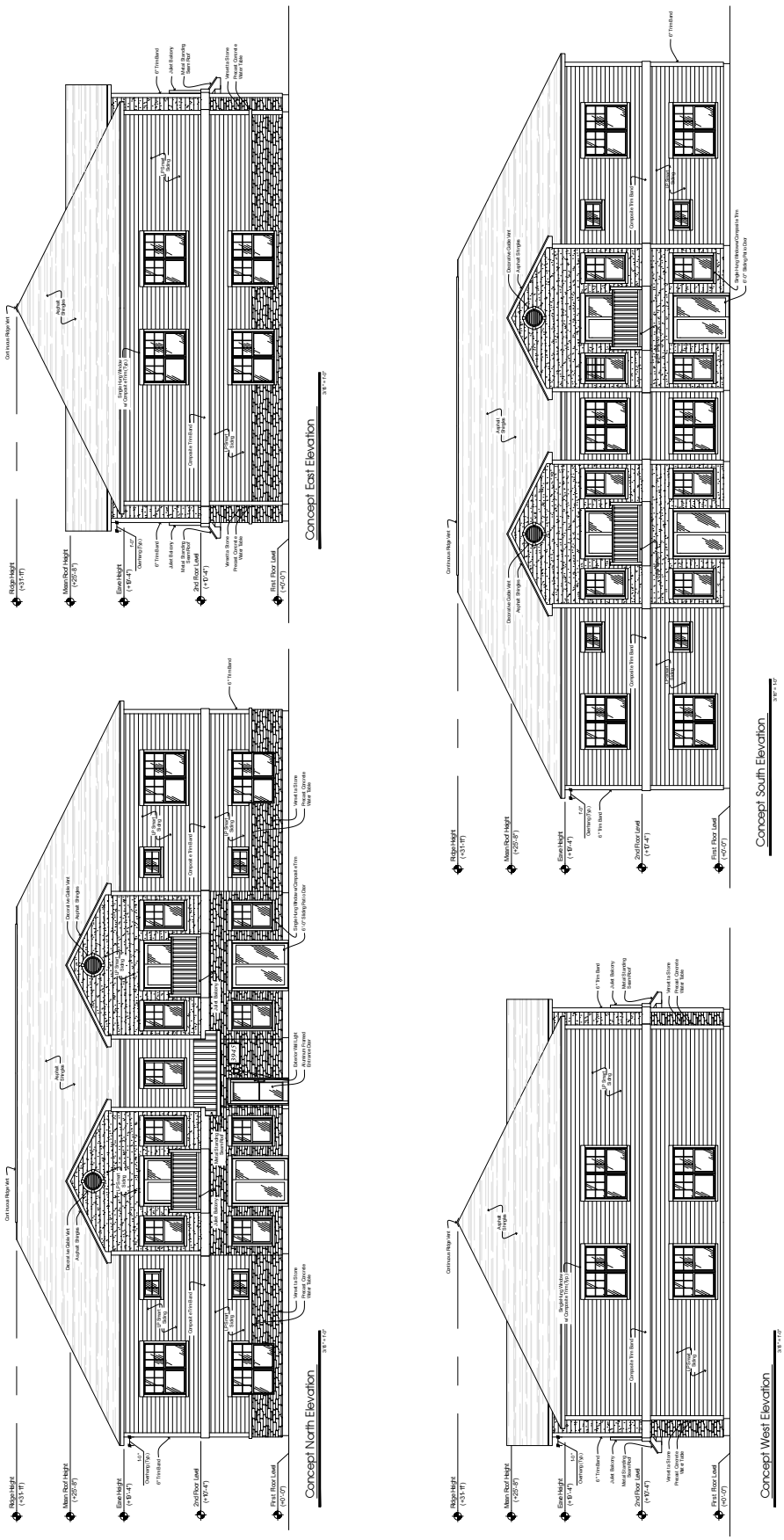
Prepared by the Town of Amherst Planning Department



CONCEPT PLAN

Z-2023-03
1350 Eggert Road

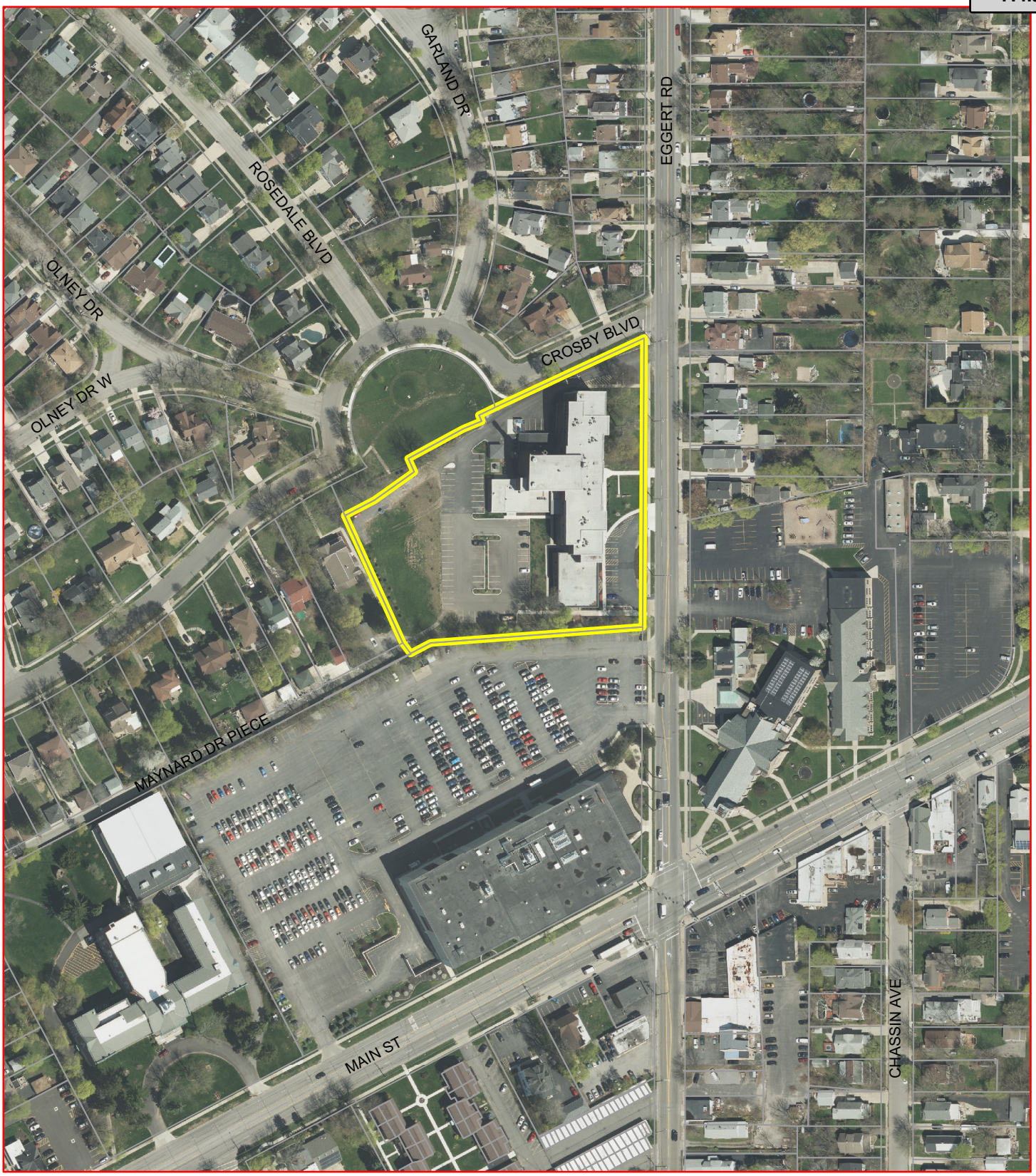
Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)



ELEVATION

Z-2023-03
1350 Eggert Road

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)



Z-2023-03

Request to Rezone 3.61± AC of Land from OB-TNB-1 to TI-2.5
Property Located at 1350 Eggert Road
1097 Group LLC, Petitioner

May 18, 2023

1350 Eggert Road

Prepared by the Town of Amherst Planning Department

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Amherst
Town of Amherst Planning Department
Erie County, New York

Brian J. Kulpa
Supervisor
Daniel C. Howard, AI
Planning Director
Daniel J. Ulatowski, A
Assistant Planning Dire

2014.027

TOWN OF AMHERST
ENGINEERING
DEPARTMENT
2023 APR 26 P 1:14

MEMORANDUM

April 24, 2023

TO: Daniel Ulatowski, Principal Planner
Douglas Gesel, Supervising Code Enforcement Officer, Building Departme
Vaishali Reberhold, Assistant Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Krista Halt, Senior Fire Inspector (c/o Bldg)

RECEIVED
MAY 01 2023
TOWN OF AMHERST
PLANNING DEPT.

FROM: Scott Marshall, Principal Planner TV

SUBJECT: REQUEST TO REZONE 3.61± ACRES OF LAND FROM **OB-TNB-1** TO **TI-2.5, Z-2023-03**; PROPERTY LOCATED AT **1350 EGGERT ROAD**. 1097 GROUP LLC, PETITIONER.

REVISED CONCEPT PLAN & CONCEPTUAL ELEVATION:
Received April 24, 2023

REVIEW:

Do you agree with all statements made? YES

If you do not, briefly state why: _____

General comments relative to your agency interests: _____

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 4/28/23

C. Schregel

DU/TV/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Rev_Plan_Transmittal_042423.doc
cc: Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

April 27, 2023

1097 Group, LLC
c/o Sean Hopkins, Esq.
5500 Main Street, Suite 343
Williamsville, New York 14221

SUBJECT:	Rezoning Application Review	**Z-2023-03**
	Proposed:	Rezoning of 3.61± ac. from OB-TNB-1 to TI-2.5
	Property located at:	**3150 Eggert Road**
	Revised application materials received:	April 24, 2023
	Representative:	Sean Hopkins, Esq.

Dear Mr. Hopkins,

Please consider the following comments:

1. The following items on the Environmental Assessment Form should be corrected or completed:
   - Item D2 c. *i.* – should at a minimum equal the total wastewater generated enumerated in item D2 d *i.*
2. The subject site is located within an archaeologically sensitive area. An archaeological assessment will be required prior to the Planning Board offering a recommendation on SEQR.

This is a review only and does not constitute approval of the Rezoning Request. Should you have questions regarding this correspondence, please contact Scott A. Marshall, Principal Planner at smarshall@amherst.ny.us.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/SM/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Pln_Dpt_Rvw_04272023.docc:
cc: Carmina Wood Design, 487 Main St., Suite 500, Buffalo, NY 14203
Sutton Architecture PLLC, 5409 Main St., Williamsville, NY 14221

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

RECEIVED
APR 11 2023
TOWN OF AMHERST
PLANNING DEPT.

MEMORANDUM March 2, 2023

RECEIVED
MAR 03 2023
TOWN ATTORN

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
Amherst Central School District

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 3.61± ACRES OF LAND FROM **OB-TNB-1** TO **TI-2.5**, **Z-2023-03**; PROPERTY LOCATED AT **1350 EGGERT ROAD**. 1097 GROUP LLC, PETITIONER.

REVIEW:

Do you agree with all statements made? No objection to Local Law.

If you do not, briefly state why: _____

General comments relative to your agency interests: _____

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 3/24/23

DU/TV/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Transmittal_030223.doc
cc: Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y. AND REPLY TO MUNICIPALITY

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE
Case No.: ZR-23-162
Postmark/Delivery Date: 3/3/23

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 l - nn
A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

Description of Proposed Action

1. Name of Municipality: Town of Amherst, New York

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.
If the county fails to reply within such period, the referring body may take final action.
However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)
The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

2. Hearing Schedule: Date April 20, 2023 Time 6:30 pm Location 5583 Main Street, Williamsville, New York 14221

3. Action is before: ☐ Legislative Body ☐ Board of Appeals ☑ Planning Board

4. Action consists of: ☐ New Ordinance ☑ Rezone/Map Change ☐ Ordinance Amendment
☐ Site Plan ☐ Variance ☐ Special Use Permit ☐ Other:

5. Location of Property: ☐ Entire Municipality ☑ Address: 1350 Eggert Road

5a. S.B.L. of Property: 67.82-3-9.11

6. Referral required as site is within 500' of: ☐ State or County Property/Institution ☐ Municipal Boundary ☐ Farm Operation located in an Agricultural District
☐ Expressway ☑ County Road ☐ State Highway ☐ Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: *(specify the action, such as the scope of variances or site plans)* Request to Rezone 3.61± acres from OB-TNB-1 to T1-2.5

8. Other remarks: Z-2023-03

9. Submitted by: Thomas Voigt, Assistant Planner (M) **Email:** tvoigt@amherst.ny.us

10. Return Address: Town of Amherst Planning Department, 5583 Main Street, Williamsville, New York 14221

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 3/3/23. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. ☐ **The proposed action is not subject to review under the law.**
2. ☐ **Comment on proposed action is attached hereto.**
3. ☐ **The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.**
4. ☒ **No Recommendation; proposed action has been reviewed and determined to be of local concern.**

By the Division of Planning: [signature] **Date:** 3/14/23

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AIC
Planning Director
Daniel J. Ulatowski, AI
Assistant Planning Direc

MEMORANDUM March 2, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
Amherst Central School District

RECEIVED
MAR 09 2023
TOWN OF AMHERST
PLANNING DEPT.

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 3.61± ACRES OF LAND FROM **OB-TNB-1** TO **TI-2.5, Z-2023-03**; PROPERTY LOCATED AT **1350 EGGERT ROAD**. 1097 GROUP LLC, PETITIONER.

REVIEW:

Do you agree with all statements made? Yes.

If you do not, briefly state why: _____

General comments relative to your agency interests: none at this time.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: Doug Gesel **Date:** 3-8-23

DU/TV/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Transmittal_030223.doc
cc: Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

RECEIVED
MAR 03 2023
TOWN OF AMHERST
BUILDING DEPT

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Amherst

Town of Amherst Planning Department

2014.027

Erie County, New York

TOWN OF AMHERST
ENGINEERING
DEPARTMENT
2023 MAR -3 A 11:50

Brian J. Kulpa
Supervisor
Daniel C. Howard, AIC
Planning Director
Daniel J. Ulatowski, AI
Assistant Planning Direc

MEMORANDUM

March 2, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
Amherst Central School District

RECEIVED
MAR 07 2023
TOWN OF AMHERST
PLANNING DEPT.

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director TV

SUBJECT: REQUEST TO REZONE 3.61± ACRES OF LAND FROM **OB-TNB-1** TO **TI-2.5, Z-2023-03**; PROPERTY LOCATED AT **1350 EGGERT ROAD**. 1097 GROUP LLC, PETITIONER.

REVIEW:

Do you agree with all statements made? YES.

If you do not, briefly state why: _____

General comments relative to your agency interests: NONE

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 3/6/23

DU/TV/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Transmittal_030223.doc
cc: Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

RECEIVED
MAR 07 2023
TOWN OF AMHERST
PLANNING DEPT.

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

MEMORANDUM

March 2, 2023

RECEIVED
MAR 03 2023
TOWN ATTORNEY

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
Amherst Central School District

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director DU

SUBJECT: REQUEST TO REZONE 3.61± ACRES OF LAND FROM **OB-TNB-1** TO **TI-2.5, Z-2023-03**; PROPERTY LOCATED AT **1350 EGGERT ROAD**. 1097 GROUP LLC, PETITIONER.

REVIEW:

Do you agree with all statements made? Agree with all statements made

If you do not, briefly state why: N/A

General comments relative to your agency interests: N/A

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.) N/A

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 3/3/23

DU/TV/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Transmittal_030223.doc
cc: Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Carrato, Amy

From: Cerra, Dawn
Sent: Tuesday, May 23, 2023 3:29 PM
To: Carrato, Amy
Subject: **RE: **FW: Feedback via the Town Boards and Committees [#240]

Thanks.

Thank you kindly,

Dawn
Clerk's Office
Municipal Building
5583 Main Street
Williamsville, NY 14221
Website: www.amherst.ny.us
Office: 716-631-7047
Amherst: Ambitious Citizens, Amazing Community, Ample Opportunities

---

From: Carrato, Amy
Sent: Tuesday, May 23, 2023 3:26 PM
To: Cerra, Dawn ; Uthman, Vianne ; Fadel, Bryan
Subject: RE: **FW: Feedback via the Town Boards and Committees [#240]

Hi Dawn,
The Planning Board has already voted on this matter. It will go to the Town Board.
Please forward to the Town Board, Engineering, Highway and Building.

From: Cerra, Dawn <dcerra@amherst.ny.us>
Sent: Tuesday, May 23, 2023 3:24 PM
To: Uthman, Vianne <vuthman@amherst.ny.us>; Carrato, Amy <acarrato@amherst.ny.us>; Fadel, Bryan <bfadel@amherst.ny.us>
Subject: **FW: Feedback via the Town Boards and Committees [#240]

Not sure if this should be ZBA or Planning Board.

Thank you kindly,

Dawn
Clerk's Office
Municipal Building
5583 Main Street
Williamsville, NY 14221
Website: www.amherst.ny.us
Office: 716-631-7047
Amherst: Ambitious Citizens, Amazing Community, Ample Opportunities

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

From: burst@emailmeform.com <burst@emailmeform.com>
Sent: Monday, May 22, 2023 4:48 PM
To: Cerra, Dawn <dcerra@amherst.ny.us>
Subject: Feedback via the Town Boards and Committees [#240]

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

For best security and privacy of your information, we recommend viewing this entry in the Data Manager

View Entry

Name*:	Ray Volpe
Address:	302 Crosby Blvd. Buffalo, NY 14226-3318
Phone*:	716-834-9254
Email:	LibertaT37@gmail.com
Please select the Board or Committee you wish to contact*:	Planning Board
Comment/Question/Etc.:	Last Thursday, May 18th a Town Hall public hearing was held entertaining a variance request File# Z-2023-03 to rezone the land above the EKO playground. If approved, the developer would be adding additional buildings to the site overlooking the park. The buildings would be located on land originally designated as a catch basin to prevent flooding of the EKO park area below. Currently, it's a grassy area separating the parking area from the group home. I have reviewed a video transcript of the Planning Board meeting and the flooding issue was never discussed. I have a video showing water cascading down the steps from the proposed bldg site into the park below during a heavy rainfall. Portions of the playground area and Crosby Blvd were flooded. I'm concerned that the park is already subject to flooding and that the proposed development plan will further threaten the playground. I am asking for assistance in getting this information to the Planning Board.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Carrato, Amy

From: Ray Volpe <libertat37@gmail.com>
Sent: Monday, May 22, 2023 2:45 PM
To: Daniel & Mary Dolloff; Tracie Cloutier; Sheree Singer Lamendola; Sue & Bob Aurelli; Paul Wischerath; bifrost3@roadrunner.com; johnsander7819@outlook.com; sanderpamela88@gmail.com; Carrato, Amy
Cc: Judy Adams-Volpe
Subject: Posting to Olney Facebook page

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

I've contacted (left msgs) with 4 town council members asking for their help in getting flooding information to the planning board reviewing variance request File# Z-2023-03.
I've also posted a letter to EKO park neighbors subscribing to the Olney Facebook group. It reads:

Dear EKO Park Neighbor,

Last Thursday, May 18th a Town Hall public hearing was held entertaining a variance request to rezone the land above the EKO playground. If approved, the developer would be adding additional buildings to the site overlooking the park. The buildings would be located on land originally designated as a catch basin to prevent flooding of the EKO park area below. Currently, it's a grassy area separating the parking area from the group home.

I have reviewed a video transcript of the Planning Board meeting[1] and the flooding issue was never discussed. I also have a video[2] showing water cascading down the steps from the parking area into the park during a heavy rainfall. Portions of the playground area below the steps and Crosby Blvd are flooded. I have left phone msgs with Town Council Members (see below) asking for assistance in getting this information to the Planning Board.

Obviously I'm concerned that the park is already subject to flooding and that the proposed development plans will further threaten the playground.

Anyone wishing to assist in insuring a full review of the variance request can express their concerns to our council members:

Jacqualine G. Berger (716) 631-7014

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Deborah Bruch Bucki RN, Phd (716) 631-7018

Shawn A. Lavin, (716) 631-7015

Michael Szukala, (716) 63107016

Any and all help in this effort would be appreciated.

Ray Volpe

302 Crosby Blvd

(716) 834-9254

LibertaT37@gmail.com

1A link to the video transcript was provided by Mary and Dan Dolloff

2The video was provided by Tracy Cloutier

--

Please forgive any typos, autocorrect & other mobile multitask-induced errors. Please delete my name and email address before forwarding.
Use Bcc: when sending to multiple addresses. This helps eliminate spam lists.

Attachment: TB letter packet 072423 (RES-2023-623 : 1350 Eggert Road Rezoning)

Town of Amherst, NY
Office of the Assessor
Emily A. Murphy Assessor

5583 Main Street
Williamsville, New York 14221
Phone: (716) 631-7038
www.amherst.ny.us
emurphy@amherst.ny.us

Memorandum

August 15, 2023

To: Francina Spoth, Town Clerk
Timothy Koller, Deputy Town Clerk
Re: Petition – 1350 Eggert Rd

The protest petition for 1350 Eggert Rd has been signed by the required property owners as stated in one of Town Law §265 (1) paragraphs (a) (b) or (c). The signatures satisfied test (c). The Super Majority calculations are based on three tests:

(a) The owners of twenty percent or more of the area of land included in such proposed change; or
(b) The owners of twenty percent or more of the area of land immediately adjacent to that land included in such proposed change, extending 100 feet therefrom; or
(c) The owners of twenty percent or more of the area of land directly opposite thereto, extending one hundred feet from the street frontage of such opposite land.

Therefore a super majority vote will be required to enact the change in zoning, as it relates to 1350 Eggert Rd.

Should you have questions, please feel free to contact me.

Sincerely,

Jeffrey E. Hennard
Senior Real Property Appraiser

cc: Emily A. Murphy
Assessor

Attachment: protest petition 1350 Eggert (RES-2023-623 : 1350 Eggert Road Rezoning)

TOWN OF AMHERST

TOWN CLERK'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7021
FAX (716) 631-7152
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Timothy Koller
Deputy Town Clerk

August 14, 2023

MEMO TO: Emily Murphy, Town Assessor

FROM: Francina Spoth, Town Clerk FJS

RE: Petition

The attached petition, in connection with the parcel located at 1350 Eggert Road was received in my office. Will you kindly check if the protest has been signed by the owners of 20% or more, either of the area of the land included in such proposed change, or of the immediately adjacent extending 100 ft. therefrom, or of that directly opposite thereto, extending 100 ft. from the street frontage of such opposite land, as provided by Town Law §265 (1) paragraph's (a) (b) or (c).

Attachment
cc: Town Board
Town Attorney

Attachment: protest petition 1350 Eggert (RES-2023-623 : 1350 Eggert Road Rezoning)

Attachment: protest petition 1350 Eggert (RES-2023-623 : 1350 Eggert Road Rezoning)

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center).
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

	Printed Name	Signature	Address	Date
1	MARY DOLLOFF	Mary Dolloff	278 CROSBY BLVD AMHERST NY	8-9-23
2	William Civiso	WC	262 Crosby Blvd Amherst NY	8-9-23
3	Christina Quinn	C Quinn	252 Crosby Blvd Amherst NY	8-9-23
4	NICOLE HOLLER	Nicole Holler	9 ENDICOTT DR. AMHERST, NY	8-9-23
5	Donna Ciminelli	D Ciminelli	89 maynard Dr Amherst 14226	8-9-23
6	Beth Baumgartner	Beth Baumgartner	57 Garden Ct Amherst 14226	8/9/23
7	HEATHER LUCE	Heather Luce	223 CROSBY BLVD AMHERST 14226	8/9/23
8	CHAUNZOM IBRAHIM	C Ibrahim	223 CROSBY BLVD AMHERST 14226	8/9/23
9	Jody Snyder	J Snyder	215 Crosby Blvd 14226	8/9/23
10	Rank Bliss	R Bliss	227 Crosby Blvd 14226	8/9/23
11	Rachel Murszewski	R Murszewski	233 Crosby Blvd 14226	8/9/23

Form RDV0001

'23 AUG 14 AM 11:32

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center).
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

	Printed Name	Signature	Address	Date
1	Charles Collard	Charles Collard	237 Crosby amherst	8-9-23
2	Douglas Killian	Douglas Killian	1363 EGGERT RD.	8-9-23
3	Clayton Johnson	C Johnson	257 Crosby Blvd.	8/09/23
4	Steven Miller	Steven Miller	265 Crosby	8-9-23
5	James Goodman	James Goodman II	289 crosby	8.9.23
6	michele Alagna	Malag	389 maynard	8/9/23
7	Jennifer Marino	Jennifer Marino	249 Maynard Dr.	8/9/23
8	Steve Aureli	Steve Aureli	312 Crosby Blvd.	8/9/23
9	Brenna Hennessy	Brenna Hennessy	312 Crosby Blvd	8/9/23
10	Dexter Cloutier	Dexter Cloutier	324 Crosby Blvd	8/9/23
11	Jackie	Jackie Wochiak	338 Crosby Blvd	8/9/23

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center).
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

	Printed Name	Signature	Address	Date
1	Victoria Hazel	Victoria Hazel	1421 Eggert Rd, Amherst, NY	8/10/23
2	Gail L. Reuther	Gail L Reuther	1433 Eggert Rd. Amherst N.Y. 14226	8/10/23
3	Shauntya Stepney	Shauntya Stepney	1437 Eggert Rd. Amherst NY 14226	8/10/23
4	Deanna Diakos	Deanna Diakos	1449 Eggert Rd	8/10/23
5	JAMES BYRON	James M. Byron	1453 ELLERT RD	8/10/23
6	DOLORES BYRON	Dolores Byron	1453 EGGERT RD	8/10/23
7	ANNE GARNER	Anne Garner	1457 Eggert Rd.	8/10/23
8	Fahmida Ahmed	Fa	1440 Eggert Rd.	8/10/23
9	Patricia Webster	Patricia Webster	1420 Eggert Rd Amherst 14226	8/10/23
10	Nancy Roessler	Nancy Roessler	1404 Eggert Rd. Amherst, 14226	8/10/23
11	Mushaarat Sani	Sani	1396 Eggert Rd, Amherst	8/10/23

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center).
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

	Printed Name	Signature	Address	Date
1	Elizabeth Windrinyer	Elizabeth Windrinyer	360 Crosby	8.10.23
2	ELIZABETH LEVY	Elizabeth Levy	1367 Eggert Rd	8/10/23
3	Leonard N. Swiat	Leonard N. Swiat	1357 Eggert Rd.	8/10/23
4	Joyce C. Sachs	Joyce Sachs	1353 Eggert	8/10/23
5	PAULA STANISKI	Paula Staniski	1345 EGGERT	8/10/23
6	MICHAEL SACHS	Michael Sachs	1345 EGGERT	8/10/23
7	Danielle Biondo	Danielle Biondo	1383 Eggert	
8	Deborah Abrams	Deborah Abrams	1387 Eggert	8/10/23
9	Steven Yeh		1391 Eggert	8/10/23
10	Patricia Klump		1399 Eggert Rd.	8/10/23
11	John JARVIS	John Jarvis	1418 eggert RD	8/10/23

Form RDV0001

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center).
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

	Printed Name	Signature	Address	Date
1	James Mills		1388 Eggert rd Amherst NY 14226	8-10-23
2	Jody Snyder		215 Crosby Amh 14226	8/10/23
3	Genevieve Federick		271 Crosby Blvd Amherst 14226	8/12/23
4	JONATHAN FEDERICK		271 CROSBY BLVD. AMHERST 14226	8/12/23
5	Meg A. Donnelly		277 crosby Blvd Amherst NY 14226	8/13/23
6	RYAN DONNELLY		277 crosby Blvd Amherst NY 14226	8/15/23
7				
8				
9				
10				
11				

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center).
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

	Printed Name	Signature	Address	Date
1	John Scirio		391 Grover Cleveland Hwy Amherst, NY 14226	8/11/23
2	Mark Cillis	M. Cillis	198 Hendricks Blvd, Amherst NY 14226	8/11/23
3	Judith Adams-Volpe	Judith Adams-Volpe	302 Crosby Blvd., Amherst NY 14226	8/14/23
4				
5				
6				
7				
8				
9				
10				
11				

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center). As a community, our concerns are (1) the addition of more runoff to our already overtaxed sewer system; (2) the increased traffic entering and exiting a very dangerous section of Eggert Road (i.e., from Main Street to Crosby Blvd); (3) potential damage to ECO Park, a very popular recreation area used by young families from many neighborhoods; and (4) the appearance of the apartments/townhouses would not be consistent with the existing character of the neighborhood.
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

Printed Name	Signature	Address	Date
Sean Driscoll	Sean Driscoll	12 Rosedale Blvd, Amherst	8/7/23
David Cristantello	David A. Cristantello	19 Rosedale, Amherst	8-7-23
Gail Chotenkill	Gail Chotenkill	19 Rosedale Amherst 14226	8.7.23
MARK LAWRENCE	Mark Lawrence	25 Rosedale Blvd Amherst 14226	8-7-23
Amy Walters	Amy P Walters	30 Rosedale Blvd Amherst 14226	8-7-23
Kathy DeSpirt	Kathy DeSpirt	33 Rosedale Blvd Amherst 14226	8/7-23
ROBERT LALLY	Relly	36 ROSEDALE BLVD AMHERST NY	8/7/23
Patti Lally	Patti Lally	36 Rosedale Blvd. Amherst NY	8/7/23

Attachment: protest petition 1350 Eggert (RES-2023-623 : 1350 Eggert Road Rezoning)

'23 AUG 14 AM11:32

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11) (continued)

Printed Name	Signature	Address	Date
Daniel Schiebe	Daniel Schiebe	40 Rosedale Blvd	8-7-23
EVELYN MALONE	Evelyn Malone	41 Rosedale Blvd, Amherst	8-7-23
Godwin Mensah	Godwin Mensah	83 Rosedale Blvd.	8-7-23
Jessica McCarthy	Jessica McCarthy	55 Rosedale Blvd.	8/7/23
Nicole Kaz	N Kaz	890 Garland Drive	8/8/23
YVONNE ISAAC	Yvonne Isaac	334 Crosby Blv	8/8/23
William Johnson	William Johnson	15 Garland Dr, Amherst, NY	8/8/23
Esther Shkolnik	Esther Shkolnik	27 Garland Dr. Amherst, NY	8/8/23
JONATHAN NASCA	Jonathan Nasca	39 GARLAND DR.	8/8
RICK JANKOWSKI	Rick Jankowski	45 GARLAND DR.	8/8/23
Eric Beback	Eric Beback	88 Garland Dr.	8/8/23
DAnn Keller	DAnn Keller	96 Garland Dr.	8-8-23

Attachment: protest petition 1350 Eggert (RES-2023-623 : 1350 Eggert Road Rezoning)

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11) (continued)

Printed Name	Signature	Address	Date
Susan Stoll	Susan Stoll	21 Morton Dr.	8/8
~~Chris Goutier~~			
Chris	Goutier	30 Maynard Dr	8/12
John		" " "	8/12
Tracie Clarke		324 Crosby Blvd	8/13

Attachment: protest petition 1350 Eggert (RES-2023-623 : 1350 Eggert Road Rezoning)

Attachment: protest petition 1350 Eggert (RES-2023-623 : 1350 Eggert Road Rezoning)

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center). As a community, our concerns are (1) the addition of more runoff to our already overtaxed sewer system; (2) the increased traffic entering and exiting a very dangerous section of Eggert Road (i.e., from Main Street to Crosby Blvd); (3) potential damage to ECO Park, a very popular recreation area used by young families from many neighborhoods; and (4) the appearance of the apartments/townhouses would not be consistent with the existing character of the neighborhood.
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

Printed Name	Signature	Address	Date
Pamela B Buyer	Pamela B Buyer	31 Olney Drive West, Amherst NY 14226	8/8/2023
Jeff Walker	Jeff Walker	23 OLNEY DR West Amherst NY 14226	8/8/2023
Judy Walker	Judy Walker	23 OLNEY DR West Amherst NY 14226	8/8/2023
Pam Sander	Pam Sander	34 Olney Dr. 14226	8/8/2023
Ray Volpe	Raymond Volpe	302 Crosby Blvd	8/8/2023
Gretchen Bell	Gretchen Bell	84 Olney Dr. Amherst	8/8/2023
Carl J. Kogler	Carl J. Kogler	46 Olney Dr. Bflo. 14226	8/8/2023
8 Emily Kogler	Emily Kogler	46 Olney Dr. Bflo. 14226	8/8/2023

'23 AUG 14 AM 11:32

Attachment: protest petition 1350 Eggert (RES-2023-623 : 1350 Eggert Road Rezoning)

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11) (continued)

Printed Name	Signature	Address	Date
JOHN COLVIN	John J. Colvin	27 Olney West	8.8.23
Andrew Lane		37 Olney Dr.	8/8/23
ROSEMARIE BURGHOLZER	Rosemarie	81 Olney Dr.	8/8/23
John Burgholzer		81 OLney Dr	8/8/23
BRYAN CRISPIN		62 OLNEY DR	8-8-23
JAMES UNITAS		56 OLNEY DR	8-8-23
Elizabeth Burgio		46 Olney Dr.	8/8/23
April O'Donnell		12 Olney Dr. West	8/8/23
Jim O'Donnell		12 Olney Dr. West	8/8/23
Amanda Morlock		55 Endicott Dr	8/9/23
ZACK MORLOCK		55 ENDICOTT DR.	8/9/23
ALYSSA KIPA		75 OLNEY DR.	8/9/23

20

20

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11) (continued)

Printed Name	Signature	Address	Date
Dawn Wilkes	Dawn Wilkes	71 Olney Dr. Amherst NY 14226	8/9/23
Janice Colvin	Janice Colvin	49 Olney Dr. Amherst, NY 14226	8/9/23
Mara Szymkowiak	Mara Szymkowiak	41 Olney Drive Amherst NY 14226	8/9/23
Xiaojun Liu	Xiaojun Liu	66 Olney Dr. Amherst NY 14226	8/9/23
Xiaobing Liu	Xiaobing Liu	66 Olney Dr. Amherst NY 14226	8/9/23
Camilla Greene	Camilla Greene	50 Olney Dr. Amherst NY 14226	8/9/23
Donna Anderson	Donna Anderson	45 Olney Dr Amherst, NY 14226	8/9/23
Robert Anderson	Robert Anderson	45 Olney Dr. Amherst NY 14226	8/10/23
John Sander	John M Sander	34 Olney Drive Amherst, NY 14226	8/10/23
~~HEATHER UNETAS~~ ~~Heather Unetas~~	~~Heather Unetas~~	~~34 Olney Dr.~~	8/10/23
~~ROBERT SHEA~~	~~33 OLNEY DR.~~		
ROBERT SHEA	Robert Shea	33 OLNEY DRIVE, AMHERST, NY 14226	8/11/23

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center). As a community, our concerns are (1) the addition of more runoff to our already overtaxed sewer system; (2) the increased traffic entering and exiting a very dangerous section of Eggert Road (i.e., from Main Street to Crosby Blvd); (3) potential damage to ECO Park, a very popular recreation area used by young families from many neighborhoods; and (4) the appearance of the apartments/townhouses would not be consistent with the existing character of the neighborhood.
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

Printed Name	Signature	Address	Date
Jill Malone	Jill a Malone	19 Olney Drive Amherst, NY 14226	8/9/2023
JOHN LIS		63 Olney Dr Amherst, N.Y. 14226	8/11/2023
Scott Biersbach		03 Olney Dr. West Amherst NY 14226	8/11/2023
Anne Lally		59 Endicott Dr Amherst, NY 14226	8/12/2023
Kathryn O'Connor		216 Hendricks blvd Amherst, NY 14226	8/13/23
Reva Wolski		85 Olney Dr Amherst NY 14226	8/13/23
Patrick Wirth		219 Olney Dr. Amherst NY 14226	8/13/23

38

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11) (continued)

Printed Name	Signature	Address	Date
Steven Malave	Steven Malave	1350 Eggert Rd, Buffalo, NY 14226	8/13/2023
Jonathan Riley		1350 Eggert Rd Buffalo, NY 14226	8/13/2023
John Sanders		132 Floradale Ave Tonawanda NY 148	8/13/2023
Steve Szymkowski		41 Olney Dr. Amherst, NY 14226	8/13/2023
Julie Colvin	Julie Colvin	49 Olney Dr. Amherst NY 14226	8/13/2023 43

Attachment: protest petition 1350 Eggert (RES-2023-623 : 1350 Eggert Road Rezoning)

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11)

Petition Summary & Background	Ellicott Development Company seeks to rezone the lot above ECO Park to allow for the construction of two 8-unit apartment buildings. The units would remove the remaining green space between the group home and the existing 1350 Eggert apartment building (the old Cantalician Center). As a community, our concerns are (1) the addition of more runoff to our already overtaxed sewer system; (2) the increased traffic entering and exiting a very dangerous section of Eggert Road (i.e., from Main Street to Crosby Blvd); (3) potential damage to ECO Park, a very popular recreation area used by young families from many neighborhoods; and (4) the appearance of the apartments/townhouses would not be consistent with the existing character of the neighborhood.
Action Petitioned For	We, the undersigned, are **against** the request to Amend Land Use Classification for 1350 Eggert Road from OB-TNB-1 (Office Building-Traditional Neighborhood Business Overlay District 1) to T1-2.5 (Traditional Infill 2.5).

Printed Name	Signature	Address	Date
John Pinzone		285 Hendricks Blvd	8-9-23
Gwen Pinzone		285 Hendricks Blvd	8/9/23
Janelle Dimartino		355 Hendricks Blvd	8/9/23
Gary Fells		361 Hendricks Blvd	8/9/23
Matthew Donner		396 Hendricks Blvd	8/9/23
Mike Birnie		386 Hendricks Blvd.	8/9/23
Matt Bauman		372 Hendricks Blvd	8/9/23
Mary Williams		356 Hendricks Blvd	8/9/23

'23 AUG 14 AM11:32

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11) (continued)

Printed Name	Signature	Address	Date
Christine Williams	C. Williams	476 Campbell Dr.	8/9/23
James T. Haubrich		352 HENDRICKS	8/9/23
STEVEN SNYDER		336 HENDRICKS	8/8/23
Michael O'Connor		216 Hendricks	8/10/23
Erica Lillis	E. Lillis	~~198~~ 198 Hendricks Blvd	8/10/23
Patrick Johnson		162 Hendricks	8/10/23
Samantha Dispenza	Sam Dz	148 Hendricks	8/10/23
Spencer Cassalberry		148 Hendricks	8/10/23
Jason Jones		140 Hendricks Blvd	8/10/23
MARY THOMAS	Mary Thomas	132 HENDRICKS	8/10/23
Mark Saviola	MARK SAVIOLA	89 HENDRICKS BLVD	8-10-23
Marlene Saviola	Marlene Saviola	89 Hendricks Blvd	8-10-23

20

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11) (continued)

Printed Name	Signature	Address	Date
Ben Aldeson		93 Hendricks Blvd, Amherst NY 14226	8/10/2023
Emma Gagliano	Emma Gagliano	117 Hendricks Blvd	8/10/23
Joe Gagliano		117 Hendricks Blvd	8/10/23
Mike Hall		143 Hendricks Blvd	8/10/23
Sean Hanley		256 Hendricks Blvd.	8/10/23
Sam Hanley	Sam Hanley	256 Hendricks Blvd.	8/10/23
Mark Michelle		290 Hendricks Blvd	8/11/23
Ramona Happ		310 Hendricks Blvd	8/11/23
Patrick Cahill		314 Hendricks Blvd	8/11/23
Kara Galvin		314 Hendricks Blvd	8/11/23
Teddie Roy		51 ENDICOTT DR	8/11/23
Melinda LaMarca		62 Endicott Drive	8/12/23

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11) (continued)

Printed Name	Signature	Address	Date

Accidentally skipped a page.

Petition To Deny the Variance for 1350 Eggert Road (SBL #67.82-3-9.11) (continued)

Printed Name	Signature	Address	Date
~~Jon~~ Dusche	Jon Dusche	294 Hendricks Blvd, Amherst	8/12
Greta Doscher	Greta Doscher	294 Hendricks Blvd Amherst	8/12
Kristen Lane	Kristen Lane	37 Olney Drive 14226	8/14

35

CARMINAWOOD
DESIGN

August 16, 2023

Daniel Howard, AICP, Planning Director
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Re: Rezoning of 1350 Eggert Road from OB-TNB-1 to TI-2.5 [Z-2023-03]
Petitioner: 1097 Group LLC c/o Ellicott Development Company

Dear Mr. Howard:

During the public hearing held by the Town Board on Jul 24th, a concern was raised by an individual who spoke regarding existing drainage conditions on the property at 1350 Eggert Road ("Project Site").

The runoff from the pavement behind the existing building currently sheet drains northwest and during large rain events it flows down the set of stairs to the Crosby Boulevard below per the photos submitted during the public hearing held on July 24th since currently there are not any drainage structures located on the northern portion of the Project Site to pick up this runoff.

As part of the proposed redevelopment project, catch basins and piping will be installed to collect this runoff before it can make its way to the existing stairs. The new system will connect to the existing storm manhole located on the Project Site which discharges to the system on Crosby Boulevard.

The proposed project will require Site Plan Approval from the Planning Board and the engineered plans and supporting technical documentation will be submitted with the Site Plan Application will provide detailed information regarding the drainage related improvements that will be made in connection with the proposed project in accordance with the applicable Town of Amherst stormwater management standards.

If you have any questions regarding the above information, please contact me at 716-550-3342. Thank You.

Sincerely,
Carmina Wood Design
Christopher Wood, P.E.

Attachment: Wood-Ltr-Howard-08-16-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

cc: Town of Amherst Town Board
Timothy J. Koller, Town Clerk's Office
Tom Fox, Ellicott Development
Sean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC

Attachment: Wood-Ltr-Howard-08-16-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

HSM

November 7, 2023

Brian J. Kulpa, Supervisor
Town of Amherst Town Board
5583 Main Street
Williamsville, NY 14221

Re: Rezoning of 1350 Eggert Road from OB-TNB-1 to TI-2.5 [Z-2023-03]
Applicant/Project Sponsor: 1097 Group LLC c/o Ellicott Development Company
File No. 10173.13

Dear Supervisor Kulpa and Councilmembers:

This letter is being submitted on behalf of 1097 Group LLC ("Project Sponsor") to provide an update regarding the pending request to amend the zoning classification of 1350 Eggert Road ("Project Site") from OB-TNB-1 to TI-2.5.

During its meeting held on Monday, August 21st, the Town Board adjourned the continuation of the public hearing held on July 24th pending the submission of a storm mitigation plan, a traffic analysis and the holding of an informational meeting with property owners within 600 ft. of the Project Site. A copy of Resolution No. 2023-623 as adopted by the Town Board on August 21st is attached as **Exhibit "A"**.

The requirement to be submit a traffic analysis was satisfied on October 10th via my letter to Daniel Howard of the Planning Department for the purpose of submitting four (4) copies of the Traffic Assessment Report prepared by David Kruse of Passero Associates dated October 9th that contained a traffic analysis demonstrating the proposed redevelopment project not result in any potentially significant adverse traffic impacts. A copy of my letter to Daniel Howard dated October 10th is provided at **Exhibit "B"**.

A stormwater analysis summary letter prepared by Christoper Wood, P.E. dated today with updated project plans providing information regarding the extensive stormwater management improvements to be installed on the Project Site was submitted to the Planning Department today and will be distributed to the Engineering Department for review and comments. A copy of the stormwater analysis summary letter is provided at **Exhibit "C"**.

The final requirement per the resolution adopted by the Town Board on August 21st was for the Project Sponsor to hold an informational meeting with residents within 600 ft. of the Project Site. Attached as **Exhibit "D"** is a copy of the invite letter prepared by Tom Fox of Ellicott Development that was mailed to the owners of property within 600 ft. of the Project Site on October 23rd. The informational meeting held at the Harlem Road Community Center on Thursday, November 2nd was well attended and very productive from the perspective of the project team. Attached as **Exhibit "E"** is a copy of the PowerPoint presentation given during the informational meeting and attached as **Exhibit "F"** is the sign-in sheet from the informational meeting.

HOPKINS SORGI & MCCARTHY PLLC
Attorneys at Law
5500 Main Street, Suite 343 • Williamsville, New York 14221
Direct: 716-510-4338 • E-mail: shopkins@hsmlegal.com • www.hsmlegal.com

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

If you have any questions regarding this letter or the attached project documentation, please feel free to contact me at 510-4338 or via e-mail at shopkins@hsmlegal.com.

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC

Sean W. Hopkins, Esq.

Enc.

cc: Deborah Bruch Bucki RN PhD, Deputy Supervisor
Jacqualine Berger, Councilmember
Shawn Lavin, Councilmember
Michael Szukala, Councilmember
Francina J. Spoth, Town Clerk
Timothy J. Koller, Deputy Town Clerk
Daniel Howard, Planning Director, Planning Department
Thomas Voigt, Assistant Planner, Planning Department
Thomas M. Fox, Director of Development, Ellicott Development Company [Via mail]
Bill Paladino, Chief Executive Officer, Ellicott Development Company [Via e-mail]
Christopher Wood, P.E., Carmina Wood Design [Via e-mail]
David Sutton, Sutton Architecture PLLC [Via e-mail]

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT A

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 08/21/23 07:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 27749 **RESOLUTION 2023-623** **ADJOURNED**

1350 Eggert Road Rezoning

Request to rezone 1350 Eggert Road from OB-TNB-1 to TI-2.5.

7/24/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. The public hearing was opened at 8:14 PM.

Sean Hopkins, Esq. presented.

The following speakers spoke in opposition:
Ray Volpe, 302 Crosby Blvd
Dan Dolloff, 278 Crosby Blvd
Susan Aureli, 312 Crosby Blvd
Pamela & John Sander, 34 Olney Dr
Kristen Lane, 37 Olney Dr
Janice Colvin, 49 Olney Dr
Jessica Kerr, 22 Olney Dr

There were no further speakers from the public, therefore Supervisor Kulpa moved to adjourn the hearing until August 21st, seconded by Councilmember Lavin and unanimously approved 5-0.

8/21/2023
Supervisor Kulpa made a motion to adjourn the hearing until September 18th at the earliest, for the petitioner to submit information regarding a storm water mitigation plan, a traffic analysis and to hold a meeting with the residents within the 600 ft. radius, seconded by Deputy Supervisor Bucki and unanimously approved 5-0.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 9/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Deborah Bruch Bucki, Deputy Supervisor	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT B

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

HSM

October 10, 2023

Daniel C. Howard, Planning Director
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Re: Rezoning of 1350 Eggert Road from OB-TNB-1 to TI-2.5 [Z-2023-03]
Applicant/Project Sponsor: 1097 Group LLC c/o Ellicott Development Company
File No. 10173.13

Dear Mr. Howard:

Enclosed are four (4) copies of the Traffic Assessment Report prepared by David Kruse of Passero Associates dated October 9th that was prepared at the request of the Town Board during it meeting held on Monday, August 21st.

The traffic analysis contained in the Traffic Assessment Report demonstrates that the proposed redevelopment project consisting of sixteen apartments for lease will not result in any potentially significant adverse traffic impacts.

If you have any questions regarding the enclosed project documentation or the status of the proposed multifamily project, please feel free to contact me at 716.510-4338 or via e-mail at shopkins@hsmlegal.com.

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC

Sean W. Hopkins, Esq.

Enc.
cc: Brian J. Kulpa, Supervisor
Jacqualine Berger, Councilmember
Deborah Bruch Bucki RN PhD, Councilmember
Shawn Lavin, Councilmember
Michael Szukala, Councilmember
Francina J. Spoth, Town Clerk
Timothy J. Koller, Deputy Town Clerk
Christopher Schregel, Traffic Safety Coordinator
Jeremy P. Wassel, Ellicott Development Company [Via e-mail]
Thomas M. Fox, Director of Development, Ellicott Development Company [Via mail]
Bill Paladino, Chief Executive Officer, Ellicott Development Company [Via e-mail]
David Kruse, AICP, Sr. Transportation Planner, Passero Associates [Via e-mail]

HOPKINS SORGI & MCCARTHY PLLC
Attorneys at Law
5500 Main Street, Suite 343 • Williamsville, New York 14221
Direct: 716-510-4338 • E-mail: shopkins@hsmlegal.com • www.hsmlegal.com

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Christopher Wood, P.E., Carmina Wood Design [Via e-mail]
David Sutton, R.A., Sutton Architecture PLLC [Via e-mail]

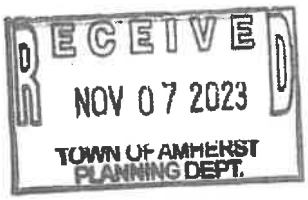
Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

EXHIBIT C

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

CARMINAWOOD
DESIGN

November 7, 2023



Daniel C. Howard, AICP, Planning Director
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Re: Proposed Multifamily Project
1350 Eggert Road
Town of Amherst

Dear Mr. Howard and Members of the Town Board:

This letter has been prepared for the purpose of providing the Town Board with the requested summary of the manner by which runoff from impervious surfaces on the Project Site will be properly handled. Enclosed are four-full size copies of the following updated plans dated October 9, 2023:

- Site Plan [Drawing C-100];
- Grading Plan [Drawing C-200]; and
- Storm Drainage Plan [Drawing C-300];

Reduced-size copies of the above referenced plans are also attached as Exhibit "1". In connection with the review of the proposed multifamily project, questions have been raised regarding potential stormwater impacts. As a result of the need to install an on-site stormwater management complying with the stringent applicable standards, the proposed redevelopment project to be located at 1350 Eggert Road ("Project Site") will not result in any potentially significant adverse stormwater impacts. Please note that the disturbance for the proposed project will be less than 1 acre, therefore NYSDEC SPDES requirements do not apply.

In connection with the Town Board's evaluation of potential stormwater runoff impacts, it is important to mention that the Engineer's Report to be prepared by our firm in connection with the future Site Plan Application review process will provide calculations that confirm that the storm water management system to be constructed as part of the project will comply with the applicable stringent stormwater quantity standards of the Town of Amherst. The fully engineered plans and Engineer's Report will need to be reviewed and approved by the Town of Amherst Engineering Department in connection with the future Site Plan

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Application review process prior to the commencement of any on-site construction activities.

The following sections of this letter provide a summary of the manner by which runoff from the impervious surfaces within the redevelopment project will be handled.

I. **Storm Water Design Narrative:**

A storm water collection system is proposed for parking area which will collect water from the parking lot, greenspaces and building. This system will consist of catch basins placed in the parking lot to catch the water and the roof downspouts from the building will be piped to these catch basins. This water will be conveyed to a storm water management system and discharge to the existing Town of Amherst storm water system for Crosby Boulevard. The storm water management area will consist of underground storage consisting of Stormtech chambers and will be designed in accordance with the Town of Amherst requirements. The outlet will be designed to allow a discharge which does not exceed the pre-construction peak runoff.

The existing drainage path of the Project Site runoff under existing conditions is generally north towards Crosby Boulevard. On site there is current catch basins in the existing parking lot behind the existing apartment building. These catch basins currently connect to the Town of Amherst storm manhole located in the Crosby Boulevard Right-of-Way. In the developed condition, the existing 8" connection will be reused and underground detention will be provided upstream to accommodate an increase in runoff. The existing parking lot and the proposed buildings will be directed through the underground detention system which will provide a dramatic improvement with regards to runoff compared to existing conditions. Currently a portion of the driveway and greenspace sheet flow north and off site (down and existing set of stairs) to Crosby Boulevard. This condition will be eliminated with the proposed stormwater improvements which will prevent water from the developed areas of the Project Site from sheet draining offsite uncontrolled. The discharge from the storm water management area will be controlled by the existing 8" outlet pipe and will not exceed the current existing rate of runoff.

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Detention System:

The proposed storm water management area will consist of underground detention which will provide volume attenuation in accordance with Town of Amherst requirements.

Design Criteria:

Storm pipes: 10-year storm

Detention: Designed to contain the 1-year, 10-year, 25-year, 50-year and the 100-year 24-hour design storms for the post-development peak rates of runoff, while restricting the outflow rate equal to the 1-year, 10-year, 25-year, 50-year and the 100-year 24-hour design storms for the pre-development peak rates of runoff respectively.

As demonstrated by the above overview, the proposed project will include storm water management improvements per the applicable stringent standards of the Town of Amherst. This will ensure that the project will not result in any potentially significant drainage or flooding impacts.

II. Conclusion:

As outlined in detail above, the installation of an on-site stormwater management system complying with the applicable stringent stormwater quantity standards as described above, ensures the proposed project will not result in any potentially significant adverse drainage impacts for purpose of the environmental review of the redevelopment project being conducted by the Town Board pursuant to the State Environmental Quality Review Act ("SEQRA").

The fully engineered plans and Engineer's Report will need to be reviewed by the Town Engineering Department and involved agencies to confirm compliance with the applicable stormwater quantity standards during the future Site Plan Application review process.

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Please contact me at 716-550-3342 with any questions regarding this letter or the proposed project.

Sincerely,

Carmina Wood Design

R. Christopher Wood, P.E.

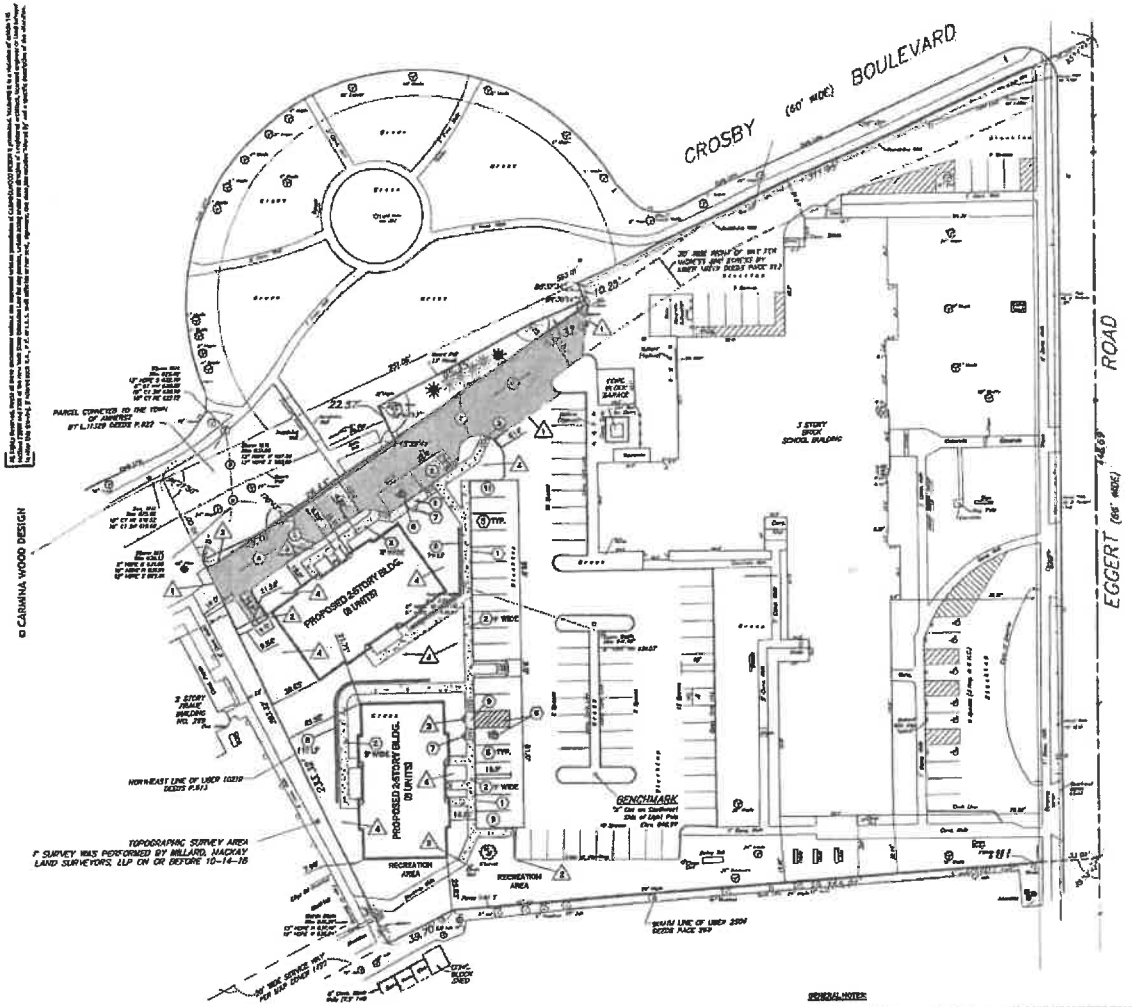
Enc.

cc: Brian J. Kulpa, Supervisor
Deborah Bruch Bucki RN PhD, Deputy Supervisor
Jacqualine Berger, Councilmember
Shawn Lavin, Councilmember
Michael Szukala, Councilmember
Francina J. Spoth, Town Clerk
Thomas M. Fox, Director of Development, Ellicott Development Company
Bill Paladino, Chief Executive Officer, Ellicott Development Company
Sean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Exhibit 1 - Reduced-Size Copies of Updated Plans as Prepared by Christopher Wood, P.E. of Carmina Wood Design

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)



SITE PLAN
SCALE: 1"=30'.

DETAIL LEGEND SEE SITE DETAIL SHEET

1. TYPE "A" CONCRETE CURB
2. CONCRETE SIDEWALK
3. SIDEWALK CURB RAMP
4. STANDARD DUTY ASPHALT
5. 90° PARKING STALL
6. HANDICAPPED PAVEMENT MARKINGS
7. HANDICAPPED PARKING SIGN
8. RETAINING WALL W/FENCE
9. HANDICAPPED PAVEMENT RAMP

NOTE LEGEND

1. SAWCUT LINE, MATCH EXISTING EDGE OF PAVEMENT
2. RUNOUT CURB (N-2' OR MATCH EXISTING CURB
3. INSTALL "NO PARKING" SIGN, M.U.T.C.D. SIGN NO. P1-1C
4. LANDSCAPED AREA -SEE LANDSCAPE PLAN, IF NO PLANTINGS, INSTALL TOPSOIL & SEED
5. MATCH EX. SIDEWALK

SITE DATA

SITE AREA = 6.3 AC
ZONED: RESIDENCE TO (1-2.5)
USE: PROPOSED (2) 2-STORY 6 UNIT APT BUILDING = 18 UNITS

	REQUIRED	PROVIDED
SETBACK - BUILDING		
FRONT	10' MIN./30' MAX.	> 10' & < 30' *
SIDE	0' MIN.	33.0' MIN.
REAR	0' MIN.	7.58' MIN.
SETBACK - PARKING		
FRONT	20' MIN.	> 20 FT
SIDE	0' MIN.	> 0' MIN.
REAR	0' MIN.	> 0' MIN.
TOTAL VEHICLE SPACES	18	37
BICYCLE	6	6
ELECTRIC VEHICLE STATION	1	1
GREENSPACE		
INTERIOR PARKING GREENSPACE	5% (1,123 SF)	33% (1,123 SF)
MAX. BUILDING HEIGHT	2.5 STORIES / 35'	2 STORIES / < 35'
OUTDOOR AMENITY SPACE	8% (0.17 AC)	8.7% (0.19 AC)

* VARIANCE REQUIRED

PARKING CALCULATION PER SECTION 5A-9-1-6

APARTMENTS/TOWNHOUSES
RES(2): 1 SPACE PER 2-bedroom unit or 1 < 1 6 rooms = 18 SPACES

TOTAL PARKING SPACES REQUIRED = 18 SPACES

BICYCLE CALCULATION from Section 5A-6-14J

RESIDENTIAL:
RES(2): 0.3 PER UNIT OR MORE
RES(3+): 0.5 X 18 = 9 SPACES REQ'D.

TOTAL BICYCLE SPACES REQUIRED = 9 SPACES

ELECTRIC VEHICLE CALCULATION PER SECTION 5A-9-1-G

1% OF TOTAL PARKING = 24 X 0.01 = 1 SPACES REQ'D.

SITE LEGEND

- PROPERTY LINE
- PROPOSED CONCRETE CURB
- PROPOSED SIDEWALK / CONCRETE PAD
- NUMBER OF PARKING SPACES (37)
- PROPOSED SIGN
- PROPOSED STANDARD DUTY ASPHALT PAVEMENT
- PROPOSED LIGHT POLE
- PROPOSED WALL MOUNTED LIGHT

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. 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 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. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.

DEMOLITION:

1. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.
2. ALL REASONABLE MEASURES SHALL BE TAKEN TO PROTECT EXISTING TREES WHICH ARE TO BE PRESERVED INCLUDING [illegible] (IN AREAS INCLUDING BUT NOT LIMITED TO,
3. [illegible] OR TOPSOIL [illegible] EXCAVATING TREE ROOTS.
4. ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED PERPENDICULAR TO THE PROPERTY LINE.
5. CENTER ENTRANCE SIDEWALKS ON DOOR OPENINGS.
6. BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

30' 0 30' 60' FT.

CARMINA WOOD DESIGN
DESIGN
511 Ellicott Street, Suite 320
Buffalo, New York 14203
Phone: (716) 842-1155
427 Amherst Street, Suite 202
Buffalo, New York 14207
Phone: (716) 565-1155

Multi-family Development
1350 Eggert Road
Amherst, New York

NO.	DESCRIPTION	DATE

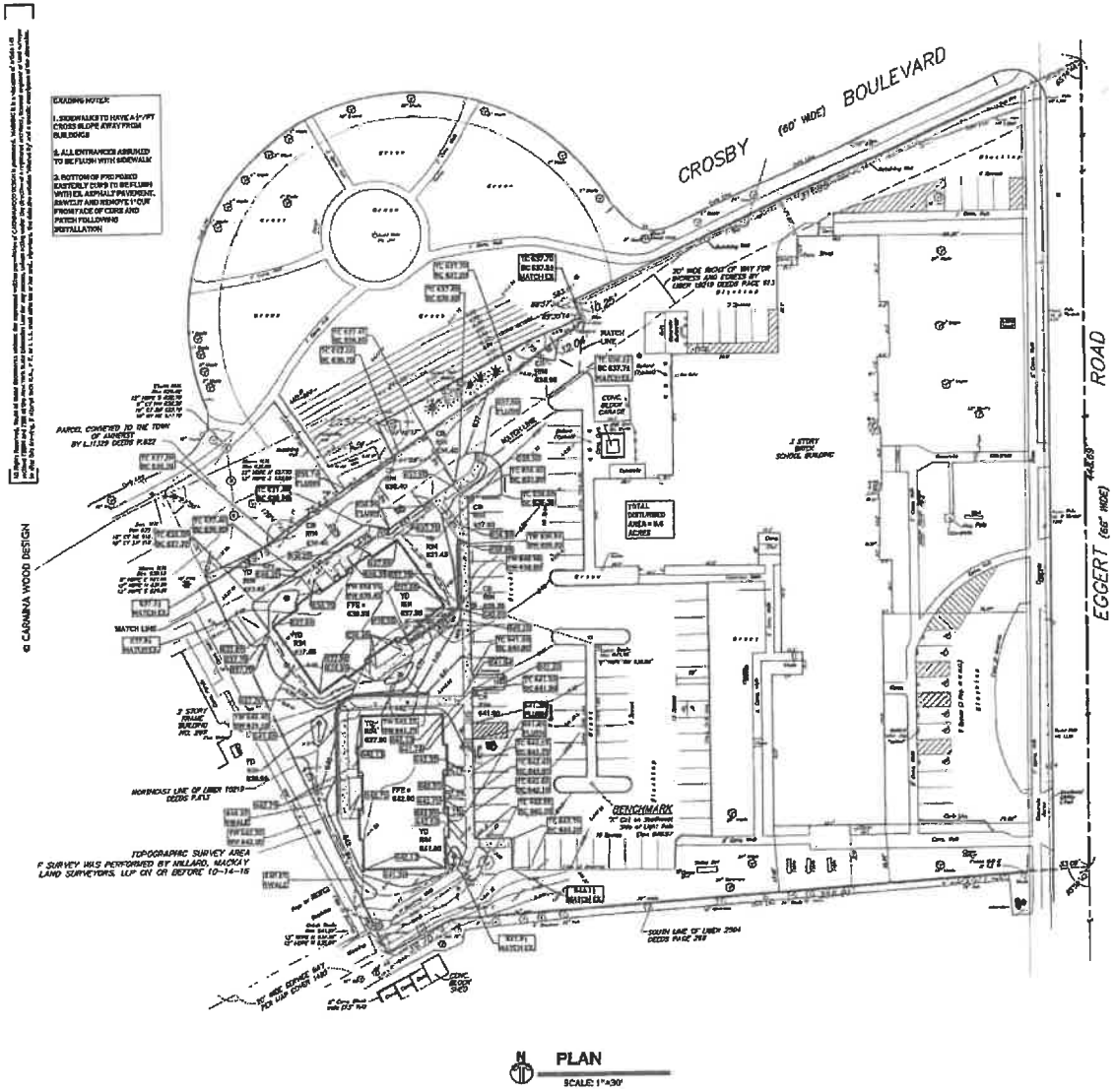
DRAWING NAME:
Site Plan

Date: 10.09.23
Drawn By: C. Wood
Scale: As Noted

DRAWING NO.
C-100

Project No: 22.XXX

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)



PLAN
SCALE: 1"=30'

PROPOSED GRADING LEGEND

PROPOSED CONTOUR	101
PROPOSED SPOT ELEVATION	100.50
PROPOSED TOP/BOTTOM OF CURB ELEV.	TC 100.50 BC 100.00
PROPOSED CATCH BASIN	CB
PAVEMENT/GROUND SLOPE	
PROPOSED YARD DRAIN	YD
PROPOSED MANHOLE	MH

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

30' 0 30' 60FT.

CARMINAWOOD DESIGN
197 Main Street, Suite 100
Buffalo, New York 14203
Phone: (716) 362-3715
111 Elm Street, Suite 310
Cincinnati, Ohio 45202
Phone: (513) 757-1000

Multi-family Development
1350 Eggert Road
Amherst, New York

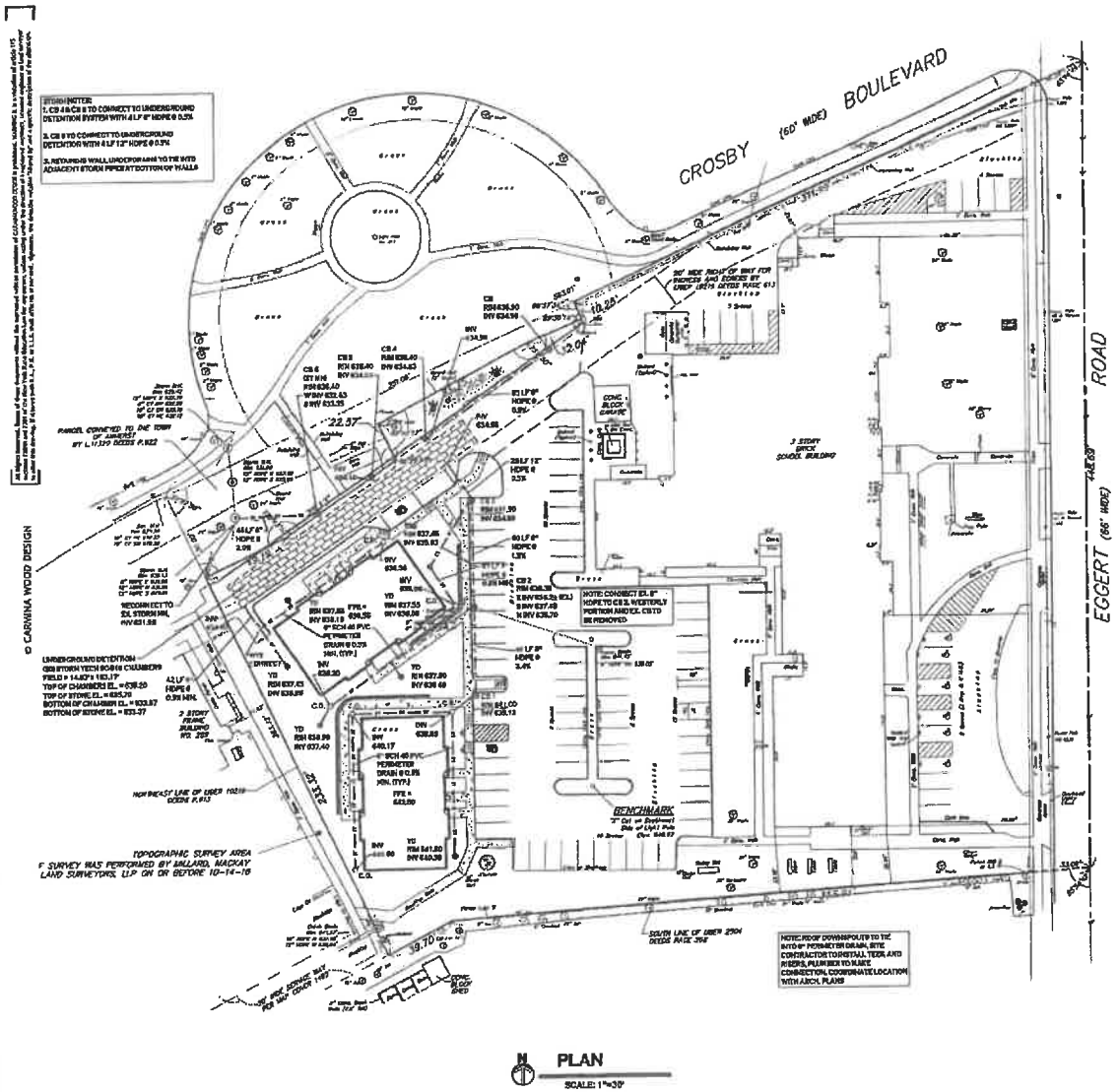
REVISIONS:
No. Description Date

DRAWING NAME:
Grading Plan

Date: 10.09.23
Drawn By: C. Wood
Scales: As Noted

DRAWING NO.
C-200

Project No: 22.XXX



PLAN
SCALE: 1"=30'

PROPOSED UTILITY LEGEND

PROPOSED STORM SEWER	—ST—
PROPOSED SANITARY SEWER	—6" SA—
PROPOSED WATERLINE	—1" W—
PROPOSED CATCH BASIN	CB
PROPOSED TAXI DRAIN	TD
PROPOSED MANHOLE	MH
PROPOSED HYDRANT ASSEMBLY	
PROPOSED GATE VALVE	GV

NOTE: FOR PROPOSED VALVE BOXES, CLEANOUTS, ETC., INSTALL A 2,000 PSI CONCRETE COLLAR AROUND THE ITEM AT GRADE. THE COLLAR SHALL BE A MINIMUM OF 8" WIDER, ON ALL SIDES, THAN THE BOX, CLEANOUT, ETC. THE COLLAR SHALL BE A MINIMUM OF 6" THICK.

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

30' 0 30' 60FT.

CARMINA WOOD DESIGN

Multi-family Development
1350 Eggert Road
Amherst, New York

REVISIONS:
No. Description Date

DRAWING NAME:
Storm Drainage Plan

Date: 10.09.23
Drawn By: C. Wood
Scale: As Noted

DRAWING NO.
C-300

Project No: 22.XXX

EXHIBIT D

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

ELLICOTT DEVELOPMENT

ELLICOTT SQUARE BUILDING
295 MAIN STREET, SUITE 700
BUFFALO, NY 14203-2219

TEL: 716.854.0060
FAX: 716.852.2829
EllicottDevelopment.com

To: **Residents**

From: **Thomas M. Fox, Ellicott Development Company**

Re: **Invitation of Community Meeting regarding:**
Proposed Multi-Family Residential Construction at 1350 Eggert Road

Date: **October 23, 2023**

Ellicott Development Company is proposing the construction of two (2) 2-story apartment buildings in the rear of 1350 Eggert Road to include a total of 16 residential units (8 units per building).

You are invited to attend an informational meeting to be held per the information below regarding the proposed development plans with representatives of the development team. Your attendance is welcome for any questions and input you would like the project team to consider.

If you are not available to attend the informational meeting, please feel free to contact me at (716) 854-0060 or via e-mail at tfox@ellicottdevelopment.com with any questions.

Meeting details:

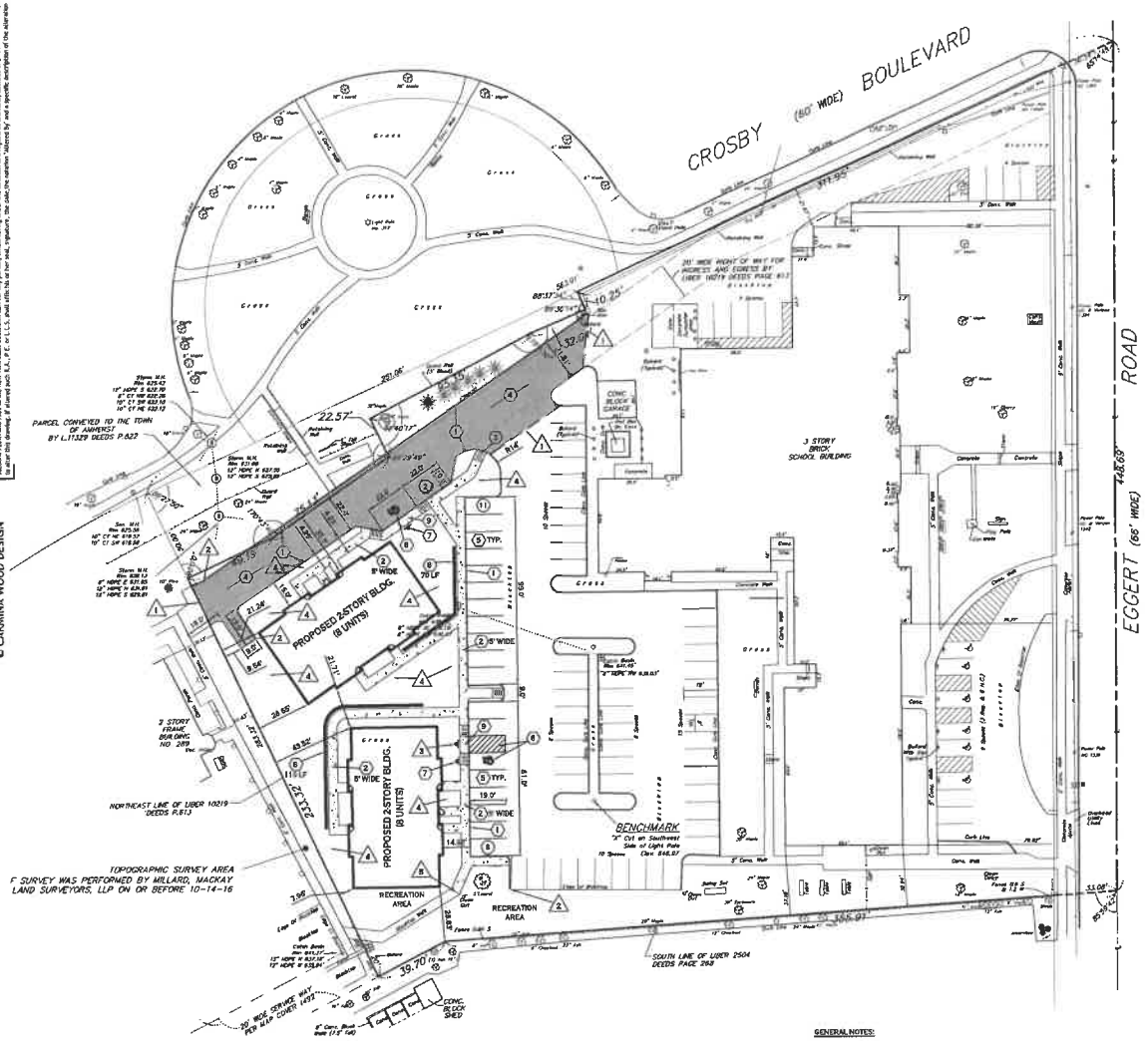
Date: **Thursday, November 2nd, 2023 from 6:30 PM – 7:30 PM**

Location: **Harlem Road Community Center Auditorium**
4255 Harlem Rd, Amherst, NY 14226

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

All Rights Reserved. None of these documents without the expressed written permission of CARMINA WOOD DESIGN is prohibited. "WARNING: It is a violation of article 145 section 7209 and 7209 of the New York State Education Law for any person, unless acting under the direction of a registered architect, licensed engineer or certified landscape architect, to alter any plans, specifications, plats or reports. If, pursuant to this section, he alters such document, he must affix to it his seal and a notation stating "altered by" and his signature, followed by the words "and his address."

© CARMINA WOOD DESIGN



SITE PLAN
SCALE: 1"=30'

SITE DATA

SITE AREA = 3.3 AC
ZONED: REZONE TO TI- 2.5
USE: PROPOSED (2) 2-STORY 8 UNIT APT BUILDING = 16 UNITS

SETBACKS - BUILDING	REQUIRED	PROVIDED
FRONT	10' MIN./30' MAX.	> 10' & > 30' *
SIDE	0' MIN.	38.0' MIN.
REAR	0' MIN.	7.09' MIN.
SETBACKS - PARKING		
FRONT	20' MIN.	> 20 FT
SIDE	0' MIN.	> 0' MIN.
REAR	0' MIN.	> 0' MIN.
TOTAL VEHICLE SPACES	16	21
BICYCLE	8	8
ELECTRIC VEHICLE STATION	1	1
GREENSPACE		
INTERIOR PARKING GREENSPACE:	5% (150 SF)	38% (1,125 SF)
MAX. BUILDING HEIGHT	2.5 STORIES / 35'	2 STORIES / < 35'
OUTDOOR AMENITY SPACE	5% (0.17 AC)	6.7% (0.19 AC)

* VARIANCE REQUIRED

PARKING CALCULATION (PER SECTION 5A-6-1-A)

APARTMENTS/TOWNHOMES:
REQ'D: 1 SPACE PER 2-BEDRM UNIT = 1 x 16 UNITS = 16 SPACES

TOTAL PARKING SPACES REQUIRED = 16 SPACES

BICYCLE CALCULATION (PER SECTION 5A-6-1-A)

RESIDENTIAL:
REQ'D: 0.5 PER UNIT (20 MAX.)
REQ'D = 0.5 x 16 = 8 SPACES REQ'D.

TOTAL BICYCLE SPACES REQUIRED = 8 SPACES

ELECTRIC VEHICLE CALCULATION (PER SECTION 5A-6-1-D)

1% OF TOTAL PARKING = 24 x 0.01 = 1 SPACE REQ'D.

DETAIL LEGEND (SEE SITE DETAIL SHEET)

1. TYPE "A" CONCRETE CURB
2. CONCRETE SIDEWALK
3. SIDEWALK CURB RAMP
4. STANDARD DUTY ASPHALT
5. 90° PARKING STALL
6. HANDICAPPED PAVEMENT MARKINGS
7. HANDICAPPED PARKING SIGN
8. RETAINING WALL W/ FENCE
9. HANDICAPPED PAVEMENT RAMP

NOTE LEGEND

1. SAWCUT LINE, MATCH EXISTING EDGE OF PAVEMENT
2. RUNOUT CURB IN 2' OR MATCH EXISTING CURB
3. INSTALL "NO PARKING" SIGN, M.U.T.C.D. SIGN NO. P1-1C
4. LANDSCAPED AREA - SEE LANDSCAPE PLAN, IF NO PLANTINGS, INSTALL TOPSOIL & SEED
5. MATCH EX. SIDEWALK

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. 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 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. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.

BOTH CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.

9. ALL REASONABLE MEASURES SHALL BE TAKEN TO PROTECT EXISTING TREES WHICH ARE TO BE PRESERVED
1. [illegible] DAMAGE: INCLUDING BUT NOT LIMITED TO,
2. [illegible] EXCAVATING TREE ROOTS.
3. ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED PERPENDICULAR TO THE PROPERTY LINE.
4. CENTER ENTRANCE SIDEWALKS ON DOOR OPENINGS.
5. BUILDING DIMENSIONS ARE APPROXIMATE, REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.

SITE LEGEND

- PROPERTY LINE
- PROPOSED CONCRETE CURB
- PROPOSED SIDEWALK / CONCRETE PAD
- NUMBER OF PARKING SPACES (27)
- PROPOSED SIGN
- PROPOSED STANDARD DUTY ASPHALT PAVEMENT
- PROPOSED LIGHT POLE
- PROPOSED WALL MOUNTED LIGHT

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

30' 30 0 30 60Ft.

CARMINA WOOD DESIGN
427 Main Street, Suite 500
Buffalo, New York 14203
Phone: (716) 842-3165
111 Bath Street, Suite 332
Greensboro, North Carolina 27406
Phone: (336) 937-9099

Multi-family Development
1350 Eggert Road
Amherst, New York

REVISIONS:
No. Description Date

DRAWING NAME:
Site Plan

Date: 10.09.23
Drawn By: C. Wood
Scale: As Noted

DRAWING NO.
C-100

Project No: 22.XX

EXHIBIT E

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Informational Meeting
November 2, 2023

Request to Rezone 1350 Eggert Road from OB-TNB-1 to TI-2.5

Petitioner: 1097 Group LLC c/o Ellicott Development Company

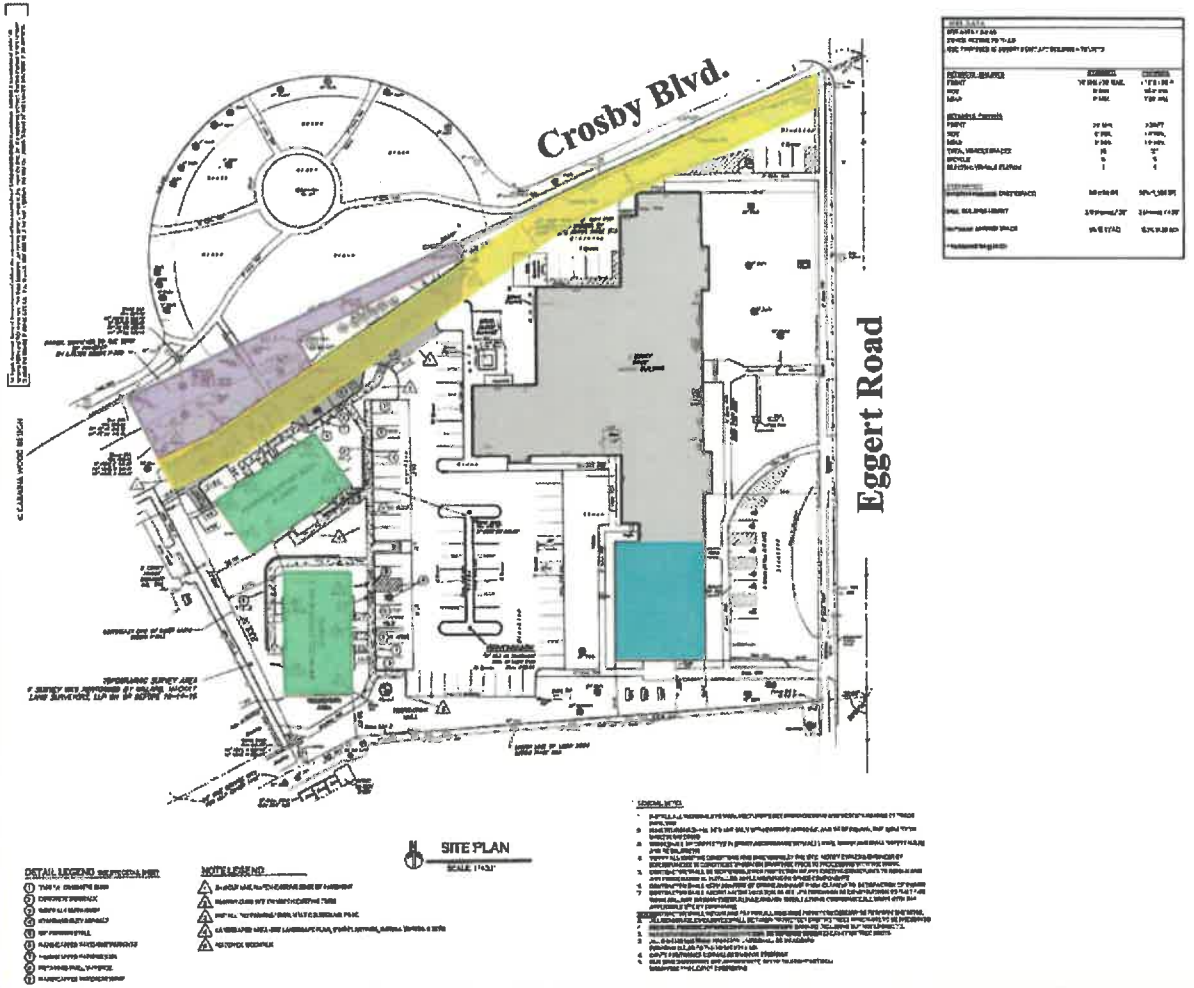
Project History:

- Size of Project Site: 3.61 acres
- Former Cantalitian School property purchased in 2013
- Project Site rezoned from CF-TNB-1 to OB-TNB-1 on April 28, 2014
- Site Plan for redevelopment of the 3-story former school building as 38 apartments and 5,130 sq. ft. of 1st floor commercial space approved by the Planning Board on June 19, 2014
- Negative Declarations issued by the Town Board, Planning Board and Zoning Board of Appeals
- A portion of property along the hill south of Eco Park was previously donated to the Town of Amherst as an extension of park space
- Redevelopment completed in 2015



Site Plan:

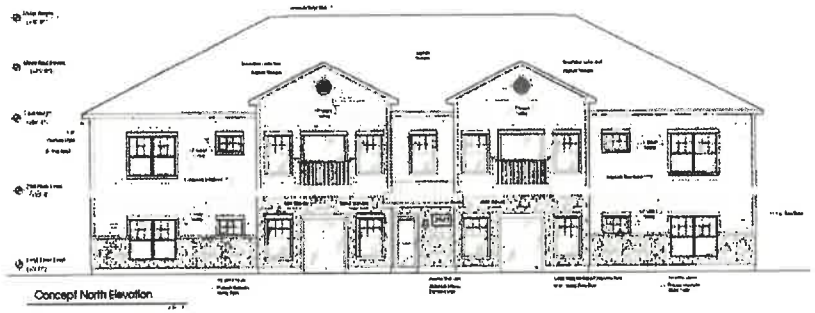
- **PURPLE:** Property previously donated to the Town of Amherst as park space at top of hill
- **YELLOW:** Existing 20' Access Easement for Group Home at 289 Crosby Boulevard
- **GREEN:** Proposed infill development behind/west of the existing parking area
  - Two 2-story buildings consisting of 8 residential units per building, 16 total
  - Northern building oriented along the 20' internal access driveway
- **BLUE:** Rezoning from OB-TNB-1 to TI-2.5 will accommodate the conversion of approximately 5k sq. ft. of vacant space in the southern portion of existing building into 3 residential units
- Project will require Site Plan Approval from the Planning Board and review and recommendation from the Design Advisory Board

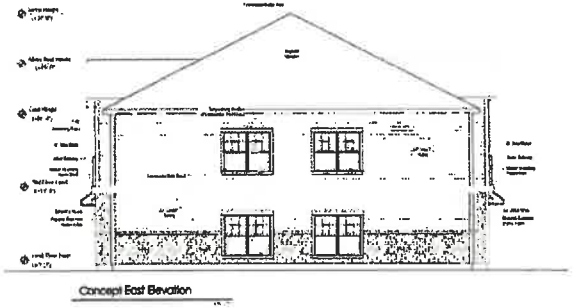


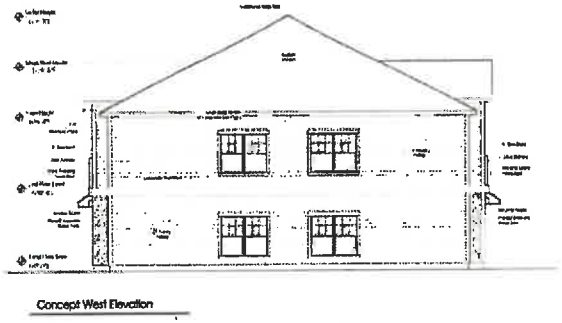
Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

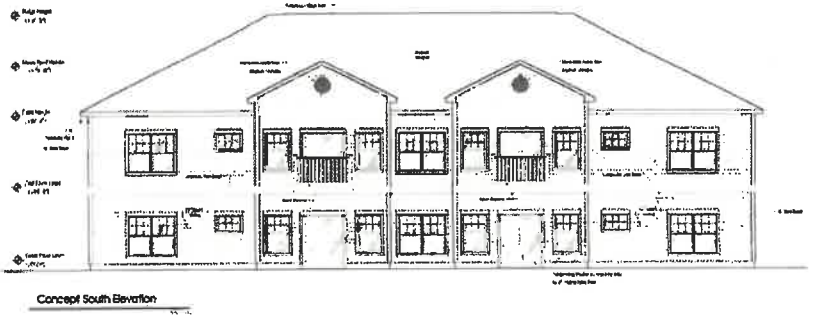
Previous Conceptual Elevation Plan:

- Two 2-story buildings comprised of 8 residential units
- Materials include:
  - Cultured stone
  - Clapboard siding
  - Asphalt shingled hip roof and metal roof accent at main entry









ELLICOTT DEVELOPMENT

Concept First Floor Plan For:
8 Unit Multi Family Building

1350 Eggert Road Amherst, NY
4/18/23

SUTTON architecture
"Design & Build"

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Alternative Concept Plan prepared by Code Studio on behalf of the Amherst Planning Department, dated July 21st:

- Rowhouse Style Buildings
- Better frames the park/public realm
- Adds greater visual articulation through separate entrance features

Alternate Concept: Plan View



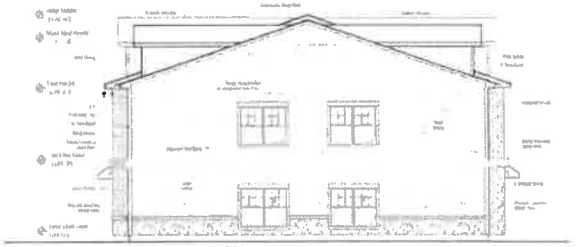


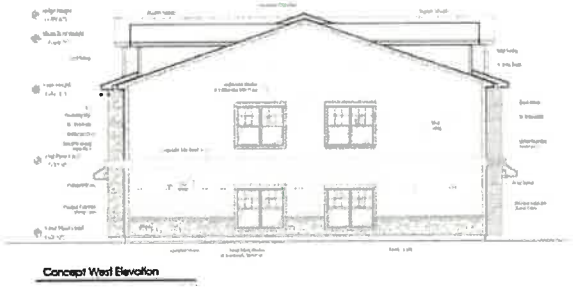
California Drive development as precedent: front view

Updated Conceptual Elevation Plan:

- Rowhouse Style Buildings based on Code Studio and Planning Department input
- Elevated mix of materials and architectural features
- Mean Roof Height of less than 26' and peak height slightly more than 28'
  - Equal to and less than height of all homes on Crosby to the west
- Project will require Site Plan Approval from the Planning Board and review and recommendation from the Design Advisory Board


Concept North Elevation


Concept East Elevation


Concept West Elevation


Concept South Elevation

ELLICOTT DEVELOPMENT

Concept First Floor Plan For:
8 Unit Multi Family Building

1350 Eggert Road Amherst, NY
8/18/23

SUTTON architecture
"Design & Build"

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

PLANNING BOARD'S FAVORABLE RECOMMENDATION AND CONSISTENCY WITH THE ADOPTED COMPREHENSIVE PLAN:

- The Planning Board held a public hearing on May 18th, 2023 and adopted a resolution by a unanimous vote recommending issuance of a negative declaration pursuant to SEQRA and the Town Board's approval of the amending of the zoning classification of 1350 Eggert Road from OB-TNB-1 to TI-2.5
- Planning Board's findings included that the rezoning is consistent with the adopted Comprehensive Plan – The Planning Board's findings included the following:
  - **A.** The proposed rezoning and development plan if revised can be consistent with policies of the Comprehensive Plan and the Zoning Ordinance.
  - **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 uses of nearby property and with the character of the neighborhood.
  - **D.** The proposed change does tend to improve the balance of uses or meets a specific demand in the Town.

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

COMMENTS DURING PUBLIC HEARING HELD BY THE TOWN BOARD ON JULY 24, 2023:

- Residential Units for Lease
- Existing Drainage Conditions:
  - Stormwater management improvements to be included in connection with the proposed redevelopment project
  - Preliminary Drainage Plans prepared by Christopher Wood, P.E. of Carmina Wood Design
- Traffic Impacts:
  - Total peak A.M and P.M. weekday projected traffic volume for 16 units of Multifamily Housing (Low-Rise) is 15 vehicular trips per day per the Traffic Assessment Report prepared by Passero Associates dated October 9, 2023
- Greenspace:
  - Parkland was donated to the Town previously as requested
  - Extensive new landscaping will be required in connection with the residential redevelopment project
  - Landscape Plan prepared by a licensed Landscape Architect will be required in connection with the Site Plan Application review process

CARMINAWOOD
DESIGN

August 16, 2023

Daniel Howard, AICP, Planning Director
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Re: Rezoning of 1350 Eggert Road from OB-TNB-1 to TI-2.5 [Z-2023-03]
Petitioner: 1097 Group LLC c/o Ellicott Development Company

Dear Mr. Howard:

During the public hearing held by the Town Board on Jul 24th, a concern was raised by an individual who spoke regarding existing drainage conditions on the property at 1350 Eggert Road ("Project Site").

The runoff from the pavement behind the existing building currently sheet drains northwest and during large rain events it flows down the set of stairs to the Crosby Boulevard below per the photos submitted during the public hearing held on July 24th since currently there are not any drainage structures located on the northern portion of the Project Site to pick up this runoff.

As part of the proposed redevelopment project, catch basins and piping will be installed to collect this runoff before it can make its way to the existing stairs. The new system will connect to the existing storm manhole located on the Project Site which discharges to the system on Crosby Boulevard.

The proposed project will require Site Plan Approval from the Planning Board and the engineered plans and supporting technical documentation will be submitted with the Site Plan Application will provide detailed information regarding the drainage related improvements that will be made in connection with the proposed project in accordance with the applicable Town of Amherst stormwater management standards.

If you have any questions regarding the above information, please contact me at 716-550-3342. Thank You.

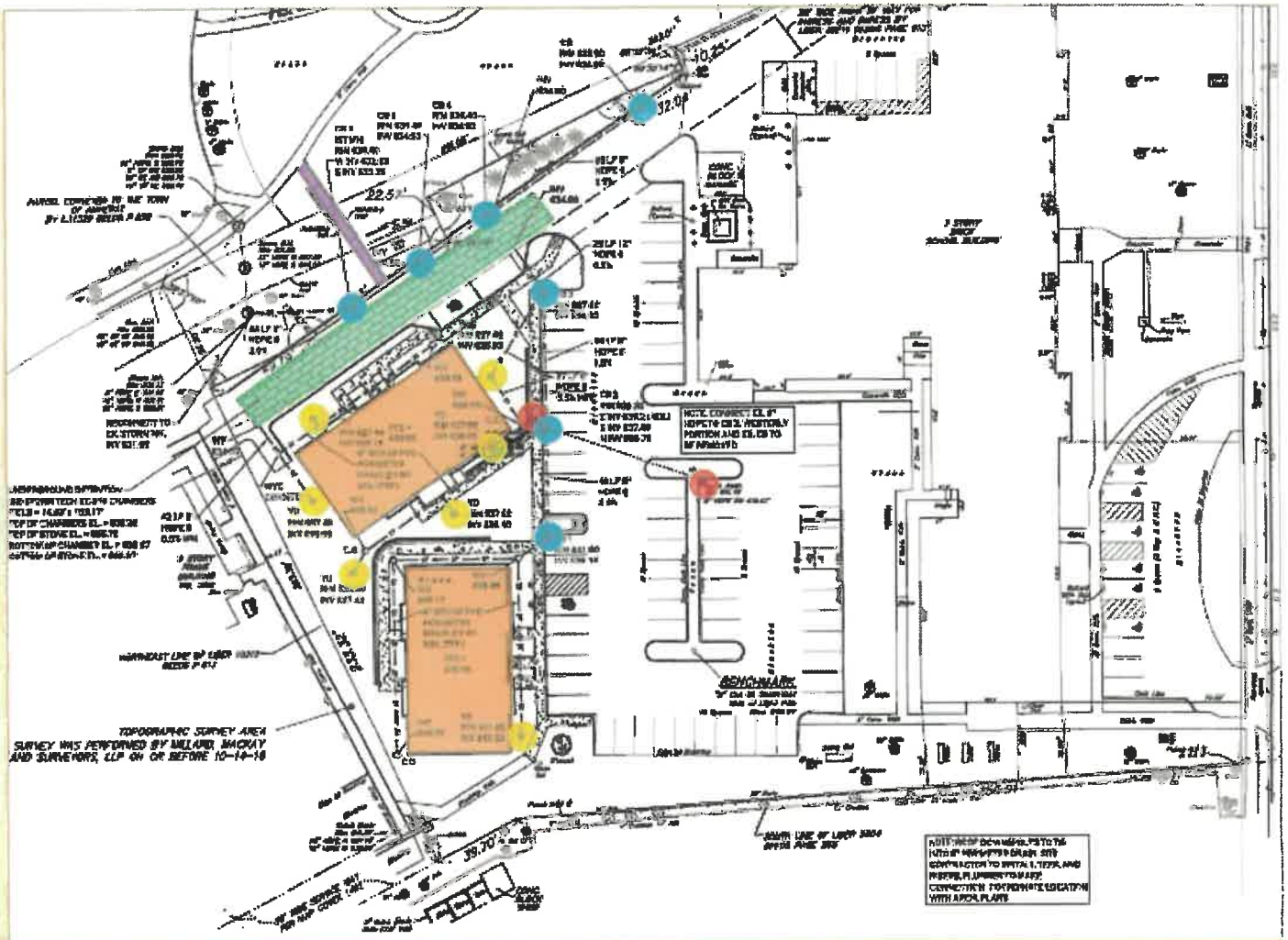
Sincerely,
Carmina Wood Design
Christopher Wood, P.E.

carminawooddesign.com
Buffalo 487 Main Street, Suite 500, Buffalo, NY 14203 716.842.3165
Greensboro 111 Bain Street, Suite 332, Greensboro, NC 27408 336.937.9009

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Storm Drainage Plan Prepared by Christopher Wood, P.E. of Carmina Wood Design:

- **PURPLE:** Existing path and stair to Eco Park
- **RED:** 2 existing Catch Basins
- **YELLOW:** 7 new Yard Drains in greenspace around the proposed development
- **BLUE:** 7 new Catch Basins in hardscape
- **GREEN:** Proposed Underground Stormwater Detention System under existing driveway



Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Consistency with Comprehensive Plan:

- Project Site is designated as appropriate for Commercial/Mixed-Use per Figure 6 of the Comprehensive Plan

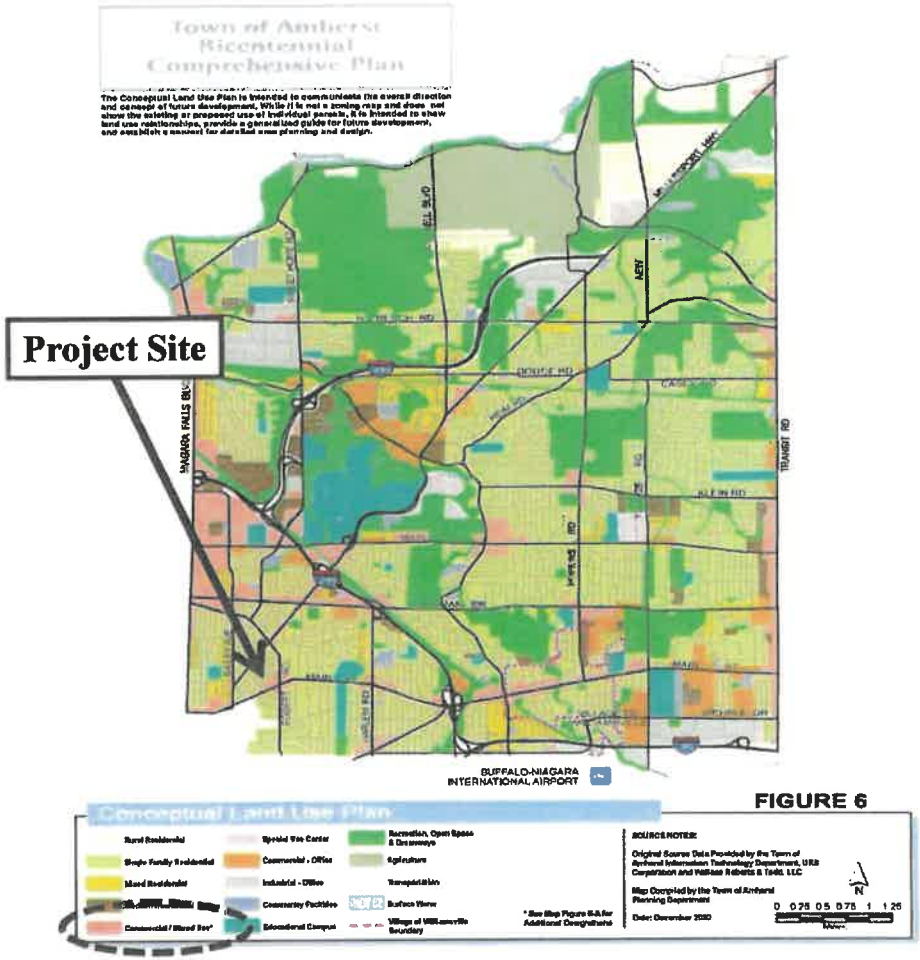
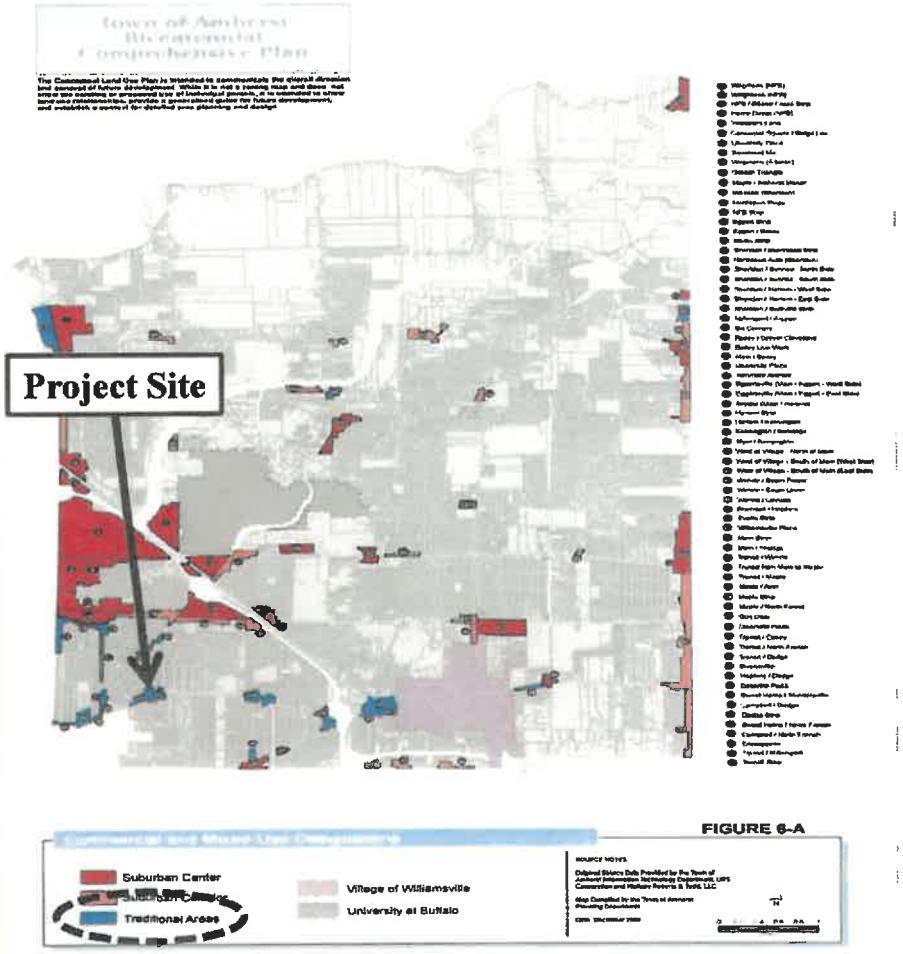


FIGURE 6

Consistency with Comprehensive Plan:

- The Project Site is designated as appropriate for Traditional Area per Figure 6-A of the Comprehensive Plan
- Requested rezoning of the Project Site from OB-TNB-1 to TI-2.5 will accommodate infill redevelopment of a portion of the Project Site
- Traditional Areas described on Pages 3-34 to 3-36 of the Comprehensive Plan
- These areas are likely to experience infill and adaptive reuse of existing structures on developed parcels with a more compact building pattern.



Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Q&A

EXHIBIT F

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Sign - In Sheet

Please Print

11/2/23

		Name	Address	Email
1.	*	Ray + Judy Volpe	302 CROSBY BLVD	LIBERTAI37@gmai
		Sheila Neff	80 Rosedale Blvd.	misdog@hotmai
		Kathy DeSpirt	33 Rosedale Blvd	Kdespirt@verizon
		Charlie + Donna Collins	237 Crosby Blvd	dcollins@
		Doug Harbison	101 Garden Court	dougeharbison@
		Jessica Kerr	22 Olney drive	Jessicamkerr@yah
		ROB LALLY	36 ROSEDALE BLVD	RPLALLY@GMAIL.C
		April & Robert Kohles	249 Crosby Blvd	akohles@peoplepc.com
		Cy + Kathy Young	1405 Edgar	cyyoung1405@
		Janice Colvin	49 Olney Dr.	Janicecolvin@gmail.com
		Patrick Wirth	49 Olney Dr.	Patrickewirth@gmail.com
		Julie Colvin	49 Olney Dr	Julie Colvin a gmail.
		Tracie + Chris Cloutier	324 Crosby Blvd	chris.cloutier8@8
		Katy Duggan	62 Garland Dr	kduggan haas@gma

* Copy of Need drawings, ~~HUNTER~~ + TRAFFIC STUDIES

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Sign - In Sheet

Please print

Name	Address	Email
Pam Sander	34 Olney Dr.	sanderpamela88@gmail.
John Sander	34 Olney Dr	John Sander 7819@outlook.
Jeff Walker	23 Olney Dr Vet	JSWalkmnn@aol.com

Attachment: Kulpa-Ltr-Project Update-Date-11-07-23 (RES-2023-623 : 1350 Eggert Road Rezoning)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 28261 **RESOLUTION 2023-957** **DECISION DATE**

4774 & 4780 Sheridan Drive Rezoning

Request to rezone 4774 & 4780 Sheridan Drive from R-3 to R-4.

12/4/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. The public hearing was opened at 8:54 PM.

Sean Hopkins, Esq., presented.

The following speakers spoke in opposition:
Sharon Easterbrook, 80 Tristan Ln
Alicia Schreier, 79 Tristan Ln

There were no further speakers from the public, therefore Supervisor Kulpa moved to close the hearing and set a decision date for the December 18th Town Board meeting, seconded by Councilmember Lavin and unanimously approved 5-0. The public hearing was closed at 9:23 PM.

RESULT:	**DECISION DATE [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Shawn Lavin, Councilmember	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

Amherst
Town of Amherst Planning Department
Erie County, New York

Brian J. Kulpa
Supervisor

Daniel C. Howard, A
Planning Directo

Daniel J. Ulatowski, A
Assistant Planning Dir

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Town Board Agenda of December 4, 2023

November 28, 2023

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Request to Rezone 5.03± Acres of Land From R-3 to R-4, Z-2023-07; Property Located at 4774 & 4780 Sheridan Drive. RAS Development Company LLC Petitioner. (Z-2023-07).

Honorable Members:

The subject property is a 5± acre "L-shaped" parcel located on the north side of Sheridan Drive, 4,677± feet west of Hopkins Road. The subject site contains two adjacent parcels, each with its own curb cut. The lot at 4774 Sheridan Drive has a single-family home with associated accessory structures; 4780 Sheridan Drive contains the former Gleason's Nursery business and several associated structures.

The developer is seeking entry into the NYSDEC Brownfield Cleanup Program for a "Track 4 Restricted Residential Cleanup". A requirement of this program is that the site remain in common ownership for ease of monitoring and reporting. A description of the program and requirements has been provided by Roux Environmental Engineering & Geology, DPC dated September 28, 2023.

For information on the surrounding zoning and land use, please refer to the attached sketch.

The purpose of this rezoning request is to allow for the potential future development of the subject site as attached single-family residential homes as required for the petitioner's entry into the NYSDEC Brownfield Cleanup Program to remediate hazardous materials on the subject sites. (For further information please refer to the letter from Roux Environmental Engineering & Geology, DPC to the Planning Director dated September 28, 2023.)

The subject site was zoned Residential District 3 (R-3) with the adoption of the Town wide Zoning Map & Ordinance on January 19, 1976.

Honorable Town Board

Rezone land from R-3 to R-4;
property located at 4774 & 4780 Sheridan Drive.
Agenda of December 4, 2023

SUB-2018-03:
On August 15, 2019, the Planning Board considered petitioner Morgan Homes' request for a 14-lot subdivision with a public road. The Planning Board approved the proposed subdivision; however, the contamination level of the site was too great for the NYSDEC to allow the development of the site for single family homes on individual lots. Therefore, the petitioner was not able to develop the site as approved.

The Planning Board offers the following findings on the current rezoning request, consistent with Section 8-3 of the Zoning Ordinance.

INTENT AND OBJECTIVES OF THE COMPREHENSIVE PLAN
The proposed rezoning is generally consistent with Figure 6 of the Comprehensive Plan which depicts a single-family residential land use in this area with a density of 2-4 units/acre. The concept plan illustrates the future potential development of 22 residential units on 5.03± acres of land. The proposed density based on the concept plan is approximately 4.3 units/acre which is slightly denser than intended by the Comprehensive Plan. A reduction of 2 units would make this proposal fully consistent with the intent of the single-family land use category of the Comprehensive Plan.

INTENT AND OBJECTIVES OF THE ZONING ORDINANCE
The intent of the Residential 4 District (R-4) is to provide for the development of attached or detached dwelling units within a single structure. Based on the concept plan provided, the intent of the R-4 district is met. A full consistency review for all applicable zoning regulations will take place during site plan review.

CONSISTENCY/COMPATIBILITY WITH SURROUNDING DEVELOPMENT/ZONING
The surrounding properties to the north, south, east and west are zoned Residential District 3 and are made up of single-family homes on individual lots. The R-4 District allows for a different form of housing (attached) than the adjacent zoning district however, the proposed use of the structures remain single-family residential therefore the proposed rezoning would be consistent with the surrounding development/zoning.

ADEQUATE SERVICES AND UTILITIES
All services and utilities necessary for the proposed rezoning are available and adequate at the subject location. This is an Unlisted action pursuant to 6 NYCCR §617.7 of the SEQR regulations.

RECOMMENDATION
The Planning Board at their meeting of October 19, 2023 held a public hearing on the subject rezoning request and recommended that the Town Board find that pursuant to Local Law #3-82, as amended, the requirements of SEQR have been completed and that the subject request will not have a significant adverse effect on the environment. The Planning Board also recommended that the subject rezoning request be approved.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Honorable Town Board

Rezone land from R-3 to R-4;
property located at 4774 & 4780 Sheridan Drive.
Agenda of December 4, 2023

The Planning Department requests that if the Town Board desires to act on the rezoning request, that a decision date be established after the close of the public hearing so that the Planning Department can prepare a determination of environmental significance pursuant to SEQR, and prepare a resolution for the Town Board's consideration.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/TV/ac
Att.
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774_&_4780_Sheridan_Dr)_2023\Z-2023-07_TB_letter_120423.docx
cc: Martin Polowy, Town Attorney

Planning Board Approval: October 19, 2023
Ayes 4, Noes 2; Absent 1

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2023-07

PETITIONER

RAS Development Company LLC
c/o Sean Hopkins, Esq.
Hopkins Sorgi & McCarthy
5500 Main Street, Suite 343
Williamsville, New York 14221

PROPERTY LOCATION

4774 & 4780 Sheridan Drive

WHEREAS the Town of Amherst Planning Board on Thursday, October 19, 2023 held a public hearing on the proposed rezoning of land from Residential District Three (R-3) to Residential District Four (R-4), 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.

B. The proposal is consistent with the Conceptual Land Use Plan which shows "Single-Family Residential" land 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 tends to improve the balance of uses, and 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 because the parcel is developed.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2023-07

PETITIONER

RAS Development Company LLC

PROPERTY LOCATION

4774 & 4780 Sheridan Drive

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 8-3-4 of the Zoning Ordinance, that the rezoning request be approved subject to the following conditions:

1. That the density of the project site shall not exceed 4.3 units per acre.
2. That the use of the project site to be rezoned from R-3 to R-4 shall be limited to two (2) unit-attached townhomes only.
3. That the maximum allowable height of any residential building on the project site as measured from finished grade shall be thirty-five (35) feet.
4. That the project site's contaminated soil be remediated to residential standards under the purview of, and in accordance with the NYSDEC Brownfield Cleanup Program.
5. That the conditions stated above shall be memorialized via the recording of a Declaration of Restrictions at the Erie County Clerk's Office.

The foregoing resolution was adopted by the Town of Amherst Planning Board, October 19, 2023; moved by Chmiel; seconded by Kahn; ayes 4, noes 2 (Gill, Penberthy); absent 1 (Raffaele).

Robert J. Gilmour, Planning Board Chair

10-26-2023
Date

TV/ac
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774_&_4780_Sheridan_Dr)_2023\Z-2023-07_resolution_101923.doc
cc: Town Clerk
Commissioner of Building
Highway Superintendent
Town Engineer
Traffic/Safety Coordinator
RAS Development Company, c/o Sean Hopkins, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Rezoning Application & Supporting Documentation - Rezoning of 4774 & 4780 Sheridan Drive from R-3 to R-4
Applicant: Savarino Development Corp. I c/o Sean Hopkins, Esq., Hopkins Sorgi & McCarthy PLLC

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

RECEIVED
JUL 17 2023
TOWN OF AMHERST
PLANNING DEPT.

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Rezoning Review and, if required Comprehensive Plan Amendment

For Official Use

File #: Z-2023-07 Acreage 5.03 Fee $ 2,265

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. 7.17.23 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**		$1,000.00
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:	$ 2,265.00

[Note: A completed Part 1 of the Full Environmental Assessment Form along with Page 5[a] and Attachment "A" is attached as Exhibit "1".]

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

TO BE COMPLETED BY APPLICANT

1. **Petitioner:** Name: Savarino Development Corp. I

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@hsmlegal.com

2. **The undersigned hereby petitions the Honorable Town Board to rezone the following described property**

From: R-3 District

To: R-4 District

3. **Street address of land to be rezoned:** (must be verified by Town Assessor's Office)

4774 and 4780 Sheridan Drive

SBL #: SBL Nos. 68.12-1-10 and 68.12-1-11

4. **Area of land to be rezoned** (in acres): Approximately 5.029 Acres

5. **Owner of Land:**

Name: Estate of Edith Fruehauf, Rudolph Gleason and Greta Gleason

Address: 4780 Sheridan Drive - Williamsville, NY 14221

Telephone:

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

Name: Sean W. Hopkins, Esq.

Address: 5500 Main Street, Suite 343
Williamsville, New York 14221
Tel: 716.510-4338 - E-mail: shopkins@hsmlegal.com
City State Zip Code

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

7. Petitioner's interest in property

_____Option to purchase

_____Owner

__X_____Other (explain) [Authorization Letter of Property Owner Attached]

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 the property to be rezoned from R-3 to R-4 attached as Exhibit "2" and Survey of the Project Site attached as Exhibit "3".

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 4.

B. Rationale for rezoning request:

1. Why was this site chosen?

See Exhibit 4.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

2. Why cannot land be used with the existing zoning?

See Exhibit 4.

3. How will this rezoning impact surrounding properties?

See Exhibit 4.

4. How will this rezoning impact the school system?

See Exhibit 4.

12. Quantitative Data:

A. Total # of dwelling units: 22 units

B. Distribution of dwelling units by type: Attached residential units for sale

C. Gross Residential Density per acre: 4.4 units per acre

D. Total amount of Open Space: Not Applicable

E. Proposed Non-Residential Floor Area: Not Applicable.

[Note: A reduced size copy of the Concept Site Plan for the proposed project is provided at Exhibit "6".]

13. Development Schedule:

Start: 2024

Finish: 2025

Stages (# of): 1 stage for infrastructure and site improvements

14. If any portion of the proposed development is planned to be sold or leased, please describe:

The apartments will be leased.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

15. Open Space ownership and maintenance provisions (if applicable):

Greenspace and landscaping will be privately owned and maintained.

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 Exhibit 5.

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 5.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

3. State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:

See Exhibit 5.

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 5.

D. Suitability of the subject property for uses permitted by the current versus the proposed district:

See Exhibit 5.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

E. Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:

See Exhibit 5.

17. The petitioner encloses herewith the sum of $ 2,265.00 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 15th day of July, 2023

Notary Public, Erie County, New York

MARIANNE BRAUTLACHT
Notary Public, State of New Yor
Qualified in Erie County
My Commission Expires 01/14/20

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-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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/Cur/Plan/Applications2007/Rezoning & Comp Plan Amend App.
10/08

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

AUTHORIZATION

Estate of Edith Fruehauf, Rudolph Gleason and Greta Gleason, as the owners of property located at 4774 and 4780 Sheridan Drive in the Town of Amherst ("Project Site"), hereby authorizes Savarino Development Corp. I, Hopkins Sorgi & McCarthy PLLC, Carmina Wood Design and its other consultants to seek an amendment of the zoning classification of the Project Site from R-3 to MFR-4A, as well as all other required approvals from the Town of Amherst municipal boards and all other governmental agencies in connection with the development of the Project Site as a residential project.

Date: June 9, 2023

ESTATE OF EDITH FRUEHAUF

Signature: Diane Wolf POA Fo Rudolph Gleas Exec o Ed Est e
Print Name: Diane Wolf

Signature: Diane Wolf POA
Print Name: Greta Gleason

Signature: Diane Wolf POA
Print Name: Rudolph Gleason

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EXHIBIT 1

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Full Environmental Assessment Form
Part 1 - Project and Setting

Prepared By: Sean Hopkins, Esq.
Hopkins Sorgi & McCarthy PLLC
5500 Main Street, Suite 343
Williamsville, NY 14221
Tel: 716.510-4338
E-mail: shopkins@hsmlegal.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 Project		
Project Location (describe, and attach a general location map): 4774 and 4780 Sheridan Drive - Town of Amherst - Erie County		
Brief Description of Proposed Action (include purpose or need): The proposed project ("action") consists of the development of the parcels at 4774 and 4780 Sheridan Drive ("Project Site") as a residential project consists of eleven two-story building each comprised of two homes for sale [22 total units]. The proposed action has been defined broadly to include all all proposed site improvements as well as all required discretionary approvals and permits as well as including an amendment of the zoning classification of the Project Site from R-3 to R-4 by the Town of Amherst Town Board and approvals and permits needed from involved agencies including entry into the NYSDEC Brownfield Cleanup Program. The project purpose is to develop the Project Site for low density residential purposes per the recommended land use in Figure 6 of the Town's adopted Comprehensive Plan. The proposed project is an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA") and will not result in any potentially significant adverse environmental impacts.		
Name of Applicant/Sponsor: Savarino Development Corp. I c/o Sean Hopkins, Esq.	Telephone: 716.510-4338 E-Mail: shopkins@hsmlegal.com	
Address: 5500 Main Street, Suite 343		
City/PO: Williamsville	State: NY	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Same as above.	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Estate of Edith Fruehauf, Rudolph Gleason and Greta Gleason	Telephone: E-Mail:	
Address: 4780 Sheridan Drive		
City/PO: Williamsville	State: NY	Zip Code: 14221

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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	July 17, 2023
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board - Site Plan Approval	To be Determined
c. City, Town or Village Zoning Board of Appeals ☑Yes ☐No	Zoning Board of Appeals - Area Variances	To be Determined
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	ECDOH - Sewer and ECWA - Water	To be Determined
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSDOT - Highway Work Permit , NYSDEC - Brownfield Cleanup, SPDES Permit and DSCA	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

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-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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?
Residential District Four (R-3)

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 Four (R-4)

C.4. Existing community services.

a. In what school district is the project site located? Amherst Central Schools

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?
Hutchinson Hose Company

d. What parks serve the project site?
Amherst State Park

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)? Low density residential consisting of two-unit homes for sale.

b. a. Total acreage of the site of the proposed action? 5.03 acres
b. Total acreage to be physically disturbed? 5.03 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 5.03 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☑ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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		22		
At completion of all phases		22		

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: stormwater management area
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑Other specify: Stormwater runoff
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: 0.25 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 - The stormwater management area does not constitute a dam regulated by the NYSDEC.

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): _____
_____

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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: 5,080 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: 4,600 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 Wastewater Treatment Facility
- Name of district: Town of Amherst
- 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: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

- 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 2.20 acres (impervious surface)

_____ Square feet or 5.03 acres (parcel size)

ii. Describe types of new point sources. Building roofs, asphalt driveway

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)

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

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

local 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: 7am to 5pm
- Saturday: 7am to 5pm [as needed]
- Sunday: n/a
- Holidays: n/a

ii. During Operations:

- Monday - Friday: n/a
- Saturday: n/a
- Sunday: n/a
- Holidays: n/a

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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:

Temporary and unavoidable storm term noise impacts resulting from the use of construction equipment during construction of the proposed project

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:

Proposed on site lighting will be dark sky compliant and in compliance with all Town of Amherst lighting regulations.

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: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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): Golf course

ii. If mix of uses, generally describe:

Mixture of uses including Park Country Club Golf Course and residential uses including single-family and multifamily.

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	1.4	2.20	+ 0.8
• Forested	0.0	0.0	0.0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.0	0.0	0.0
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0.0	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.0	0.0	0.0
• Wetlands (freshwater or tidal)	0.0	0.0	0.0
• Non-vegetated (bare rock, earth or fill)	0.0	0.0	0.0
• Other Describe: Greenspace and landscaping	3.63	2.83	- 0.8

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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:
There is contamination on the project site resulting from its historical use as a nursery (herbicides and pesticides).

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):

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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? > 40 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:

Schoharie silt loam	84 %
Urban Land-Odessa complex	16 %
	%

d. What is the average depth to the water table on the project site? Average: 36 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? [There are any wetlands subject to the jurisdiction of either the USACE or NYSDEC located on 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: _____

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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: Amherst State Park, Glen Park, Audubon Town Park

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

iii. Distance between project and resource: 1-4 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 Savarino Development Corp. I Date July 17, 2023

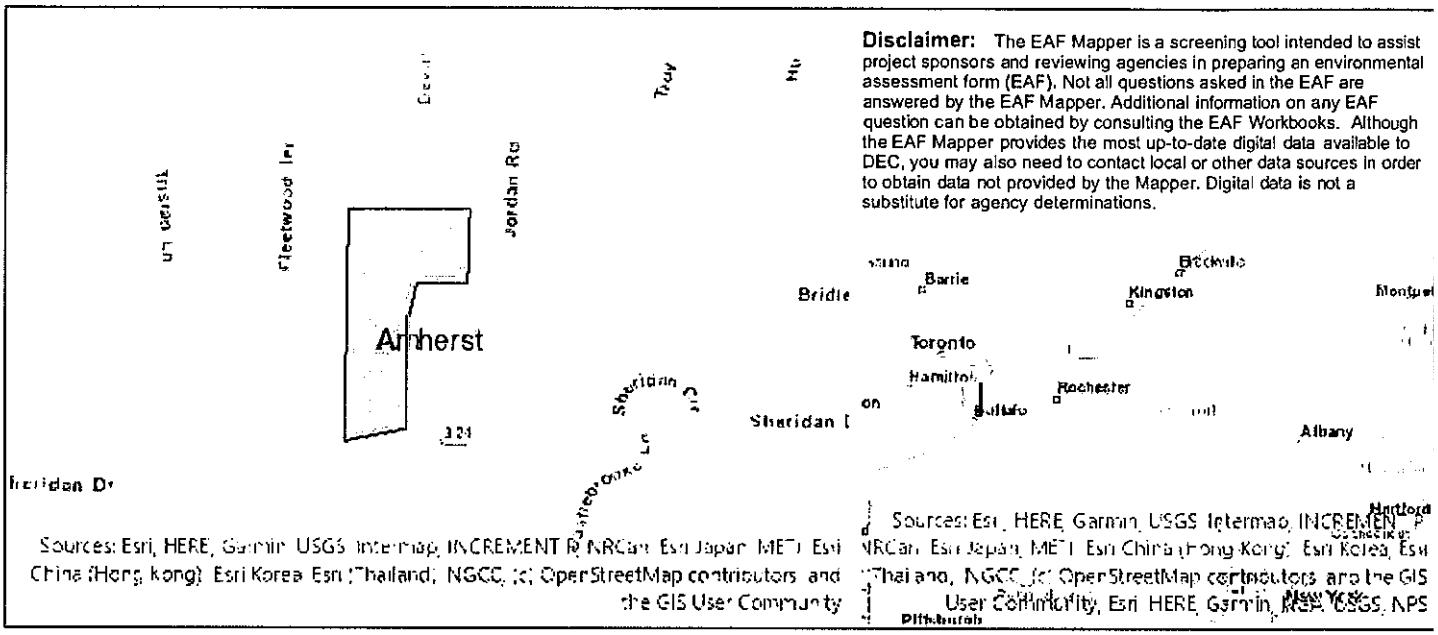
Signature _____ Title Attorney for Project Sponsor

PRINT FORM

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EAF Mapper Summary Report

Friday, June 16, 2023 10:58 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]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
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.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

TOWN OF AMHERST ATTACHMENT
State Environmental Quality Review
ENVIRONMENTAL ASSESSMENT FORM
Proposed Residential Project - 4774 & 4780 Sheridan Drive

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
Schoharie silt loam	✓		✓		✓
Urban Land Odessa complex	✓		✓		✓

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

   [Three copies of the Geotechnical Report prepared by Ray Teeter dated November 16, 2018 have been submitted.]

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:
   4774 Sheridan Drive - 0.67 ac
   4780 Sheridan Drive - 4.36 ac

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 _____

   (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 hour upon completion of project 12
   Source: ITE Trip Generator

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:

    4,400 average flow 17,600 peak flow.

    (Please note that 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.)

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EXHIBIT 2

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EXHIBIT 2 OF REZONING APPLICATION

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED FROM R-3 TO 4-4

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, 60, Township 12, and Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the center line of Sheridan Drive, distant 214.37 feet west of the east line of lands conveyed to Michael Trenz and Elsie Trenz, his wife by deed recorded in the Erie County Clerk's Office in Liber 3381 of Deeds at page 411;

thence northerly along the west line of lands per deed filed in the Erie County Clerk's Office in Liber 5022 Deeds page 430, at an interior angle of 101°11', a distance 50.97 feet to a point in the south line of said Sheridan Drive being the True Point and Place of Beginning;

thence westerly along the said south line of Sheridan Drive 215.35 feet to a point in the west line of said Michael Trenz and Elsie Trenz in Liber 3381 of Deeds at page 411;

thence northerly at an interior angle of 78°47' and along the west line of said Trenz, 789.86 feet to a point;

thence east at an interior angle of 90°59', a distance of 422.64 feet to a point in the east line of said Michael Trenz and Elsie Trenz in Liber 3381 of Deeds at page 411;

thence south at an interior angle of 88°38'9" and along the east line of said Trenz, 257.10 feet to a point, being the northeast corner of lands conveyed to Edward Roessel and Jennie Roessel, his wife by deed recorded in said Erie County Clerk's Office in Liber 4296 of Deeds at page 180;

thence westerly at right angles along said Roessel's north line, 178.00 feet to the northwest corner thereof;

thence southerly along said Roessel's west line, 101.72 feet to an angle point therein;

thence continuing along said Roessel's west line and parallel with the east line of Lot No. 60, 18.00 feet to a point;

thence westerly at right angles to the east line of said Lot No. 60, 8.29 feet to the northwest corner of lands conveyed to John J. Julian and Frances J. Julian, his wife by deed recorded in said Erie County Clerk's Office in Liber 5022 of Deeds at page 430;

thence southerly at right angles and along the west line of said lands so conveyed to said John J. Julian and Frances J. Julian, 144.32 feet to an angle point therein;

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

thence continuing southerly at an exterior angle of 178°21'05", 237.22 feet to the True Point and Place of Beginning.

This parcel containing 5.029 acres of land more or less.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EXHIBIT 3

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

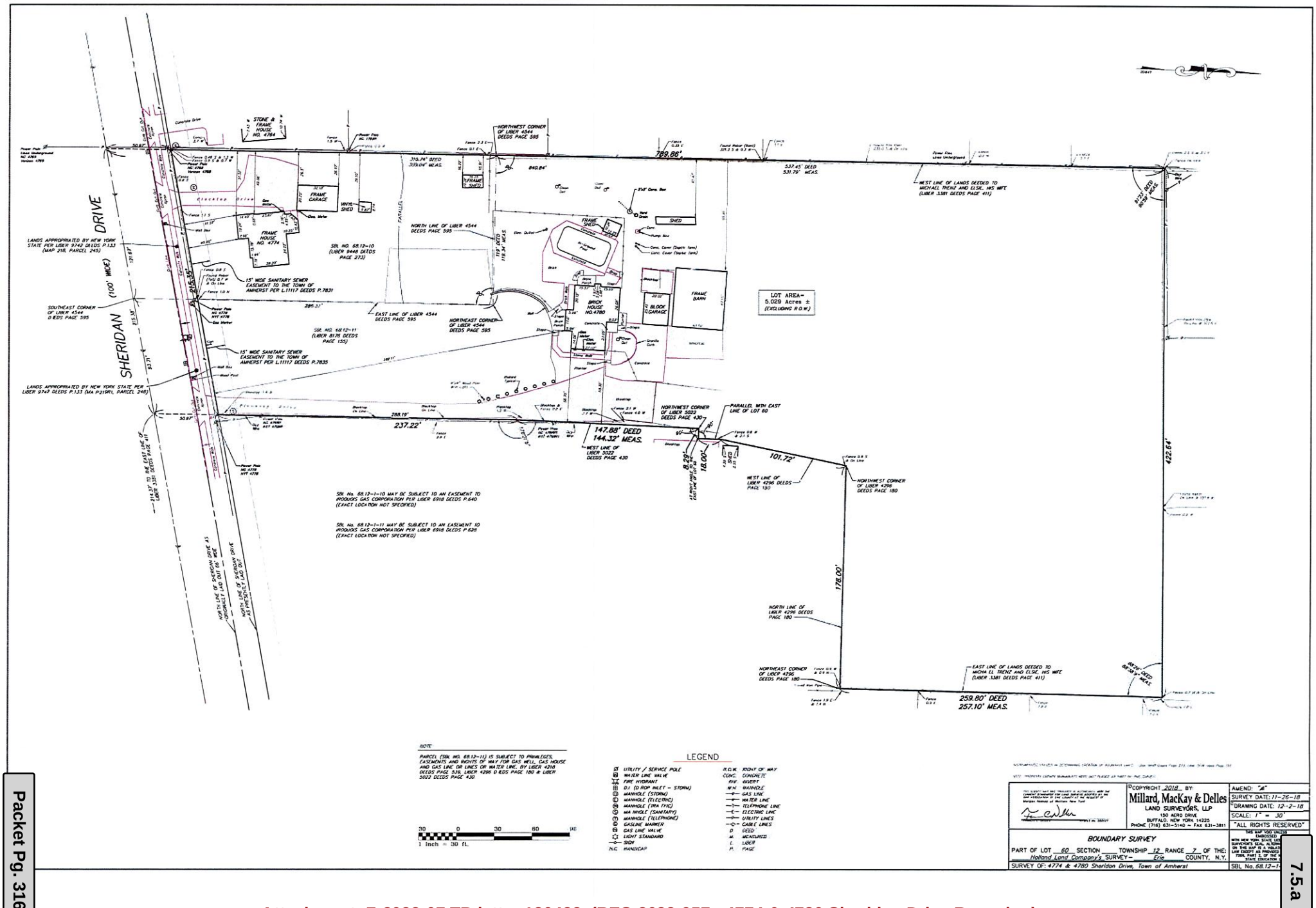

SHERIDAN DRIVE
(100' WIDE)
LOT AREA=
5.029 Acres ±
(EXCLUDING R.O.W.)
789.86'
840.84'
537.45' DEED
531.79' MEAS.
310.74' DEED
309.04' MEAS.
NORTHWEST CORNER OF LIBER 4544 DEEDS PAGE 595
NORTH LINE OF LIBER 4544 DEEDS PAGE 595
EAST LINE OF LIBER 4544 DEEDS PAGE 595
NORTHEAST CORNER OF LIBER 4544 DEEDS PAGE 595
SOUTHEAST CORNER OF LIBER 4544 DEEDS PAGE 595
WEST LINE OF LANDS DEEDED TO MICHAEL TRENZ AND ELSIE, HIS WIFE (LIBER 3381 DEEDS PAGE 411)
LANDS APPROPRIATED BY NEW YORK STATE PER LIBER 9743 DEEDS P.133 (MAP 218, PARCEL 245)
LANDS APPROPRIATED BY NEW YORK STATE PER LIBER 9743 DEEDS P.133 (MA P219R1, PARCEL 248)
SBL NO. 68.12-1-10 (LIBER 8448 DEEDS PAGE 273)
SBL NO. 68.12-1-11 (LIBER 8176 DEEDS PAGE 155)
15' WIDE SANITARY SEWER EASEMENT TO THE TOWN OF AMHERST PER L.11117 DEEDS P.7831
15' WIDE SANITARY SEWER EASEMENT TO THE TOWN OF AMHERST PER L.11117 DEEDS P.7835
STONE & FRAME HOUSE NO. 4764
FRAME GARAGE
FRAME HOUSE NO. 4774
VINYL SHED
FRAME SHED
SHED
BRICK HOUSE NO.4780
4 BLOCK GARAGE
FRAME BARN
Riverbank Drive
Driveway
Cement Drive
Gravel Drive
Asphalt Drive
285.27'
182.91'
288.19'
237.22'
147.88' DEED
144.32' MEAS.
NORTHWEST CORNER OF LIBER 5022 DEEDS PAGE 430
WEST LINE OF LIBER 5022 DEEDS PAGE 430
PARALLEL WITH EAST LINE OF LOT 60
8.29'
18.00'
101.72'
WEST LINE OF LIBER 4296 DEEDS PAGE 180
NORTHWEST CORNER OF LIBER 4296 DEEDS PAGE 180
422.64'
178.00'
NORTH LINE OF LIBER 4296 DEEDS PAGE 180
NORTHEAST CORNER OF LIBER 4296 DEEDS PAGE 180
EAST LINE OF LANDS DEEDED TO MICHA EL TRENZ AND ELSIE, HIS WIFE (LIBER 3381 DEEDS PAGE 411)
259.80' DEED
257.10' MEAS.
SBL No. 68.12-1-10 MAY BE SUBJECT TO AN EASEMENT TO IROQUOIS GAS CORPORATION PER LIBER 6918 DEEDS P.640 (EXACT LOCATION NOT SPECIFIED)
SBL No. 68.12-1-11 MAY BE SUBJECT TO AN EASEMENT TO IROQUOIS GAS CORPORATION PER LIBER 6918 DEEDS P.628 (EXACT LOCATION NOT SPECIFIED)
NORTH LINE OF SHERIDAN DRIVE AS ORIGINALLY LAID OUT 66' WIDE
NORTH LINE OF SHERIDAN DRIVE AS NOW OCCUPIED AND LAID OUT
NOTE:
PARCEL (SBL NO. 68.12-1-11) IS SUBJECT TO PRIVILEGES, EASEMENTS AND RIGHTS OF WAY FOR GAS WELL, GAS HOUSE AND GAS LINE OR LINES OR WATER LINE, BY LIBER 4218 DEEDS PAGE 339, LIBER 4296 DEEDS PAGE 180 & LIBER 5022 DEEDS PAGE 430
LEGEND
UTILITY / SERVICE POLE
WATER LINE VALVE
FIRE HYDRANT
D.I. (D ROP INLET - STORM)
MANHOLE (STORM)
MANHOLE (ELECTRIC)
MANHOLE (TRAFFIC)
MA NHOLE (SANITARY)
MANHOLE (TELEPHONE)
GASLINE MARKER
GAS LINE VALVE
LIGHT STANDARD
SIGN
HANDICAP
R.O.W. RIGHT OF WAY
CONC. CONCRETE
INV. INVERT
M.H. MANHOLE
GAS LINE
WATER LINE
TELEPHONE LINE
ELECTRIC LINE
UTILITY LINES
CABLE LINES
D. DEED
M. MEASUREMENT
L. LIBER
P. PAGE
30 0 30 60
1 Inch = 30 ft.
©COPYRIGHT 2018 BY:
Millard, MacKay & Delles
LAND SURVEYORS, LLP
150 AERO DRIVE
BUFFALO, NEW YORK 14225
PHONE (716) 631-5140 ~ FAX 631-3811
AMEND: "A"
SURVEY DATE: 11-26-18
DRAWING DATE: 12-2-18
SCALE: 1" = 30'
"ALL RIGHTS RESERVED"
BOUNDARY SURVEY
PART OF LOT 60 SECTION TOWNSHIP 12 RANGE 7 OF THE:
Holland Land Company's SURVEY ~ Erie COUNTY, N.Y.
SURVEY OF: 4774 & 4780 Sheridan Drive, Town of Amherst
SBL No. 68.12-1-

EXHIBIT 4

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EXHIBIT 4

REZONING OF 4774 & 4780 SHERIDAN DRIVE FROM R-3 TO R-4

Question 11(A): Description of the character of the proposed development:

Response to Question 11(A): The proposed project consists of the development of 4774 and 4780 Sheridan Drive (the "Project Site") as eleven (11) residential buildings each consisting of two residential units for sale [22 total units].[1] Each of the residential units will have an attached garage and the project will result in the clean-up of the contamination located on the parcel at 4780 Sheridan Drive resulting from former use as a nursery [Gleason Nursery] via entry into the NYSDEC Brownfield Program. A full-size copy of the Concept Site Plan [Drawing C-100] prepared by Carmina Wood Design depicting the layout of the proposed project is attached is attached and a reduced-size copy of the Concept Site Plan is also attached as **Exhibit "6"**.

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 R-3 to R-4 to accommodate the proposed residential project since the requested R-4 zoning classification is consistent with Figure 6 of the adopted Comprehensive Plan that designates the Project Site as appropriate for low intensity residential uses. A color copy of Figure 6 of the Comprehensive Plan is attached as **Exhibit "7"**. A color excerpt of the Town of Amherst Zoning Map is attached as Exhibit "8" and an aerial photograph of the Project Site and surrounding vicinity is attached as Exhibit "9".

Question 11(B)(2): Why cannot land be used with the existing zoning?

---

[1] A legal description of the Project is attached as **Exhibit "2"** and a full-size copy of the Survey of the Project Site is attached to this Rezoning Application. A reduced-size copy of the Survey of the Project Site is also attached as **Exhibit "3"**.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Response to Question 11(B)(2): The Project Site cannot be developed as single-family homes on individual lots per the existing R-3 zoning classification since this would prevent the project from being eligible for entry into the NYSDEC Brownfield Cleanup Program. A residential subdivision was previously approved for the Project Site by the Planning Board but the project was unable to move forward due to the contamination resulting from the former use of 4780 Sheridan Drive as a nursery.

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 R-3 and R-4 to accommodate the proposed residential project consisting of upscale attached residential units for sale will not result in any potentially significant adverse impacts on surrounding properties. A completed Part 1 of the Full Environmental Assessment Form with attached Page 5[a] as prepared pursuant to the State Environmental Quality Review Act ("SEQRA") is provided at **Exhibit "1"** of this Rezoning Application. It is important to mention that the project will allow the contaminated portion of the Project Site to be remediated via the requirements of the NYSDEC Brownfield Cleanup Program. The proposed project will also require site plan approval from the Planning Board which will ensure compliance with the applicable standards for landscaping, lighting, stormwater management, etc.

Question 11(B)(4): How will this rezoning impact the school system?

Response to Question 11(B)(4): The proposed residential project will have positive impacts on the school district since it will generate annual property taxes. The target market for the proposed upscale residential units consists of empty nesters and seniors. The proposed project will potentially

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

generate some demand for educational services provided by the school district but it is anticipated the project will have overall positive fiscal impacts since it is anticipated that the annual school taxes will be higher than the cost of educational services for school age children of the future residents of the project.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EXHIBIT 5

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EXHIBIT 5

REZONING OF 4774 & 4780 SHERIDAN DRIVE FROM R-3 TO R-4

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] On December 14, 2020, the Town Board most recently adopted amendments to the Bicentennial Comprehensive Plan. The proposed residential project consisting of two-family buildings comprised of upscale residential units for sale is consistent with the adopted Comprehensive Plan and the land uses in the vicinity of the Project Site that includes various zoning classifications including R-3, R-4, MFR-5, MFR-6 and RC. A color excerpt of the Town of Amherst Zoning Map is attached as **Exhibit "8"**.

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 proposed project is consistent with the Comprehensive Plan and such there is not a need to amend the Comprehensive Plan to accommodate the proposed residential project consisting of two-story units with attached garages for sale.

---

[1] A copy of the resolution adopted by the Town Board 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-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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 requested rezoning of the Project Site from R-3 to R-4 to accommodate the proposed residential project consisting of units for sale on the Project Site is consistent with the "Purpose" of the Zoning Code. Section 1-2-2 of the Zoning Code sets forth the objectives of the Zoning Code. This section of the Zoning Code lists thirteen 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 of the Project Site will be consistent with the objective of protecting the character and value of existing land uses. The proposed rezoning will allow the contaminated Project Site to be developed as a 2-story buildings consisting of two units each [22 total units] with attached garages, which 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 will not be inconsistent with this objective.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

C. To prevent overcrowding of land;

Response: The proposed project will not result in the overcrowding of land. The project is consistent with the type of development designated as appropriate for the Project Site per the adopted Comprehensive Plan.

D. To prevent excessive concentration of population and to prevent spare and uncoordinated development;

Response: The proposed rezoning of the Project Site will not result in excessive concentration of population and the residential project represents an example of coordinated development.

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 provided above sets 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 Project Site is not located in a regulated floodway or 100 yr. floodplain. The Site Plan Application review process will trigger the need for an Engineer's Report to be 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 upscale residential buildings 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 the proposed project will not be inconsistent with this objective. There are not significant natural features located on the Project Site.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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 Concept Site Plan [Drawing C-100] prepared by Carmina Wood Design submitted with this Rezoning Application will be aesthetically harmonious with nearby areas and structures.[2]

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 proposed project will have a driveway connection to Sheridan Drive. There are currently three curb cuts from the Project Site onto Sheridan Drive.

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 project.

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 is consistent with this objective since the proposed use 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 is consistent with this objective.

---

[2] A reduced-size copy of the Concept Site Plan [Drawing C-100] is attached as **Exhibit "6"**.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

M. To protect the community from visual pollution resulting from the unregulated use of signs and other advertising devices.

Response: The proposed rezoning and the proposed 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 rezoning of the Project Site is compatible with the present zoning and conforming uses of nearby properties and the character of the neighborhood which includes a mixture of uses and zoning classifications.

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 uses permitted by the existing R-3 zoning classification since the development of the Project Site as single-family homes for sale on individual lots is a project type that would enable remediation of the existing contamination per the standards of the NYSDEC Brownfield Cleanup Program. The proposed project to be developed as permitted by the R-4 zoning classification represent a suitable use of the Project Site.

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 R-R-3 to R-4 to accommodate the proposed project will have positive impacts on the balance of uses in the Town by providing two-unit buildings consisting of upscale residential uses for sale, which will be attractive to empty nesters and seniors. This project type is uncommon in the Town of

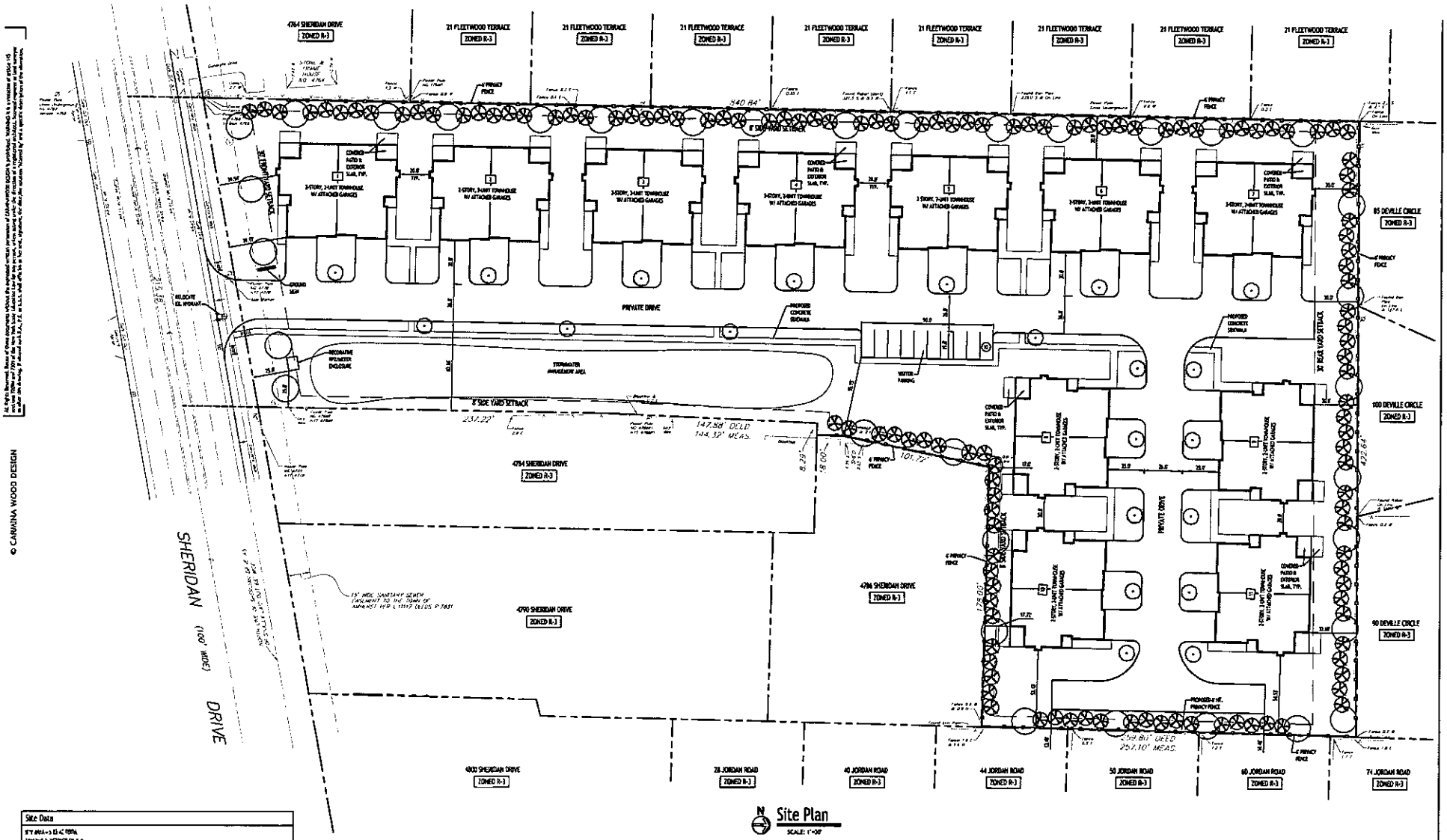
Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst and the adopted Comprehensive Plan recognizes the need for a diverse range of residential housing choices including those that are attractive to seniors.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EXHIBIT 6

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)



Site Plan
SCALE: 1"=50'

Site Data

	REQUIRED	PROVIDED
FRONT	30 FT.	36.13 FT. MIN
SIDE	8 FT. / 30 FT. (COMBINED)	12 FT. MIN. / = 32 FT. (COMBINED)
REAR	30 FT.	30 FT. MIN.
BUILDING DENSITY:	22	22
	MAX 5#	= MAX 5#
	10.1 AC (75.7%)	1.14 AC (23.7%)
	25 FT.	= 25 FT.
	44	94 SURFACE + 44 GARAGE SPACES = 98 TOTAL
	= 35 AC (75%)	= 75%

PARKING CALCULATION:
"MULTI-FAMILY"
1 SPACES PER UNIT
22 UNITS x 2 = 44 SPACES REQD. (Per TB)

BUILDING DENSITY REQUIREMENTS:
PER R-3 ZONING REQUIREMENTS
1,850 SF / DWELLING
9.63 AC = 41,948 SF = 229,100 SF / 2,000 SF = 22.5
22 UNITS ALLOWED

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

CARMINAWOOD DESIGN
Buffalo | Utica | Greensboro

Proposed Multi-Family
4774 & 4780 Sheridan Drive
Amherst, NY

REVISIONS:
No. Description Date

PRELIMINARY
NOT FOR CONSTRUCTION

DRAWING NAME:
Site Plan
Concept

Date: 7/1
Drawn By: P. Sh
Scale: As n

DRAWING NO.
C-1

Project No:

© CARMINA WOOD DESIGN

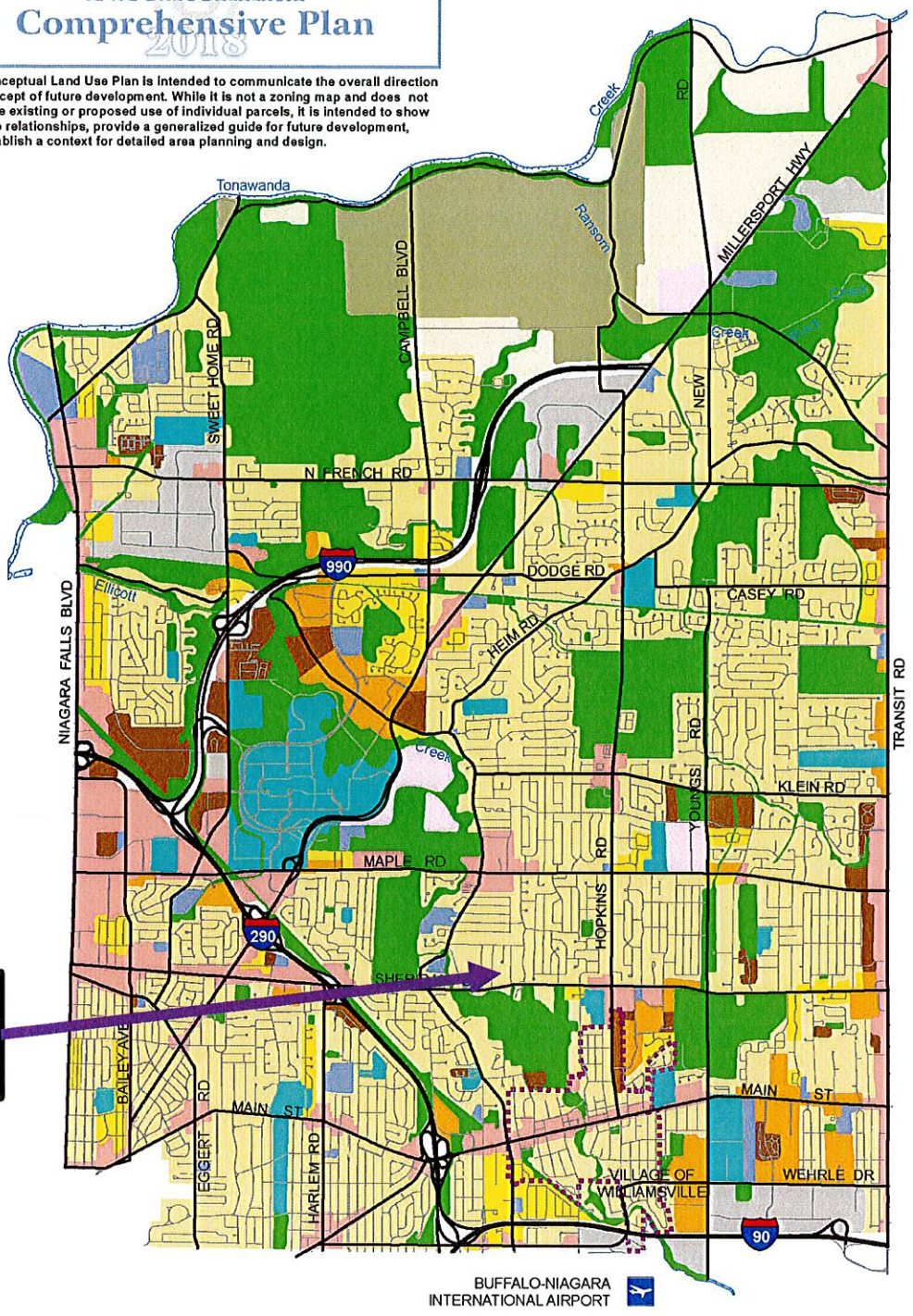
EXHIBIT 7

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Town of Amherst Bicentennial Comprehensive Plan

1818 2018

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

Conceptual Land Use Plan

FIGURE 6

- 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 Additional Designations

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 2020

N

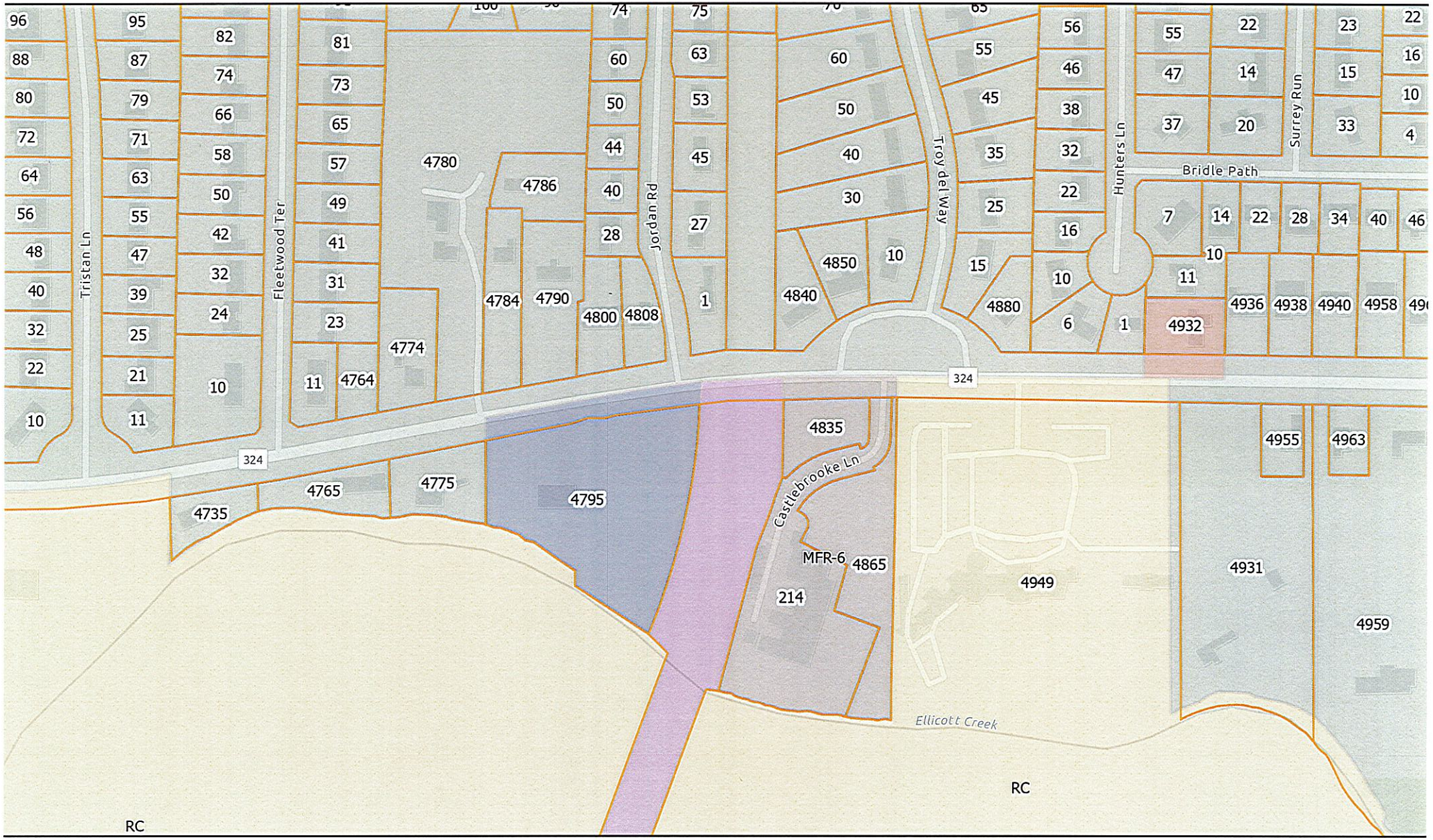
0 0.25 0.5 0.75 1 1.25 Miles

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

EXHIBIT 8

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

ArcGIS Web Map



1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

Esri Community Maps Contributors, Province of Ontario, © Open
Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, M
USGS, EPA, NPS, US Census Bureau, USDA

S Web

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Esri Community Maps Contributors, Province of Ontario, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | NYS GIS Clearinghouse -https://gis.ny.gov/ | Federal Emergency Management Age

EXHIBIT 9

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

ArcGIS Web Map



/18/2023, 12:04:03 AM

Parcels

Town Boundary

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

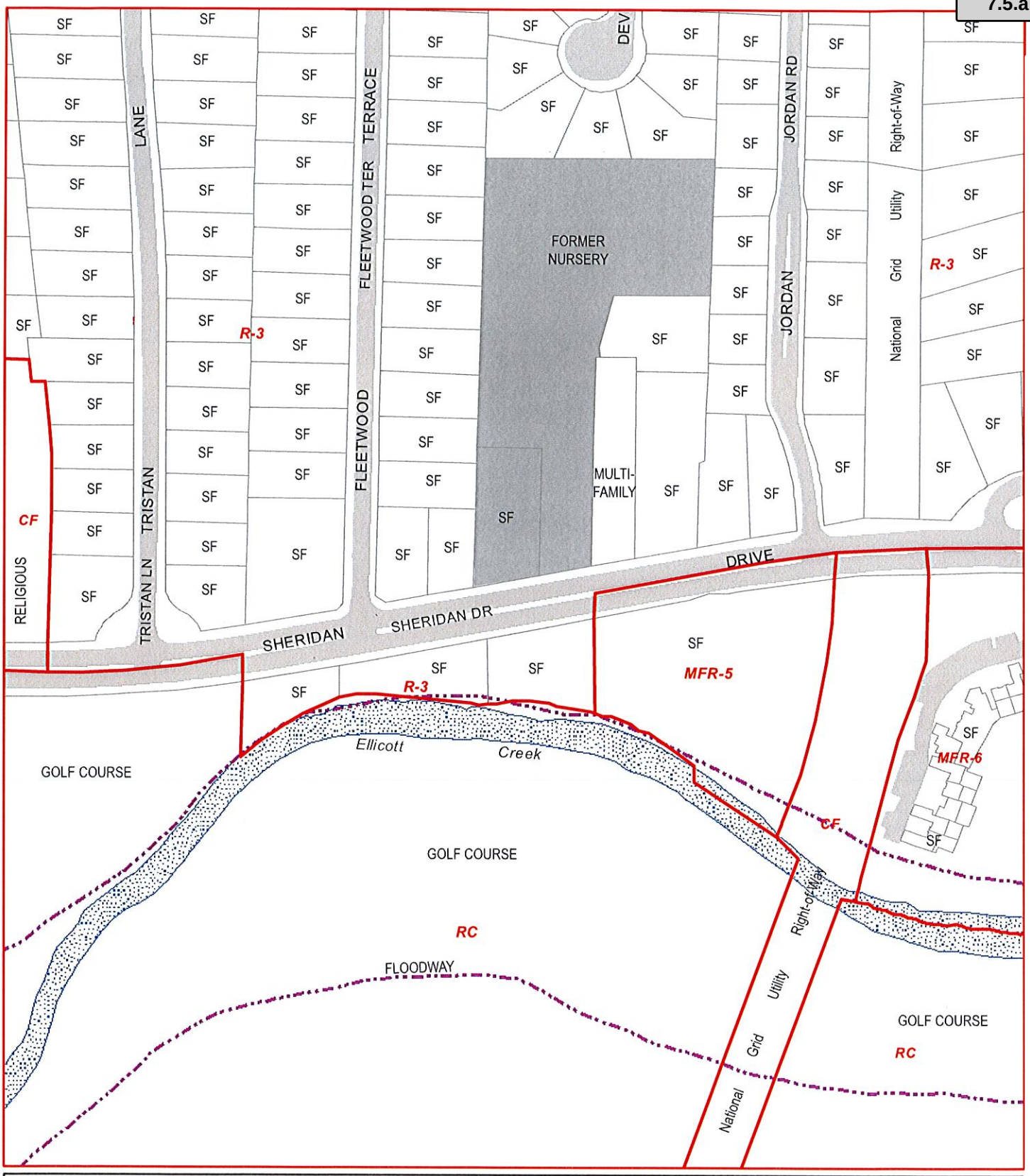
Maxar

Packet Pg. 335

7.5.a

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

NYS GIS Clearinghouse | https://gis.ny.gov | Federal Emergency Management Agency (FEMA) | https://www.fema.gov/node/494233 | Federal Emergency Management Agency (FEMA) | https://www.fema.gov/flood-maps | Erie County GIS | Maxar



Z-2023-07

Request for Rezone 5.03± Acres of Land from R-3 to R-4
Property Located at 4774-4780 Sheridan Drive

Savarino Development Corp., Petitioner

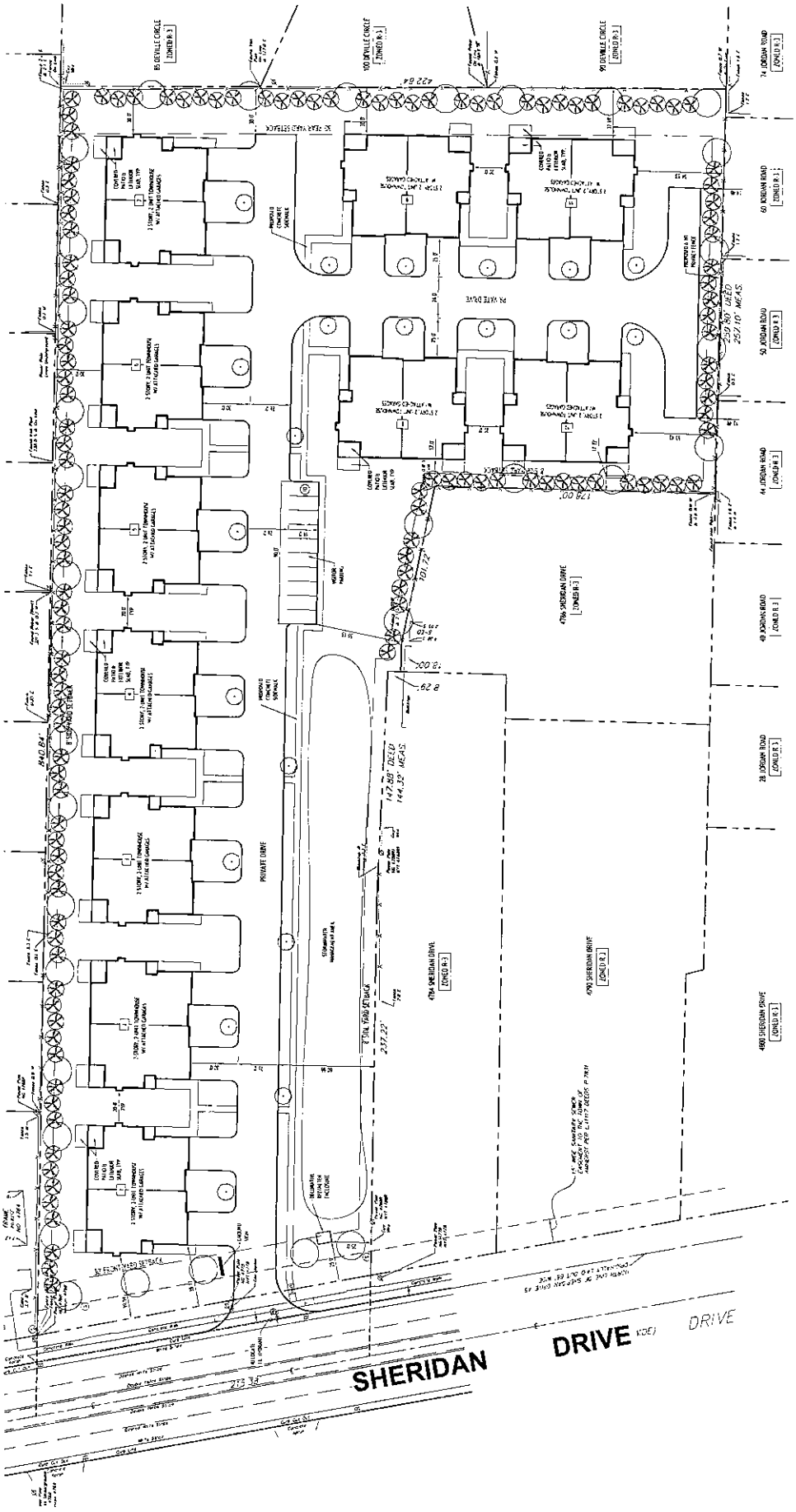
October 19, 2023

4774-4780 Sheridan Drive

Floodway Boundary

Prepared by the Town of Amherst Planning Department

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)



CONCEPT PLAN

Z-2023-07
4774-4780 Sheridan Drive

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)



Z-2023-07

Request for Rezone 5.03± Acres of Land from R-3 to R-4
Property Located at 4774-4780 Sheridan Drive

Savarino Development Corp., Petitioner

October 19, 2023

4774-4780 Sheridan Drive

Floodway Boundary

Prepared by the Town of Amherst Planning Department

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst
Town of Amherst Planning Department
Erie County, New York

Brian J. Kulpa
Supervisor
Daniel C. Howard, A
Planning Director
Daniel J. Ulatowski, A
Assistant Planning Dir

MEMORANDUM

October 27, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel Ulatowski, Principal Planner (Planning copy)
Douglas Gesel, Supervising Code Enforcement Officer, Building Department

FROM: Scott Marshall, Principal Planner

SUBJECT: REQUEST TO REZONE 5.03± ACRES OF LAND FROM **R-3** TO **R-4**, **Z-2023-07**; PROPERTY LOCATED AT **4774 & 4780 SHERIDAN DRIVE**. RAS DEVELOPMENT COMPANY LLC., PETITIONER.

ENVIRONMENTAL SITE ASSESSMENT:
Received October 27, 2023

This information is for your records. A review is not required at this time.

Please call the Planning Department if additional information is required (631-7051).

Signature: Doug Gesel **Date:** Nov. 8, 2023

DU/SM/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774_&_4780_Sheridan_Dr)_2023\Z-2023-07_Rev_Transmittal_102723.doc
cc: Jeff Burroughs, Town Engineer

RECEIVED
OCT 30 2023
TOWN OF AMHERST
BUILDING DEPT

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Town of Amherst, NY
Office of the Assessor
Emily A. Murphy Assessor

5583 Main Street
Williamsville, New York 14221
Phone: (716) 631-7038
www.amherst.ny.us
dmarrano@amherst.ny.us

Memorandum

November 6, 2023

To: Francina Spoth, Town Clerk
Re: Petition – 4774 & 4780 Sheridan Dr

The protest petition for 4774 & 4780 Sheridan Dr has been signed by the required property owners as stated in Town Law §265 (1) paragraph's (a) (b) or (c). The Super Majority calculations are based on three tests:

(a) The owners of 20% or more of the area of land included in such proposed change; or
(b) The owners of 20% or more of the area of land immediately adjacent to that land included in such proposed change, extending 100 feet therefrom; or
(c) The owners of 20% or more of the area of land directly opposite thereto, extending 100 feet from the street frontage of such opposite land.

Therefore a super majority vote will be required to enact the change in zoning, as it relates to 4774 & 4780 Sheridan Dr.

Should you have questions, please feel free to contact me.

Emily Murphy
Assessor

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
700 Delaware Avenue, Buffalo, NY 14209
P: (716) 851-7165 I F: (716) 851-7168
www.dec.ny.gov

October 19, 2023

Thomas Voigt
Town of Amherst Planning Department
5583 Main Street
Williamsville, New York 14221

Dear Thomas Voigt:

SEQR Lead Agency Coordination
4774/4780 Sheridan Drive Residential Project
Town of Amherst, Erie County

This is to acknowledge receipt of your October 10, 2023, submission regarding the above referenced project under the State Environmental Quality Review Act (SEQR). The Department recommends that the Town of Amherst should act as SEQR Lead Agency, since the environmental impacts of the proposal are primarily of local significance. However please be aware of the following:

1. Information contained in the materials submitted this office indicate that there may be contamination on the project site and the project sponsor may be considering entry into the Brownfield Cleanup Program (BCP). It is recommended that the project sponsor contact Andrea Caprio, NYSDEC Division of Environmental Remediation, to discuss BCP requirements. Andrea Caprio may be reached at: 716-851-7220 or andrea.caprio@dec.ny.gov.

2. The site appears to be within an archaeologically sensitive area based on information obtained through the Cultural Resource Information System (CRIS) on the New York State Office of Parks, Recreation and Historic Preservation's (OPRHP) website at https://cris.parks.ny.gov/. As part of the SEQR process, this concern should be evaluated, unless it can be verified by appropriate documentation that the sites have been significantly disturbed in a way that would destroy potential artifacts. Please recognize that normal agricultural activities, such as plowing, would not constitute such land disturbance. If there are any questions regarding this, contact OPRHP (telephone: 518/237-8643).

3. This proposed project is a Sanitary Sewer Extension or requires a sanitary sewer connection that is designed to convey 2,500 gallons/day or more of municipal sewage that is defined as a Sanitary Sewer Extension, and therefore requires sewer extension approval by the Erie County Health Department, which acts as our agent.

NEW YORK STATE | Department of Environmental Conservation

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

A detailed Downstream Sewer Capacity Analysis must be performed and submitted for this project as part of the Project's Engineering Report. Recent wet weather flow monitoring data and proposed new development flow should be analyzed relative to theoretical capacity at key nodes in the downstream sewer system and at pump stations (if any) to determine if capacity exists.

Recent wet weather system flow data can consist of:

- Comprehensive information from recent Sanitary Sewer System Evaluation Studies, or
- Wet weather data collected at (minimum of 3) key downstream nodes specified by the municipality.
    - This dated information can consist of instantaneous flow measurements or continuous flow or sewer depth measurements obtained during significant wet weather events, preferably during high groundwater conditions. Peak sewer flow recording methods are an acceptable method to collect this information.
    - Depth or flow measurements should continue until a significant wet weather event occurs, but would not have to extend beyond three months. A significant wet weather event is considered to be a daily rainfall amount of ½" or greater.

The Downstream Sewer Capacity Analysis must also contain a narrative and a detailed map showing the downstream routing of sewers from the proposed project site to the Wastewater Treatment Plant. Line sizes, theoretical capacity and pump stations must be identified and included in the analysis.

This Downstream Sewer Capacity Analysis, as well as any required infiltration and inflow (I/I) rehabilitation offset work at a 4:1 ratio, should be part of the Project's Engineering Report. These items must be received as part of a complete sanitary sewer extension plan submission from the municipality (sewer owner) that signs the "Application for Approval of Plans" form. If adequate capacity is not available, the sewer extension will not be approved until an acceptable remediation plan is developed.

4. Since project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001). This General Permit requires the project sponsor, owner, or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice of Intent (NOI) and prior to commencement of the project. More information on this General Permit, as well as the NOI form, is available on the Department's

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

website at www.dec.ny.gov/chemical/43133.html. Information on permitting requirements and preparation of a necessary Stormwater Pollution Prevention Plan (SWPPP) is available on the Department's website at www.dec.ny.gov/chemical/8468.html.

The Town of Amherst is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The "MS4 SWPPP Acceptance" form must be signed by the principle executive officer or ranking elected official from the MS4 community, or by a duly authorized representative of that person, and submitted along with the NOI, to the Department at NOTICE OF INTENT, NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commences.

If you have any other questions, please feel free to contact Bruno DiBella of my staff or me at 716/851-7165.

Sincerely,

David S. Denk

David S. Denk
Regional Permit Administrator

BAD/slr

Ecc: Andrea Caprio, NYSDEC Region 9
Savarino Development (c/o Sean Hopkins)

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst

2018.054

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AIC
Planning Director
Daniel J. Ulatowski, AIC
Assistant Planning Direct

RECEIVED
OCT 19 2023
TOWN OF AMHERST
PLANNING DEPT.

MEMORANDUM

July 19, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
SEQR Review Coordinator, NYSDOT
Williamsville School District

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 5.03± ACRES OF LAND FROM **R-3** TO **R-4, Z-2023-07**; PROPERTY LOCATED AT **4774 & 4780 SHERIDAN DRIVE**. SAVARINO DEVELOPMENT CORP., PETITIONER.

REVIEW:

Do you agree with all statements made? Yes

If you do not, briefly state why: _____

General comments relative to your agency interests: _____

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)
DSCA will be required

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 10/18/23

DU/GP/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774&4780_Sheridan)_2023\Z-2023-07_Transmittal_071923.doc
cc: Savarino Development Corp., c/o Sean Hopkins, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AIC
Planning Director
Daniel J. Ulatowski, AI
Assistant Planning Direc

RECEIVED
AUG 18 2023
TOWN OF AMHERST
PLANNING DEPT.

MEMORANDUM

July 19, 2023

RECEIVED
OCT 10 2023
TOWN OF AMHERST
PLANNING DEPT.

RECEIVED
JUL 19 2023
TOWN OF AMHERST
BUILDING DEPT

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
SEQR Review Coordinator, NYSDOT
Williamsville School District

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 5.03± ACRES OF LAND FROM **R-3** TO **R-4, Z-2023-07**; PROPERTY LOCATED AT **4774 & 4780 SHERIDAN DRIVE**. SAVARINO DEVELOPMENT CORP., PETITIONER.

REVIEW:

Do you agree with all statements made? No objections

If you do not, briefly state why: _____

General comments relative to your agency interests: _____

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: Krista L Halt **Date:** 8/18/23

DU/GP/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774&4780_Sheridan)_2023\Z-2023-07_Transmittal_071923.doc
cc: Savarino Development Corp., c/o Sean Hopkins, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

RECEIVED
JUL 28 2023
TOWN OF AMHERST
PLANNING DEPT.

Brian J. Kulpa
Supervisor
Daniel C. Howard, AIC
Planning Director
Daniel J. Ulatowski, AI
Assistant Planning Direc

MEMORANDUM

July 19, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
SEQR Review Coordinator, NYSDOT
Williamsville School District

RECEIVED
Williamsville Central School District
JUL 24 2023
Asst Superintendent for
Finance & Management Services

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 5.03± ACRES OF LAND FROM **R-3** TO **R-4, Z-2023-07**; PROPERTY LOCATED AT **4774 & 4780 SHERIDAN DRIVE**. SAVARINO DEVELOPMENT CORP., PETITIONER.

REVIEW:

Do you agree with all statements made? No comment.

If you do not, briefly state why: _____

General comments relative to your agency interests: This is to provide advisement and Notice that the Williamsville CSD does not provide bus service on privat roa

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: Thomas Matuszek **Date:** 7/25/23

DU/GP/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774&4780_Sheridan)_2023\Z-2023-07_Transmittal_071923.doc
cc: Savarino Development Corp., c/o Sean Hopkins, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst

2018.054

Town of Amherst Planning Department

Erie County, New York

Brian J. Kulpa
Supervisor

Daniel C. Howard, AIC
Planning Director

Daniel J. Ulatowski, AIC
Assistant Planning Direc

MEMORANDUM

July 19, 2023

RECEIVED
AUG 08 2023
TOWN OF AMHERST
PLANNING DEPT.

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
SEQR Review Coordinator, NYSDOT
Williamsville School District

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 5.03± ACRES OF LAND FROM **R-3** TO **R-4, Z-2023-07**; PROPERTY LOCATED AT **4774 & 4780 SHERIDAN DRIVE**. SAVARINO DEVELOPMENT CORP., PETITIONER.

REVIEW:

Do you agree with all statements made? YES

If you do not, briefly state why: _____

General comments relative to your agency interests: None @ this time

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 8/8/23

DU/GP/bf

c. Schregel

X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774&4780_Sheridan)_2023\Z-2023-07_Transmittal_071923.doc

cc: Savarino Development Corp., c/o Sean Hopkins, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

August 7, 2023

Savarino Development Corp. I
c/o Sean Hopkins, Esq.
5500 Main Street, Suite 343
Williamsville, New York 14221

SUBJECT:	Rezoning Application Review	**Z-2023-07**
	Request:	Rezone 5.03 acres of land from R-3 to R-4
	Property located at:	**4744 & 4780 Sheridan Drive**
	Application received:	July 17, 2023

Dear Mr. Hopkins,

Please consider the following comments:

1. Please clarify if the units will be for sale or lease and correct the applicable document(s). The response to item#14 in the rezoning application (to be leased) conflicts with the project description in Part 1 A of the EAF (for sale).

2. Provide a survey that shows the meets and bounds indicated in the proposed area to be rezoned or add the information to the boundary and topographic survey so that we can accurately compare the two documents to insure that area and property to be rezoned are one in the same. Angles are missing.

3. The following items on the Environmental Assessment Form should be corrected or completed:
   - Item **C.4.a** Sites are located in the Williamsville Central School District, not Amherst Central School District.
   - Item **C.4.c** Sites are located in the Williamsville Fire Protection District, which Hutchinson Hose is part.
   - Item **E.2.h.ii** Clarify the response to wetlands on the site.

2. Note that any other SEQR-related issues raised during the review process for this rezoning must be addressed prior to action by the Planning Board.

3. The subject site is located within an archaeologically sensitive area. An archaeological assessment will be required prior to the Planning Board making a SEQR determination.

4. Provide an 8½ " x 11" reduction of any revised concept plan **and an electronic version** of any revised plans or information submitted for review.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

This is a review only and does not constitute approval of the Rezoning Request. Should you have questions regarding this correspondence, please contact Scott A. Marshall, Principal Planner at smarshall@amherst.ny.us.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/SM/ac
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774_&_4780_Sheridan_Dr)_2023\Z-2023-07_Pln_Dpt_Rvw_8042023.doccc:

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AIC
Planning Director
Daniel J. Ulatowski, AIC
Assistant Planning Direc

MEMORANDUM

July 19, 2023

RECEIVED
JUL 26 2023
TOWN OF AMHERST
PLANNING DEPT.

RECEIVED
JUL 19 2023
TOWN ATTORNE

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
SEQR Review Coordinator, NYSDOT
Williamsville School District

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 5.03± ACRES OF LAND FROM **R-3** TO **R-4**, **Z-2023-07**; PROPERTY LOCATED AT **4774 & 4780 SHERIDAN DRIVE**. SAVARINO DEVELOPMENT CORP., PETITIONER.

REVIEW:

Do you agree with all statements made? Yes

If you do not, briefly state why: –

General comments relative to your agency interests: –

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.) –

Please call the Planning Department if additional information is required (631-7051).

Signature: Nora B Robshaw **Date:** 7/24/23

DU/GP/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774&4780_Sheridan)_2023\Z-2023-07_Transmittal_071923.doc
cc: Savarino Development Corp., c/o Sean Hopkins, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst

Town of Amherst Planning Department

RECEIVED
JUL 21 2023
TOWN OF AMHERST
PLANNING DEPT.

Erie County, New York

Brian J. Kulpa
Supervisor
Daniel C. Howard, AIC
Planning Director
Daniel J. Ulatowski, AI
Assistant Planning Direc

MEMORANDUM

July 19, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel J. Ulatowski, AICP, Zoning Enforcement Officer
Emily Murphy, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Vaishali Reberholt, Assistant Town Engineer
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Krista Halt, Senior Fire Inspector (c/o Bldg)
Martin Polowy, Town Attorney (Local Law Only)
Nora Robshaw, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
SEQR Review Coordinator, NYSDOT
Williamsville School District

RECEIVED
JUL 19 2023
TOWN ATTORNEY

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

SUBJECT: REQUEST TO REZONE 5.03± ACRES OF LAND FROM **R-3** TO **R-4**, **Z-2023-07**; PROPERTY LOCATED AT **4774 & 4780 SHERIDAN DRIVE**. SAVARINO DEVELOPMENT CORP., PETITIONER.

REVIEW:

Do you agree with all statements made? Form of local law is acceptable.

If you do not, briefly state why: _____

General comments relative to your agency interests: _____

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 7/20/23

DU/GP/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774&4780_Sheridan)_2023\Z-2023-07_Transmittal_071923.doc
cc: Savarino Development Corp., c/o Sean Hopkins, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

TOWN OF AMHERST

ASSESSOR'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
PHONE: 716-631-7038
FAX 716-631-7144

Emily A. Murphy
Assessor
emurphy@amherst.ny.us

MEMORANDUM

TO: Daniel Ulatowski, AICP, Associate Planning Director
Douglas Gesel, Supervising Code Enforcement Officer
Jeff Burroughs, Town Engineer
Scott Marshall, Principle Planner

FROM: Bonnie B. Arnold, Real Property Appraiser

DATE: July 21, 2023

SUBJECT: Request to Rezone 5.03±Acres of Land from R-3 to R-4,Z-2023-07
Property Location: **4774 & 4780 Sheridan Drive**
Petitioner: **Savarino Development Corp**

Site plan Approved as submitted. If rezone is for the construction of single family homes with condo status then the Assessor's office opposes.

cc: Savarino Development Corp, c/o Sean Hopkins, Hopkins, Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Fadel, Bryan

From: Voigt, Thomas J.
Sent: Monday, October 16, 2023 11:45 AM
To: Carrato, Amy
Cc: Fadel, Bryan
Subject: FW: proposed development on Sheridan Dr (formerly Gleason's Nursery)
Attachments: 2023.10.15 letter with exhibits.pdf

See attached and below

Thomas Voigt, Assistant Planner
Town of Amherst Planning Department
5583 Main St. Williamsville, NY 14221
Phone: (716) 631-7051 ex. 7118

From: Kelsey Granville <Kgranville@Petersoncos.com>
Sent: Monday, October 16, 2023 11:32 AM
To: Voigt, Thomas J. <tvoigt@amherst.ny.us>
Cc: David Granville <dgranvilleus@yahoo.com>; Elliot Frank (charles.elliot.frank@gmail.com) <charles.elliot.frank@gmail.com>
Subject: RE: proposed development on Sheridan Dr (formerly Gleason's Nursery)

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Re: Pending Development Project: Z-2023-07 (by Savarino Development Corp. I changed to RAS Development Company LLC "Savarino" as
Petitioner)
Planning Board Item 27793
Request to Rezone 5.03+/- Acres of Land from R-3 to R-4
SUB-2018-03PP (by Morgan Homes of WNY, Inc. as Petitioner)
And
SUB-2019-01SK (by David F. Granville, POA for Paul and Annette Granville as Petitioner)

Mr. Voigt,

See below and the attached letter with exhibits for inclusion in the record regarding pending development project Z-2023-07. Copied on this email is C. Elliot Frank, the owner of 4784 Sheridan Drive.

Our position remains unchanged.

We are IN SUPPORT of lawful, respectful, thoughtful, comprehensive development.

We are OPPOSED to the development of 4774 and 4780 without the development of 4784, 4786, and 4790 as it will greatly diminish the value of 4784, 4786 and 4790.

Thank you for your consideration.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Sincerely,

Kelsey Granville, Executor for the Estate of Annette Granville

-----Original Message-----
From: David Granville <dgranvilleus@yahoo.com>
Sent: Tuesday, October 10, 2023 5:11 PM
To: tvoigt@amherst.ny.us
Cc: Kelsey Granville <Kgranville@Petersoncos.com>
Subject: proposed development on Sheridan Dr (formerly Gleason's Nursery)

Dear Mr Voigt,
Thank you for taking the time to speak briefly this afternoon about the above referenced development.
CC'ing my brother Kelsey Granville who will forward the letter recommended.
We had submitted an application with regard to the previously proposed development which we will reference.
Thank you again,
Dave Granville
716-440-0423

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more Click Here.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Paul and Annette Granville
4790 Sheridan Drive
Williamsville, NY 14221

October 15, 2023

Town of Amherst Planning Board
5583 Main Street
Williamsville, NY 14221

Subject: Pending Development Project Z-2023-07 - Savarino Development Corp. I (changed to RAS Development Company LLC), "Savarino" as Petitioner
Planning Board Item 27793
Request to Rezone 5.03+/- Acres of Land from R-3 to R-4 (4774 & 4780 Sheridan Dr.)

Dear Planning Board Members (Gilmour, Chmiel, Gill, Giuliani, Kahn, Penberthy, and Raffaele) and Councilmember Berger:

Our family owns three contiguous parcels immediately east of Savarino's proposed development (4784, 4786, and 4790 Sheridan Drive) and also owns an adjacent parcel (40 Jordan Road). The four Granville Family parcels total about 2.5 acres.

We are IN SUPPORT of lawful, respectful, thoughtful, comprehensive development.

We are OPPOSED to the proposed Savarino's proposed development of 4774 and 4780 without consideration of the future development of Granville Family properties, thus greatly diminishing the value of said properties by eliminating the possibility of future development consistent with the Town Comprehensive Plan.

Before rendering a decision on the subject request, please be aware of the following:

- Savarino has failed to perform the required due diligence per the requirements of the application. See attached Exhibit A with comments to Savarino's application.
- Savarino's proposed development of 4774 & 4780 is "speculation" by definition - the practice of buying property with the intention of reselling it at a higher price in the near future.
- Savarino's proposed development includes a rezoning request in order to minimize risk and maximize profits.
- Savarino will only move forward with the development if the Planning Board grants the rezoning request. This is because the rezoning of the land INCREASES the value.
- Savarino will abandon the application if the Planning Board rejects the rezoning request. Savarino banked on buying the land at a price that is only justified with a zoning change.
- By the same token, any future proposed development of 4784, 4786 & 4790 is also "speculation" by definition.
- It is possible the Planning Board takes the position that they MUST make a decision based ONLY on the merits of the Savarino plan (4774 & 4780), and NOT take into consideration any future development plan (of 4784, 4786 & 4790) because that future development is considered to be "speculation".
- Both plans are "speculation" and the Planning Board MUST NOT abandon its authority and responsibility and remember to take into account the adjacent and neighboring properties.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

- Granville's subdivision application (SUB-2019-01SK) predates Savarino's rezoning application (Z-2023-07).

In conclusion, our position remains unchanged. It is consistent with the Planning Board's APPROVAL of the previously submitted subdivision application on the condition that the proposed "private" road be designated as "public".

A Granville Family representative plans to attend and speak as neighborhood spokesperson at the public meeting on Thursday, October 19. We will continue our efforts to work together to help new residential development contribute to the future improvements of the Town of Amherst. I welcome the opportunity to discuss this matter with each of you directly. I can be reached by email at kgranville@petersoncos.com or by phone at (703) 887-7375.

Sincerely,

Kelsey F. Granville
Executor, Estate of Annette Granville

Enclosures
Exhibit A: Comments to Savarino's Application
Exhibit B: January 16, 2019 letter
Exhibit C: January 29, 2019 letter
Exhibit D: February 20, 2019 letter
Exhibit E: March 18, 2019 letter
Exhibit F: Erie County On-Line Mapping Application (maps)
Exhibit G: March 14, 2019 Application (SUB-2019-01SK)

cc: David F. Granville, Executor, Estate of Paul Granville; Sean Hopkins, Esq. (Hopkins Sorgi & McCarthy PLLC), Attorney for Savarino; Town Board; Zoning Board of Appeals

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Exhibit A - Comments to Savarino's Application

- Exhibit 4:
  - Response to Question 11(A): "...the project will result in the clean-up of the contamination…"
  - Fact: the *alleged* contamination can be cleaned up without a rezoning request being granted.
  - Response to Question 11(B)(1): "...the site is appropriate since it is…consistent.."
  - Fact: This is circular reasoning.
  - Response to Question 11(B)(2): "...the existing R-3 zoning classification…would prevent the project from being eligible for entry into the NYSDEC Brownfield Cleanup Program."
  - Fact #1: The lack of entry into the program (and use of funds) does NOT constitute a sufficient reason for a rezoning request to be granted.
  - Fact #2: The *alleged* contamination is NOT the reason for the project not moving forward. SEQR Negative Declaration, Full Environmental Assessment Form (EAF), Geotechnical Report - NO evidence of "contaminated" soil.
- Exhibit 5:
  - Response to Question 16(A)(1): "...the proposed project…is consistent with the Comprehensive Plan."
  - Fact: The response claims to be "consistent" with the Comprehensive Plan, but FAILS to provide any details of how and FAILS to cite any specific supporting documentation.
- The 13 Objectives of the Zoning Code (Section 1-2-2)
  - A. Claim: The proposed development is "orderly and beneficial".
  - Fact: The proposed development is neither "orderly" nor "beneficial".
  - B. Claim: The proposed development provides adequate open spaces for light, air and outdoor uses to include **public**…open space areas."
  - Fact: The proposed development provides INADEQUATE **public** open space areas - NONE.
  - C. Claim: The proposed development will not result in "overcrowding of land".
  - Fact: The proposed development WILL result in overcrowding.
  - D. Claim: The proposed development will prevent "excessive concentration of population and…prevent sparse and uncoordinated development."
  - Fact: It will cause what it claims it will prevent.
  - E. Claim: The proposed development is consistent with the policies of the Comprehensive Plan.
  - Fact: The proposed development is INCONSISTENT with the Comprehensive Plan. The Response FAILS to provide any details of how and FAILS to cite any specific supporting documentation.
  - F. Omitted.
  - G. Omitted.
  - H. Claim: The proposed development is "aesthetically harmonious."
  - Fact: The proposed development is NOT aesthetically harmonious.
  - I. Claim: The proposed development includes a "private" driveway.
  - Fact: The proposed development will result in INCREASED street congestion and DETERIORATED public safety.
  - J. Claim: The proposed development was access to public utilities.
  - Fact: The proposed development will require utility service laterals, and does NOT …
  - K. Claim: The proposed rezoning is "consistent with the Comprehensive Plan."

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

- Fact: This is circular reasoning. This is what Savarino must demonstrate. Savarino does not supply any evidence that supports this claim. In fact, that is why a rezoning request is being made.
- L. Claim: The proposed rezoning is "consistent with this objective."
- Fact: This is circular reasoning. This is what Savarino must demonstrate. Savarino does not supply any evidence that supports this claim. In fact, that is why a rezoning request is being made.
- M. Omitted.

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Exhibit B: January 16, 2019 letter

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Paul and Annette Granville
4790 Sheridan Drive
Williamsville, NY 14221
716-634-3290

January 16, 2019

Town of Amherst
Planning Board
5583 Main Street
Williamsville, NY 14221

Re: SUB-2018-03SK

Dear Planning Board Members (Robert J. Gilmour, Michael J. Chmiel, Esq., Stephanie S. Gelber, Dal Giuliani, Steven L. Herberger, Mary Pfeifer-Shapiro, Daniel J. Ulatowski):

Thank you for the invitation to attend the public hearing on Thursday, January 17, 2019. Below please see our written comments regarding the proposed sketch plan for a "Sheridan Drive Subdivision" located at 4774 & 4780 Sheridan Drive:

We are IN FAVOR of lawful, respectful, thoughtful, comprehensive development, and

We are OPPOSED to unlawful, disrespectful, thoughtless, incomplete development, and

We are IN FAVOR of a subdivision of 4774 and 4780 as "Phase 1" with
Phase 1 representing 12-13 new homes (an INCREASE in taxes for the Town of Amherst), and

We are IN FAVOR of a subdivision of 4784 Front, 4784 Rear and 4790 as "Phase 2" with
Phase 2 representing 6-8 new homes (an INCREASE in taxes for the Town of Amherst), and

We are IN FAVOR of consideration of a sketch plan showing both phases, and

We are OPPOSED to a subdivision of 4774 and 4780 that excludes 4784 Front, 4784 Rear and 4790, and

We are OPPOSED to approving the Sketch Plan that shows only the subdivision of 4774 and 4780.

As residents of 4790 Sheridan for over 50 years, we look forward to continuing as good stewards of properties that increase in value and are assets to the Town of Amherst.

Thank you for your consideration.

Sincerely,

, POA

Kelsey F. Granville, POA on behalf of Paul and Annette Granville

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Exhibit C: January 29, 2019 letter

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Paul and Annette Granville
4790 Sheridan Drive
Williamsville, NY 14221

January 29, 2019

Town of Amherst Planning Board
5583 Main Street
Williamsville, NY 14221

Re: SUB-2018-03SK - proposed sketch plan review for a 14-lot "Sheridan Drive Subdivision" located at 4774 & 4780 Sheridan Drive

Dear Planning Board Members:

This letter serves as a follow-up to our first letter (dated January 16, 2019) as well as a selected summary of the proceedings of the public hearing on Thursday, January 17, 2019. Please see our comments below.

- Lot #13 – the stormwater management (SWM) area
  As proposed by the petitioner, ownership is dedicated to the homeowner's association (HOA).
  We are IN FAVOR of this plan.

- Lot #14 – the "spike" strip to the east of the proposed new road
  As proposed by the petitioner, ownership is dedicated to the homeowner's association (HOA).
  We are OPPOSED to this plan.
  Councilmember Ulatowski made a recommendation that ownership be dedicated to the Town.
  We are IN FAVOR of this recommendation.
  Therefore, the proposed subdivision plan shall be revised to show Lot #14 as a parcel that will be conveyed to the Town. In effect, the property immediately to the east will be granted an easement to the ROW.

- New Road
  As proposed by the petitioner, ownership is dedicated to the Town.
  We are IN FAVOR of this plan.

Many jurisdictions prohibit the creation of "spike" strip lots with the intentional or unintentional purpose of preventing access to adjacent lots from a street right-of-way. The approval of the current proposed subdivision plan without Lot #14 being conveyed to the Town would create a dangerous precedent.

We look forward to continuing to work together to help new residential development contribute to the future improvements of the Town of Amherst.

Thank you for your consideration.

Sincerely,

Kelsey F. Granville, POA on behalf of Paul and Annette Granville

cc: David F. Granville, POA on behalf of Paul and Annette Granville
Rich Stanton, Esq.
Corey Auerbach (Barclay Damon, LLP), attorney for the petitioner

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Exhibit D: February 20, 2019 letter

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Paul & Annette Granville
4790 Sheridan Drive
Williamsville, NY 14221

February 20, 2019

Town Board
Amherst Town Hall
5583 Main Street
Williamsville, NY 14221

Subject: SUB-2018-03SK – Proposed sketch plan review for a 14-lot "Sheridan Drive Subdivision" located at 4774 & 4780 Sheridan Drive

Dear Supervisor Kulpa, Deputy Supervisor Spoth and Councilmembers Berger, Bucki & Lavin:

I am writing to request *your direct and immediate intervention* in a serious matter concerning the proposal from Morgan Homes of Western New York, Inc. ("Morgan") to construct a new subdivision of "high-end homes" at 4774 and 4780 Sheridan Drive. The Granville Family owns three contiguous parcels immediately east of this proposed development (4784 Front, 4784 Rear and 4790 Sheridan Drive) and also owns an adjacent parcel (40 Jordan Road). The four parcels total about 2.5 acres.

On January 17, 2019, Morgan presented a sketch of its development proposal to the Amherst Planning Board. The sketch illustrated a new 14-lot subdivision accessed via a new **PUBLIC** road off of Sheridan Drive. During the meeting, Morgan stated its intent to construct and later deed the new road to the Town of Amherst. Planning Board members supported this portion of the plan. However, the sketch also depicted a narrow "**SPITE STRIP**" separating the new road from the Granville Family's property to the east, which would be owned and controlled by a future homeowner's association. Planning Board members voiced concern over this portion of the plan and asked Morgan to convey both the spite strip and the road to the Town. (Spite strips are commonly used by developers in an effort to prevent road access from neighboring lots, as would be the case with Morgan's proposal.)

Despite the Planning Board's stated objections, Morgan recently submitted a revised sketch of its proposed development to the Town that labels the new road as **PRIVATE**. *This was no mistake* – Morgan **intentionally** revised its proposal and **failed** to comply with the Planning Board's recommendations with intent to cause undue injury to the Granville Family.

For more than 50 years, the now-elderly Paul and Annette Granville have lived at 4790 Sheridan Drive, where they raised six children on a beautiful, secluded property along an otherwise busy thoroughfare. As the years passed, the Granville Family purchased two neighboring properties (4784 Front & 4784 Rear Sheridan Drive) and a third (40 Jordan Road) so that two of their children and Annette's aging mother could live nearby. This arrangement has long served our family well.

Today, however, our family's financial future is in danger, as Morgan's proposed development threatens to severely reduce the value of our property. We welcome the construction of a subdivision at 4774 and 4780 Sheridan Drive, but only if the subdivision meets the following two reasonable conditions that will preserve property values:

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

1) **New road, and all land between said road and the property line of 4784 Sheridan Drive, shall be conveyed to the Town of Amherst prior to the occupancy of any new home constructed in the proposed development.**

   Explanation: *A new road bordering the eastern edge of Morgan's property will bring vehicular traffic within a few feet of two existing Granville Family homes located at 4784 Sheridan Drive. This will dramatically alter the secluded nature of these two homes and reduce the property value. However, if the Town owned the new road and all land between said road and the property line of 4784 Sheridan Drive, the value of all 3 parcels could be preserved as the site of a future housing development with direct access to the new public road.*

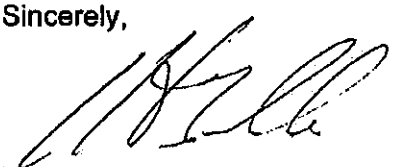
2) **New water, sewer, and gas utilities installed to service this subdivision shall have sufficient capacity to support development of equal density on the east and west sides of said road.**

   Explanation: *The viability of any development site depends on access to utility infrastructure. If new water, sewer, and gas utilities are not constructed with sufficient capacity, the future development potential of the 3 parcels would be hampered by the need to upsize the existing utility infrastructure, thereby lowering the value of the properties.*

With all due respect, we kindly ask that you make certain that Morgan's proposed subdivision is **NOT** approved by the Town Planning Board without a formal commitment by Morgan to comply with the two reasonable conditions stated above. At this time, we believe that the only way to resolve this matter without initiating a legal battle is through direct and immediate intervention of our elected officials. We hope you will assist us.

Enclosed, please find our two previous letters regarding Morgan's proposed development. We look forward to continuing to work together to help new residential development contribute to the future improvements of the Town of Amherst. I would welcome the opportunity to discuss this matter with each of you directly. I can be reached at (703) 887-7375.

Sincerely,



Kelsey F. Granville
POA on behalf of Paul & Annette Granville

Enclosures

cc: David F. Granville, POA on behalf of Paul & Annette Granville
Rich Stanton, Attorney
Corey Auerbach (Barclay Damon, LLP), Attorney for Morgan

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Exhibit E: March 18, 2019 letter

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Paul & Annette Granville
4790 Sheridan Drive
Williamsville, NY 14221

March 18, 2019

Zoning Board of Appeals
Amherst Municipal Building
5583 Main Street
Williamsville, NY 14221

Subject: Morgan Homes of Western New York, Inc.
APPEAL UNDER SECTION 280-a(3) of the NYS TOWN LAW
Subdivision on a Private Road (4774 & 4780 Sheridan Drive)

Dear Zoning Board Chairman Radens and Members Kahn, Nichols, Pollack and Shields:

Before rendering a decision on the subject appeal, please be aware that Morgan Homes of Western New York Inc. ("Morgan") has defied the recommendations of the Town of Amherst Planning Board. This action is contrary to the interests of the Town and causes undue injury to the Granville Family. Our family owns three contiguous parcels immediately east of Morgan's proposed development (4784 Front, 4784 Rear, and 4790 Sheridan Drive) and also owns an adjacent parcel (40 Jordan Road). The four parcels total about 2.5 acres.

For details on this matter, including an explanation of how Morgan's current development plans threaten to severely reduce the value of our property, please see the enclosed letter to the Amherst Town Board, dated February 20, 2019.

Additionally, we have submitted an application for a proposed subdivision (File #SUB-2019-01SK for "4790 Sheridan Drive") on land adjacent to Morgan's development. The two alternatives of the sketch plan are attached with a summary below.

- Alternate #1 assumes the proposed road by Morgan is made PUBLIC and the new lots will be serviced by the road shown in Morgan's sketch plan.
- Alternate #2 assumes the proposed road by Morgan remains PRIVATE and a second road running parallel and about 20 feet to the east of Morgan's road will be needed.

A Granville Family representative plans to attend and speak at tomorrow's meeting. We will continue our efforts to work together to help new residential development contribute to the future improvements of the Towr of Amherst. I would welcome the opportunity to discuss this matter with each of you directly. I can be reachec by email at kgranville@petersoncos.com or by phone at (703) 887-7375.

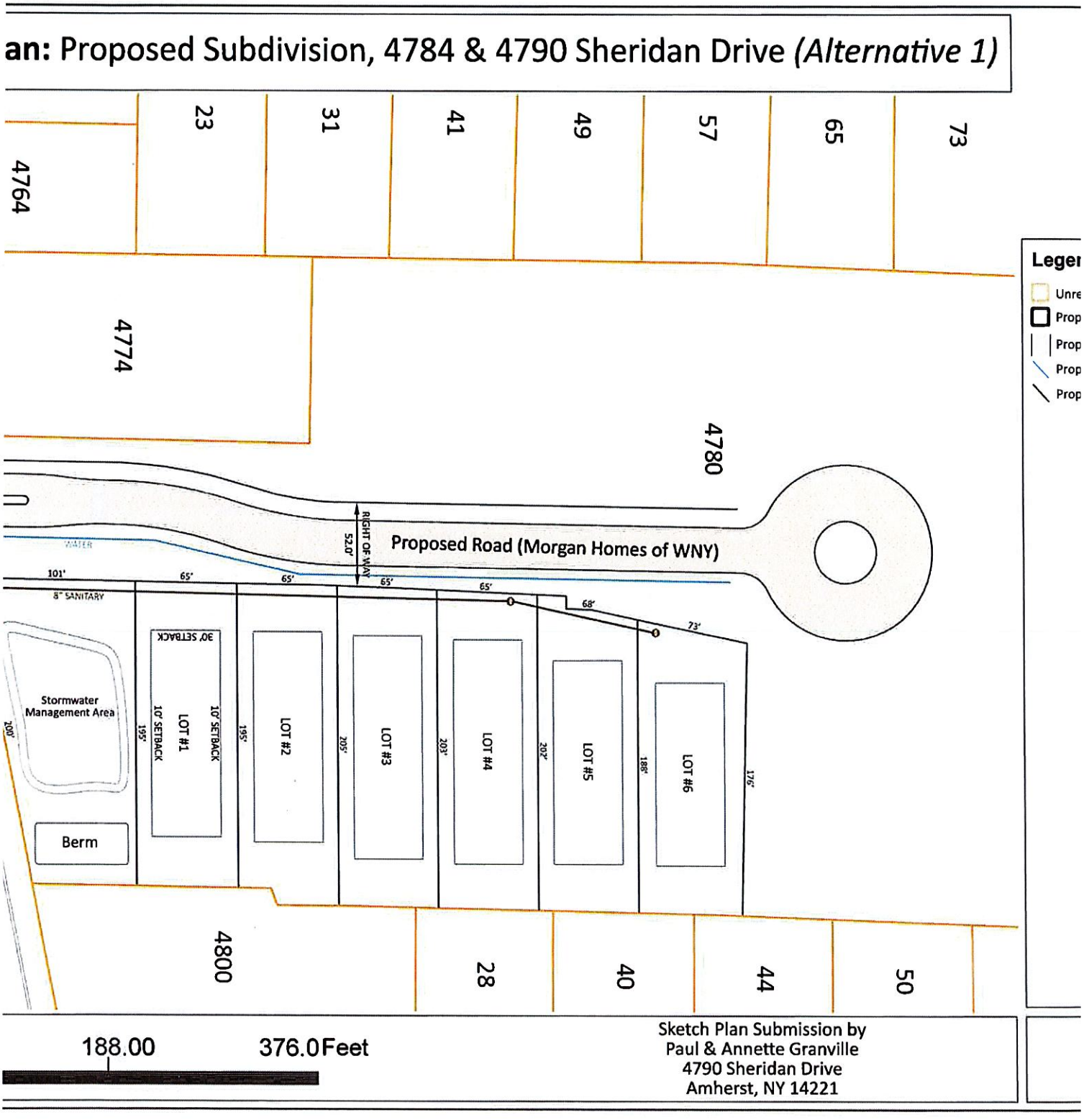
Sincerely,

Kelsey F. Granville
POA on behalf of Paul & Annette Granville

Enclosures

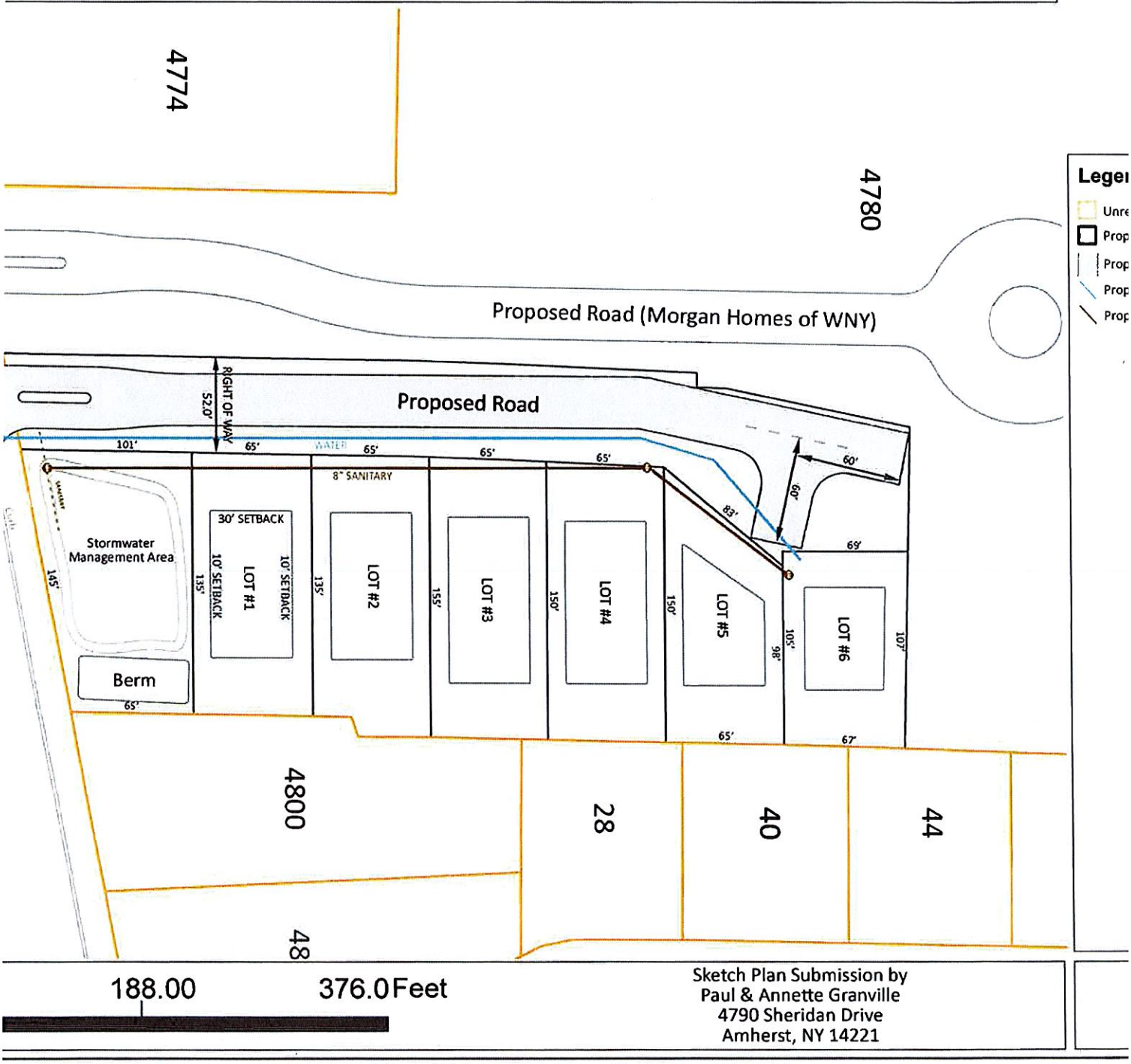
cc: David F. Granville, POA on behalf of Paul & Annette Granville; Corey Auerbach (Barclay Damon, LLP) Attorney for Morgan; Town Board; Planning Board

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)



Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

lan: Proposed Subdivision, 4784 & 4790 Sheridan Drive *(Alternative 2)*

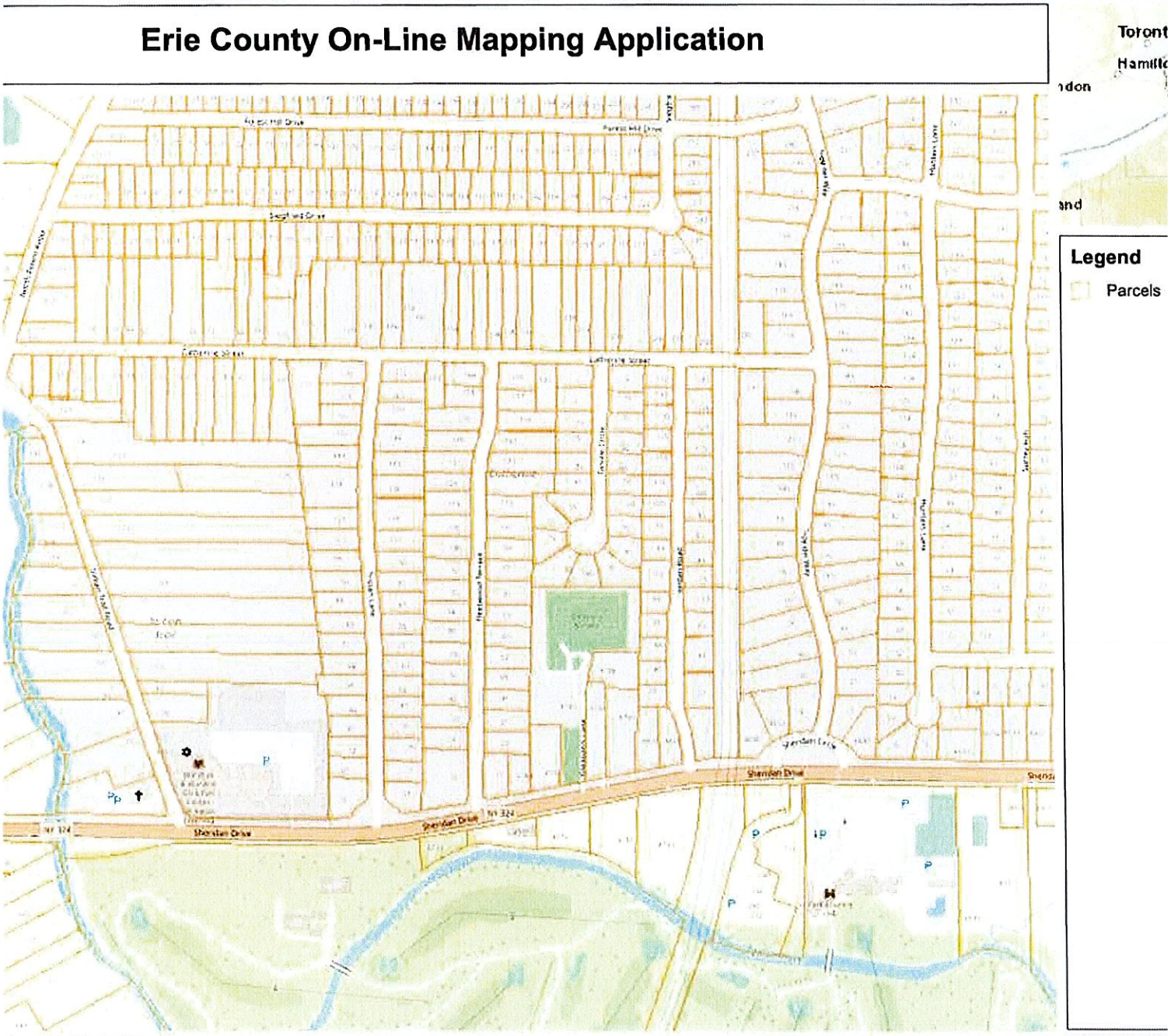


Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Exhibit F: Erie County On-Line Mapping Application (maps)

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Erie County On-Line Mapping Application



0.14 0.3 Miles

ercator_Auxiliary_Sphere
E USED FOR NAVIGATION

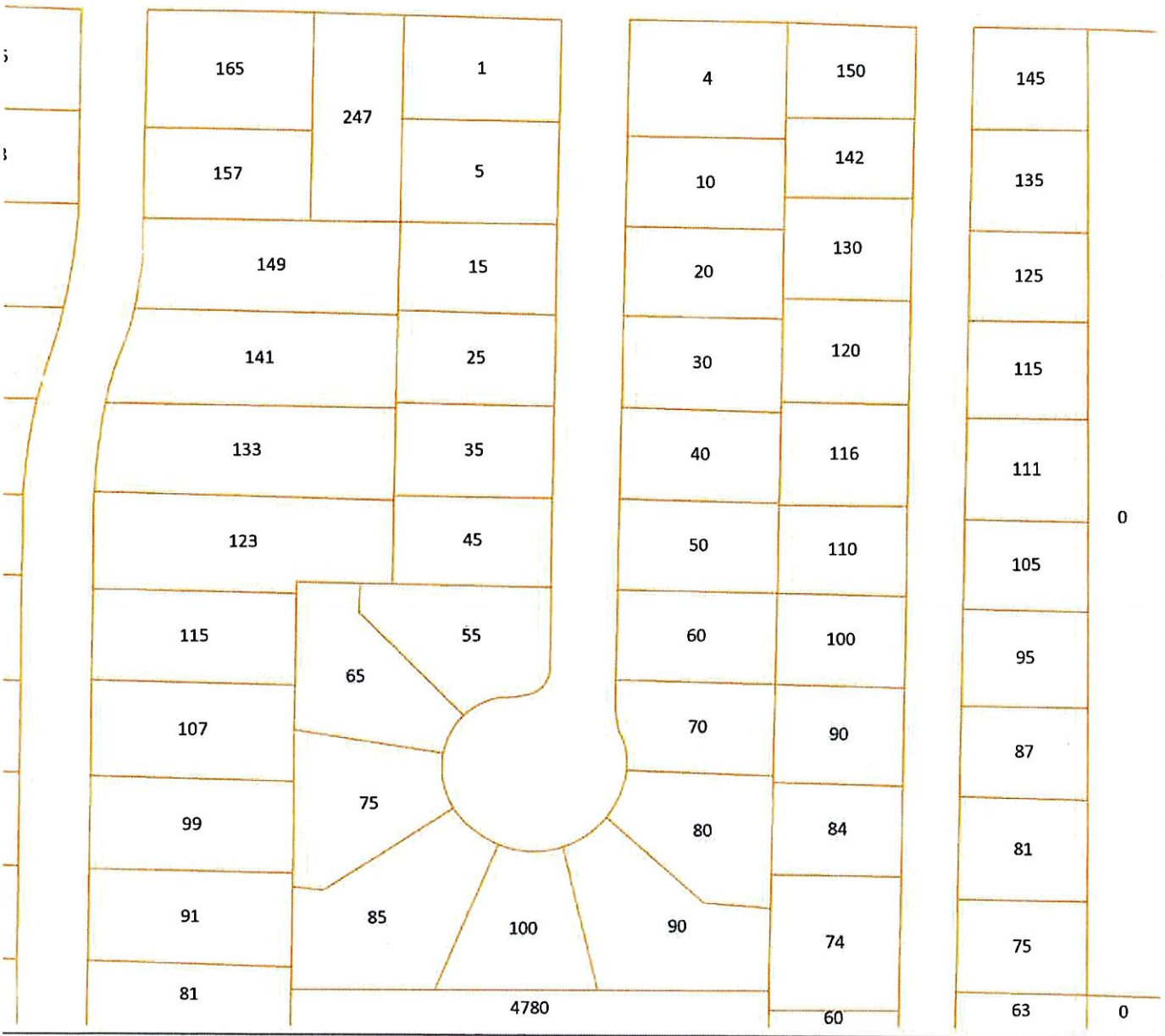
ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

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: 9,0

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Erie County On-Line Mapping Application



188.00 376.0Feet

Mercator_Auxiliary_Sphere
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: 2,2

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Erie County On-Line Mapping Application



188.00 376.0Feet

Mercatcr_Auxiliary_Sphere
BE USED FOR NAVIGATION

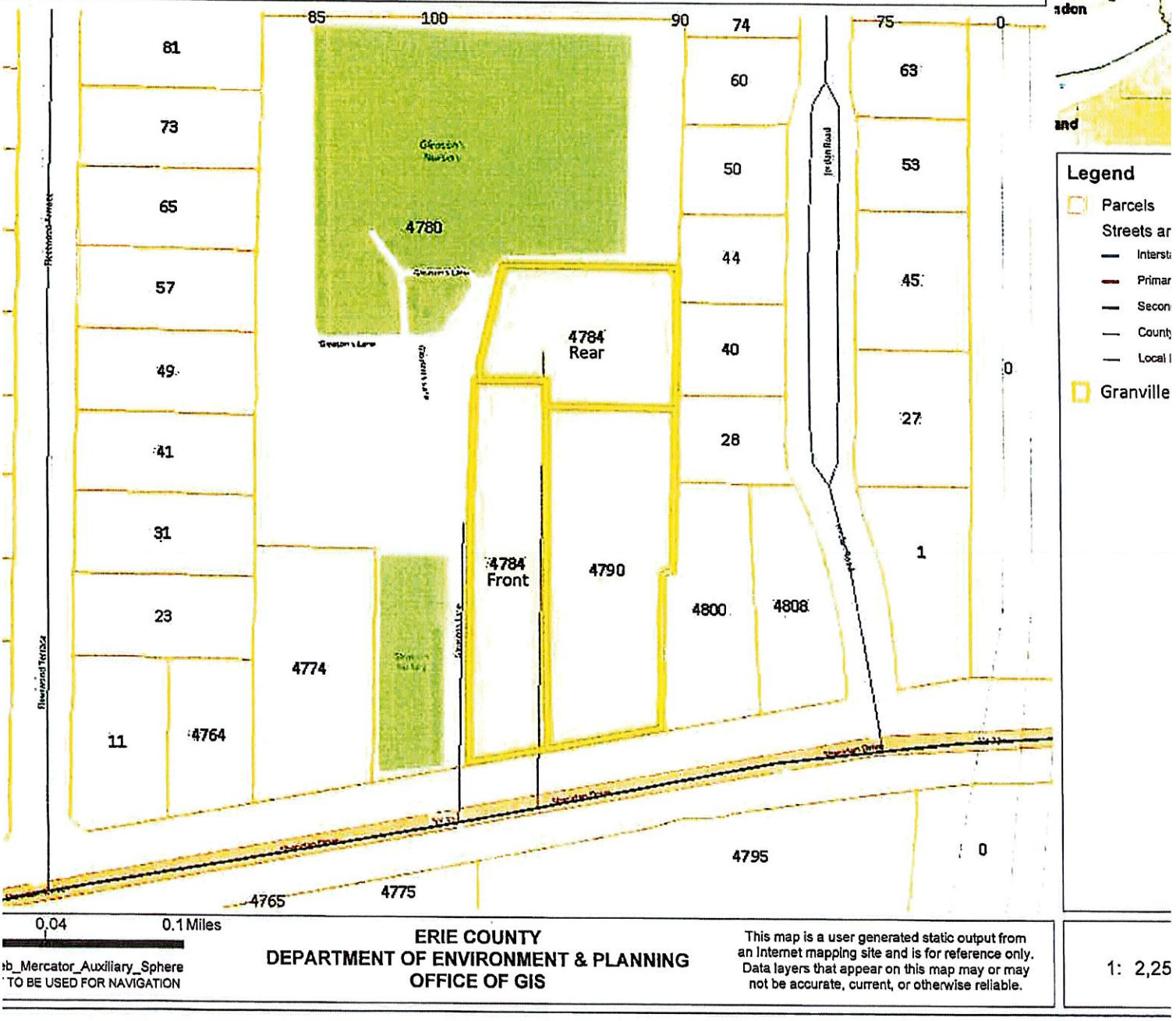
ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

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,

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Attachment A: Map of Granville Family Properties



Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Exhibit G: March 14, 2019 Application (SUB-2019-01SK)

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

RECEIVED
MAR 14 2019
TOWN OF AMHERST
PLANNING DEPT.

TOWN OF AMHERST PLANNING DEPARTMENT

Application Subdivision Review

File # SUB-2019-015K For Official Use Only

Type of Subdivision Application (check one): Acreage 2± acres Fee $ 1,150.00

Address Verified by Assessor's Office

Verified By _____ Date _____

Sketch Plan		✓
Preliminary Plat		
Final Plat		

		Fill In Applicable Fees
Sketch Plan		
Preliminary Plat		
1 acre of less	$1,150.00	✓
Each Additional acre or fraction thereof	$1,250.00	
Amendments to Subdivisions	$ 650.00/acre	
Request for Relief of / or Change to Conditions of Subdivision Approval	$1,150.00	
Request for Extension of Subdivision Approval	$1,150.00	
Stormwater Pollution Prevention Plan	$ 450.00	
1-4.99 Acres	$ 500.00	
5-10 Acres	$ 750.00	
>10 Acres	$1,000.00	
Affidavit Fee for Public Hearing	$ 15.00	
Final Plat	$ 450.00	
	TOTAL FEE:	$ 1,150.00

Materials Received by Planning Department

RECEIVED BY _____ DATE 3/14/19

Materials Accepted by Town Clerk & Fee Paid

RECEIVED BY _____ DATE _____

To Be Completed By Applicant

Petitioner: Name: Paul & Annette Granville

Address: 4790 Sheridan Dr.
Williamsville NY 14221
city state zip code

Phone: 716 440-0423 Fax: _____ E Mail: c/o dgranvillensc Yahoo.com

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

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

Name: Kelsey Granville, POA

Address: 8612 Acorn Circle

Vienna, VA 22180
city state zip code

Phone: 703 ~~887~~ 7375 Fax: 703 631-6481

E Mail: kgranville@ pertesoncos.com

Subdivision Name: 4790 Sheridan Drive

Subdivision Location & Address: 4790 Sheridan Drive
4784 Shridan Drive front + rear

Town of Amherst, Erie County, New York

Number of Sublots: 6 + 1 common lot

Land is Presently Zoned R-3

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

ROUX

September 28, 2023

Dan Howard
Planning Director
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Re: Proposed Residential Project
4774 & 4780 Sheridan Drive
Applicant's Rezoning Request from R-3 to R-4 Zoning

Dear Mr. Howard:

Our firm has reviewed previous reports completed by others for the subject property and is working with the applicant, RAS Development Company ("RAS"), in connection with the potential entry into the New York State Department of Environmental Conservation's ("NYSDEC") Brownfield Cleanup Program ("BCP") due to environmental impacts at the site.

As you know, the subject site, totaling approximately 4.4 acres of land, is located on the north side of Sheridan Drive in the Town of Amherst. The site has been utilized as a nursery since at least the 1950s. The historic use of the Site as a nursery, and the apparent use of pesticides, have contaminated the site, which will require remediation prior to redevelopment of the property. Based on the results of environmental investigations, evidence of a release of pesticides was identified based on the analytical results. Specifically, certain pesticide compounds were detected above the NYSDEC Residential Soil Cleanup Objectives ("RSCOs"). We understand that RAS intends to apply to and enter the site into the BCP, which includes oversight and guidance from the NYSDEC and provides a release of environmental liability upon successful completion of the remedy and NYSDEC issuance of a Certificate of Completion ("COC").

Cleaning up and removing hazardous substances and other contaminants from Brownfield sites reduces the risk of human exposure to harmful substances and improves the quality of air, soil, and water in affected areas. Developers such as RAS must ensure that their Brownfield site has been remediated to the rigorous standards enforced by the NYSDEC and the New York State Department of Health ("NYSDOH"). Only after the site has been remediated to the satisfaction of the NYSDEC and NYSDOH will the state allow the land to be redeveloped.

To remedy the existing known site conditions to allow the current proposed use, the two most likely and cost-effective options to remediate the site are either: 1) a Track 4 Restricted-Residential Cleanup, whereby the highest concentrations of contaminants are removed, and the remainder of the site is covered with clean soil or hardscape (e.g., pavement, concrete slabs); or 2) a Track 1 Unrestricted Cleanup, whereby all of the contaminated soil is removed from the site. Either of these options requires significant financial investment to remediate the property.

209 Shafter Street ■ Islandia, New York 11749 ■ +1.631.232.2600 ■ www.rouxinc.com
California ■ Illinois ■ Massachusetts ■ New Jersey ■ New York ■ Texas ■ Virginia

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

We understand that RAS intends to remediate the site under the BCP to a Track 4 Restricted-Residential standard, which allows for apartment buildings and condominium redevelopments. We further understand that RAS has proposed to redevelop the property in a restricted-residential capacity and sell the units to buyers under a condominium form of ownership.

Under a Track 4 cleanup, all property falling within the Brownfield Cleanup site boundaries will require certain post-remedial controls, restrictions, and ongoing monitoring and reporting obligations, which must be maintained in perpetuity. Such obligations are a condition of the BCP Certificate of Completion. This ongoing obligation makes subdividing and selling off parcels of this particular Brownfield site to individual homeowners, as a developer might do with a traditional subdivision, impractical, and certainly much less marketable. An individual homeowner is unlikely willing to undertake the post-remedial obligations required under the BCP. Furthermore, if liability and/or ongoing obligations are subdivided, there would now be multiple individual homeowners having to responsibility to report to DEC. DEC strongly discourages such arrangements for BCP sites. A condominium structure is essential to avoid this issue and help ensure proper monitoring, maintenance, and reporting. Simply stated, classifying the individual residential units as condominiums will ensure that a single entity - the condominium association - owns the land and is responsible for all post-remedial monitoring, maintenance, and reporting associated with the BCP.

In addition to ensuring that existing contamination at the Property is remediated properly, the BCP also generates tax credits that help offset cleanup costs and encourage the costly remediation and redevelopment of contaminated property. Here, the tax credits will help cover a portion of the costs of the cleanup as well as the substantial infrastructure that will be necessary for the Project, including the new roadway. Under the proposed condominium structure, the development would be built and owned by one entity (i.e., RAS), which would incur remediation and redevelopment costs, and claim the tax credits as means to make the project economically feasible. In the absence of this structure, the project is likely cost-prohibitive based on the significant remediation and infrastructure costs.

Given the applicant's vast development experience, including redeveloping environmentally impacted properties, we are confident they will find a solution to this challenging redevelopment project. We look forward to being part of a team to transform this contaminated idle property back into productive re-use.
Feel free to contact me if you have any questions regarding this matter.

Sincerely,

Roux Environmental Engineering & Geology, DPC

Michael A. Lesakowski
Vice President
Principal Scientist

ROUX

Attachment: Z-2023-07 TB letter 120423 (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Town of Amherst, NY
Office of the Assessor
Emily A. Murphy Assessor

5583 Main Street
Williamsville, New York 14221
Phone: (716) 631-7038
www.amherst.ny.us
dmarrano@amherst.ny.us

Memorandum

November 6, 2023

To: Francina Spoth, Town Clerk
Re: Petition – 4774 & 4780 Sheridan Dr

The protest petition for 4774 & 4780 Sheridan Dr has been signed by the required property owners as stated in Town Law §265 (1) paragraph's (a) (b) or (c). The Super Majority calculations are based on three tests:

(a) The owners of 20% or more of the area of land included in such proposed change; or
(b) The owners of 20% or more of the area of land immediately adjacent to that land included in such proposed change, extending 100 feet therefrom; or
(c) The owners of 20% or more of the area of land directly opposite thereto, extending 100 feet from the street frontage of such opposite land.

Therefore a super majority vote will be required to enact the change in zoning, as it relates to 4774 & 4780 Sheridan Dr.

Should you have questions, please feel free to contact me.

Emily Murphy
Assessor

Attachment: protest petition - sheridan dr (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Attachment: protest petition - sheridan dr (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Protest Petition

NOV01'23 AM11:35 RCVD

I oppose rezoning 4774 and 4780 Sheridan Drive from R-3 to R-4.

Address	Zip	Print Name	Signature	Date
60 Jordan Rd	14221	Alexis Alfasso	Alexis Alfasso	10/26/2023
50 Jordan Rd	14221	Edgar De Leon	Edgar De Leon	10/26/2023
74 Jordan Rd	14221	Jennifer Polito-Brawley	Jennifer Polito-Brawley	10/26/2023
80 Deville circle	14221	Theodore P. Prawak	Theodore P. Prawak	10/26/2023
100 DEVILLE CIR	14221	MARSHA E. SHAPIRO	Marsha E. Shapiro	10/26/2023
75 Deville Circle	14221	Michael Honeyman	Michael Honeyman	10/26/23
91 FLEETWOOD	14221	BERNADETTE CUVIELLO	Bernadette Cuviello	10/26/23
44 Jordan Rd	14221	Beth Gianno	Beth Gianno	10/26/23
81 Fleetwood	14221	Arlene Pierce	Arlene Pierce	10-27-23
81 Fleetwood	14221	ROGER LINTNER	Roger Lintner	10-27-23
31 Fleetwood	14221	see attached	petition	
11 Fleetwood	14221	" "	"	
4775 Sheridan	14221	" "	"	

100 ft. Notification Buffer



10/11/2023, 2:14:13 PM

Town Boundary

Parcels

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

Esri Community Maps Contributors, Province of Ontario, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Attachment: protest petition - sheridan dr (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Esri Community Maps Contributors, Province of Ontario, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau,

Attn: Rene Perez-Bode & W

Dear Neighbor:

We are asking you to sign a petition to protest the rezoning from R3 to R4 of Gleasons Tree farm, located at 4774 and 4780 Sheridan Drive. RAS Development Co. has applied for this rezoning, which would allow them to build a dense residential development in an area zoned for single family homes. This is NOT typical in Amherst!

If you oppose this project please sign the petition below and tape it to your front door on **Saturday, Oct 28**. We will pick it up and add it to the signatures already collected.

Protest Petition

I oppose rezoning 4774 and 4780 Sheridan Drive from R-3 to R-4

Address: 11 FLEETWOOD TERR.

Print Name: MR and MRS RENE F. PEREZ-BODE

Signature: [signature]

Date: 10-28-2023

Attachment: protest petition - sheridan dr (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Attn: _____

Dear Neighbor:

We are asking you to sign a petition to protest the rezoning from R3 to R4 of Gleasons Tree farm, located at 4774 and 4780 Sheridan Drive. RAS Development Co. has applied for this rezoning, which would allow them to build a dense residential development in an area zoned for single family homes. This is NOT typical in Amherst!

If you oppose this project please sign the petition below and tape it to your front door on **Saturday, Oct 28**. We will pick it up and add it to the signatures already collected.

Protest Petition

I oppose rezoning 4774 and 4780 Sheridan Drive from R-3 to R-4

Address: 4775 Sheridan Dr

Print Name: Carrie A. Wanamaker

Signature: [signature]

Date: 10/27/23

Edgar DeLeon, 50 Jordan Rd

(520) 437-5066

RECEIVED 11/01/23 at 11:35 AM

Attn: Sebastiano Audreana

Dear Neighbor:

We are asking you to sign a petition to protest the rezoning from R3 to R4 of Gleasons Tree farm, located at 4774 and 4780 Sheridan Drive. RAS Development Co. has applied for this rezoning, which would allow them to build a dense residential development in an area zoned for single family homes. This is NOT typical in Amherst!

If you oppose this project please sign the petition below and tape it to your front door on **Saturday, Oct 28**. We will pick it up and add it to the signatures already collected.

Protest Petition

I oppose rezoning 4774 and 4780 Sheridan Drive from R-3 to R-4

Address: 31 Fleetwood terrace Williamsville 14221

Print Name: SEBASTIANO ANDREANA & CARLA BENEDUCE

Signature: Carla Beneduce & Sebastiano Audreana

Date: 10/27/2023

NOV01'23 AM11:35 RCVD

Attachment: protest petition - sheridan dr (RES-2023-957 : 4774 & 4780 Sheridan Drive Rezoning)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Planning
Initiated by: **Dan Howard**
Co-Sponsored by:

DOC ID: 28291 **RESOLUTION 2023-958** **ADOPTED**

Notice of Completion - Final Supplemental Generic Environmental Impact Statement (FSGEIS) 772 North Forest Road, 385 Maple Road & 391 Maple Road

WHEREAS, on October 6, 2023 this Town Board issued a positive SEQR declaration for a Planned Unit Development (PUD) application and development plan for the proposed Amherst Central Park at 772 North Forest Road, 385 Maple Road and 391 Maple Road, commonly known as the former Westwood Country Club Golf Course Property, and

WHEREAS, a final generic environmental impact statement (FGEIS) and SEQRA Findings were previously prepared by the Town of Amherst for a proposed mixed-use development on the subject Property, and this Town Board has determined that a supplemental generic environmental impact statement is necessary for the planned unit development application and development plan for the proposed community park, and

WHEREAS, as part of the Positive SEQR declaration issued by this Town Board on October 6, 2023 the Town indicated that it would be preparing a supplemental generic environmental impact statement (SGEIS) and has subsequently notified all interested and involved agencies of its intent to prepare such supplement, and

WHEREAS, a draft supplemental generic environmental impact statement (DSGEIS) was prepared by the Town, and

WHEREAS, on October 16, 2023 this Town Board determined that the draft supplemental generic environmental impact statement (DSGEIS) was adequate for public review and directed the Town Clerk to prepare and issue a notice of completion pursuant to 617.12(a)(iii) of the SEQR regulations to allow adequate time for comment by the interested /involved agencies and the general public, and

WHEREAS, a final supplemental generic environmental impact statement (FSGEIS) has been prepared by the Town to address public and agency comments, and this Town Board issues the final supplemental generic environmental impact statement (FSGEIS) as it adequately addresses the substantive public and agency comments,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby directed to file a copy of the FSGEIS and "Notice of Completion" as set forth below:

A. Copies of the FSGEIS and "Notice of Completion" shall be emailed simultaneously to the involved and interested agencies;

B. A copy of the "Notice of Completion" shall be sent to the New York State Department of Environmental Conservation's Environmental Notice Bulletin for

publication; and

C. Copies of said FSGEIS and "Notice of Completion" shall be filed in the office of the Town Clerk for the Town of Amherst and made available for public inspection and review and placed on the Town's "Pending Development Projects" web page.

12/4/2023

A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0.

FINANCIAL IMPACT:

No fiscal impact for plan approval. Subsequent improvements to be funded through the Town's Capital Improvement Program.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulp
Supervisor

Daniel C. Howard,
Planning Direc

Daniel J. Ulatowski,
Assistant Planning D

Town Board Agenda of December 4 , 2023

November 29, 2023

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Acceptance of the Final Supplemental Generic Environmental Impact Statement (FSGEIS) for a Planned Unit Development Request (PUD) for Amherst Central Park, property located at 772 North Forest Road, 385 and 391 Maple Road, Town of Amherst Town Board, Petitioner. (SP-2023-11).

Honorable Members:

The Town Board is respectfully requested to consider and issue a Notice of Completion (NOC) and accept a Final Supplemental Generic Environmental Impact Statement (FSGEIS) for the Amherst Central Park - Planned Unit Development (PUD).

An application for the Amherst Central Park PUD was initiated by the Town Board on October 2, 2023. The Town Board also issued a Positive Declaration and intent to prepare a Supplemental Generic Environmental Impact Statement for the project under the State Environmental Quality Review Act (SEQRA).

On October 16, 2023 the Town Board accepted a Draft Supplemental Generic Environmental Impact Statement (DSGEIS) for public review and solicited comments on the project and DSGEIS from involved and interested agencies. The 30-day comment period for the DSGEIS ended on November 20, 2023. Comments received from involved and interested agencies, letters and email correspondence from stakeholders, as well as comments from a public hearing on the PUD application held by the Planning Board on October 16, 2023 have been reviewed and summarized. Responses to the comments are provided in a Final Supplemental Generic Environmental Impact Statement (FSGEIS). The FSGEIS will be available for review in the Planning Department and on the Town's Pending Development Projects Webpage:
https://www.amherst.ny.us/content/development_projects_pending.php

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Honorable Town Board

PUD Application /Conceptual Development Plan for Amherst Central park
property located at 772 North Forest Road, 385 & 391 Maple Road
Agenda of December 4, 2023

This office and the Town Law Department believes the document is complete and ready for acceptance by the Town Board. The Town Board is encouraged to review the document and if it concurs, accept the document as complete at its meeting of December 4, 2023, enabling this office along with the Law Department to prepare a Statement of Findings for the Town Board to consider before acting on the Amherst Central Park-PUD Plan. Please contact me with any questions.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/ac
X:\Current_Planning\Files\Site Plans\2023\SP-2023-11(772 N_ Forest Road_385_&_391_Maple Road)\SP-2023-11_TB_Letter_ FSGEIS Acceptence 120423.docx

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

14-12-8 (3/99)-9c

SEQR

State Environmental Quality Review

Notice of Completion of Final Supplemental Generic EIS

Project Number **SP-2023-11** **Date:** **December 4, 2023**

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

A Final Supplemental Generic Environmental Impact Statement has been completed and accepted by the Town of Amherst Town Board, as lead agency, for the proposed action described below.

Name of Action:

Amherst Central Park Conceptual Development Plan – Planned Unit Development

Description of Action:

The action involves the adoption of a Planned Unit Development and implementation of a Conceptual Development Plan for the Amherst Central Park, a proposed 171+/- acre community park, formerly utilized as a private golf course.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

772 North Forest Road, 385 and 391 Maple Road, Amherst, NY

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Potential Environmental Impacts:

Impact on Land: The proposed conversion of the former golf course to a community park may involve the excavation and removal of more than 1000 tons of soil from the 170.5 +/- acre site.

Impact on Surface Water: The construction of a 0.96+/- acre decorative pond within an existing unnamed tributary may disturb existing bottom sediments of such tributary. Additionally, a 0.17 +/- acre isolated wetland will be filled to accommodate a parking area.

Impact on Transportation: The proposed action will result in the construction of paved parking for 500 or more vehicles and the proposed action may alter the present pattern of movement of people or goods.

Impacts on Public Health and Safety: The project site has evidence of soil contaminants as a result of past use of herbicides/pesticides. Adequate control measures will be in place to ensure that any contaminated soils are managed in accordance with applicable laws and be protective of the environment and human health.

A copy of the Final Supplemental Generic EIS may be obtained from:

Contact Person: Daniel C. Howard, AICP, Planning Director

Address: 5583 Main Street, Williamsville, NY 14221

Telephone Number: 716-631-7051

A copy of this notice must be sent to:

Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of Amherst

Any person who has requested a copy of the Final Supplemental Generic EIS

Any other involved agencies

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750

Copies of the Final Supplemental Generic EIS must be distributed according to 6NYCRR 617.12(b).

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Stantec

TOWN OF AMHERST, NY - AMHERST CENTRAL PARK

FINAL SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

December 01, 2023

Prepared for:
Town of Amherst, NY
5583 Main Street,
Williamsville, NY

Prepared by:
Stantec Consulting Services
61 Commercial Street, Suite 100
Rochester, NY, 14614

Project Number:
195602832

Table of Contents

ACRONYMS / ABBREVIATIONS III

1 INTRODUCTION 1
1.1 Summary of SEQRA Process to Date 1
1.2 Summary of Project 1
1.3 Updated Project Analyses and Information 2
1.4 SEQRA Process Moving Forward 3

2 SUMMARY OF COMMENTS RECEIVED 4
2.1 Comment Summary and Description 4

3 RESPONSE TO SEQR COMMENTS 5
3.1 Overall Project Statements 5
3.2 SEQR Process 5
3.3 PUD Process 6
3.4 Alternative Analysis 7
3.5 Zoning 9
3.6 Transportation 10
3.7 Historic and Archaeological 14
3.8 Human Health 15
3.9 Water Resources 16
3.10 Sanitary Sewer 18
3.11 Noise, Odor, and Light 19
3.12 Consistency with Community Plans 19
3.13 Cumulative Impacts 20

4 RESPONSE TO AMHERST CENTRAL PARK GENERAL COMMENTS 21
4.1 Overall Project Statements 21
4.2 PUD Process 23
4.3 Alternative Analysis 27
4.4 Zoning 28
4.5 Transportation 29
4.6 Historic and Archaeological 36
4.7 Human Health 36
4.8 Biological Resources 37
4.9 Water Resources 38
4.10 Sanitary Sewer 38
4.11 Noise, Odor, and Light 39
4.12 Fire Protection/Access 39
4.13 Miscellaneous 41

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

LIST OF APPENDICES

APPENDIX A COMMENTS 1
A.1 Written Comments 1
A.1.1 Agency 1
A.1.2 Town 2
A.1.3 Public 3
A.2 Comment Summary 4
APPENDIX B REVISED WETLAND MAPPING 1
APPENDIX C UPDATED TRAFFIC IMPACT STUDY 1

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Acronyms / Abbreviations

Acronym	Term
ac	acres
ACP	Amherst Central Park
BNHV	Buffalo Niagara Heritage Village
DSGEIS	Draft Supplemental Generic Environmental Impact Statement
ECDPW	Erie County Department of Public Works
EIS	Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FSGEIS	Final Supplemental Generic Environmental Impact Statement
GP	General Permit
IFC	International Fire Code
IPaC	Information for Planning and Consultation
LWRP	Local Waterfront Revitalization Program
NOI	Notice of Intent
NYCRR	New York Codes, Rules and Regulations
NYSDEC	New York State Department of Environmental Conservation
NYSDOS	New York State Department of State
NYSDOT	New York State Department of Transportation
OPRHP	NYS Office of Parks, Recreation and Historic Preservation
PUD	Planned Unit Development
RC	Recreation Conservation
SABAH	Skating Association for the Blind and Handicapped
SEQR(A)	State Environmental Quality Review (Act)
SF	square feet
SHPO	State Historic Preservation Office
SWPPP	Stormwater Pollution Prevention Plan
TIS	Traffic Impact Study
UPK	Universal Pre-Kindergarten
USACE / ACOE	United States Army Corps of Engineers
USFWS	US Fish and Wildlife Service
WPCF	Water Pollution Control Facility
ZBA	Zoning Board of Appeals

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

1 Introduction

The purpose of this environmental review is to evaluate adoption of a conceptual development plan for a planned unit development ("PUD") for the conversion of an approximately 170.5± acre parcel located at 772 North Forest Road and 385 & 391 Maple Road ("Property") to a community park to include cultural, recreational and civic public spaces ("Amherst Central Park", "ACP").

This document, in combination with the Draft Supplemental Generic Environmental Impact Statement (DSGEIS), accepted for public review by the Amherst Town Board, acting as the Lead Agency, on October 16, 2023, comprises the Final Supplemental Generic Environmental Impact Statement (FSGEIS) for the Park. The purpose of the FSGEIS is to incorporate all substantive comments received on the DSGEIS during the public comment period and to provide responses to them.

This FSGEIS and the associated appendices include modifications to the Amherst Central Park that are in response to comments received during the public comment period that ran from October 16 to November 20, 2023. Comments were received from Town Departments, interested/involved public agencies, and the public.

1.1 Summary of SEQRA Process to Date

Section 1 of the DSGEIS contains a description and chronology of the Planned Unit Development ("PUD") Application and subsequent SEQRA process up to the October 16, 2023 acceptance of the DSGEIS for public review.

The period for public comments on the DSGEIS closed on November 20, 2023. The Town Board, as Lead Agency, is responsible for reviewing the FSGEIS. Next steps are summarized in Section 1.4.

1.2 Summary of Project

The Amherst Central Park PUD Conceptual Development Plan (sometimes referred to herein as the "PUD Plan") is summarized below.

Using an existing entrance with access to North Forest Road and a proposed entrance to Sheridan Drive, the Plan proposes the following features moving from the southeast to the southwest portion of the parcel:

- Ice Ribbon and Ice Rink, approximately 25,000 SF
- Inclusive Playground, approximately 12,500 SF
- Splash Pad, approximately 6,100 SF
- Public Plaza, approximately 20,000 SF, including a Winter Market, approximately 5,000 SF (buildings)

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

- Renovation of the former clubhouse into a Community Building, approximately 2,500 SF addition to existing (approximately 44,500 SF total at completion, including basement and all floors), to provide services including space for a Universal Pre-Kindergarten (UPK) program
- Outdoor Amphitheater, approximately 3,300 SF
- Community Theater Building, approximately 31,600 SF
- New building for the Buffalo Niagara Heritage Village Museum – approximately 36,000 SF, as well as relocation of historical buildings associated with the museum, totaling approximately 20,000 SF
- Enhancement of an existing wetland as a decorative pond and associated onsite mitigation (if required) and filling or modification of non-regulated wetlands
- Ancillary park improvements such as playgrounds, gardens/greenhouses, pedestrian access/pathways, educational kiosks and access drives as shown conceptually on the PUD Plan
- Construction of required mechanical buildings, public restrooms, parking lots, and supportive utilities such as storm sewers and stormwater management features, sanitary sewers, water, fiber optic cables, electric and natural gas service

The northern portion of Amherst Central Park is planned for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas. From the southern portion, moving to the north, a proposed main loop drive provides access to features such as maintained trails and bike paths, natural playgrounds, and a variety of community gardens and tree plantings.

The Applicant anticipates that the implementation of the proposed Amherst Central Park will occur over the course of the June 2024 through June 2034 time period. The southern portion of the Park, which will have the most intensive development with cultural, recreational and civic facilities, will be completed first.

1.3 Updated Project Analyses and Information

The Applicant provided updates to various studies and analyses to support the proposed Amherst Central Park. A listing of the supporting studies and analyses follows. Specific comments and responses on those studies are presented in Section 3 by subject matter/topic.

Transportation: An updated Traffic Impact Study ("TIS") prepared by C&S Engineers, Inc. was provided to the Town on October 14, 2023.

Wetlands: The wetland delineation maps prepared by Earth Dimensions, Inc. were revised and provided to the United States Army Corps of Engineers (USACE) on November 21, 2023. The maps were revised to include a culvert crossing for Stream 2. The Stream 3 label was removed from the map and replaced with the ID of "Wetland 11" per discussions with the USACE. Wetland 11 (0.303 ac) and Wetland 12 (0.17 ac) will be altered for the theater/roadway.

The jurisdictional determination for the waterbodies onsite is currently outstanding as of the date of this report.

Local Waterfront Revitalization Program: The Town will follow the requirements of Chapter 205: Local Waterfront Revitalization Program (LWRP) during the Facility Improvement Plan process.

1.4 SEQRA Process Moving Forward

As Lead Agency, the Amherst Town Board is charged with the preparation of the FSGEIS. The Town Board is responsible for:

1. Notifying the involved and interested agencies, the Town Supervisor, and the applicant that the FSGEIS has been issued;
2. Sending the FSGEIS to the NYS Department of Environmental Conservation (NYSDEC); and
3. Submitting the Notice of Completion in the NYSDEC Environmental Notice Bulletin.

No sooner than 10 days and no later than 30 days after completion of the FSGEIS, the Lead Agency is required to adopt a Findings Statement. The Findings Statement affirms that all SEQR requirements for making decisions on an action have been met and states the Lead Agency's findings. A positive findings statement means that, after consideration of the final FSGEIS, the project or action can be approved, and the action chosen is the one that minimizes or avoids environmental impacts to the maximum extent practicable. If the action cannot be approved based on analyses in the final FSGEIS, a negative findings statement must be prepared, documenting the reasons for the denial.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

2 Summary of Comments Received

2.1 Comment Summary and Description

Comments were received from various Town of Amherst Departments, regional agencies, and the public. Comments were reviewed and categorized according to their main concerns. Each comment was given an identification (ID) of a letter followed by a 3-digit number. Comments received by agencies are identified by an “A”, comments from the Town with a “T”, comments from the public with a “P”, and comments received from informal outlets such as The Amherst Bee are identified with an “I”. Comments are numbered in the order in which they were received. Appendix A.2 provides a summary of all the received comments and the sections of this FSGEIS that the comment applied to. Appendix A.2 also lists comments by commenter ID number and by commenter last name, respectively. Within the text, applicable excerpts of comments are referenced in each section of the document. At the end of the excerpt the comment ID is referenced as, e.g. “A-001” followed by the date the comment was received and name of the individual commenter.

The Town received comments on the DSGEIS, as well as general comments on the underlying PUD Application. The SEQRA comments to the DSGEIS are addressed in Section 3.0, followed by responses to comments made to the PUD Application in Section 4.0

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

3 Response to SEQR Comments

3.1 Overall Project Statements

3.1.1 AGENCY COMMENTS

1. The New York State Department of Environmental Conservation (NYSDEC) has reviewed the Draft Supplemental Generic Environmental Impact Statement (DSGEIS) prepared for the above-referenced project. The DSGEIS appears to cover all of the environmental issues and impacts that are of a concern to this agency. (A-005, Denk, NYSDEC, 11/20/2023) The NYSDEC letter included comments on other substantive areas, which were separated into comments A-008 through A-011, which are addressed in the following sections.

Comment	Section
A-006	3.9.1
A-007	3.9.1
A-008	3.9.1
A-009	3.9.1
A-010	3.8.1
A-011	3.1.1

Comment acknowledged.

2. NYSDEC encourages the Town to coordinate with all involved and interested agencies as future projects are better defined. Thank you for the opportunity to comment on the DSGEIS. (A-011, Denk, NYSDEC, 11/20/2023).

Comment acknowledged.

3.1.2 PUBLIC COMMENTS

1. This plan should NOT be approved by the Planning Board due to the numerous illegalities and deficiencies outlined herein. Thank you in advance for considering my comments. (P-032, Snyder-Haas, Public, 11/16/2023).

Comment acknowledged.

3.2 SEQR Process

3.2.1 PUBLIC COMMENTS

1. We are the attorneys for Concerned Residents for Amherst Central Park, a group of Amherst residents advocating for the promise of a world-class Amherst Central Park.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

It was noted today that the DEC's Environmental Notice Bulletin published a SEQRA "negative declaration" for the SEQRA review of the Amherst Central Park Conceptual Development Plan Planned Unit Development (meaning there are no adverse environmental impacts). See https://www.dec.ny.gov/enb/20231011_not9.html. This is contrary to the "positive declaration" (meaning there may be adverse environmental impacts) that appears in the meeting minutes for the October 2 Town Board meeting (https://amherstny.iqm2.com/Citizens/FileOpen.aspx?Type=12&ID=3628&Inline=True). One or the other is in error and you are the contact person identified in the DEC notice. Please clarify what SEQRA determination was reached and which record will be corrected. Thank you. (P-001, Kanyuck, Knauf Shaw, 10/12/2023).

The October 11, 2023 issue of the Environmental Notice Bulletin mistakenly listed the Amherst Central Park project located in the Town of Amherst as a Negative Declaration. The ENB form that [was] submitted Wed. Oct. 4, documents a notice for a Positive Declaration (for a Supplemental GEIS).

This was republished on October 18th as a correction by the ENB.

3.3 PUD Process

3.3.1 PUBLIC COMMENTS

1. Although the DEIS purports to preserve 115 acres of the mid- to northern section of the parcel as natural space, Section 6.2 reads: "The establishment of thresholds for the future environmental review of related improvements in the Amherst Central Park that are not set forth in Appendix A is an important component of this SGEIS. Examples of possible future related actions (aka improvements) may include development in the northern section of the Property in a manner that is not entirely consistent with the approved Conceptual Development Plan in Appendix A. This may occur given that the layout of the improvements as depicted on the Conceptual Development Plan is conceptual in nature. Instead, the layout as depicted on the Conceptual Development Plan is meant to depict the anticipated components of the Amherst Central Park and the maximum potential development that could occur without the need for additional environmental review(s) pursuant to SEQRA. The precise layout of improvements will be the subject of an ACP Application process for this Town-owned PUD. The future improvements will be reviewed in accordance with the process established in the PUD application." The following "process" that is outlined significantly limits environmental review of the Town's future actions. This makes one wonder about the Town's true intentions for the northern section of the property. If the Town is pledging to keep 115 acres undeveloped, why is this pledge not cemented in the document, with no future "improvements" of any kind banned in this area? (P-031, Snyder-Haas, Public, 11/16/2023).

As noted in the DSGEIS, the northern portion of the Property is slated for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas. In general, the Conceptual Plan also provides for ancillary park improvements such as

playgrounds, gardens/greenhouses, pedestrian access/pathways, educational kiosks and access drives as shown conceptually on the PUD plan. Other proposed improvements would be subject to the ACP Facility Improvement Review process.

3.4 Alternative Analysis

3.4.1 PUBLIC COMMENTS

1. Section 3.4 for Alternative Sites states: "While some of the proposed improvements in the Amherst Central Park could be provided in other areas of the Town, there is no other parcel or combination of parcels owned by the Town that would offer a suitable combination of location, existing natural beauty, overall location, and potential for a cohesive, comprehensive park plan that would be comparable to the proposed Amherst Central Park. This Alternative is therefore not further evaluated in this DSGEIS". This is also patently false. (P-014, Snyder-Haas, Public, 11/16/2023).

   Comment Acknowledged. Also see response to Comment #2 in this section.

2. The Town in fact alienated 90 acres parkland across Maple Road on Audubon and has already allowed the construction of a large medical office complex on Audubon. The 90 acres included only three holes of the current municipal golf course on Audubon, leaving other ample alienated land. In prior park proposals that were put before the Central Park Task Force, Audubon was considered as the "active" recreation portion of a park that spanned both the Audubon and Westwood properties, with extensive development of Audubon that included housing and commercial uses anticipated. Audubon fronts a major road on Maple that is not nearly as heavily trafficked as Sheridan Drive, is close to the State University at Buffalo North Campus, and is not surrounded by residential homes. The PUD application should include an extensive consideration of this alternate site, particular for the theater, universal and prekindergarten programs and relocation of Buffalo Niagara Heritage Village (if this is to be seriously entertained at all, considering the proposed cost in excess of $7 million with little chance of recouping any financial benefit). (P-015, Snyder-Haas, Public, 11/16/2023).

   The North Town Recreation Center and Audubon Golf Course will continue to be utilized for recreational purposes and as a golf course for the foreseeable future.

3. Also, the Buffalo Niagara Heritage Village is located next to other Town-owned land. Its expansion in its current, much more appropriate setting should be considered. (P-016, Snyder-Haas, Public, 11/16/2023).

   The Town of Amherst currently has budget lines that support the Buffalo Niagara Heritage Village including a maintenance budget and capital improvements budget. Relocating the Buffalo Niagara Heritage Village provides opportunity for consolidation of maintenance and capital improvement budgets while providing a centralized location within the Town to promote increased accessibility to Town Residents.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

4. Further, Section 3.5 for Alternative Uses states: "As set forth in the GEIS, the full development of the Property for mixed use commercial and/or residential purposes would result in significant impacts related to traffic, utility infrastructure, and community character. Industrial uses of the site would result in similar impacts. A significantly less intense residential development would reduce traffic and infrastructure impacts relative to the Mixed Use Alternative but would be inconsistent with existing zoning and the Town Comprehensive Plan. None of these alternative uses would meet the Purpose and Need identified in this SGEIS. This Alternative is therefore not further evaluated in this DSGEIS". The foregoing posits a false choice – the massive, totally inappropriate Mixed Use Alternative or the Park Concept Plan. How about a park that complies with the applicable zoning, with the elements that do not moved to an appropriate location? (P-017, Snyder-Haas, Public, 11/16/2023).

   As the commenter alludes, the original Mixed-Use Alternative was ultimately denied based on the impacts cited. The point of the referenced text was to screen additional alternative uses of the property for further evaluation, including industrial and less intense residential development. As noted, these Alternatives failed the first screen based on inconsistency with zoning and the Town Comprehensive plan as well as failure to meet the identified Purpose and Need. The Town believes that the proposed uses are consistent with the intents and purpose of the recreation conservation zoning district.

5. How about making Westwood the municipal golf course (which at least would be revenue-producing as opposed to the museum) as part of a larger public park with the other park elements on Audubon? (P-018, Snyder-Haas, Public, 11/16/2023).

   The Town is committed to the mixture of uses shown on the Conceptual Development Plan, as developed through a 5+ year planning process. The Town is also committed to maintaining golf activities at Audubon for the foreseeable future.

6. At the Central Park Task Force meetings, doing a cost/benefit analysis for the alternative was proposed but never followed, and meetings ceased abruptly with no follow through, the concept plan now pitched apparently hatched by the Town Board and developers. Members of the Task Force were asked to submit comments and did so, with Supervisor Kulpa telling those members that he "was not even going to pretend" that he shared those with the architectural firm of Dover Kohl. Although the DEIS purports to state that public engagement was robust, it only looks that way on paper. A review of the Task Force meetings would show that member ideas that did not comport with what had already been drawn up were dismissed (and the plans that were drawn up then differ markedly from what is now proposed, which had no input from the long-defunct Task Force). (P-019, Snyder-Haas, Public, 11/16/2023).

   The Town has considered input from a variety of stakeholders, including the Task Force members. Based on that input, the Town has determined that acquisition of the property and development for recreation/education/civic use will benefit the community.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

3.5 Zoning

3.5.1 PUBLIC COMMENTS

1. Here are my comments in opposition to aspects of the proposed Planned Unit Development (PUD) for Amherst Central Park and its Draft Environmental Impact Statement (DEIS).

   First and foremost, this proposal is defective because it states that no change to the current recreation conservation (RC) is necessary. Section 1.2.1 states: "The Property envisioned for the Amherst Central Park is zoned as Recreation Conservation (RC), a district whose purpose is to provide for public, private, and civic uses related to recreation and conservation. Planning for the Amherst Central Park is specifically focused on supporting these uses. The Town's Bicentennial Comprehensive Plan also recommends the Property be used for recreation, open space and greenways. The Property is a component of the LWRP, given its location along Ellicott Creek. The Amherst Central Park is a featured project for recreation and waterfront enhancement in the Town". Section 4.2 states, under the heading "Consistency with Community Character", states that per the Town's Comprehensive Plan, Land Use and Development section 6 identifies the Property as Recreation, Open Space and Greenways"; "the Property is consistent with the Land Use in the Comprehensive Plan"; and "the Property is zoned Recreation Conservation [and] the Amherst Central Park will not be subject to a rezoning or Comprehensive Plan amendment. The foregoing is patently false. (P-011-012, Snyder-Haas, Public, 11/16/2023).

   The Town believes that the proposed uses are consistent with the intent and purpose of the Recreation Conservation zoning district. The open uses associated with the Buffalo Niagara Heritage Village (BNHV) living museum will be approved as part of the PUD process.

2. The RC zoning district does not include the construction of an indoor theater in a residential neighborhood, let alone one over 30,000 square feet with extensive pavement for parking. Nor does it include the construction of a museum building of over 30,000 square feet and the displays of livestock and poultry that are slated for the proposed relocation of Buffalo Niagara Heritage Village. It certainly does not include the construction of a new addition for a universal prekindergarten program. While all potentially laudable goals, none fall within the RC zoning code or the identification of the property for "recreation, open space and greenways" as envisioned in the Comprehensive Plan. None of these is consistent with a true park. So, this application cannot go forward without addressing rezoning, which would not be consistent with the Comprehensive Plan in any event. (P-013, Snyder-Haas, Public, 11/16/2023).

   Under the provision of the PUD the Town Board may elect to adjust some provisions of the zoning to permit development in accordance with the intent and goals for the Amherst Central Park. The Town believes that the proposed uses are consistent with the intent and purpose of the recreation conservation zoning district.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

3.6 Transportation

3.6.1 AGENCY COMMENTS

1. Traffic Impact Study Comments

   - NYSDOT policy requires developments to utilize minor street access points when they are available. After reviewing the TIS and the proposed internal circulation patterns, an entrance to the Amherst Town Park will not be permitted on Sheridan Drive (NY 324). Additional access points should be considered along Frankhauser Road and North Forest Road. Additional access points along the local road network will provide safer access points to the park and the state/county highway system via existing 3-color traffic signals at Frankhauser Road/Sheridan Drive, North Forest Road/Sheridan Drive and North Forest/Maple Road.

   - Based on the signal warrant analysis provided in the TIS, a signal will not be considered at the intersection of Fenwick Road and Sheridan Drive. The analysis did not identify any MUTCD warrants that would be met based on current or projected traffic volumes.

   - After corrections to the Synchro model are made, tables 2, 3, and 7 of the TIS will need to be updated.

   - Section 4: The Westwood Mixed Use development will not be constructed, and therefore has no part in the analysis for this location.

   - Table 7 (continued) uses lower case letters for LOS for NYS Route 324 at Fenwick Road. For consistency purposes all LOS should be capital letters.

   - Based on the area's development potential, further justification for the growth rate reductions of 1%-2% will need to be provided. (A-001, Albayed, NYSDOT, 11/22/2023).

   The Town will work with NYSDOT on providing acceptable access and driveway locations to and from the Amherst Central Park. Final locations are typically identified during the Facilities Improvement plan review. There were no growth rate reductions made to the future analysis. C&S did not use a growth rate based on the GBNRTC regional model, which also took into consideration surrounding development in the Amherst area. Further pedestrian and bicycle access will be developed in consultation with NYSDOT and ECDPW.

2. Synchro Analysis Comments

   Sheridan & Harlem

   - Signal phasing will need to be corrected such that phase 4 of this signal is a pedestrian exclusive phase to cross Sheridan Drive on the western side of the intersection. Phase 1 is

a westbound left/thru with the northbound right turn overlap. Please correct the phasing of this signal.

- The northbound approach on Harlem Road is only two lanes that widens out to four lanes at the intersection. The left lanes should be modeled as storage. Not showing this storage limitation will greatly affect how queueing and storage affects traffic.
- The signal detection should be changed from synchro default to two 20' loops with a 10' gap allowing for 50' of detection near the signal.
- Pedestrian cross times will be required for phases 2 and 4 of the signal. Phase 2 has 35 seconds of pedestrian clearance with 7 seconds of walk and phase 4 has 27 seconds of pedestrian clearance with 7 seconds of walk.

Sheridan & I-290

- The I-290 Westbound off ramp is only one lane coming off the I-290 that widens out to 3 lanes closer to the intersection. Change the model to have the left lane and right land to be modeled as storage lanes.
- The signal detection model should be two 20' loops with a 10' gap extending 1' in front of the stop bar.
- The existing model shows 3 westbound travel lanes on Sheridan Drive west of Frankhauser. However, at Frankhauser, there are only 2 westbound lanes with the third lane not opening until after Sunrise. The model will need to be corrected to accurately depict the existing condition.
- Pedestrian cross times will be required for phases 2 and 6 of the signal. Phase 2 has 15 seconds of pedestrian clearance with 7 second walk and phase 6 has 19 seconds of pedestrian clearance with 7 seconds of walk.

Sheridan & Frankhauser

- The signal detection model should be two 20' loops on the Frankhauser approach. There is currently no signal detection on the Sheridan Drive approaches.
- Pedestrian cross times will be required for phases 1 and 3 of the signal. Phase 1 has 17 seconds of pedestrian clearance with 7 seconds of walk and phase 3 has 27 seconds of pedestrian clearance with 7 seconds of walk.

Sheridan and North Forest

- The signal detection model should be two 20' loops with a 10' gap between them in each lane.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

- Pedestrian cross times will be required for phases 2,4,6, and 8 of the signal. Phase 2 has 21 seconds of pedestrian clearance with 7 seconds of walk, phase 4 has 32 seconds of pedestrian clearance with 7 second walk, phase 6 has 32 seconds of pedestrian clearance with 7 seconds of walk, and phase 8 has 28 seconds of pedestrian clearance with 7 seconds of walk.

Synchro Build Conditions

- All Synchro comments above will need to be applied to the build conditions model. (A-004, Albayed, NYSDOT, 11/22/2023).

These changes will be made in the Synchro model; however, based on review by the Town's traffic consulting engineer, they will not result in any changes that impact the conclusions of the traffic analysis and impacts.

3. Erie County Department of Public Works has reviewed the conceptual plan for the proposed Amherst Central Park located at 772 North Forest Road (CR-294) and 385, 391 Maple Road (CR-192) in the Town of Amherst, and has the following comments:

   - Include a left tum lane on North Forest Road (CR-294) at the driveway to the Park.
   - Realign the existing curb and drainage structure on the west side of North Forest Road (CR-294) to accommodate the proposed left tum lane.
   - A stormwater management report and drainage plans shall be provided for our review. Stormwater drainage for this site shall be designed in accordance with the New York State stormwater management design manual and local Town requirements. (A-013, Hacker, Erie County Department of Public Works, 11/22/2023).

   The Town will work with NYSDOT, ECDPW, as well as the Town Traffic Safety Board on the configuration of the intersection, including a potential left turn lane at North Forest Road. Stormwater design will meet regulatory requirements.

4. Further review by this department will commence upon receipt of a stormwater management report and final design drawings. (A-016, Hacker, Erie County Department of Public Works, 11/22/2023).

   Comment acknowledged.

3.6.2 PUBLIC COMMENTS

1. Safety at the proposed Sheridan Drive entrance/exit - The Sheridan Drive entrance/exit is near the planned theatre and its parking lots, and it will also serve as a park entrance/exit. Due to the heavy traffic on Sheridan Drive and the bicyclists, pedestrians and jay-walkers, this entrance/exit has the potential for serious accidents. It will be a dangerous entrance/exit, and it should be removed from the Concept Plan. Another entrance/exit along Sheridan Drive will be just as

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

dangerous and should not be added to the Concept Plan. The theatre and its parking lots can be moved to a safer location within the park. (P-002, Boehm, Public, 11/8/2023, resubmitted 11/27/2023).

The access point at Sheridan Drive provides two forms of access. This is particularly important from a fire safety perspective. The Snyder Fire Department will have a primary and secondary access in the event of an emergency to access the Amherst Central Park as per NYS code. In addition, as the NYSDOT is responsible for Sheridan Drive, the Town will be collaborating with the NYSDOT on park access points. Any access to Sheridan Drive will be reviewed by the NYSDOT for approval, with consideration for impacts to operations and safety.

2. Pedestrian/bike entrance/exit on Frankhauser Road - This entrance/exit also has the potential for serious accidents. It is located at the beginning of Fairways and the bend in Frankhauser Road, where there is considerable vehicular traffic. This entrance/exit is especially dangerous for children, pedestrians and bicyclists, and it should be removed from the Concept Plan. (P-003, Boehm, Public, 11/8/2023, resubmitted 11/27/2023).

   One intent of the Amherst Central Park design is to provide access to the adjacent/surrounding selected neighborhoods. All access points will be further analyzed during any Facilities Improvement Review. Further analysis will include ensuring there is adequate sight distances for vehicles and buses to safely turn into and out of the park driveway. Infrastructure will be in place for the safety of all modes of transportation leading up to the park entrances/exits, and may be in the form of turn lanes and sidewalk.

3. The construction of a paved roadway around the Central Meadow - The Central Meadow is a natural preserve filled with trees and paths. There is no need for an expensive paved roadway for vehicular traffic around the Central Meadow. This paved roadway should be removed from the Concept Plan. (P-004, Boehm, Public, 11/8/2023, resubmitted 11/27/2023).

   The paved roadway within the central portion of the site will be considered a park road and not a public local road. The park road will be closed off to the public and will be opened intermittently for public events.

4. Safety? The potential pitfalls are again obvious. The slick, feel-good language in the PUD, while purporting to be about public needs and wants, is really about the need to satisfy developers. The inclusion of a pedestrian entrance off Frankhauser, where there is a blind curve, is tone-deaf to pedestrian/bicyclist safety. The preferred set-up for any park on Westwood is to limit vehicular access to the existing North Forest/Sheridan with plentiful parking available, and possibly a parking lot entrance on the Maple side, with no vehicles allowed into the interior of the site. Although the PUD is silent on the effects on wildlife, once traffic is allowed onto the site, it would never be the same, eliminating its natural character, which this PUD ostensibly seeks to protect. (P-021, Snyder-Haas, Public, 11/16/2023).

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Any pedestrian entrance to Frankhauser Road will be designed for safe ingress/egress. The Amherst Central Park development plan proposes active land uses for the southern section to limit vehicle traffic in the central and northern sections of the Park.

5. Per the DEIS, a collision analysis was conducted by C&S to evaluate the collision history of signalized intersections of Sheridan Drive at Frankhauser Road and Sheridan Drive at North Forest Road. Collision data was Amherst Central Park Affected Environmental Resources, Impacts, and Mitigation October 12, 2023 4.14 compiled, from January 2018 through December 2022. As detailed in the TIS, a total of 79 collisions were documented with 17 collisions at the Frankhauser Road intersection and 62 collisions at the North Forest Road intersection. Of these, 39% were reportable with injuries. Despite the significant amount of accidents identified, this plan notes significant increased traffic, largely due to the non-zoning appropriate uses. “Table 6 Trip Generation Park Facility ITE Land Use Code PM Peak Trips Saturday Midday / Peak Trips Entering Exiting Total Entering Exiting Total Park 411 Public Park 18 15 33 33 34 61 Community Building 495 Recreational Community Center 40 46 86 36 31 67 Theater N/A 70 17 87 70 17 87 Ice Rink/Ribbon 465 Ice Skating Rink 31 26 57 60 53 113 Peak Hour Trips 159 104 263 200 128 328 Trip distribution was based on existing traffic patterns in the study area. The main entrance of the Park is proposed to be off of Sheridan Drive, across from Fenwick Road. It was assumed the majority of the trips (70%) will be entering and exiting from the main entrance, and 30% will use the entrance on N. Forest Road”. As previously noted, Maple Road is significantly less trafficked than Sheridan. (P-024, Snyder-Haas, Public, 11/16/2023).

   Also, the proposal notes that a traffic signal should be considered at the proposed park entrance across from Fenwick “at the Amherst Central Park driveway on Sheridan Drive due to the long delays and vehicle queues expected at the site driveway and at Fenwick Road located across from the driveway.” There are already long queues at Sheridan and Frankhauser where there is a traffic signal, which would be very close to any traffic signal at Fenwick – the plan does not indicate whether a signal at the park entrance would mean the removal of the signal at Frankhauser, which would of course have significant negative effects for the residents utilizing this existing light. (P-025, Snyder-Haas, Public, 11/16/2023).

   Any decision on points of access along Sheridan Drive or modifications to signalization are under the permit authority of the NYSDOT. The Town will work closely with the DOT on implementation of the points of access along Sheridan Drive.

3.7 Historic and Archaeological

3.7.1 AGENCY COMMENTS

1. Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617). Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project. Project Number: 23PR09036. (A-003, SHPO, 11/22/2023).

Comment acknowledged.

3.7.2 PUBLIC COMMENTS

1. The transfer of the Buffalo Niagara Heritage Village - The Buffalo Niagara Heritage Village has a lovely home on Tonawanda Creek Road. Moving the old wooden buildings from this site and constructing a new Heritage Village Museum will be very expensive. This is an unnecessary financial burden for taxpayers, and it should also be removed from the Concept Plan. (P-005, Boehm, Public, 11/08/2023, resubmitted 11/27/2023).

   Comment acknowledged. The Town of Amherst currently has budget lines that support the Buffalo Niagara Heritage Village including a Maintenance Budget and Capital Improvements Budget. Relocating the Buffalo Niagara Heritage Village provides opportunity for consolidation of Maintenance and Capital Improvement Budgets while providing other benefits to the facility and promote increased accessibility to Town Residents.

3.8 Human Health

3.8.1 AGENCY COMMENTS

1. Section 4.7.1, Existing Conditions: This section states that “A comprehensive environmental assessment of the Property revealed the presence of contamination in soils at the site that exceed New York State Department of Environmental Conservation (“NYSDEC”) Soil Cleanup Objectives for commercial, passive and active remediation land use.” This statement is inaccurate, investigations to characterize potential impacts to environmental media have been limited and focused on a few former golf course holes. This statement should be revised to accurately reflect the extent of the completed environmental assessment. (A-010, Denk, NYSDEC, 11/20/2023).

   An environmental assessment of the Property conducted by a prior owner revealed the presence of contamination in soils at the Site that exceed New York State Department of Environmental Conservation (“NYSDEC”) Soil Cleanup Objectives for commercial, passive and active remediation land use. The Town will be executing a regulatory Consent Order with the NYSDEC to conduct ongoing investigations and remediation consistent with the Town’s construction schedule under the oversight of the NYSDEC.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

3.8.2 PUBLIC COMMENTS

1. The removal of toxic waste from the site - A few years ago, the soil on this site was tested, and harmful chemicals were found. How and when is this remediation taking place? Thank you for addressing these matters. (P-006, Boehm, Public, 11/8/2023, resubmitted 11/27/2023).

   The Town will follow NYSDEC Requirements. The previous owner terminated its application into the Brownfield Program with NYSDEC in April of 2023. Thereafter, the Town commenced communications with NYSDEC to test and remediate soils exceeding NYSDEC standards. Remediation will commence in 2024.

3.9 Water Resources

3.9.1 AGENCY COMMENTS

1. Section 2.3 Description of Required Approvals and Permits:

   a. If stormwater outfalls are to be connected to Ellicott Creek (water classification and standard of B, pursuant to 6 NYCRR Part 837, Item 25), a Protection of Waters Permit (Article 15, Title 5 of the Environmental Conservation Law) will be required from NYSDEC.

   b. If any of the project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice of Intent (NOI) and prior to commencement of the project.

   The Town of Amherst is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The “MS4 SWPPP Acceptance” form must be signed by the principal executive officer or ranking elected official from the MS4 community, or by a duly authorized representative of that person, and submitted along with the NOI, to the Department at NOTICE OF INTENT, NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commences. (A-006, Denk, NYSDEC, 11/20/2023).

   Comment noted. The Project will comply with regulatory requirements.

2. Section 4.3, Impacts Assessed as None/Small, Flood Hazard Zones:

   a. Flood Control: The portion of Ellicott Creek within the proposed work area is part of the Ellicott Creek Flood Control Project. An Article 16 Flood Control Land Use Permit from the Department and a Section 408 Permission may be required for work near or within the creek.

b. Floodplain Management: Any work done in a floodplain will require a Floodplain Management Permit which can be obtained through the Town of Amherst Floodplain Manager. Please note that the proposed work area includes both floodplain and floodway, the latter of which is more restrictive. Also, projects are state-financed, NYCCRR Part 502 may apply and must meet all FEMA floodplain management criteria. (A-007, Denk, NYSDEC, 11/20/2023).

Comment noted. The Project will comply with regulatory requirements.

3. Section 4.5.1, Surface Waters Existing Conditions:

   a. Freshwater Wetlands: There are no NYSDEC Regulated Freshwater Wetlands mapped on the property. Prior to undertaking a project, a Request for Wetlands Determination, Verification, or Delineation should be submitted to NYSDEC to confirm that the wetlands are not jurisdictional.

   b. Freshwater Mussels: Ellicott Creek is identified as having New York State listed threatened and endangered mussel species and critically imperiled (S1) and imperiled (S2) mussel species. If the proposed project involves any activity within or adjacent to Ellicott Creek, additional consultation with NYSDEC will be necessary to determine if a freshwater mussel survey is required. (A-008, Denk, NYSDEC, 11/20/2023).

   Comment noted. The Project will comply with regulatory requirements.

4. Section 4.5.2, Surface Waters Potential Impacts: Ellicott Creek, has a water classification and standard of B, pursuant to 6 NYCRR Part 837, Item 25. Therefore, any physical alteration (i.e. land clearing, filling, drainage pipe/ditch installation, etc.) to the bed or banks (within 50 feet of the stream) will require an Article 15, Title 5, Protection of Waters Permit from this Department. (A-009, Denk, NYSDEC, 11/20/2023).

   Comment noted. The Project will comply with regulatory requirements.

3.9.2 PUBLIC COMMENTS

1. The proposed benefits also tout the Town of Amherst Local Waterfront Revitalization Program, which “celebrates the beauty and uniqueness of the extensive waterfront along Tonawanda Creek/Erie Canal and Ellicott Creek, and the local history and the community’s desire to build upon existing strengths for the future”, with the Town identifying the following goals for its local waterfront revitalization plan: “increase public access to Town waterways, enhance amenities at existing public parks”.

   Yet, for the construction of the non-zoning appropriate theater, the Town plans on disturbing the waterway running across the southern portion of the property, acknowledging that “the canal feature located in the southwestern portion of the Property and identified in the Amherst Central Park Plan for expansion into a larger pond may be subject to federal and state permitting if that water is connected to other waters” and “the outlet of the canal feature and discharge location of those waters would be identified to determine any regulatory requirements, which could include

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

enhancement of other wetlands onsite, offsite mitigation, or other mitigation as required by the ACOE and/or NYSDEC". (P-022, Snyder-Haas, Public, 11/16/2023).

The majority of wetlands/waterbodies will remain untouched (10.09 acres) with the exception of the tributary within the lower southern portion of the site. This tributary known as UNT is 0.17 acres and will be altered for the proposed theater and main roadway. The Town will alter this tributary to accommodate proper stormwater run-off. Of the 10.26 acres of wetlands on site, 0.17 acres will be altered. Further, The Town will secure all necessary permits with the federal, state and county agencies prior to construction.

2. Furthermore, Westwood has no navigable sections of Ellicott Creek, but Audubon does – which one would think this would be a major consideration for considering Audubon as an alternate site. (P-023, Snyder-Haas, Public, 11/16/2023).

In either location, the Town will not be altering the Ellicott Creek corridor. There will be no proposed foreshore features.

3.10 Sanitary Sewer

3.10.1 PUBLIC COMMENTS

1. Additionally, per Section 4.3: "The Amherst Central Park improvements are estimated to generate up to 80,000 gallons/day of sanitary wastewater, primarily from recreational water features, i.e. splash pad spray and backwash water for swimming pool. Wastewater will be treated at the Town of Amherst Water Pollution Control Facility (WPCF), which has existing capacity to convey and treat these uses. In contrast, projected average usage for the Mixed Use Alternative in the GEIS, 245,000 gallons/day, was approximately three times greater than the Park average use, with peak hourly flow rates up to approximately 1,000,000 gallons/day. The projected sewer flow rates exceeded the sanitary system flow capacities and were a key basis for the denial of the Westwood Neighborhood (Mixed Use) application." Given that the mixed use alternative was so massive and incompatible with the surrounding neighborhood, one-third of its proposed water usage remains a very high amount. (P-029, Snyder-Haas, Public, 11/16/2023).

Sewer capacity was one of many issues that formed the basis of denial of the proposed Westwood mixed use project. The proposed mixed use project was to be constructed within the wet weather constrained West Side Interceptor system. As such, peak flows generated by the development would have potentially exacerbated or extended sanitary sewer overflows caused by wet weather events. It is anticipated that the peak flows generated by the recreational facilities detailed in the proposed Amherst Central Park plan will occur during dry weather patterns (consistent with supporting outdoor activities) which will correspond to lower flow periods in the West Side Interceptor. In summation, the proposed 80,000 gallons per day sewer demand is not anticipated to cause capacity issues and hence is not at all similar to the sewer capacity issues potentially generated by the proposed Westwood mixed use project.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

3.11 Noise, Odor, and Light

3.11.1 PUBLIC COMMENTS

1. The plan also notes: “As part of the design plan for the Amherst Central Park, it is proposed that the Buffalo Niagara Heritage Village Museum would relocate its outdoor living displays to the Amherst Central Park. These displays may include livestock and poultry which could produce odors and noise. The Town will place these displays approximately 150 feet from the nearest occupied structures to the west of the Park and will maintain them such that potential impacts due to odors and noise are anticipated to be small.” It should be obvious that agricultural displays should not be located behind residential homes. The museum currently has an appropriate location is a more agricultural setting, with plenty of nearby Town-owned land for its expansion. (P-030, Snyder-Haas, Public, 11/16/2023).

   Comment acknowledged. Operational limitations including limiting hours of outdoor access, number of animals and good sanitary management practices will be employed for the living displays to mitigate potential for odor and noise nuisances.

3.12 Consistency with Community Plans

3.12.1 PUBLIC COMMENTS

1. The project benefits extolled in Section 4.2 also include: “Develop new recreation amenities and opportunities for residents with a focus on expanding trails and opportunities for walking and biking; “pursue opportunities to create new sidewalks and pathways that connect the places people live, work, shop, and play in Amherst”; “seek to enhance opportunities for residents to safely walk and bike for exercise, leisure, and transportation purposes”.

   Connectivity? The proposed pedestrian/bike paths on Westwood do not connect to anything. Despite trail connectivity being the top public desire per the recreation survey the Town did, the Town has been totally non-responsive to it. The benefits of extending the Ellicott Creek Path that currently dead-ends at the Audubon Golf Course across Maple and through Westwood, and then to Amherst State Park, Glen Park and the Village of Williamsville are numerous and obvious. Yet this plan focuses on vehicular traffic moving into unspoiled greenspace. While Buffalo has eliminated traffic on its “ring road” in the crown jewel of Delaware Park, the Town seeks to create a traffic circle in the middle of Westwood, intersecting with pedestrian paths. (P-020, Snyder-Haas, Public, 11/16/2023).

   Connectivity for pedestrian and bicycle circulation will be explored through the ACP Facility Improvement Review process as New York State Department of Transportation (NYSDOT)/Erie County Department of Public Works (ECDPW) permits are considered. There are no plans for a traffic circle in the middle of the Amherst Central Park, only a Park drive for maintenance purposes and so that users can access park features such as playgrounds.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

3.13 Cumulative Impacts

3.13.1 PUBLIC COMMENTS

1. Section 3.3 of the GEIS identifies several of the problems found with the previous mixed use development for which a re-zone was denied, including insufficient sanitary sewer capacity and significant constraints on increasing that capacity; traffic impacts associated with new development in an area not previously planned for such development; extensive new roadway and signal construction to address traffic impacts; impacts associated with wetlands, hardwood swampland, floodplains, and Ellicott Creek; conversion of land zoned RC to higher-density uses; Incompatibility of the proposed uses with surrounding neighborhoods; loss of open space; and a protracted construction period. (P-026, Snyder-Haas, Public, 11/16/2023).

   Comment acknowledged.

2. The plan goes on to say how much better the current proposal is. However, per Section 2.4, Project Schedule: “The Town anticipates that the implementation of the Amherst Central Park will occur over the course of a 10-year period (June 2024-June 2034). Construction will begin with improvements within the southern portion of the Property, which will include the most intensive development of recreation, community, and civic facilities”. THIS IS THE SAME AMOUNT OF CONSTRUCTION TIME THAT WAS CITED FOR THE MASSIVE MIXED-USE DEVELOPMENT. 10 YEARS. This is an incredibly long period of time for a construction period in a heavy residential area with homes literally backing up to the construction site. (P-027, Snyder-Haas, Public, 11/16/2023).

   The timing of the Amherst Central Park construction is to be determined. While a 10-year period was cited as a conservative duration, total amount and intensity of construction will be much less than was proposed for the Mixed-Use Alternative. Construction noise mitigation measures will be implemented in accordance with Town Code.

3. Remember the “lighter, cheaper, faster” mantra that Buffalo so successfully employed at Canalside? This project is entirely too development-heavy, particularly on the Westwood site. It does not have to be this way. There are other land options available that would cause significantly less environmental impact for the items that do not belong in this RC-zoned property. (P-028, Snyder-Haas, Public, 11/16/2023).

   The Town has determined that acquisition of the property and development of recreation/education/civic uses within this section of Town will benefit the community. The northern portion of Amherst Central Park is planned for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

4 Response to Amherst Central Park General Comments[1]

4.1 Overall Project Statements

4.1.1 AGENCY COMMENTS

1. Site Plan or Zoning Referral to County of Erie, N.Y. and Reply to Municipality - No Recommendation; proposed action has been reviewed and determined to be of local concern. (A-012, Hall, Erie County Environment and Planning, 11/20/2023).

   Comment acknowledged.

4.1.2 TOWN COMMENTS

1. There are no comments on the submitted proposed Conceptual Development Plan for a new community park. (T-001, Szatkowski, Planning Department, 10/18/2023)[2].

   Comment acknowledged.

2. Due to inflation and material/labor cost escalations, some sizing flexibility may be required in order to ensure the viability of some of the park improvements and as such, we may want to include some size ranges as follows:

   - Ice Ribbon and Ice Rink, approximately 15,000 – 25,000 SF

   - Inclusive Playground, approximately 10,000 – 12,500 SF

   - Splash Pad, approximately 3,000 – 6,000 SF

   (T-050, Engineering Department, 11/20/2023).

   Comment acknowledged. Sizing revisions would be handled according to the PUD review process outlined in Section 6 of the DSGEIS. Downsizing of improvements would likely be categorized as a Type II Action for purposes of SEQR and revisions would be assessed for implementation by the ACP Planning Team.

[1] The comments discussed in this Section are not SEQRA comments to the DSGEIS, and instead relate to the underlying PUD Application. Notwithstanding, the Town compiled the comments received during the comment period and provide responses to each.
[2] Response from Town representative regarding the PUD Conceptual Development Plan pertaining to the specific department.

3. Site Plan is Approved as Submitted. Note Floodplains Development Permit required and Wetlands on property. (T-002, Gesel, Building Department, 10/24/2023).[3]

   A floodplain development permit and all building permits will be obtained prior to construction.

4. This office has reviewed the materials submitted by your correspondence dated October 17, 2023, and has no comments. We are returning copies of the materials for your file. (T-003, Robshaw, Attorney's Office, 10/25/2023).

   Comment acknowledged.

5. Approved as submitted. (T-004, Halt, Building Department – Fire Safety, 10/30/2023).

   Comment acknowledged. See also Section 4.12.

6. The Proposed PUD Application Review is Approved as Submitted. – Plumbing Dept. (T-005, Herberger, Building Department - Plumbing, 10/31/2023).

   Comment acknowledged.

7. Site plan approved once properties are merged. (T-019, Arnold, Assessor's Office, 11/9/2023).

   Comment acknowledged. Town staff will merge the properties prior to submitting Facility Improvement Plan.

8. The Town of Amherst Industrial Development Agency has reviewed the documents related to Amherst Central Park and does not have any comments. (T-049, Mingoia, Industrial Development Agency, 11/20/2023).

   Comment acknowledged.

4.1.3 PUBLIC COMMENTS

1. The current Westwood proposal seems to be another convoluted play to effectively suppress information… thereby the voice and will of the people…and a variation of what was attempted months ago by amending the zoning code. Seems to be Kulpa's Westwood plan has been a tangle of smoke and mirrors, obfuscation and lies, from the start. Much of the process has been truncated and/or eliminated. (P-033, Ferraro, Public, 11/15/2023).

   Comment acknowledged.

[3] The Town compiled comments to the PUD Application from its internal departments using its standard forms utilized for development projects. It should be noted that references to "approved" and/or "site plan approved" merely mean that the department had no comments to the PUD application reference. The term "approved" does not constitute a formal approval of the proposal.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

2. I hope the Town will withdraw this proposal until such time as an Amherst Central Park Plan has been accepted by the Town Board or that this Board will remove it from your agenda until such time as the application is complete and able to be reviewed against PUD Development Standards and SEQRA completed. (P-065, Shapiro, Public, 11/16/2023).

   On October 2, 2023 the Town Board issued a SEQR Positive Declaration as part of its self-initiated PUD Application. On October 16, 2023 the Town Board subsequently amended its PUD application, such application was deemed complete at the same time the Town Board accepted the DSGEIS as complete.

3. How much is this park plan going to cost and where will Amherst be getting the money? (P-077, Boje, Public, 11/18/2023).

   The Town includes expenses in its annual Capital Improvement Budget, which includes projects proposed in the Park.

4. After the initial capital cost, what is the proposed annual maintenance & upkeep costs and where is that money coming from? (P-078, Boje, Public, 11/18/2023).

   The Town will include funding for its maintenance and upkeep expenses in its annual Operating and Capital Improvement Budgets.

5. Are BNHV and Music Fare Theater paying for their new facilities? If not, I'm not sure it's legal for the public to pay for facilities for private parties. (P-079, Boje, Public, 11/18/2023).

   BNHV facilities are Town owned and are therefore a Town purpose. BNHV is a non-profit-corporation which manages the facilities under an operating agreement with the Town. Occupancy of Community Theater Building will be memorialized by a lease agreement or other contract which will outline Town use as well as the occupant's financial contribution toward the construction of the Community Theater Building in the form of rent or other financial contributions.

4.2 PUD Process

4.2.1 TOWN COMMENTS

1. Once, if we were to make a recommendation today and it goes to the town board, it's ultimately the Town Board that will facilitate the development of this parcel. Will the Planning Board see future development plans for the Park? (T-044, Planning Board, 11/16/2023).

   The Town Board will be reviewing future improvement plans in the Amherst Central Park as outlined in the ACP Facility Improvement Review Process. As detailed in the DSGEIS Section 1.1 and Section 6, the Director of Facilities will work with the Planning Director to prepare a Facilities Improvement Plan application ("ACP Application") for the ACP Planning Team to review. The ACP Application will be posted on the Town website and distributed to Town departments and other agencies as appropriate. The ACP Planning

Team's recommendations will be reviewed at a Town Board meeting, including a public hearing if required. The Town Board will issue a SEQRA determination, if required, and decide whether to approve and fund the proposed improvement.

2. This is really to provide a set of guidelines and some flexibility for what's supposed to be a very lengthy construction period if/when it's approved and would I be correct to understand that with individual parts that are coming up there'll be additional opportunities for input, for change, for making sure that local residents are protected, things of that nature. (T-045, Planning Board, 11/16/2023).

   Yes, there will be, as outlined in the ACP Facility Improvement Review Process (DSGEIS Section 1.1 and Section 6).

3. It's a very large project with so many components to it. This is a very large undertaking which is going to take, it has a lot of components in it and some major components. You have shown us a flowchart of how the approving process will go for each major item. Is that right? (T-046, Planning Board, 11/16/2023).

   The Town Board will be reviewing future improvement plans as outlined in the ACP Facility Improvement Review Process (DSGEIS Section 1.1 and Section 6).

4. Is there a timeline in mind as to, or a sequence of what these components are going to be implemented? When and on a calendar? (T-047, Planning Board, 11/16/2023).

   The specific timeline will be developed following completion of the SEQR process, based on permitting requirements and construction logistics. However, in general, development is anticipated to begin on the southern section of the property, likely starting on the eastern side.

5. Just to emphasize that any major component, when we start implementing it, there will be several opportunities for the public which are more concerned of what's happening to voice their concerns, to give their ideas, to provide input to help the project along? There will be many such opportunities in the future? (T-048, Planning Board, 11/16/2023).

   As noted in the ACP Facility Review Process (Section 1.1 of the DSGEIS), all ACP applications will be posted to the Town "Pending Development Projects" webpage and noticed when placed on the Town Board agenda. Section 6 sets forth thresholds for improvements requiring additional review.

4.2.2 PUBLIC COMMENTS

1. PUD (Planned Unit Development) standards requires details of the development be made available to the public...in its entirety. Segmenting is not an option and requires more than a map for information. How can anyone approve this vague, haphazard, hodgepodge proposal? (P-034, Ferraro, Public, 11/15/2023).

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Comment acknowledged.

2. Each significant addition to this property needs a public hearing where all stakeholders are included and have all relevant facts and costs available to them. That has not and is not happening. Manipulation behind closed doors with selected attendees clearly bypasses community oversight and input. It is purposeful and reprehensible. (P-035, Ferraro, Public, 11/15/2023).

   The Town Board will be reviewing future improvement plans in the Amherst Central Park as outlined in the ACP Facility Improvement Review Process. As detailed in the DSGEIS Section 1.1 and Section 6, the Director of Facilities will work with the Planning Director to prepare a Facilities Improvement Plan application ("ACP Application") for the ACP Planning Team to review. The ACP Application will be posted on the Town website and distributed to Town departments and other agencies as appropriate. The ACP Planning Team's recommendations will be reviewed at a Town Board meeting, including a public hearing if required. The Town Board will issue a SEQRA determination, if required, and decide whether to approve and fund the proposed improvement. Significant improvements to the Amherst Central Park will require funding that must be approved by the Town Board. The Board may be required, or elect, to hold a public hearing prior to approval.

3. Building Musical Fare, a pre-K day care, an amphitheater, moving the museum, including the animals are being pushed on residents with no transparency, no short and long term costs and no serious discussion of the feasibility of locating all of this in a residential neighborhood with inevitable consequences. (P-036, Ferraro, Public, 11/15/2023).

   Starting in 2018 the proposed ACP Plan was the product of a multi-year participatory planning process involving municipal leaders, residents, community stakeholders and consultants. Several meetings and discussions have been held. The Town published the plan in the Amherst Bee in May 2023 and provided a QR code to access more information on the plan. The Amherst Central Park is a component of the Amherst LWRP Plan (Section 4).

4. Please consider doing the right thing for this prime piece of greenspace...that some seem to be hellbent on destroying...incrementally. Please make an effort to read the entire proposal...and ask yourself if it makes sense environmentally, economically…in a financially strapped town/county/state, and in the best interest of ordinary citizens? You might start by revisiting the traffic safety issues of the entire area in 2023. Not earlier. Such negligence demonstrates either appalling ignorance or willful blindness. (P-037, Ferraro, Public, 11/15/2023).

   Comment acknowledged. An updated (October 2023) traffic study was prepared for the DSGEIS.

5. I am here to request that the Town withdraw this application or that the Planning Board removes it from their agenda until such time as the application is complete. To date the Town Board has not presented, accepted or approved an actual "Amherst Central Park Plan." This is the first actual

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

public hearing addressing any part of the plan. So this proposal for a Planned Unit Development seems premature, vague and incomplete. It's not clear under what authorization this petition was even submitted. No authorizing resolution from the Town Board is included in the application.

The Planning Board is tasked with making a recommendation to the Town Board based on whether the Central Park Development Plan described is consistent with the Comprehensive Plan and the Zoning ordinance, including the stringent development standards for a Planned Unit Development. The Board also needs to consider whether the Plan is compatible with uses allowable in the current RC (Recreation Conservation) zoning district and conforms to the character of surrounding neighborhoods, as well as determining if there are adequate services and utilities, etc. prior to formulating a recommendation to the Town Board. SEQRA requirements also needs to be fulfilled, as this is a Type I action, highly likely to produce negative environmental effects.

Unfortunately, the PUD application is incomplete, with only a vague visual concept plan included, and an even vaguer SGEIS to assist you in your task of review. The zoning code for PUD only mentions a requirement for the inclusion of a Conceptual Development Plan, but that is not the only required submittal. As I said earlier, this Park Plan has never been presented to the public at a prior hearing. If this Board was meant to review it at this stage, you would have a complete plan to compare to the PUD Development Standards in the code. The development standards, although allowing for flexibility in choice of how to meet the standards, still must be met. Nowhere in the standards does it give an opportunity to change or alter the Development Approval Process, set forth in Town Code, but that is what's being proposed here tonight. What's missing: (P-052, Shapiro, Public, 11/16/2023) [See comments P-053 through P-065 which are addressed in the following sections]

Comment	Section
P-053	4.4.1
P-054	4.7.1
P-055	4.5.3
P-056	4.5.3
P-057	4.13.2
P-058	4.9.1
P-059	4.13.2
P-060	4.13.2
P-061	4.12.2
P-062	4.3.1
P-063	4.2.2
P-064	4.13.2
P-065	4.1.3

Starting in 2018 the proposed ACP Plan was the product of a multi-year participatory planning process involving municipal leaders, residents, community stakeholders and

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

consultants. Several meetings and discussions have been held. The Town published the plan in the Amherst Bee in May 2023 and provided a QR code to access more information on the plan. The Amherst Central Park is a component of the Amherst LWRP Plan (Section 4). The Amherst Central Park, with its location along Ellicott Creek is a featured project for recreation and waterfront enhancement in the Town. The New York State Department of State (NYSDOS) LWRP plan is adopted by the Town Board and New York Secretary of State.

On October 2, 2023, the Town Board issued a SEQR Positive Declaration as part of its self-initiated PUD application. On October 16, 2023 the Town Board amended its PUD application, such application was deemed completed the same time the Town Board accepted the DSGEIS as complete. All of which were made publicly available as required. The PUD process required the Planning Board to issue a recommendation to the Town Board. On November 16, the Planning Board, in accordance with Section 8-4-4 of the Zoning Ordinance, recommended approval of the PUD application and Conceptual Development Plan.

6. Development Phasing Plan - It's impossible to know what to expect as there is no narrative or phasing plan available. (P-063, Shapiro, Public, 11/16/2023).

   The Amherst Central Park southern portion will be developed as shown in the PUD plan as individual projects. The northern area is not planned for development at this time.

7. Regarding the Amherst Central Park project, my understanding is the zoning for this parcel remains RC (Recreation Conservation), with no zoning district change, however, adjustments are proposed as part of the PUD application. There is a leap of faith involved as the purpose of the PUD Process is to permit coordinated development that allows flexibility to respond to market demands. And the intent is to adjust the regulations, standards and criteria of the Zoning Ordinance as part of the PUD Process for the Amherst Central Park to implement the Conceptual Development Plan and future improvements that are not part of the Conceptual Development Plan. (P-066, Hochberg, Public, 11/16/2023).

   Comment acknowledged.

4.3 Alternative Analysis

4.3.1 PUBLIC COMMENTS

1. Rationale for an alternate Development Approval Process - There is simply no rationale given to create a unique Development Approval Process for this Park development. Initiating projects on this Town owned property needs to be done in the daylight, in front of the Public. Initiating projects that require the use of town employee time or consultants result in expenditure of taxpayer dollars and the Director of Facilities has not been given that authority by the Town Board. Our Town Code is pretty specific that the power rests with our elected Town Board in a public process. Recently the CIP process has been bastardized to fund segmented aspects of

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

this development process without proper disclosure to the public and SEQRA review of the whole development. It should not be used to initiate projects which will segment the review process, stealing from Peter to pay Paul.

The Town Board is able right now to create an Amherst Central Park Task Force with entity made up of the Town employees listed in their proposed process. This is usual practice in the TOA, but it's not clear why they want to subvert public involvement as early in the project as possible and feel the need to hide behind an internal structure. Creating this one of kind development process, would set a dangerous precedent, and would be counter to SEQRA. A Planned Unit Development approval is not the way to accomplish changing the Development Approval Process. The Town Board tried to avoid having this development go through the time-tested Development approval process by exempting "certain public properties," but ended up withdrawing their resolution after residents rejected this proposed hidden process. This Town has a history of working with town officials and residents together to create community amenities that suit everyone. No special approval process necessary. Why should this one be any different? (P-062, Shapiro, Public, 11/16/2023).

The Director of Facilities will be acting on the direction of the Town Board in accordance with the Amherst Central Park development plans and funding available. The proposed ACP Planning Team is comprised of agency representatives that currently review site development plans. The public will have opportunities to comment. Town Board approval of ACP applications will be considered in tandem with budget approvals. As discussed in Section 6 of the DSGEIS, proposed projects not properly evaluated in the DSGEIS would still be subject to the usual requirements of SEQRA.

4.4 Zoning

4.4.1 PUBLIC COMMENTS

1. Variances Required: The Central Park property is zoned RC (Recreational Conservation). The following uses displayed on the concept plan are not allowed in this zoning district:

    - Livestock is not permitted (Livestock is noted on the site of a relocated museum)
    - Chickens are not permitted (Chickens may be included on the site of a relocated museum)
    - Commercial uses are not permitted {Commercial use is indicated in the EAF, but not elaborated upon). It's not clear if "Winter Market" will include commercial uses. Food and Beverage solid waste in large numbers are also indicated. It's not clear if the BNHV is a commercial use and whether the public will have to pay admission, as well as the Theatre indicated.
    - Schools and daycares are not permitted as a primary use (they are only permitted as an accessory to a place of worship).

The Town still needs to comply with use restrictions in this current zoning district. PUD application does not change this.

As you're aware, Variances are gained via another public process at the ZBA and not part of a PUD approval. (P-053, Shapiro, Public, 11/16/2023).

The Conceptual Development Plan meets the purpose and objectives of the RC-Recreation Conservation zoning district by providing public and private civic uses related to recreation and conservation. The Conceptual Development Plan and Facility Improvement Plans will be consistent with any applicable use regulations, or as adjusted by the Town Board under Section 8-4-6(F) of the ordinance. The Conceptual Development Plan and the proposed uses, which comprise the proposed community park are consistent with the policies of the comprehensive plan.

4.5 Transportation

4.5.1 AGENCY COMMENTS

1. The project sponsor will be required to apply for and obtain an Erie County Highway Work Permit for Utility Work Perm-2 prior to construction within the North Forest Road (CR-294) and Maple Road (CR-192) highway right-of-way. (A-014, Hacker, Erie County Department of Public Works, 11/22/2023).

   Comment acknowledged.

2. The project sponsor will be required to apply for and obtain an Erie County Highway Work Permit for Non-Utility Work, Perm 3 prior to construction within the North Forest Road (CR-294) and Maple Road (CR-192) highway right-of-way. (A-015, Hacker, Erie County Department of Public Works, 11/22/2023).

   Comment acknowledged.

4.5.2 TOWN COMMENTS

1. Reconsider altering the location and geometry of the N. Forest Road curb-cut as proposed. The proximity of the bends along N. Forest Road at this curb-cut location present challenges given the number trips expected, particularly coming from the north as there is not a proposed access from either Maple Road or Frankhauser Road. Reconsideration of the roundabout configuration is suggested. (T-006, Schregel, Traffic Safety Board, 11/2/2023).

   The Town will work with the ECDPW, as well as the Town Traffic Safety Board on the configuration of the intersection at North Forest Road. Initial Park access plans maintain the existing curb-cut from the former Country Club.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

2. Provide a pedestrian connection between the public sidewalk along the south side of Maple Road and the internal walking paths that loop near Maple Road. (T-007, Schregel, Traffic Safety Board, 11/2/2023).

   Future connections will be considered through the ACP Facility Improvement Review process. The Par 3 golf course is intended to be redesigned, at that time a connection to nearby sidewalks and Maple Road could be evaluated.

3. Similar to comment #2, it is expected that park users will utilize the internal pathway system from the north end. Suggested that the Audubon Par 3 parking lot be utilized as a location for park users to park and access the paths within Amherst Central Park (ACP). As such, provide a pedestrian connection between the existing Par 3 parking lot and the internal walking paths within ACP within the golf course. Consider expanding parking at the Par 3 to accommodate this new "trail head". (T-008, Schregel, Traffic Safety Board, 11/2/2023).

   Future connections will be considered through the ACP Facility Improvement Review process. The Par 3 golf course is intended to be redesigned, at that time a connection to nearby sidewalks and Maple Road could be evaluated.

4. Provide additional internal parking near key park features. Consider utilizing parallel parking along areas where park users may want to access by vehicle, e.g. playgrounds, outdoor exercise area, etc. (T-009, Schregel, Traffic Safety Board, 11/2/2023).

   Internal parking areas are included in the PUD Conceptual Development Plan. Specific parking details will be determined during the ACP Facility Improvement Review Process.

5. Traffic Safety Board agrees with the Draft [SGEIS] that while the signal warrants are not met, that a traffic signal still be considered for the ACP driveway on Sheridan Drive at Fenwick to address the projected long delays and queues out of both the site driveway and Fenwick Road. Further providing for an improved pedestrian crossing to the residential subdivision across Sheridan Drive. (T-010, Schregel, Traffic Safety Board, 11/2/2023).

   Comment Acknowledged.

6. The N. Forest entry can be modified during the "Facility Improvement Plan" within the confines of the overall Conceptual Development Plan. (T-013, Traffic Safety Board, 11/3/2023).

   Comment Acknowledged.

7. TSB is requesting pedestrian access from Maple Road at the northern most part of the site. (T-014, Traffic Safety Board, 11/3/2023).

   Comment Acknowledged.

8. TSB is requesting access/parking from the adjacent Par 3 Golf Course. (T-015, Traffic Safety Board, 11/3/2023).

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

A connection could be considered during a redesign of the Par 3 Golf Course.

9. TSB requests additional parking throughout the park. These smaller parking areas can be achieved during the “Facility Improvement Plan” process. (T-016, Traffic Safety Board, 11/3/2023).

   Comment acknowledged.

10. TSB requests a signal at the new Sheridan Drive entry. (T-017, Traffic Safety Board, 11/3/2023).

    Comment acknowledged.

11. Considerations for park access via public transit or non-vehicular modes of transportation would be beneficial. (T-042, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    The Town will work with public transportation providers to provide access by transit and other modes.

4.5.3 PUBLIC COMMENTS

1. I would like to state that I am supportive of the overall Westwood Concept as part of the Amherst Central Park but I have some concerns about the proposed ‘Pedestrian and Bike Entrance’ to Frankhauser at the South West area of Westwood. A ‘Pedestrian and Bike Entrance’ in that space does not make logical sense and also raises a number of traffic and safety concerns. I am writing to you today not only on behalf of my family but for many of our neighbors in the Frankhauser/Fairways neighborhood who have expressed similar concerns as well. Some of the biggest concerns being: … (P-038, Vaughan, Public, 11/16/2023) [see comments 39-49 listed below].

   Why is there a need for a Pedestrian and Bike Entrance? Why aren't the main entrances adequate? (P-039, Vaughan, Public, 11/16/2023).

   There are no other Pedestrian and Bike Entrances anywhere else on the Concept Plan so why put one there leading to/from Frankhauser? (P-040, Vaughan, Public, 11/16/2023).

   It is important to note that where the Pedestrian and Bike Entrance would be, there are no sidewalks on that East side of Frankhauser from Sheridan leading up to the proposed Pedestrian and Bike Entrance, and then through the Frankhauser/Fairways intersection. The sidewalk does not begin until you are directly in front of my house at 11 Fairways’ that is a long stretch where pedestrians would be forced to walk in the road to get to a sidewalk. (P-041, Vaughan, Public, 11/16/2023).

   This means that pedestrians leaving the park and utilizing the proposed Pedestrian and Bike Entrance would be immediately put into an unsafe situation at the Frankhauser/Fairways intersection as there is nowhere for them to safely walk. The same safety concerns for

pedestrians would also be true for people entering the park at that proposed location. (P-042, Vaughan, Public, 11/16/2023).

On a personal note, because pedestrians leaving the park would want to avoid the unsafe intersection, they would utilize my yard (directly adjacent to the proposed Pedestrian and Bike Entrance) as a cut through to get to Fairways Blvd. As I mentioned, I have two young children and we play in our yard on a daily basis; having strangers cutting through my yard and being in close proximity to my children, I believe, is also problematic and presents additional safety issues. (P-043, Vaughan, Public, 11/16/2023).

In June of 2020, the town reconfigured the intersection of Frankhauser and Fairways after recommendation from the Amherst Traffic and Safety Board due to traffic and safety issues and it being deemed an unsafe intersection - why would we include a design in the Concept Plan that would offset the work done to help mitigate the traffic/speeding/safety issues? (P-044, Vaughan, Public, 11/16/2023).

If the intersection was deemed unsafe for vehicles, why would we want pedestrians and bicyclists to utilize that same intersection? Wouldn't it also be unsafe for them? (P-045, Vaughan, Public, 11/16/2023).

Even with the intersection redesign, it is still a difficult intersection with safety and speeding issues persisting. Vehicles continue to use Fairways/Frankhauser as a cut-through between Sheridan and Maple, speeding through the intersection causing unsafe traffic conditions; on a daily basis there are quite a few 'near miss' car accidents, with vehicles speeding through the intersection/not stopping at the STOP sign on Fairways at Frankhauser. (P-046, Vaughan, Public, 11/16/2023).

Since the intersection was redesigned, we have also had multiple instances of vehicles speeding down Frankhauser, losing control of their vehicle, and driving right onto the new grassy area the town installed at the intersection, getting their vehicle stuck. This has happened most often at night and in inclement weather, but has also happened in ordinary driving conditions. Recently, the town removed the guide rail that paralleled the intersection (separating the road from my yard), so the next time this happens the vehicle that loses control and leaves the road will be in my yard. Again, with the additional traffic that will be seen from this, this puts my family at risk. (P-047, Vaughan, Public, 11/16/2023).

Adding the additional pedestrian and bike traffic, vehicle traffic, and cars parked on Frankhauser and Fairways, it will make an already unsafe intersection even more unsafe. (P-048, Vaughan, Public, 11/16/2023).

The Town will evaluate pedestrian connectivity to Frankhauser Road and determine what improvements are necessary for a safe connection to the Frankhauser Road neighborhood.

2. On behalf of my family and our neighbors, I respectfully ask you to reconsider and remove the Pedestrian and Bike Entrance at Frankhauser/Fairways from the Concept Plan. The questions

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

raised here, and other safety concerns, should all be considered when looking at this possible Pedestrian and Bike Entrance at Frankhauser/Fairways. If the plan were to move forward as shown in the Concept Plan and a Pedestrian and Bike Entrance is placed where it is currently proposed, there will be far more burdens than benefits as a result of that Pedestrian and Bike Entrance, causing increased traffic and safety issues. Thank you for your time and I appreciate you considering this request. Have a great day. (P-049, Vaughan, Public, 11/16/2023).

The Town will evaluate pedestrian connectivity to Frankhauser Road and determine what improvements are necessary for a safe connection to the Frankhauser Road neighborhood.

3. Also, where is the 300+ parking lot going to be placed and how will street parking be prevented. Look forward to hearing from you. (P-051, Koerber, Public, 11/16/2023).

   Parking lots are proposed at the southeast corner of the project site, near the existing lot, east of the existing clubhouse and west of North Forest Road. The largest parking lot is proposed for the southeast corner of the site.

4. Internal and external pedestrian, bicycle and vehicular circulation plans. PUD standards require safe passage and separation for all of these entities, yet no details were given. How will safe passage, for all of the users of the park, be maintained at entrances/exits or via adjacent neighborhoods? It's impossible to assess compliance with the PUD standards and adverse effects without this information. (P-055, Shapiro, Public, 11/16/2023).

   The plan proposes roadways, bicycle and pedestrian paths. The nature and location of these paths will be finalized during Facility Improvement Review.

5. A more complete Traffic Study with real alternatives and mitigations:

   The flawed supplemental traffic study provided, shows traffic counts from days when Sheridan Drive, itself, was under extended construction. This caused various lanes on Sheridan and Harlem to be coned off at different times, altering traffic flow. As this construction was present for a while before and after the date counts were carried out, commuters may have found alternate paths to and from the area, altering traffic patterns. Even still Levels of Service at the southern entrance were unacceptable with LOS down to E and F.

   The only "mitigations" suggested in the Traffic Study were to put up a light at the proposed Sheridan/Fenwick entrance with crosswalk or put in a Hawk signal that would be dangerous in the context of 5 lanes of Sheridan drive for pedestrians or bicyclists alike. It's required in PUD standards that people are not relying on crossing busy arterial roads to access the site. It was noted that there is currently no safe passage for bicyclists at the site. A more comprehensive traffic study needs to be completed with more detail. (P-056, Shapiro, Public, 11/16/2023).

   The construction occurring on Sheridan Drive occurred west of the study area. Review of the video used to take the traffic counts showed there was no active construction in the study area or any identified anomalies in traffic. To determine if counts were impacted by

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

construction, historical count data from other sources and projects was used to compare those to the counts taken for this traffic study. It was found that the counts taken for this study were representative of an average day in the area, and there were no impacts due to construction.

6. My comments & concerns tonight focus largely on the impact of traffic on North Forest Rd, County Section between Maple Road & Sheridan Drive, and multi-modal ingress and egress in general.

   We are far more residential here now and want to ensure that all efforts will be made, so our stretch of roadway does not bear the brunt of traffic for this project, passive to the north, but pretty busy to the south. For this reason, it is imperative that there be a second means of vehicular ingress and egress. If the proposed entrance on Sheridan Drive cannot work out, it alternatively must be Maple Road. (P-067, Hochberg, Public, 11/16/2023).

   According to the Traffic Impact Study the percentage of users entering/existing Sheridan Drive is 70% and North Forest is 30%.

   The proposed PUD Conceptual Development Plan does not include a connection to Maple Road. The Town is not including a vehicular connection to Maple Road that passes through the park. The Town will continue to coordinate with the Erie County Department of Environment and Planning, NYSDOT, Greater Buffalo-Niagara Regional Transportation Council and Niagara Frontier Transportation Authority on long-range planning along corridors accessing the Park.

7. We would also need a 2nd entrance to be available immediately at the start of construction, so that the North Forest entrance and roadway in general is not the primary means of access. (P-068, Hochberg, Public, 11/16/2023).

   Efforts will be made to incorporate a proposed Sheridan Drive entry into the initial construction phase to minimize construction vehicle usage of North Forest Road.

8. We also want to be sure that this isn't a park that you have to drive to in order to enjoy it. I have introduced into the record a letter prepared following the Dec. 2020 Traffic Safety sidewalk feasibility meeting. Residents of North Forest Road north and south of Sheridan Drive are represented in the comments regarding pedestrian access to and through the park.

   There doesn't look to be much ingress and egress from the surrounding neighborhoods for pedestrians and bicycles. With Maple Road shut off, our central park is not continuous or connected with the Audubon side or the Amherst Bike path. And is there a way for people to park on the Maple Road end to use pedestrian access on that end only? There should be creative solutions to mitigate these concerns. (P-069, Hochberg, Public, 11/16/2023).

   Details of access to the Amherst Central Park for pedestrians and bicyclists will be further developed as Facility Improvement plans are reviewed and permits are sought from the

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

NYSDOT and Erie County Department of Public Works. Access to the Amherst Central Park by external walkways and bike facilities can be considered for the surrounding area.

9. As many of you know, the residents of North Forest worked very hard with Erie County and The Town of Amherst between 1998 and 2008 to retain the character and integrity of North Forest Road. There was talk of widening the road, adding turn lanes, straightening the curves, and adding sidewalks. It was determined by Erie County and approved by the Town of Amherst to keep the road as it is. (P-074, Schmitt, Public, 11/16/2023).

   There are no plans for significant geometric changes to North Forest Road in the Amherst Central Park plans. The ECDPW has a requested that a left turn lane into the Park be provided at the driveway along North Forest Road.

10. I understand that there is not an ingress or egress on Maple Road to the park because of concern that the road would become a North- South throughfare which is something the Town doesn't want. I would ask that you consider an entrance on Maple Road to service a parking area for the residents using the walking and biking trails on the northern portion of the park. I'm not requesting a road through the park but simply an entrance and parking lot off Maple Road. This would mitigate some of the increased traffic that will be directed onto North Forest now that all the parking for the new park is located off North Forest and Sheridan Drive.

    Thank you for your time, please include my comments for the record. (P-075, Schmitt, Public, 11/16/2023).

    The proposed PUD Conceptual Development Plan does not include a vehicular connection to Maple Road. The Town does not want to encourage vehicular traffic through the Amherst Central Park to Maple Road. Future connections can be considered through the Facility Improvement Review process. Currently, the Par 3 golf course is intended to be redesigned, at which time a connection to nearby sidewalks and Maple Road could be evaluated.

11. Is there going to be a new traffic light added on Sheridan Drive for the entrance/exit located across from Fenwick Road? Would it be too close to the traffic light at Frankhauser? (P-080, Boje, Public, 11/18/2023).

    The Town is collaborating and will continue to collaborate with NYSDOT on the Sheridan Drive access. At this time, NYSDOT has stated that a signal will not be permitted at the Sheridan Drive access.

12. Has a traffic study been done for the entrance/exit located off of North Forest Road? That two-lane road backs up numerous times a day so I'm not sure how a major park entrance/exit would work without adding to that congestion. (P-081, Boje, Public, 11/18/2023).

    The access to North Forest Road was studied. A left turn lane has been requested by Erie County on North Forest Road to accommodate left turns into the park. This will prevent

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

any queueing for northbound left from North Forest Road. The park is not expected to create any queueing on North Forest Road.

4.6 Historic and Archaeological

4.6.1 PUBLIC COMMENTS

1. Additionally, I noted the following omissions in the application:

- 829 North Forest Road is identified as a very important historic resource, but omitted is the clubhouse itself at 772 North Forest Road as well.
- The millrace on North Forest Road near the site was omitted as being is clearly identified as a significant archeological site. (P-070, Hochberg, Public, 11/16/2023).

829 North Forest contains no local landmark designation but is considered an eligible property for the NYS and National Register according to the Cultural Resource Information System. The proposed project will not alter 829 North Forest Road.

The Town is aware of the historic nature of 772 North Forest Road (the Clubhouse). In reference to the NYS Office of Recreation and Historic Preservation (SHPO) evaluation of the 772 North Forest Road property (the Clubhouse), their November 22, 2023 letter states that "*it is the opinion of the OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project*".

4.7 Human Health

4.7.1 PUBLIC COMMENTS

1. Brownfield Remediation Plan: Amherst Central Park is a contaminated Brownfield. Other than a couple of vague mentions in the EAF and SEIS, including the removal of 1000's of cf of soil, no detail is given on required remediation. What Standard of clean-up will be done? Will it be done piecemeal as portions of the Park are developed or all at once, prior to development? Will fencing remain up where clean-up has been postponed? It doesn't appear that the Town has initiated the steps required to assess or begin clean-up. No consultants have been identified other to say, "The Town is currently in negotiations with the NYSDEC." This is not adequate information to determine if there are adverse effects to neighboring residents, or if the Park will only be partially accessible for long periods of time. (P-054, Shapiro, Public, 11/16/2023).

The Property will be cleaned up to regulatory standards for active and passive recreation, dependent upon use within the Amherst Central Park. The work will be completed as the Park is developed; all under oversight of NYSDEC. Fencing will be installed and remain as required by NYSDEC. C&S Engineers has been retained as consultants to the Town.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Accessibility to portions of the Park, as it is developed, will be determined with input from NYSDEC.

4.8 Biological Resources

4.8.1 AGENCY COMMENTS

A list of threatened and endangered species that may occur in the proposed project location was requested through the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) website. A response was received from the USFWS on October 25, 2023. The following species were identified for the Amherst Central Park:

- Northern Long-eared Bat (Myotis septentrionalis), Endangered;
- Salamander Mussel (Simpsonaias ambigua), Proposed Endangered; and
- Monarch Butterfly (Danaus plexippus), Candidate.

No critical habitats were identified within the Park that are under federal jurisdiction.

An Amherst Central Park Biological Analysis (prepared using IPaC) was submitted for USFWS review on October 25, 2023.

1. Report with subject "List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project" (A-002, USFWS, 10/25/2023).

   As noted above, a Biological Assessment was submitted for USFWS review. Salamander Mussel is not anticipated to be impacted by the Project. The Northern Long-eared Bat potential impacts, if any, are typically managed by time-of-year restrictions on construction. Monarch Butterly habitat is proposed to be enhanced by a pollinator garden and the majority of the site habitat will be preserved.

4.8.2 TOWN COMMENTS

1. What kind of trees is the Town planning for the perimeter? A member expressed concern that trees with falling leaves may cause clean-up and safety concerns for skaters. (T-021, Rodman, Committee on Disabilities, 11/06/2023).

   The plan is to use conifer (non-deciduous) trees to shade the ice in winter. This will reduce solar heat gain on the ice surface which helps keep the ice cooler in winter. There is a precedent for many "natural" ice trails in the US and Canada – and when the leaves fall on the ice, they just get captured within the ice the next time the Zamboni goes around.

4.8.3 PUBLIC COMMENTS

1. There are forests on this property. Trees that are very old. Are they going to be spared? Any forest or wildlife being sacrificed? (P-007, Hudak, Public, 11/12/2023).

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

The vegetation within the lower southern area near Sheridan Drive will be removed for the cultural, recreation, and community facilities. The mature vegetation within the central and northern part of the project site will remain preserved (14.97 acres) in total. A small percentage of existing large mature trees will be preserved in open spaces and near the Amherst Central Park features.

2. Will wildlife be preserved? (P-008, Hudak, Public, 11/12/2023).

   There will be over 100 acres left as open space on the project site. The entire Ellicott Creek corridor will remain untouched. The majority of wetlands/waterbodies will remain untouched, a total of 14.39 acres, 14.97 acres of existing mature vegetation will be preserved.

3. Any forest or wildlife being sacrificed? (P-010, Hudak, Public, 11/12/2023).

   The majority of trees on the project site will remain with the exception of trees removed within the lower southern area near Sheridan Drive that could be removed for the cultural, recreation, and community facilities. There will be approximately 110+ acres left as open space on the project site.

4.9 Water Resources

4.9.1 PUBLIC COMMENTS

1. Will wetlands be preserved? (P-009, Hudak, Public, 11/12/2023)

   The majority of wetlands/waterbodies will remain untouched (10.09 acres) with the exception of the tributary within the lower southern portion of the site. This tributary known as UNT is 0.17 acres and will be altered for the proposed theater and main roadway. The Town will alter this tributary to accommodate proper stormwater run-off. Of the 10.26 acres of wetlands on site, 0.17 acres will be altered.

2. [Commenter states the following is missing] SWPPP/Drainage/Floodway/Floodplain plan, as related to Development. (P-058, Shapiro, Public, 11/16/2023).

   Detailed plans will be prepared when Facility Improvement Plans are prepared for the ACP Planning Team.

4.10 Sanitary Sewer

4.10.1 TOWN COMMENTS

1. The lines on Frankhauser that drain the park have been flushed and cameraed and are clear. (T-011, Schregel, Engineering Services, 11/3/2023).

   Comment acknowledged.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

2. The sewer maintenance division agrees with the review process detailed in the PUD Application, sewer flow related approvals shall be given during specific project related site plan reviews. Please note that the splash pad needs to be isolated from sanitary sewer when not in use by adding a valve/diverter, so rainwater can be collected and used for irrigation purposes if needed. (T-018, Reberholt, Engineering Department, 11/6/2023).

   The splash pad will be isolated from the sanitary sewer. As per Erie County Water Director of Environmental Health: NYS Subpart 6-3, Title: Sub Part 6-3 - Recreational Aquatic Spray Grounds | New York Codes, Rules and Regulations (ny.gov), regulates recreational aquatic spray grounds. Due to the potential for human contamination of the water and bacterial/virus growth, water used at aquatic spray grounds cannot be recirculated and reused for the aquatic spray ground. The used water from an aquatic spray ground would be considered wastewater and due to the potential for human contamination may not be used the purposes of irrigation. Erie County Sanitary Code Article IV definitions for Sewage and Offensive Material would be applied here and then Section 2.1 would be applicable.

4.11 Noise, Odor, and Light

4.11.1 PUBLIC COMMENTS

1. Are proposed BNHV livestock really going to be located less than 100' from Frankhauser? If so, what are the noise and odor solutions for those living on Frankhauser? (P-082, Boje, Public, 11/18/2023).

   Comment acknowledged. Operational limitations including limiting hours of outdoor access, number of animals and good sanitary management practices will be employed for the living displays to mitigate potential for odor and noise nuisances.

4.12 Fire Protection/Access

4.12.1 TOWN COMMENTS

1. B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled. Clubhouse, Restroom and Skate Rental, museum buildings are the ones in question. (T-028, Halt, Fire Chief's Association, 11/7/2023).

   The proposed project will comply with Section 503.

2. D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7

   1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertical clearance of 13 feet 6 inches.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

2. 503.2.2 – increase width of fire apparatus access road to __26__ feet to be adequate for fire or rescue operations. Where access roads contain a hydrant and where aerial access is needed.

3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside.

4. 503.3 – fire apparatus access roads must be marked as fire lanes per the signage specification established by Appendix D IFC 2015

5. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads. Distance from Buildings > 30' H should be 15' min. and 30' max.

6. Appendix D 103.2 Grade: Fire apparatus access roads. Shall not exceed 10 percent in grade. Particularly at the Musical Fare Building. (T-029, Halt, Fire Chief's Association, 11/7/2023).

The proposed project will comply with Section 503.

3. 2. Section 506 IFC 2015 – Key Boxes – A fire department Knox key box is required for access to building keys. (T-030, Halt, Fire Chief's Association, 11/7/2023).

The proposed project will comply with Section 506.

4. 3. Section 507 IFC 2015 – Fire Protection Water Supplies

   A. Indicate all existing Fire Hydrants on plans. Provide a water plan that shows Fire Main connections w/RPZ and Hotbox, fire line to sprinklered buildings and new and existing hydrants.

   B. All waterlines with numerous hydrants should be looped or on a grid system. (T-031, Halt, Fire Chief's Association, 11/7/2023).

The proposed project will comply with Section 507.

5. E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building. Fire Dept. connections should be located on fire access road side. (T-032, Halt, Fire Chief's Association, 11/7/2023).

The proposed project will comply with Section 912.

6. Due to the size of the site, Snyder Fire Chief is requesting a garage/tool room for storage of fire equipment. (This was discussed at a meeting with Dan Rizzo and Anne Dafchik). A concrete pad with a hydrant for training is also desirable. (T-033, Halt, Fire Chief's Association, 11/7/2023).

The proposed project accommodates storage for fire equipment. The proposed project will accommodate garage style storage for ATV's and tools in the existing Maintenance

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Garage, centrally located within the Amherst Central Park. A concrete pad with hydrant location will be considered and designed when the new Maintenance Garage is designed.

4.12.2 PUBLIC COMMENTS

1. [There is] No Fire and Emergency Vehicle Plan - Unreviewable (P-061, Shapiro, Public, 11/16/2023).

   Detailed plans, which will include utilities required for fire access will be prepared when Facility Improvement Plans are prepared for the ACP Planning Team.

4.13 Miscellaneous

4.13.1 TOWN COMMENTS

1. The highway [department] will have no maintenance responsibilities in town park. (T-012, Blocher, Highway Department, 11/3/2023).

   Comment acknowledged.

2. Suggest collaborating with SABAH (Skating Association for the Blind and Handicapped) to get their input on accessibility concerns. Member Rachel Martin has a contact at SABAH she can reach out to. (T-020, Rodman, Committee on Disabilities, 11/06/2023).

   Stakeholders and user groups with specialized insights can be consulted to provide guidance to the ACP Planning Team.

3. Are there plans for a protective barrier around the perimeter of the rink? If yes, will that barrier have a wall and/or handle for skaters to hold on to? (T-022, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

4. Suggest accessible items for skaters such as walkers/orange cones/reflective labeled vests (i.e., blind skater) made available for skaters. (T-023, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

5. Will the rink be "skate only" or will there be the option to use other equipment on the rink such as a sled that can be pulled (to increase opportunity for all to experience). (T-024, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

6. Will there be rest places/benches around the perimeter and multiple exits/entrances? (T-025, Rodman, Committee on Disabilities, 11/06/2023).

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Please see response to 4.13.1 Comment #2.

7. Are there plans for an emergency phone/first aid center/indoor area with a family restroom? (T-026, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

8. The Committee would like to have more information about the fire ring and its purpose in this context. This concept was new to the members. A member asked what kind of protective safety barrier would be around the ring. (T-027, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

9. The location monuments or projects that celebrate the diversity of Amherst would be best located in a visible plaza or public place. Could the big meadow area centrally located between the theater museum and clubhouse be ideal? Even though it is spread out it seems like an appropriate location. Perhaps an additional, smaller location might be near the Winter Market. (T-034, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

   Please see response to 4.13.1 Comment #2.

10. Question from committee members on how these types of projects (often considered as art or separate from buildings) would be funded if they are included as part of a larger project or if they are standalone budgets? (T-035, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

11. Could the Buffalo Niagara Heritage Village museum, once relocated, also include a permanent exhibit that celebrates the beginning and current diversity and makeup of the town? (T-036, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

12. Whatever form the exhibit or monuments take it should have the ability to grow over time as diversity grows in the Town... Suggestions for flags, benches, murals, pavers/tiles or monuments... Perhaps there is an opportunity for members of the public to sponsor individual components of the design. A circular layout to the project may be favorable, however the order of the individual components should be such that importance isn't implied from one area over another. (T-037, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

13. Any monuments or plaza components honoring diversity should not only include nationalities but also cultures, religions, faiths, and ethnicity. (T-038, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

14. A request was made to consider the need for large picnic shelters or pavilions similar to the Governor's Lodge at Chestnut Ridge... There are very few Town parks that have large park pavilions. Spaces that enables a large crowd to come together promote "coming together" and interaction. The ability to connect and gather together is important for growing diversity and appreciation of others. (T-039, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

15. Several committees would benefit from regular updates from the Amherst Central Park planning group. Those committees include the Diversity Committee, Committee on Disabilities, and the Arts and Culture in Public Places board. Perhaps regular quarterly updates would be an appropriate interval. (T-040, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

16. A request was made to re-engage the Amherst Central Park task force; public input is important for public support. (T-041, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

17. The committee will send via email examples of good exhibits or public spaces that celebrate diversity. (T-043, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Comment acknowledged.

4.13.2 PUBLIC COMMENTS

1. What type of fence is being planned for the perimeter of the Park since there is an entry gate on Frankhauser? (P-050, Koerber, Public, 11/16/2023).

    Screening in the form of vegetation or fencing will be evaluated during the preparation of the Facility Improvement Plans. Such screening/buffering will be incorporated when necessary to mitigate for noise and/or light glare.

2. Overall Conceptual Landscaping Plan: PUDs rely heavily on landscaping for buffering of different portions of developments, from neighbors, roadways, paths, etc, within the unified development. Not enough detail has been given in order to review an actual plan with development standards. (P-057, Shapiro, Public, 11/16/2023).

    Screening in the form of vegetation or fencing will be evaluated during the preparation of the Facility Improvement Plans. Such screening/buffering will be incorporated when necessary to mitigate for noise and/or light glare.

3. Overview Lighting Plan: No lighting plan is included. This will be a very important part of review required to assess potential negative effects of the development on the surrounding neighborhoods and public safety. (P-059, Shapiro, Public, 11/16/2023).

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Detailed plans, which will include lighting, will be prepared when Facility Improvement Plans are prepared for the ACP Planning Team.

4. [Commenter states that this item is missing from the DSGEIS] No Dumpster/Utility Plan: Unreviewable (P-060, Shapiro, Public, 11/16/2023).

   Detailed plans, which will include utilities, will be prepared when Facility Improvement Plans are prepared for the ACP Planning Team.

5. ETC…. (P-064, Shapiro, Public, 11/16/2023).

   Comment Acknowledged.

6. 10 year build out, starting at the south end. Omission in application is any timeline for when the north end will be available. Please do not make us wait towards the end of the build out to enjoy the passive section of the park.

   Approximately 26 years ago residents of North Forest Rd, County Section between Maple Road & Sheridan Drive stood for the first time before an Amherst Board to voice concern and stand in solidarity to protect the character & integrity of our area. In that moment we started to paint the picture of what we wanted here with success. I am proud to be a leader in that over the many years.

   It has expanded beyond just us in wanting to preserve this central area, and brings us to today, with the many neighborhoods surrounding the project invested in the outcome of the proposed Amherst Central Park.

   Thanks to Daniel Howard and his team in the Planning Department on their hard work. Everyone wants a good result. (P-071, Hochberg, Public, 11/16/2023).

   The timing of the Amherst Central Park construction is to be determined during the Facility Improvement Plan process.

7. I would like to thank the Town of Amherst for proposing a park setting on this property. I have 3 concerns I would like to express for the record and bring to your attention this evening.

   The first is a request for an 8-foot-high maintenance free fence running the entire property line between [address removed] North Forest and the park property, specifically 4 feet from the street to the creek. I have lived on North Forest for 37 years and have always enjoyed my privacy and am concerned that visitors to the park could easily wander into my yard as they meander through the walking and biking paths. I'm asking for 8 foot high, so it is not easily scaled and asking for maintenance free, so the Town of Amherst doesn't have to be attentive to regular maintenance such as painting or staining. (P-072, Schmitt, Public, 11/16/2023).

   The ACP Planning Team will evaluate what form of screening/buffering may be necessary to minimize any potential impacts to adjacent residents.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

8. Next, I would ask that all parking lot and area lighting that is adjacent to my homes be positioned facing away from my properties and that the proposed new maintenance garage, that is within 100 feet of my property, only has service hours between 7:00am and 6:00pm. (P-073, Schmitt, Public, 11/16/2023).

   Any proposed lighting will be dark sky compliant and be designed to minimize impacts to adjacent properties. Facility programming and timing is premature, the ACP Planning Team will consider this request. The Town will establish reasonable hours which will minimize impacts to adjacent users.

9. My name is [Name] and I've lived at [Address] in Williamsville for the last 30 years, where we've enjoyed the open, green, peaceful setting of what used to be Westwood Country Club.

   In the last few years it has become an eyesore with Northtown Dealerships using the tennis courts as a parking lot.

   My home is directly across from the current entrance of Amherst Central Park and where the planned skating rink, restrooms, winter market, etc. are to be placed.

   The issue my husband and I have with this plan is that you currently do not show on your map any division between the roadway (North Forest) and the planned sites; such as burms, trees and/or fences.

   This is desperately needed to cut down on noise, lighting that may be directed towards our homes and most importantly for safety reasons. Since we have lived in our home there have been numerous times that cars come around the curve on North Forest and veer off directly into that piece of land. Without the safety of burms/trees/fence the children/adults that may be using the site could be seriously injured.

   We ask that you take these points into consideration while finalizing your plans. (P-076, Fillipponi, Public, 11/20/2023)

   The design of the playground, splash pad and restroom building will include landscaping and stormwater control areas that will create additional natural buffers, beyond the physical distance between the roadway and the buildings/park components.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

APPENDICES

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Appendix A Comments

A.1 Written Comments

A.1.1 AGENCY

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

From:	Howard, Dan
To:	Audino, Kate; Wendy A. Marsh; Wagner, Barbara; Kelsey Wessel
Cc:	Szatkowski, Jeffrey; Schregel, Chris; Polowy, Martin; Burakowski, Elizabeth; dchoward60@gmail.com
Subject:	FW: Amherst Central Park - Notice of Completion SDGEIS
Date:	Wednesday, November 22, 2023 4:14:09 PM
Attachments:	image001.png

See response letter from the NYSDOT below.

Looks like we will have an issue with a Sheridan access.

Several comments on the TIS.

I can be reached at 716-957-4764 or my gmail address over the weekend.

From: dot.sm.r05.SEQR <dot.sm.r05.SEQR@dot.ny.gov>
Sent: Wednesday, November 22, 2023 1:46 PM
To: Howard, Dan <DHOWARD@amherst.ny.us>
Cc: Carrato, Amy <acarrato@amherst.ny.us>; Polowy, Martin <mpolowy@amherst.ny.us>; Burakowski, Elizabeth <eburakowski@amherst.ny.us>; Ismail, Haris (DOT) <Haris.Ismail@dot.ny.gov>; Hill, David J. (DOT) <David.Hill@dot.ny.gov>; Richards, Thomas J. (DOT) <Thomas.Richards@dot.ny.gov>; Ulatowski, Daniel <dulatowski@amherst.ny.us>
Subject: RE: Amherst Central Park - Notice of Completion SDGEIS

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

The New York State Department of Transportation (NYSDOT) has reviewed the documentation provided for **Amherst Central Park – 772 North Forest Rd** and has the following comments:

- NYSDOT concurs with Town of Amherst for it to act as the Lead Agency
- **Traffic Impact Study Comments**
  - NYSDOT policy requires developments to utilize minor street access points when they are available. After reviewing the TIS and the proposed internal circulation patterns, an entrance to the Amherst Town Park will not be permitted on Sheridan Drive (NY 324). Additional access points should be considered along Frankhauser Road and North Forest Road. Additional access points along the local road network will provide safer access points to the park and the state/county highway system via existing 3-color traffic signals at Frankhauser Road/Sheridan Drive, North Forest Road/Sheridan Drive and North Forest/Maple Road.
  - Based on the signal warrant analysis provided in the TIS, a signal will not be considered at the intersection of Fenwick Road and Sheridan Drive. The analysis did not identify any MUTCD warrants that would be met based on

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

current or projected traffic volumes.

- After corrections to the Synchro model are made, tables 2, 3, and 7 of the TIS will need to be updated.
- Section 4: The Westwood Mixed Use development will not be constructed, and therefore has no part in the analysis for this location.
- Table 7 (continued) uses lower case letters for LOS for NYS Route 324 at Fenwick Road. For consistency purposes all LOS should be capital letters.
- Based on the area's development potential, further justification for the growth rate reductions of 1%-2% will need to be provided.

- **Synchro Analysis Comments**

  - Sheridan & Harlem

    - Signal phasing will need to be corrected such that phase 4 of this signal is a pedestrian exclusive phase to cross Sheridan Drive on the western side of the intersection. Phase 1 is a westbound left/thru with the northbound right turn overlap. Please correct the phasing of this signal.
    - The northbound approach on Harlem Road is only two lanes that widens out to four lanes at the intersection. The left lanes should be modeled as storage. Not showing this storage limitation will greatly affect how queueing and storage affects traffic.
    - The signal detection should be changed from synchro default to two 20' loops with a 10' gap allowing for 50' of detection near the signal.
    - Pedestrian cross times will be required for phases 2 and 4 of the signal. Phase 2 has 35 seconds of pedestrian clearance with 7 seconds of walk and phase 4 has 27 seconds of pedestrian clearance with 7 seconds of walk.

  - Sheridan & I-290

    - The I-290 Westbound off ramp is only one lane coming off the I-290 that widens out to 3 lanes closer to the intersection. Change the model to have the left lane and right land to be modeled as storage lanes.
    - The signal detection model should be two 20' loops with a 10' gap extending 1' in front of the stop bar.
    - The existing model shows 3 westbound travel lanes on Sheridan Drive west of Frankhauser. However, at Frankhauser, there are only 2 westbound lanes with the third lane not opening until after Sunrise. The model will need to be corrected to accurately depict the existing condition.
    - Pedestrian cross times will be required for phases 2 and 6 of the signal. Phase 2 has 15 seconds of pedestrian clearance with 7 second walk

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

and phase 6 has 19 seconds of pedestrian clearance with 7 seconds of walk.

- Sheridan & Frankhauser
  - The signal detection model should be two 20' loops on the Frankhauser approach. There is currently no signal detection on the Sheridan Drive approaches.
  - Pedestrian cross times will be required for phases 1 and 3 of the signal. Phase 1 has 17 seconds of pedestrian clearance with 7 seconds of walk and phase 3 has 27 seconds of pedestrian clearance with 7 seconds of walk.
- Sheridan and North Forest
  - The signal detection model should be two 20' loops with a 10' gap between them in each lane.
  - Pedestrian cross times will be required for phases 2,4,6, and 8 of the signal. Phase 2 has 21 seconds of pedestrian clearance with 7 seconds of walk, phase 4 has 32 seconds of pedestrian clearance with 7 second walk, phase 6 has 32 seconds of pedestrian clearance with 7 seconds of walk, and phase 8 has 28 seconds of pedestrian clearance with 7 seconds of walk.

- Synchro Build Conditions
  - All Synchro comments above will need to be applied to the build conditions model

- Please update the NYSDOT contact info for future SEQR processes, Site Plan reviews, Zoning updates and changes, variances, or other similar review requests to the NYSDOT Region 5 SEQR Coordinator Group at the following:

SEQR Coordinator Group
Planning and Program Management
New York State Department of Transportation Region 5
100 Seneca Street, Buffalo, NY 14203
dot.sm.r05.SEQR@dot.ny.gov

At your earliest convenience, please submit a comment resolution letter along with the updated traffic impact study and synchro model for review. Additional comments may follow after the review of the Synchro model and the revised TIS.

A NYSDOT Highway Work Permit is required to work within the State's right-of-way. This

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

correspondence does not constitute approval for the purposes of the Highway Work Permit.

Mohammad Albayed
Assistant Engineer – Planning & Program Management

NYS Department of Transportation, Region 5
100 Seneca Street, Buffalo, NY 14203
(716) 847-3519 | mohammad.albayed@dot.ny.gov
www.dot.ny.gov



From: Ulatowski, Daniel <dulatowski@amherst.ny.us>
Sent: Tuesday, October 17, 2023 4:26 PM
To: 'FW5ES_NYFO@fws.gov' <FW5ES_NYFO@fws.gov>; 'LRB.Regulatory.NewYork_Actions@usace.army.mil' <LRB.Regulatory.NewYork_Actions@usace.army.mil>; Denk, David (DEC) <david.denk@dec.ny.gov>; Hill, David J. (DOT) <David.Hill@dot.ny.gov>; Castle, Daniel (ERIE) <daniel.castle@erie.gov>; Walkowski, Jennifer (PARKS) <Jennifer.Walkowski@parks.ny.gov>; Geary, William E. (ERIE) <william.geary@erie.gov>; 'media@ecwa.org' <media@ecwa.org>; 'sfdistrict@snyderfd.com' <sfdistrict@snyderfd.com>; Delaney, Jennifer (ERIE) <jennifer.delaney@erie.gov>; 'trmaturski@williamsvillek12.org' <trmaturski@williamsvillek12.org>; dmingoia@amherstida.com; Burroughs, Jeffrey <jburroughs@amherst.ny.us>; mberke@amherst.ny.us; Lucey, Patrick G. <plucey@amherst.ny.us>; Murphy, Emily <emurphy@amherst.ny.us>; khalt@amherst.ny.us; cschregel@amherst.ny.us; aherberger@amherst.ny.us; vreberholt@amherst.ny.us; 'dcopeland@roadrunner.com' <dcopeland@roadrunner.com>
Cc: Carrato, Amy <acarrato@amherst.ny.us>; Polowy, Martin <mpolowy@amherst.ny.us>; Burakowski, Elizabeth <eburakowski@amherst.ny.us>
Subject: Amherst Central Park - Notice of Completion SDGEIS

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Interested/Involved Agency:

Please see attached notice pursuant to Part 617 of the State Environmental Quality Review Act.

Sincerely,

Daniel J. Ulatowski, AICP
Assistant Planning Director/ZEO
Town of Amherst Planning Department

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

5583 Main Street
Williamsville, New York 14221
O: 716.631.7051
E: dulatowski@amherst.ny.us

Caution: This email originated from outside of Stantec. Please take extra precaution.

Attention: Ce courriel provient de l'extérieur de Stantec. Veuillez prendre des précautions supplémentaires.

Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
Email Address: fw5es_nyfo@fws.gov

In Reply Refer To:
Project Code: 2024-0008434
Project Name: Amherst Central Park

October 25, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

PROJECT SUMMARY

Project Code: 2024-0008434
Project Name: Amherst Central Park
Project Type: Recreation - New Construction
Project Description: Adoption of a conceptual development plan for a planned unit development for the conversion of a former private golf course to a community park to include cultural, recreational and civic public spaces on an approximately 170.5 +/- acre parcel (see attached description). And, a Supplemental Final Environmental Impact Statement for the proposed project site.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@42.99217065,-78.7733148465993,14z



Counties: Erie County, New York

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

CLAMS

NAME	STATUS
Salamander Mussel *Simpsonaias ambigua* There is **proposed** critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/6208	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

IPAC USER CONTACT INFORMATION

Agency: Amherst town
Name: Jeffrey Szatkowski
Address: 5583 Main Street
City: Williamsville
State: NY
Zip: 14221
Email jszatkowski@amherst.ny.us
Phone: 7166317051

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

New York State
Parks, Recreation and
Historic Preservation

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

November 22, 2023

Daniel Howard
Planning Director
Town of Amherst
5583 Main St
Williamsville, NY 14221

Re: DEC
Amherst Central Park Planned Unit Development
772 N Forest Rd, Amherst, NY 14221
23PR09036

Dear Daniel Howard:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

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

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation
Division for Historic Preservation

rev: S. Snyder

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
700 Delaware Avenue, Buffalo, NY 14209
P: (716) 851-7165 | F: (716) 851-7168
www.dec.ny.gov

SENT VIA EMAIL

November 20, 2023

Daniel Howard, Planning Director
Town of Amherst
5583 Main Street
Williamsville, NEW York 14221

Dear Daniel Howard:

Draft Supplemental Generic Environmental Impact Statement
Amherst Central Park
772 North Forest Road, 385 & 391 Maple Road
Town of Amherst, Erie County

The New York State Department of Environmental Conservation (NYSDEC) has reviewed the Draft Supplemental Generic Environmental Impact Statement (DSGEIS) prepared for the above-referenced project. The DSGEIS appears to cover all of the environmental issues and impacts that are of a concern to this agency. However, please note the following:

1. **Section 2.3 Description of Required Approvals and Permits:**

   a. If stormwater outfalls are to be connected to Ellicott Creek (water classification and standard of B, pursuant to 6 NYCRR Part 837, Item 25), a Protection of Waters Permit (Article 15, Title 5 of the Environmental Conservation Law) will be required from NYSDEC.

   b. If any of the project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice of Intent (NOI) and prior to commencement of the project.

      The Town of Amherst is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The “MS4 SWPPP Acceptance” form must be signed by the principal executive officer or ranking elected official from the MS4 community, or by a duly authorized representative of that person, and submitted along with the NOI, to the Department at NOTICE OF INTENT,

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commences.

2. **Section 4.3, Impacts Assessed as None/Small, Flood Hazard Zones:**

   a. Flood Control: The portion of Ellicott Creek within the proposed work area is part of the Ellicott Creek Flood Control Project. An Article 16 Flood Control Land Use Permit from the Department and a Section 408 Permission may be required for work near or within the creek.

   b. Floodplain Management: Any work done in a floodplain will require a Floodplain Management Permit which can be obtained through the Town of Amherst Floodplain Manager. Please note that the proposed work area includes both floodplain and floodway, the latter of which is more restrictive. Also, projects are state-financed, NYCCRR Part 502 may apply and must meet all FEMA floodplain management criteria.

3. **Section 4.5.1, Surface Waters Existing Conditions:**

   a. Freshwater Wetlands: There are no NYSDEC Regulated Freshwater Wetlands mapped on the property. Prior to undertaking a project, a Request for Wetlands Determination, Verification, or Delineation should be submitted to NYSDEC to confirm that the wetlands are not jurisdictional.

   b. Freshwater Mussels: Ellicott Creek is identified as having New York State listed threatened and endangered mussel species and critically imperiled (S1) and imperiled (S2) mussel species. If the proposed project involves any activity within or adjacent to Ellicott Creek, additional consultation with NYSDEC will be necessary to determine if a freshwater mussel survey is required.

4. **Section 4.5.2, Surface Waters Potential Impacts:** Ellicott Creek, has a water classification and standard of B, pursuant to 6 NYCRR Part 837, Item 25. Therefore, any physical alteration (i.e. land clearing, filling, drainage pipe/ditch installation, etc.) to the bed or banks (within 50 feet of the stream) will require an Article 15, Title 5, Protection of Waters Permit from this Department.

5. **Section 4.7.1, Existing Conditions**: This section states that *"A comprehensive environmental assessment of the Property revealed the presence of contamination in soils at the site that exceed New York State Department of Environmental Conservation ("NYSDEC") Soil Cleanup Objectives for commercial, passive and active remediation land use."* This statement is inaccurate, investigations to characterize potential impacts to environmental media have been limited and focused on a few former golf course holes. This statement should be revised to accurately reflect the extent of the completed environmental assessment.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

NYSDEC encourages the Town to coordinate with all involved and interested agencies as future projects are better defined. Thank you for the opportunity to comment on the DSGEIS.

Please do not hesitate to contact me or Lisa Connors with any questions or comments regarding this letter at (716) 851-7165 or lisa.connors@dec.ny.gov.

Sincerely,

David S. Denk

David S. Denk
Regional Permit Administrator

LDC

ecc: Daniel Ulatowski, Town of Amherst Assistant Planning Director

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.
AND REPLY TO MUNICIPALITY

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE
Case No.: M617-23-610
Postmark/Delivery Date: 10-18-23

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 l - nn
A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

Description of Proposed Action

1. Name of Municipality: Town of Amherst

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.
If the county fails to reply within such period, the referring body may take final action.
However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)
The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

2. Hearing Schedule: Date 12/4/2023 Time 7PM Location 5583 Main Street, Williamsville

3. Action is before: ☑ Legislative Body ☐ Board of Appeals ☐ Planning Board

4. Action consists of: ☐ New Ordinance ☐ Rezone/Map Change ☐ Ordinance Amendment
☐ Site Plan ☐ Variance ☐ Special Use Permit ☑ Other: PUD Application

5. Location of Property: ☐ Entire Municipality ☑ Address: 772 North Forest Road, 385 & 391 Maple Road

5a. S.B.L. of Property: 68.01-1-1.2,55.18-4-9&10

6. Referral required as site is within 500' of: ☐ State or County Property/Institution ☐ Municipal Boundary ☐ Farm Operation located in an Agricultural District
☐ Expressway ☑ County Road ☑ State Highway ☐ Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: *(specify the action, such as the scope of variances or site plans)* adoption of a planned unit development and implementation of a conceptual development plan for 171+/- acre community park.

8. Other remarks: date prepared: 10/17/2023

9. Submitted by: Daniel J. Ulatowski, AICP, Assistant Planning Dir. **Email:** dulatowski@amherst.ny.us

10. Return Address: Amherst Town Hall, 5583 Main Street, Williamsville, NY 14221

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 10/18/23. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. ☐ **The proposed action is not subject to review under the law.**
2. ☐ **Comment on proposed action is attached hereto.**
3. ☐ **The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.**
4. ☒ **No Recommendation; proposed action has been reviewed and determined to be of local concern.**

By the Division of Planning: Dan M. Hall **Date:** 11/20/23

ZR1
Revised 5/22

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

COUNTY OF ERIE

WILLIAM E. GEARY, JR.
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS
RATH BUILDING 14TH FLOOR

TELEPHONE:716.858.8300
FAX: 716.858.8228

November 22, 2023

Mr. Daniel Howard, AICP
Planning Director
Town of Amherst Planning Department
5583 Main Street
Williamsville, New York 14221

Re: Proposed Amherst Central Park
772 North Forest Road (CR-294)
385 & 391 Maple Road (CR-192)
(T) of Amherst, County of Erie

Dear Mr. Howard:

Erie County Department of Public Works has reviewed the conceptual plan for the proposed Amherst Central Park located at 772 North Forest Road (CR-294) and 385, 391 Maple Road (CR-192) in the Town of Amherst, and has the following comments:

1. Include a left turn lane on North Forest Road (CR-294) at the driveway to the Park.

2. Realign the existing curb and drainage structure on the west side of North Forest Road (CR-294) to accommodate the proposed left turn lane.

3. A stormwater management report and drainage plans shall be provided for our review. Stormwater drainage for this site shall be designed in accordance with the New York State stormwater management design manual and local Town requirements.

Permit Requirements

1. The project sponsor will be required to apply for and obtain an Erie County Highway Work Permit for Utility Work Perm-2 prior to construction within the North Forest Road (CR-294) and Maple Road (CR-192) highway right-of-way.

2. The project sponsor will be required to apply for and obtain an Erie County Highway Work Permit for Non-Utility Work, Perm 3 prior to construction within the North Forest Road (CR-294) and Maple Road (CR-192) highway right-of-way.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attn: Mr. Daniel Howard, AICP
Planning Director
Town of Amherst Planning Department
Re: Proposed Amherst Central Park
Date: November 22, 2023
Page: 2 of 2

Further review by this department will commence upon receipt of a stormwater management report and final design drawings.

Sincerely,

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS

Garrett M. Hacker, P.E.
Senior Civil Engineer

cc: Karen Hoak, Deputy Commissioner – Highways
Darlene Svilokos, P.E., Director of Engineering
Gina Wilkolaski, P.E., Traffic Safety Engineer
Joseph Donlon, Senior Highway Maintenance Engineer
David Hall, DEP - Planner
File: CR-192

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

A.1.2 TOWN

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST
BUILDING DEPARTMENT
ERIE COUNTY, NEW YORK
5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E.
Commissioner of Building

RECEIVED
NOV 01 2023
TOWN OF AMHERST
PLANNING DEPT.

DATE: October 24, 2023

TO: Planning Department

FROM: Doug Gesel Supervising Code Enforcement Officer

RE: Conceptual Plan SP-2023-11 for 772 N Forest Rd, 385 & 391 Maple Rd

☒ Site Plan is: ☐ Subdivision is: ☐ ODA is: ☐ CSP is:

☒ Approved as Submitted

☐ Approved with the following conditions or changes:

☐ Denied for the following reasons:

☐ Not reviewable at this stage because the following information is not provided:

☐ Not applicable to this department at this time.

NOTE:

☒ Floodplain Development Permit required.

☒ Wetlands on property.

☐

*This review was for site compliance only.
*Approval does not grant permission to start construction.

Douglas Gesel

Supervising Code Enforcement Officer
Town of Amherst Building Department

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

PUD

8.1.a

AMHERST FIRE CHIEFS' ASSOCIATION INC.

To: Dan Howard, Planning Director Date: 10/30/23

From: Krista Halt, Liaison to Amherst Fire Safety Committee

RE: Site Plan Review: PUD APPLICATION REVIEW SP-2023-11 PROPOSED CONCEPTUAL DEVELOPMENT PLAN FOR A NEW COMMUNITY PARK
Address: 772 NORTH FOREST RD. 385 & 391 MAPLE RD.

Petitioner: TOWN OF AMHERST

The above referenced ☐ Site Plan is ☐ Subdivision is ☐ Minor Modification is:

☒ Approved as Submitted

☐ Denied due to the following:

☐ Not reviewable at this time due to the following:

RECEIVED
OCT 30 2023
TOWN OF AMHERST
PLANNING DEPT.

☐ 1. Section 503 FCNYS 2020 – Fire Apparatus Access Road

- ☐ A. Section 503 Firelanes (fire apparatus access roads) be provided in accordance with the FCNYS 2020
- ☐ B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled.
- ☐ C. 503.1.2 – provide an additional fire apparatus access road
- ☐ D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7
  - ☐ 1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertical clearance of 13 feet 6 inches.
  - ☐ 2. 503.2.2 – increase width of fire apparatus access road to ____ feet to be adequate for fire or rescue operations.
  - ☐ 3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside.
  - ☐ 4. 503.2.5 – dead end fire apparatus access roads in excess of 150 feet, shall be provided with an approved area for turning around fire apparatus.
  - ☐ 5. 503.3 – fire apparatus access roads must be marked as firelanes per the signage specification established by Appendix D FCNYS 2020
  - ☐ 6. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads.
  - ☐ 7. Appendix D 103.2 Grade: Fire apparatus access rds. Shall not exceed 10 percent in grade.

☐ 2. Section 506 FCNYS 2020 – Key Boxes – A fire department Knox key box is required for access to building keys.

☐ 3. Section 507 FCNYS 2020 – Fire Protection Water Supplies

- ☐ A. Indicate all existing Fire Hydrants on plans.
- ☐ B. All waterlines with numerous hydrants should be looped or on a grid system.
- ☐ C. All fire hydrants must be within 500 feet of each other. (Subdivisions)
- ☐ D. Section 507.5.1 – provide an additional Fire Hydrant within 400 feet of the most remote point of the building (as the fire hose would be laid out) or within 600 feet if the building is equipped with a Fire Sprinkler system.
- ☐ E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building

COMMENTS:

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Szatkowski, Jeffrey
Sent: Wednesday, October 18, 2023 4:29 PM
To: Szatkowski, Jeffrey
Subject: LA Review SP-2023-11_10182023

There are no comments on the submitted proposed conceptual development plan for a new community park.

Thanks,
Jeff

Jeffrey Szatkowski, Landscape Architect
Town of Amherst Planning Department
5583 Main St.
Williamsville, NY 14221
P: (716) 631-7051

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST

BUILDING DEPARTMENT

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E., CFM
Commissioner of Building

Date: October 31, 2023

To: Daniel Ulatowski, AICP- Asst. Planning Director

From: Alan D. Herberger, Sr. Plumbing Inspector

Re: SP-2023-11; Proposed Conceptual Development Plan; New Community Park; 772 North Forest Rd., 385 & 391 Maple Rd. Town of Amherst, Petitioner

The Proposed PUD Application Review is Approved as Submitted. – Plumbing Dept.

cc: Engineering Dept.
Building Dept.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7030
FAX (716) 631-7101
www.amherst.ny.us

Martin A. Polowy
Town Attorney

Elizabeth A. Burakowski
Director of Special Projects

Nicole M. Burroughs
Senior Paralegal

Samuel A. Alba
Sr. Deputy Town Attorney

Nora B. Robshaw
Sr. Deputy Town Attorney

Brittanylee Penberthy
Town Prosecutor

TO: **Scott Marshall, Planning Department**

FROM: **Nora B. Robshaw, Senior Deputy Town Attorney** NBR/rmj
Right-of-Way Review

DATE: **October 25, 2023**

RE: **Proposed PUD Application Review**
SP-2023-11; Proposed Conceptual Development Plan for a New Community Park
772 North Forest Road, 385 & 391 Maple Road
Town of Amherst, Petitioner

This office has reviewed the materials submitted by your correspondence dated October 17, 2023, and has no comments.

We are returning copies of the materials for your file.

NBR:hs

c: Douglas Gesel, Senior Code Enforcement Officer, *(w/o attachment)*
Brian J. Armstrong, EIT, Director of Engineering Services, *(w/o attachment)*
Jeffrey Burroughs, PE, Town Engineer, *(w/o attachment)*
Mary-Diana Pouli, Executive Director of Youth & Recreation *(w/o attachment)*

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST

TRAFFIC-SAFETY BOARD

ENGINEERING DEPARTMENT – 1100 NORTH FOREST ROAD, WILLIAMSVILLE, NEW YORK 14221
TRAFFIC SAFETY COORDINATOR - TELEPHONE 631-7154 - FAX 631-7222

MICHAEL SZUKALA
Councilmember & Liaison Officer

ERIC FRAAS
Chairman

GREGORY DIONNE
Vice Chairman

CHRISTOPHER P. SCHREGEL
Traffic Safety Coordinator

MEMBERS

DANIEL J. RIDER, P.E.
KENNETH A. SMITH
J. MICHNIEWICZ, P.E., P.T.O.E.
MARK STORCH
MAXWELL KAHN
KEVIN CANTWELL
KRISTIN GOSS
PATRICK WANAMAKER, P.E.

DEPT. LIAISONS

THOMAS VOIGT
Planning

CAPT. CHARLES PERSONS
Police

WILLIAM PRENEVAU
Building

AL SPOTH
Highway

November 2, 2023

TO: Scott Marshall – Principal Planner
Mark S. Berke – Commissioner of Buildings

FROM: Christopher P. Schregel – Traffic Safety Coordinator

SUBJECT: PUD Application Review, **SP-2023-11**
Proposed Conceptual Development plan for a New Community
TOA Job # 2023.16

ADDRESS: 772 North Forest Road, 385 & 391 Maple Road

PETITIONER: Town of Amherst

X PUD APPLICATION REVIEW IS

X APPROVED WITH CONDITIONS

1. Reconsider altering the location and geometry of the N. Forest Road curb-cut as proposed. The proximity of the bends along N. Forest Road at this curb-cut location present challenges given the number trips expected, particularly coming from the north as there is not a proposed access from either Maple Road or Frankhauser Road. Reconsideration of the roundabout configuration is suggested.
2. Provide a pedestrian connection between the public sidewalk along the south side of Maple Road and the internal walking paths that loop near Maple Road.
3. Similar to comment #2, it is expected that park users will utilize the internal pathway system from the north end. Suggested that the Audubon Par 3 parking lot be utilized as a location for park users to park and access the paths within Amherst Central Park (ACP). As such, provide a pedestrian connection between the existing Par 3 parking lot and the internal walking paths within ACP within the golf course. Consider expanding parking at the Par 3 to accommodate this new "trail head".
4. Provide additional internal parking near key park features. Consider utilizing parallel parking along areas where park users may want to access by vehicle, e.g. playgrounds, outdoor exercise area, etc.
5. Traffic Safety Board agrees with the Draft SGIES that while the signal warrants are not met, that a traffic signal still be considered for the ACP driveway on Sheridan Drive at Fenwick to address the projected long delays and queues out of both the site driveway and Fenwick Road. Further providing for an improved pedestrian crossing to the residential subdivision across Sheridan Drive.

CPS/ch
Cc: Jeff Burroughs, Town Engineer
Mary-Diana Pouli, Exec. Director of Youth and Recreation

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST

ASSESSOR'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
PHONE: 716-631-7038

Emily A. Murphy
Assessor
emurphy@amherst.ny.us

MEMORANDUM

TO: Daniel Ulatowski, AICP, Associate Planning Director
Douglas Gesel, Supervising Code Enforcement Officer
Jeff Burroughs, Town Engineer
Scott Marshall, Principle Planner

FROM: Bonnie B. Arnold, Real Property Appraiser

DATE: November 9, 2023

SUBJECT: PUD Application Review: **SP-2023-11**
Proposed: Conceptual Development Plan for a New Community Park
Property Location: **772 North Forest Rd., 385 & 391 Maple Rd**
Petitioner: Town of Amherst

Site plan approved once properties are merged.

cc: Jeff Burroughs, Town Engineer
Mary-Diana Pouli, Exec Dir. Youth and Recreation

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Committee on Disabilities…

Notes for 11/6 meeting.

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Dafchik, Anne
Sent: Tuesday, October 3, 2023 10:00:38 PM
To: Erica Rodman
Cc: Bucki, Debbie ; McCarthy, Robert ; David Wantuck ; Berke, Mark S. ; Rizzo, Daniel J. ; Bushen, Michael
Subject: RE: Follow up Amherst Central Park

Hi Erica – thank you for reaching out. These are all really great suggestions and comments. We are still early in the design process overall, but I believe I can respond to most of your comments.
I'm not yet sure which meeting would be best for me to join. Would you mind please forwarding the calendar invitation for both the October and November meetings? I'm leaning towards November, but I'm not totally sure yet.
Thank you again – these ideas will help make the park a more welcoming place.
Respectfully,
Anne Dafchik, AIA, NCARB
Architect
Facilities
Town of Amherst

1. Suggest collaborating with SABAH (Skating Association for the Blind and Handicapped) to get their input on accessibility concerns. Member Rachel Martin has a contact at SABAH she can reach out to.
    a. *SABAH is an excellent group and we'd be happy to work with them to see what expertise they can share. Would Rachel be able to setup a meeting with SABAH? For me, I'd appreciate if it could be during traditional business hours 9-5, but I can be flexible if absolutely necessary. Typically Monday/Wednesday/Friday afternoons work well for me, or Tuesday mornings.*
2. What kind of trees is the Town planning for the perimeter? A member expressed concern that trees with falling leaves may cause clean-up and safety concerns for skaters.
    a. *The plan is to use conifer (non-deciduous) trees to shade the ice in winter. This will reduce solar heat gain on the ice surface which*

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

helps keep the ice cooler in winter. There is a precedent for many "natural" ice trails in the US and Canada – and when the leaves fall on the ice, they just get captured within the ice the next time the Zamboni goes around. Please see photos below which show leaves captured within the ice and deciduous trees directly adjacent to ice ribbons.

b.





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

3. Are there plans for a protective barrier around the perimeter of the rink? If yes, will that barrier have a wall and/or handle for skaters to hold on to?
    a. *Yes, the protective barrier will double as railing along the outer perimeter of the ice surface. The inner perimeter of the ice surface will have opportunities for seating.*
    b. *A link to a YouTube video below shows Maple Grove ice loop in Minneapolis which serves as an exemplary model. I hope the audio in the video sufficiently describes the images on screen – if not, I am happy to clarify further for folks who may want a better description.*

https://www.youtube.com/watch?app=desktop&v=fsUNbinbmxg

4. Suggest accessible items for skaters such as walkers/orange cones/reflective labeled vests (ie., blind skater) made available for skaters.
    a. *This is a great idea, and we would like to review this again when we get further along into the operations side of this.*
5. Will the rink be "skate only" or will there be the option to use other equipment on the rink such as a sled that can be pulled (to increase opportunity for all to experience).
    a. *Again – another good idea. Is this something SABAH can advise on? Perhaps we need a better understanding on which types of adaptive equipment would be appropriate to make available from the skate rental area so we can offer an inclusive set of options.*
6. Will there be rest places/benches around the perimeter and multiple exits/entrances?
    a. *Yes, with regards to benches, please see the response and video from Question 3 above. With regards to the multiple exits/entrances, we really need to limit it to a maximum of two points of entry/exit. Our facilities team will need to make sure the ice is clear and that people will not re-enter the ice when the Ice Resurfacer (AKA Zamboni) is out cleaning the ice. Where we do have those entry points onto the ice, we will include railings or hand-holds that help people transition onto the ice.*
7. Are there plans for an emergency phone/first aid center/indoor area with a family restroom?

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

a. *The restroom facility building does include two family restrooms, along with family changing rooms – 1 of which will include a 72-inch x 30-inch bench which will allow for diaper needs for older children and adults who need that option.*
b. *The skate rental building includes a Main Lobby that has indoor seating, drinking fountains, etc. I'd like to discuss more how we can include an emergency phone. We do not have space for a dedicated first aid room, but I'm sure we find a solution where people can meet with a paramedic once called, or can self-help with a first aid kit? We are still reviewing the levels of staffing that will be required to make this area of the park functional.*

8. The Committee would like to have more information about the fire ring and its purpose in this context. This concept was new to the members. A member asked what kind of protective safety barrier would be around the ring.
   a. *As shown in the example video, a low wall with a glass barrier creates an aesthetic that allows people to view the fire without being close enough that it creates a danger. All fire rings in public spaces require safety shut-off buttons that would allow any park user to immediately shut off the gas supply should there be a problem. In the image below, the safety shut-off is the yellow and black "stand" at the left of the seating ring.*
   b. 

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

From: Erica Rodman
Sent: Monday, October 2, 2023 1:37 PM
To: Dafchik, Anne
Cc: Bucki, Debbie ; McCarthy, Robert ; David Wantuck ; Berke, Mark S.
Subject: Follow up Amherst Central Park

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Happy Monday, Anne -

Thank you for reaching out last month to share more insight into the Amherst Central Park project. The Committee met a couple of weeks ago and compiled a list of questions and comments for consideration. They are listed below. Our next meeting is Tuesday, October 17th at 6:30 on Zoom. I'd love to share your thoughts with the Committee at that time. If you think it would be beneficial to join us before the end of the year, please let me know. Our last two meetings of the year will be Tuesday, October 17th and Monday, November 6th .

1. Suggest collaborating with SABAH (Skating Association for the Blind and Handicapped) to get their input on accessibility concerns. Member Rachel Martin has a contact at SABAH she can reach out to.
2. What kind of trees is the Town planning for the perimeter? A member expressed concern that trees with falling leaves may cause clean-up and safety concerns for skaters.
3. Are there plans for a protective barrier around the perimeter of the rink? If yes, will that barrier have a wall and/or handle for skaters to hold on to?
4. Suggest accessible items for skaters such as walkers/orange cones/reflective labeled vests (ie., blind skater) made available for skaters.
5. Will the rink be "skate only" or will there be the option to use other equipment on the rink such as a sled that can be pulled (to increase opportunity for all to experience).
6. Will there be rest places/benches around the perimeter and multiple exits/entrances?
7. Are there plans for an emergency phone/first aid center/indoor area with a family restroom?
8. The Committee would like to have more information about the fire ring and its purpose in this context. This concept was new to the members.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

A member asked what kind of protective safety barrier would be around the ring.

Thank you again, Anne, for your consideration and willingness to include the Committee on Disabilities in discussion during the planning of this exciting project.

Talk soon,

Erica

Erica Rodman
Ph: 716.348.7898
Town of Amherst Committee on Disabilities | *Chair*
Niagara University Disability Awareness Training Program | *Project Assistant*

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

AMHERST FIRE CHIEFS' ASSOCIATION INC.

To: Dan Howard, Planning Director Date: 11/7/23

From: Krista Halt, Liaison to Amherst Fire Safety Committee

RE: Concept Plan: Amherst Central Park
Address: 772 North Forest

Petitioner: Town Of Amherst

The above referenced ☒ Site Plan is ☐ Subdivision is ☐ Minor Modification is:

☒ See comments

☐ Denied due to the following:

☐ Not reviewable at this time due to the following:

☒ 1. Section 503 FCNYS 2020 – Fire Apparatus Access Road

- ☐ A. Section 503 Firelanes (fire apparatus access roads) be provided in accordance with the FCNYS 2020
- ☒ B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled. Clubhouse, Restroom and Skate rental, museum buildings are the ones in question.
- ☐ C. 503.1.2 – provide an additional fire apparatus access road
- ☒ D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7
  - ☒ 1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertica clearance of 13 feet 6 inches.
  - ☒ 2. 503.2.2 – increase width of fire apparatus access road to __26__ feet to be adequate for fire or rescue operations. Where access roads contain a hydrant and where aerial access is needed.
  - ☒ 3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside. Provide a truck turning plan through the site.
  - ☐ 4. 503.2.5 – dead end fire apparatus access roads in excess of 150 feet, shall be provided with an approvec area for turning around fire apparatus.
  - ☒ 5. 503.3 – fire apparatus access roads must be marked as firelanes per the signage specification established by Appendix D FCNYS 2020
  - ☒ 6. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads. Distance from buildings > 30'H should be 15'min. and 30' max.
  - ☒ 7. Appendix D 103.2 Grade: Fire apparatus access rds. Shall not exceed 10 percent in grade. Particularly at the Musical Fare Building

☒ 2. Section 506 FCNYS 2020 – Key Boxes – A fire department Knox key box is required for access to building keys.

☒ 3. Section 507 FCNYS 2020 – Fire Protection Water Supplies

- ☒ A. Indicate all existing Fire Hydrants on plans. Provide a water plan that shows Fire Main connections w/RPZ and Hotbox, fire line to sprinklered buildings and new and existing hydrants.
- ☒ B. All waterlines with numerous hydrants should be looped or on a grid system.
- ☐ C. All fire hydrants must be within 500 feet of each other. (Subdivisions)
- ☐ D. Section 507.5.1 – provide an additional Fire Hydrant within 400 feet of the most remote point of the building (as the fire hose would be laid out) or within 600 feet if the building is equipped with a Fire Sprinkler system.
- ☒ E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building. Fire Dept. connections should be located on fire access rd. side.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

COMMENTS: Due to the size of the site, Snyder Fire Chief is requesting a garage/tool room for storage of fire equipment. (This was discussed at a meeting with Dan Rizzo and Anne Dafchik.) A concrete pad w/ a hydrant for training is also desirable.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Howard, Dan
Sent: Friday, November 17, 2023 4:53 PM
To: Szatkowski, Jeffrey
Subject: FW: Diversity Commission Contributions to Amherst Central Park

---

From: Zhen Liu <zl24@buffalo.edu>
Sent: Friday, November 17, 2023 12:01 AM
To: Dafchik, Anne <adafchik@amherst.ny.us>; Bucki, Debbie <dbucki@amherst.ny.us>
Cc: devgunms@buffalostate.edu; gulattiq95@hotmail.com; Taggart, Martha <mtaggart@amherst.ny.us>; Kulpa, Brian J. <bkulpa@amherst.ny.us>; Howard, Dan <DHOWARD@amherst.ny.us>; Rizzo, Daniel J. <drizzo@amherst.ny.us>
Subject: Re: Diversity Commission Contributions to Amherst Central Park

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Anne, I really appreciate the notes. I will take my time reading it, but at the first sight I don't see anything missing.

Thank you.

Zhen

Get Outlook for Android

From: Dafchik, Anne <adafchik@amherst.ny.us>
Sent: Tuesday, November 14, 2023 7:30:30 PM
To: Bucki, Debbie <dbucki@amherst.ny.us>
Cc: devgunms@buffalostate.edu <devgunms@buffalostate.edu>; gulattiq95@hotmail.com <gulattiq95@hotmail.com>; Zhen Liu <zl24@buffalo.edu>; Taggart, Martha <mtaggart@amherst.ny.us>; Kulpa, Brian J. <bkulpa@amherst.ny.us>; Howard, Dan <DHOWARD@amherst.ny.us>; Rizzo, Daniel J. <drizzo@amherst.ny.us>
Subject: RE: Diversity Commission Contributions to Amherst Central Park

Thank you again to the Diversity Committee for inviting me to tonight's meeting. Below are the feedback notes I took regarding the Amherst Central Park design. Please let me know if I missed anything.

1. The location monuments or projects that celebrate the diversity of Amherst would be best located in a visible plaza or public place. Could the big meadow area centrally located between the theater museum and clubhouse be ideal? Even though it is spread out it seems like an appropriate location. Perhaps an additional, smaller location might be near the Winter Market.

2. Question from committee members on how these types of projects (often considered as art or separate from buildings) would be funded if they are included as part of a larger project or if they are standalone budgets?

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

3. Could the Buffalo Niagara Heritage Village museum, once relocated, also include a permanent exhibit that celebrates the beginning and current diversity and makeup of the town?

4. Whatever form the exhibit or monuments take it should have the ability to grow over time as diversity grows in the Town... Suggestions for flags, benches, murals, pavers/tiles or monuments... Perhaps there is an opportunity for members of the public to sponsor individual components of the design. A circular layout to the project may be favorable, however the order of the individual components should be such that importance isn't implied from one area over another.

5. Any monuments or plaza components honoring diversity should not only include nationalities but also cultures, religions, faiths, and ethnicity.

6. A request was made to consider the need for large picnic shelters or pavilions similar to the Governor's Lodge at Chestnut Ridge... There are very few Town parks that have large park pavilions. Spaces that enables a large crowd to come together promote "coming together" and interaction. The ability to connect and gather together is important for growing diversity and appreciation of others.

7. Several committees would benefit from regular updates from the Amherst Central Park planning group. Those committees include the Diversity Committee, Committee on Disabilities, and the Arts and Culture in Public Places board. Perhaps regular quarterly updates would be an appropriate interval.

8. A request was made to re-engage the Amherst Central Park task force; public input is important for public support.

9. Considerations for park access via public transit or non-vehicular modes of transportation would be beneficial.

10. The committee will send via email examples of good exhibits or public spaces that celebrate diversity.

Thank you again for your input, looking forward to meeting with the Committee again in the future.

Anne Dafchik, AIA
Town of Amherst

On Oct 27, 2023 11:09 AM, "Bucki, Debbie" <dbucki@amherst.ny.us> wrote:

Dear Anne,
Thank you for your message and for your offer to attend the next Diversity Meeting. For me, I think that a paper copy is good, but defer to the Diversity Commission Members as to their preference.
As always, your assistance and consideration are greatly appreciated.
Gratefully,
Deborah Bruch Bucki
Amherst Deputy Supervisor
Diversity Commission Liaison

On Oct 23, 2023 1:56 PM, "Dafchik, Anne" <adafchik@amherst.ny.us> wrote:

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Thank you Debbie – I will be there on 11/14 at 5:30 pm. Would the Commission prefer paper or digital versions of the ACP plans? If we do a large paper version, we can add notes and comments in a group format. Or we can do digital format up on a screen…
Thanks, Anne

From: Bucki, Debbie <dbucki@amherst.ny.us>
Sent: Sunday, October 22, 2023 1:35 PM
To: Dafchik, Anne <adafchik@amherst.ny.us>
Cc: devgunms@buffalostate.edu; gulattiq95@hotmail.com; zl24@buffalo.edu; Taggart, Martha <mtaggart@amherst.ny.us>; Kulpa, Brian J. <bkulpa@amherst.ny.us>
Subject: RE: Diversity Commission Contributions to Amherst Central Park

Dear Anne,
Thank you for your kind message.
The next meeting of the Amherst Community Diversity Commission is scheduled in person at Town Hall on Tuesday, November 14th at 5:30 PM.
The Commission cordially invites you to attend that meeting if you are available.
As always, your assistance and consideration are greatly appreciated.
Sincerely,
Deborah Bruch Bucki
Amherst Deputy Supervisor
Diversity Commission Liaison

On Oct 18, 2023 9:20 PM, "Dafchik, Anne" <adafchik@amherst.ny.us> wrote:
Hi Councilmember Bucki and Diversity Commission leadership – Thank you for reaching out. I appreciate the opportunity to collaborate with you as we develop plans for Amherst Central Park. When does the Commission meet next? I'd be happy to attend a meeting (either virtually or in-person) with the group to review park concept plans and understand how we can design a more inclusive and welcoming environment for all community members and visitors.

Please let me know your next upcoming meeting dates and times so I can connect with you.

Looking forward to it and thank you,

Anne Dafchik, AIA, NCARB
Architect | Facilities
Town of Amherst

From: Bucki, Debbie <dbucki@amherst.ny.us>
Sent: Friday, October 13, 2023 9:38 AM
To: Dafchik, Anne <adafchik@amherst.ny.us>
Cc: devgunms@buffalostate.edu; gulattiq95@hotmail.com; zl24@buffalo.edu; Taggart, Martha <mtaggart@amherst.ny.us>; Kulpa, Brian J. <bkulpa@amherst.ny.us>
Subject: Diversity Commission Contributions to Amherst Central Park

Good morning..
This week, the Amherst Community Diversity Commission met with the Supervisor regarding future planning for the group.
Supervisor Kulpa suggested that the Diversity Commission meet with you to discuss how their input could be incorporated into the Park Development, most especially regarding inclusion in the areas of ethnicity and culture.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

I am copying the Diversity Commission Leadership on this message. Please reach out to them at your earliest convenience.
A format for participation of the Diversity Commission in this initiative might be similar to that used with the Disabilities Committee.
As always, your assistance is greatly appreciated.
Sincerely,
Deborah Bruch Bucki
Amherst Deputy Supervisor
Diversity Commission Liaison

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Howard, Dan
Sent: Monday, November 20, 2023 10:20 AM
To: Szatkowski, Jeffrey
Subject: FW: Amherst Central Park

Jeff – please note and forward.

From: Dave Mingoia <DMingoia@amherstida.com>
Sent: Monday, November 20, 2023 10:19 AM
To: Howard, Dan <DHOWARD@amherst.ny.us>
Subject: Amherst Central Park

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

The Town of Amherst Industrial Development Agency has reviewed the documents related to Amherst Central Park and does not have any comments.

Regards,

David S. Mingoia, CEcD
Executive Director/CEO
Town of Amherst Industrial Development Agency
4287 Main Street
Amherst, New York 14226
(716)688-9000
(716)688-0205 (fax)
www.AmherstIDA.com

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST

ENGINEERING DEPARTMENT

ERIE COUNTY – NEW YORK

JEFFREY S. BURROUGHS, P.E., TOWN ENGINEER

November 6, 2023

TO: Daniel J. Ulatowski, Assistant Planning Director/ZEO

REVIEWER: Vaishali Reberholt, P.E, CPESC – Assistant Town Engineer

SUBJECT: PUD Application Review; SP-2023-11
Proposed Conceptual Development Plan for a New Community Park

ADDRESS: 772 North Forest Rd, 385 & 391 Maple Rd

PETITIONER: Town of Amherst

PUD Application Sanitary Review

- The sewer maintenance division agrees with the review process detailed in the PUD Application, sewer flow related approvals shall be given during specific project related site plan reviews. Please note that the splash pad needs to be isolated from sanitary sewer when not in use by adding a valve/diverter, so rainwater can be collected and used for irrigation purposes if needed.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

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

A.1.3 PUBLIC

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

191 Fairways Blvd.
Williamsville NY 14221
November 8, 2023

Mr. Daniel C. Howard
Town of Amherst
5583 Main Street
Williamsville NY 14221

RECEIVED
NOV 13 2023
TOWN OF AMHERST
PLANNING DEPT.

RE: The SGEIS Draft

Dear Mr. Howard,

I am a Town of Amherst resident and taxpayer, and I think the Amherst Central Park will be great addition to the Town of Amherst. However, after carefully studying the October 2023 Concept Plan, I have several concerns about this Concept Plan

1. Safety at the proposed Sheridan Drive entrance/exit
   The Sheridan Drive entrance/exit is near the planned theatre and its parking lots, and it will also serve as a park entrance/exit Because of its location, the heavy traffic on Sheridan and the possibility of bicyclists and jay-walkers, this entrance/exit has the potential for serious accidents. It will be a dangerous entrance/exit, and it should be removed from the Concept Plan. The theatre and its parking lots can be relocated.

2. Pedestrian/bike entrance/exit on Frankhauser Road
   This entrance/exit also has the potential for serious accidents. It is located at the beginning of Fairways and the bend in Frankhauser Road, where there is considerable vehicular traffic. This entrance/exit is especially dangerous for children, pedestrians and bicyclists, and it should be removed from the Concept Plan.

3. The construction of a paved roadway around the Central Meadow
   The Central Meadow is a natural preserve filled with trees and paths. There is no need for an expensive paved roadway for vehicular traffic around the Central Meadow. This paved roadway should be removed from the Concept Plan.

4. The transfer of the Buffalo Niagara Heritage Village
   The Buffalo Niagara Heritage Village has a lovely home on Tonawanda Creek Road. Moving the old wooden buildings from this site and constructing a new Heritage Village Museum will be very expensive. This is an unnecessary financial burden for taxpayers, and it should also be removed from the Concept Plan.

5. The removal of toxic waste from the site
   A few years ago, the soil on this site was tested, and harmful chemicals were found. How and when is this remediation taking place?

Thank you for addressing these matters.

Sincerely yours.

Mary K. Boehm

(Mrs.) Mary K. Boehm
mkboehm@roadrunner.com

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

November 27, 2023

RECEIVED
NOV 27 2023
TOWN OF AMHERST
PLANNING DEPT

To: Robert J. Gilmour, Chairman
Town of Amherst Planning Board

RE: **The October 2023 Concept Plan for the Amherst Central Park**

I am a Town of Amherst resident and taxpayer, and I think the Amherst Central Park will be great addition to the Town of Amherst. However, after carefully studying the October 2023 Concept Plan for the Amherst Central Park, I am very concerned about parts of this plan.

1. Safety at the proposed Sheridan Drive entrance/exit
The Sheridan Drive entrance/exit is near the planned theatre and its parking lots, and it wi also serve as a park entrance/exit Due to the heavy traffic on Sheridan Drive and the bicyclists, pedestrians and jay-walkers, this entrance/exit has the potential for serious accidents. It will be a dangerous entrance/exit, and it should be removed from the Concep Plan. Another entrance/exit along Sheridan Drive will be just as dangerous and should not be added to the Concept Plan. The theatre and its parking lots can be moved to a safer location within the park.

2. Pedestrian/bike entrance/exit on Frankhauser Road
This entrance/exit also has the potential for serious accidents. It is located at the beginnin of Fairways and the bend in Frankhauser Road, where there is much vehicular traffic. Thi entrance/exit is especially dangerous for children, pedestrians and bicyclists, and it should be removed from the Concept Plan.

3. The construction of a paved roadway around the Central Meadow
The Central Meadow is a natural preserve filled with trees and paths. There is no need fo an expensive paved roadway for vehicular traffic around the Central Meadow. This paved roadway should be removed from the Concept Plan.

4. The transfer of the Buffalo Niagara Heritage Village
The Buffalo Niagara Heritage Village has a lovely home on Tonawanda Creek Road. Moving the old wooden buildings from this site and constructing a new Heritage Village Museum will be very expensive. This is an unnecessary financial burden for taxpayers, and it should also be removed from the Concept Plan.

5. The removal of toxic waste from the site
A few years ago, the soil on this site was tested, and harmful chemicals were found. How and when is this remediation taking place?

Thank you for addressing these issues.

Mary Boehm

(Mrs.) Mary Boehm
191 Fairways Blvd.
Williamsville NY 14221

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: burst@emailmeform.com on behalf of EmailMeForm <burst@emailmeform.com>
Sent: Saturday, November 18, 2023 3:13 PM
To: Melski, Emily
Subject: Amherst Central Park - Submission ID# 18

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

For best security and privacy of your information, we recommend viewing this entry in the Data Manager

View Entry

Type*:	Question
Question, Comment, or Concern*:	1. How much is this park plan going to cost and where will Amherst be getting the money? 2. After the initial capital cost, what is the proposed annual maintenance & upkeep costs and where is that money coming from? 3. Are BNHV and Music Fare Theater paying for their new facilities? I not, I'm not sure it's legal for the public to pay for facilities for private parties. 4. Is there going to be a new traffic light added on Sheridan Drive for the entrance/exit located across from Fenwick Road? Would it be too close to the traffic light at Frankhauser? 5. Has a traffic study been done for the entrance/exit located off of North Forest Road? That two-lane road backs up numerous times a day so I'm not sure how a major park entrance/exit would work without adding to that congestion. 6. Are proposed BNHV livestock really going to be located less than 100' from Frankhauser? If so, what are the noise and odor solutions for those living on Frankhauser?
Name*:	James Boje
Address*:	42 Brookdale Drive
Phone:	716-440-0493
Email*:	jimaboje@gmail.com

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Howard, Dan
Sent: Monday, November 20, 2023 9:34 AM
To: Szatkowski, Jeffrey
Subject: FW: SP-2023-11

Comment

From: buffalomotor@verizon.net <buffalomotor@verizon.net>
Sent: Monday, November 20, 2023 9:23 AM
To: Howard, Dan <DHOWARD@amherst.ny.us>
Subject: RE: SP-2023-11

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Howard,

My name is Patricia Fillipponi and I've lived at 805 N. Forest Road in Williamsville for the last 30 years, where we've enjoyed the open, green, peaceful setting of what used to be Westwood Country Club. In the last few years it has become an eyesore with Northtown Dealerships using the tennis courts as a parking lot.

My home is **directly across** from the current entrance of Amherst Central Park and where the planned skating rink, restrooms, winter market, etc. are to be placed.

The issue my husband and I have with this plan is that you currently **do not** show on your map any division between the roadway (North Forest) and the planned sites; such as burms, trees and/or fences. This is **desperately** needed to cut down on **noise**, **lighting** that may be directed towards our homes and **most importantly for safety reasons**. Since we have lived in our home there have been numerous times that cars come around the curve on North Forest and veer off directly into that piece of land. Without the safety of burms/trees/fence the children/adults that may be using the site could be seriously injured.

We ask that you take these points into consideration while finalizing your plans.

Respectfully,

Patricia Fillipponi
805 North Forest Road
Williamsville, NY 14221

Patricia Fillipponi
Co-owner / VP

Buffalo Motor & Generator Corp.
175 Ohio Street

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Buffalo, New York 14203
(716) 854-4588

Virus-free.www.avg.com

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

From: Dwight Kanyuck <dkanyuck@nyenvlaw.com>
Sent: Thursday, October 12, 2023 2:27 PM
To: Howard, Dan <DHOWARD@amherst.ny.us>
Subject: SEQRA Determination-Amherst Central Park Conceptual Development Plan Planned Unit Development

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Howard,

We are the attorneys for Concerned Residents for Amherst Central Park, a group of Amherst residents advocating for the promise of a world-class Amherst Central Park.

It was noted today that the DEC's Environmental Notice Bulletin published a SEQRA "negative declaration" for the SEQRA review of the Amherst Central Park Conceptual Development Plan Planned Unit Development (meaning there are no adverse environmental impacts). See https://www.dec.ny.gov/enb/20231011_not9.html . This is contrary to the "positive declaration" (meaning there *may* be adverse environmental impacts) that appears in the meeting minutes for the October 2 Town Board meeting (https://amherstny.iqm2.com/Citizens/FileOpen.aspx?Type=12&ID=3628&Inline=True). One or the other is in error and you are the contact person identified in the DEC notice. Please clarify what SEQRA determination was reached and which record will be corrected. Thank you.

Regards,

KNAUF SHAW
Dwight Kanyuck
Attorney at Law
*NOTE OUR NEW ADDRESS:

Knauf Shaw LLP
2600 Innovation Square
100 South Clinton Avenue
Rochester, New York 14604
585.546.8430 Ext. 106
vCard● Website

This electronic mail transmission is intended only for the use of the individual or entity to which it is addressed and may contain confidential information which is protected by the attorney-client privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by email and delete the original message.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Armstrong, Brian
Sent: Wednesday, November 8, 2023 11:25 AM
To: Howard, Dan; Szatkowski, Jeffrey
Cc: Ulatowski, Daniel
Subject: Proposed Conceptual Development Plan for a New Community Park - SP-2023-11
Attachments: PUD Application Review Comments - BJA 11-8-23.docx

Dan and Jeff,

In the interest of expedience, please consider this my formal response to your request for comments associated with SP-2023-11.

With respect to the section titled; "The Amherst Central Park PUD Plan", due to inflation and material/labor cost escalations,
some sizing flexibility may be required in order to ensure the viability of some of the park improvements and as such, we may want to
include some size ranges (assuming you agree it would be appropriate to include them):

- Ice Ribbon and Ice Rink, approximately 15,000 – 25,000 SF
- Inclusive Playground, approximately 10,000 – 12,500 SF
- Splash Pad, approximately 3,000 – 6,000 SF

Additionally and for your consideration, I have also made revisions (using the track changes utility), on the attached portions of the PUD process.

Otherwise, I believe the balance of the PUD Application to be complete and appropriate.

Thanks,

Brian J. Armstrong
Director of Engineering Services
Town of Amherst
Engineering Department
1100 North Forest Road
Williamsville, NY 14221
716.631.7154 ext. 7412 office
716.631.7222 fax
barmstrong@amherst.ny.us

From: Howard, Dan <DHOWARD@amherst.ny.us>
Sent: Tuesday, November 7, 2023 12:28 PM
To: Bushen, Michael <mbushen@amherst.ny.us>; Dafchik, Anne <adafchik@amherst.ny.us>; Burakowski, Elizabeth <eburakowski@amherst.ny.us>; Hitzel, Michael <mhitzel@amherst.ny.us>; Juul, Lynda <ljuul@amherst.ny.us>; Armstrong, Brian <BArmstrong@amherst.ny.us>; Szatkowski, Jeffrey <jszatkowski@amherst.ny.us>; Rizzo, Daniel J. <drizzo@amherst.ny.us>; Polowy, Martin <mpolowy@amherst.ny.us>; Berke, Mark S. <mberke@amherst.ny.us>
Cc: Ulatowski, Daniel <dulatowski@amherst.ny.us>

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Howard, Dan
Sent: Wednesday, November 15, 2023 4:55 PM
To: Szatkowski, Jeffrey
Subject: FW: Westwood Proposal..Planning Board review/Nov. 16..

-----Original Message-----
From: Carrato, Amy <acarrato@amherst.ny.us>
Sent: Wednesday, November 15, 2023 4:42 PM
To: Brittany Penberthy <bpenberthy@thepenlawgroup.com>; Carrie Kahn <carrie.kahn@gmail.com>; Dal Giuliani <dcg5719@verizon.net>; Harbinder Gill <hsgill@usa.net>; Joseph Raffaele Jr <Jraffaele@tcco.com>; Michael J. Chmiel <mchmiel@cheluslaw.com>; Robert Gilmour <rgilmour@roadrunner.com>
Cc: Howard, Dan <DHOWARD@amherst.ny.us>; Ulatowski, Daniel <dulatowski@amherst.ny.us>; Marshall, Scott <SMarshall@amherst.ny.us>; Voigt, Thomas J. <tvoigt@amherst.ny.us>; Palumbo, Gary <gpalumbo@amherst.ny.us>
Subject: FW: Westwood Proposal..Planning Board review/Nov. 16..

Please see the email below regarding SP-2023-11, 772 N. Forest Road, 385 &391 Maple Road.

-----Original Message-----
From: Judith Ferraro <jferraro@roadrunner.com>
Sent: Wednesday, November 15, 2023 2:18 PM
To: Carrato, Amy <acarrato@amherst.ny.us>
Subject: RE: Westwood Proposal..Planning Board review/Nov. 16..

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Amy,
Please forward the following message to all Planning Board members and Dan Howard.
Thank you.
Judy Ferraro

The current Westwood proposal seems to be another convoluted play to effectively suppress information.. thereby the voice and will of the people…and a
variation of what was attempted months ago by amending the zoning code. Seems to be Kulpa's Westwood plan has been a tangle of smoke and mirrors,
obfuscation and lies, from the start. Much of the process has been truncated and/or eliminated.

PUD (Planned Unit Development) standards requires details of the development be made available to the public..in its entirety. Segmenting is not an option
and requires more than a map for information. How can anyone approve this vague, haphazard, hodgepodge proposal?

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Each significant addition to this property needs a public hearing where all stakeholders are included and have all relevant facts and costs available to them.
That has not and is not happening. Manipulation behind closed doors with selected attendees clearly bypasses community oversight and input. It is
purposeful and reprehensible.

Building Musical Fare, a preK day care, an amphitheater, moving the museum, including the animals are being pushed on residents with no transparency, no short and long term costs and no serious discussion of the feasibility of locating all of this in a residential neighborhood with inevitable consequences.

Please consider doing the right thing for this prime piece of greenspace..that some seem to be hellbent on destroying..incrementally. Please make an effort to
read the entire proposal..and ask yourself if it makes sense environmentally, economically…in a financially strapped town/county/state, and in the best interest of ordinary citizens? You might start by revisiting the traffic safety issues of the entire area in 2023. Not earlier. Such negligence demonstrates either appalling ignorance or willful blindness.
Thank you.
Judy Ferraro

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Ulatowski, Daniel
Sent: Monday, November 13, 2023 6:33 PM
To: Szatkowski, Jeffrey
Subject: FW: Central Park - Westwood

FYI

From: Carrato, Amy <acarrato@amherst.ny.us>
Sent: Monday, November 13, 2023 9:25 AM
To: Brittany Penberthy <bpenberthy@thepenlawgroup.com>; Carrie Kahn <carrie.kahn@gmail.com>; Dal Giuliani <dcg5719@verizon.net>; Harbinder Gill <hsgill@usa.net>; Joseph Raffaele Jr <Jraffaele@tcco.com>; Michael J. Chmiel <mchmiel@cheluslaw.com>; Robert Gilmour <rgilmour@roadrunner.com>
Cc: Howard, Dan <DHOWARD@amherst.ny.us>; Ulatowski, Daniel <dulatowski@amherst.ny.us>; Marshall, Scott <SMarshall@amherst.ny.us>; Voigt, Thomas J. <tvoigt@amherst.ny.us>; Palumbo, Gary <gpalumbo@amherst.ny.us>
Subject: FW: Central Park - Westwood

See email below regarding SP-2023-11, Amherst Central Park

From: Joan Hudak <joanhudak@hotmail.com>
Sent: Sunday, November 12, 2023 9:50 AM
To: Carrato, Amy <acarrato@amherst.ny.us>
Subject: Central Park - Westwood

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

I have a few questions on this project.

- There are forests on this property. Trees that are very old. Are they going to be spared? Any forest or wildlife being sacrificed?
- Will wild life be preserved?
- Will wet lands be preserved

Joan Hudak

Be the change you wish to see in the world….. Gandi

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

11/16/202

Amherst Planning Board
5583 Main Street
Williamsville, NY 14221

Planning Board Members,

Regarding the Amherst Central Park project, my understanding is the zoning for this parcel remains RC (Recreation Conservation), with no zoning district change, however, adjustments are proposed as part of the PUD application. There is a leap of faith involved as the purpose of the PUD Process is to permit coordinated development that allows flexibility to respond to market demands. And the intent is to adjust the regulations, standards and criteria of the Zoning Ordinance as part of the PUD Process for the Amherst Central Park to implement the Conceptual Development Plan **and future improvements that are not part of the Conceptual Development Plan.**

My comments & concerns tonight focus largely on the impact of traffic on North Forest Rd, County Section between Maple Road & Sheridan Drive, and multi-modal ingress and egress in general.

We are far more residential here now and want to ensure that all efforts will be made, so our stretch of roadway does not bare the brunt of traffic for this project, passive to the north, but pretty busy to the south. For this reason, it is imperative that there be a second means of vehicular ingress and egress. If the proposed entrance on Sheridan Drive cannot work out, it alternatively must be Maple Road.

We would also need a 2nd entrance to be available immediately at the start of construction, so that the North Forest entrance and roadway in general is not the primary means of access.

We also want to be sure that this isn't a park that you have to drive to in order to enjoy it. I have introduced into the record a letter prepared following the Dec. 2020 Traffic Safety sidewalk feasibility meeting. Residents of North Forest Road north and south of Sheridan Drive are represented in the comments regarding pedestrian access to and through the park.

There doesn't look to be much ingress and egress from the surrounding neighborhoods for pedestrians and bicycles. With Maple Road shut off, our central park is not continuous or connected with the Audubon side or the Amherst Bike path. And is there a way for people to park on the Maple Road end to use pedestrian access on that end only? There should be creative solutions to mitigate these concerns.

Additionally, I noted the following omissions in the application:

- 829 North Forest Road is identified as a very important historic resource, but omitted is the clubhouse itself at 772 North Forest Road as well.
- The millrace on North Forest Road near the site was omitted as being is clearly identified as a significant archeological site.
- 10 year build out, starting at the south end. Omission in application is any timeline for when the north end will be available. Please do not make us wait towards the end of the build out to enjoy the passive section of the park.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Approximately 26 years ago residents of North Forest Rd, County Section between Maple Road & Sheridan Drive stood for the first time before an Amherst Board to voice concern and stand in solidarity to protect the character & integrity of our area. In that moment we started to paint the picture of what we wanted here with success. I am proud to be a leader in that over the many years.

It has expanded beyond just us in wanting to preserve this central area, and brings us to today, with the many neighborhoods surrounding the project invested in the outcome of the proposed Amherst Central Park.

Thanks to the Daniel Howard and his team in the Planning Department on their hard work. Everyone wants a good result.

Respectfully,

Maryann Hochberg

Maryann Hochberg
1075 North Forest Rd
Williamsville, NY 14221

cc: Amherst Town Boad members

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

12/22/2020

Eric Fraas, Chair
Amherst Traffic Safety Board
Amherst Municipal Building
5583 Main Street
Williamsville, NY 14221

Dear Chairman Fraas,

Writing as follow-up to the Dec. 2, 2020 Traffic Safety Board Meeting regarding Townwide Sidewalks to request clarification on the final recommendation made specifically for North Forest Rd /Sheridan Drive. For the meeting, this area was split into 2 separate locations for discussion and consideration:

- 3a) North Forest from Morgan Parkway to Indian Trial Road (County jurisdiction)
- 3b) North Forest from Wiltshire to Meadowbrook (State jurisdiction)

Decision made was to remove North Forest /Sheridan Drive encompassing both sections, but resident input was only heard from those living on the County section that evening. The agenda listing was vague on this topic, as no specific locations were clearly identified, and residents from the State section did not join in. For North Forest south of Sheridan Drive there is overwhelming resident interest in having sidewalks to fill the gap, in part given that placement would lead residents to the new Amherst Central Park. For this reason, request that the Traffic Safety Board re-evaluate their 12/2/2020 decision for the State section only.

For item 3a) North Forest (County jurisdiction) – Removal of this item should stand, not recommending sidewalks here. Appreciate the Traffic Safety Board taking into consideration the concerns of residents living on the County section regarding impact of sidewalks on those properties, potential property owner hardship, pedestrian safety, and concerns impacting physical implementation issues. Ideally, pedestrian connectivity for this area will be safely through the new Amherst Central Park as mentioned.

For item 3b) North Forest (State jurisdiction) – Request that sidewalks for this area be recommended to move forward to next steps. There is interest, and residents here would then have another opportunity to provide their input.

The wants, needs and feasibility of implementing sidewalks to fill gaps may differ for the County and State sections of North Forest. Together these two options would lead pedestrians to and through the new park.

Residents of the North Forest areas north and south of Sheridan Drive stand together in solidarity in protecting and preserving the integrity of this area overall. Thank you for your attention to this matter.

Sincerely,

Nathan Hartrich, President
Morningside Home Owners Association
47 Meadowbrook Rd
Williamsville, NY 14221

Maryann Hochberg
1075 North Forest Rd
Williamsville, NY 14221

cc: Amherst Traffic Safety Board members
Christopher P. Schregel
Francina J. Spoth, Amherst Town Clerk

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Ulatowski, Daniel
Sent: Thursday, November 16, 2023 10:26 AM
To: Wendy A. Marsh; Wagner, Barbara; Howard, Dan; Szatkowski, Jeffrey; Dafchik, Anne; Polowy, Martin; Burakowski, Elizabeth
Subject: FW: Amherst Central Park - email inquiry

All,

See below .

Dan U

From: SANDRA KOERBER <smk54f@verizon.net>
Sent: Thursday, November 16, 2023 9:16 AM
To: Ulatowski, Daniel <dulatowski@amherst.ny.us>
Subject: Amherst Central Park

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Dan:
Hope all is well.
What type of fence is being planned for the perimeter of the Park since there is an entry gate on Frankhauser?
Also, where is the 300+ parking lot going to be placed and how will street parking be prevented.
Look forward to hearing from you.
Thank you.
Sandra Koerber
54 Frankhauser Road

Sent from Yahoo Mail on Android

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Maureen T. Schmitt

866 North Forest Rod

Williamsville, New York 14221

11-16-23

To: Amherst Town Planning Board and Amherst Town Board

Good evening, my name is Maureen Schmit and I reside at 866 North Forest Road. I also own homes at 860 and 850 North Forest. 850 North Forest is directly adjacent to the proposed Amherst Central Park. I would like to thank the Town of Amherst for proposing a park setting on this property.

I have 3 concerns I would like to express for the record and bring to your attention this evening.

The first is a request for an 8-foot-high maintenance free fence running the entire property line between 850 North Forest and the park property, specifically 4 feet from the street to the creek. I have lived on North Forest for 37 years and have always enjoyed my privacy and am concerned that visitors to the park could easily wander into my yard as they meander through the walking and biking paths. I'm asking for 8 foot high, so it is not easily scaled and asking for maintenance free, so the Town of Amherst doesn't have to be attentive to regular maintenance such as painting or staining.

Next. I would ask that all parking lot and area lighting that is adjacent to my homes be positioned facing away from my properties and that the proposed new maintenance garage, that is within 100 feet of my property, only has service hours between 7:00am and 6:00pm.

As many of you know, the residents of North Forest worked very hard with Erie County and The Town of Amherst between 1998 and 2008 to retain the character and integrity of North Forest Road. There was talk of widening the road, adding turn lanes, straightening the curves, and adding sidewalks. It was determined by Erie County and approved by the Town of Amherst to keep the road as it is.

I understand that there is not an ingress or egress on Maple Road to the park because of concern that the road would become a North- South throughfare which is something the Town doesn't want. I would ask that you consider an entrance on Maple Road to service a parking area for the residents using the walking and biking trails on the northern portion of the park. I'm not requesting a road through the park but simply an entrance and parking lot off Maple Road. This would mitigate some of the increased traffic that will be directed onto North Forest now that all the parking for the new park is located off North Forest and Sheridan Drive.

Thank you for your time, please include my comments for the record.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Comments re:

Proposed Planned Unit Development-Amherst Central Park, SP-2023-11

772 N Forest Rd and 385 & 391 Maple Rd Public hearing, TOA Planning Board

Good evening members of the Planning Board. My name is Mary Shapiro, residing at 16 Royalwoods Ct.

I am here to request that the Town withdraw this application or that the Planning Board removes it from their agenda until such time as the application is complete. To date the Town Board has not presented, accepted or approved an actual "Amherst Central Park Plan." This is the first actual public hearing addressing any part of the plan. So this proposal for a Planned Unit Development seems premature, vague and incomplete. It's not clear under what authorization this petition was even submitted. No authorizing resolution from the Town Board is included in the application.

The Planning Board is tasked with making a recommendation to the Town Board based on whether the Central Park Development Plan described is consistent with the Comprehensive Plan and the Zoning ordinance, including the stringent development standards for a Planned Unit Development. The Board also needs to consider whether the Plan is compatible with uses allowable in the current RC (Recreation Conservation) zoning district and conforms to the character of surrounding neighborhoods, as well as determining if there are adequate services and utilities, etc. prior to formulating a recommendation to the Town Board. SEQRA requirements also needs to be fulfilled, as this is a Type I action, highly likely to produce negative environmental effects.

Unfortunately, the PUD application is incomplete, with only a vague visual concept plan included, and an even vaguer SGEIS to assist you in your task of review. The zoning code for PUD only mentions a requirement for the inclusion of a Conceptual Development Plan, but that is not the only required submittal. As I said earlier, this Park Plan has never been presented to the public at a prior hearing. If this Board was meant to review it at this stage, you would have a complete plan to compare to the PUD Development Standards in the code. The development standards, although allowing for flexibility in choice of how to meet the standards, still must be met. Nowhere in the standards does it give an opportunity to change or alter the Development Approval Process, set forth in Town Code, but that is what's being proposed here tonight.

What's missing:

1. **Variances Required:**
   The Central Park property is zoned **RC (Recreational Conservation)**. The following uses displayed on the concept plan are not allowed in this zoning district:
   -**Livestock is not permitted** (Livestock is noted on the site of a relocated museum)
   -**Chickens are not permitted** (Chickens may be included on the site of a relocated museum)

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

-**Commercial uses are <u>not permitted</u>** (Commercial use is indicated in the EAF, but not elaborated upon). It's not clear if "Winter Market" will include commercial uses. Food and Beverage solid waste in large numbers are also indicated. It's not clear if the BNHV is a commercial use and whether the public will have to pay admission, as well as the Theatre indicated.
-**Schools and daycares are <u>not permitted</u>** as a primary use (they are only permitted as an accessory to a place of worship).

The Town still needs to comply with use restrictions in this current zoning district. PUD application does not change this.

As you're aware, Variances are gained via another public process at the ZBA and not part of a PUD approval.

2. **Brownfield Remediation Plan:** Amherst Central Park is a contaminated Brownfield. Other than a couple of vague mentions in the EAF and SEIS, including the removal of 1000's of cf of soil, no detail is given on required remediation. What Standard of clean-up will be done? Will it be done piecemeal as portions of the Park are developed or all at once, prior to development? Will fencing remain up where clean-up has been postponed? It doesn't appear that the Town has initiated the steps required to assess or begin clean-up. No consultants have been identified other to say, "The Town is currently in negotiations with the NYSDEC." This is not adequate information to determine if there are adverse effects to neighboring residents, or if the Park will only be partially accessible for long periods of time.

3. **Internal and external pedestrian, bicycle and vehicular circulation plans**. PUD standards require safe passage and separation for all of these entities, yet no details were given. How will safe passage, for all of the users of the park, be maintained at entrances/exits or via adjacent neighborhoods? It's impossible to assess compliance with the PUD standards and adverse effects without this information.

4. **A more complete Traffic Study with real alternatives and mitigations**:
The flawed supplemental traffic study provided, shows traffic counts from days when Sheridan Drive, itself, was under extended construction. This caused various lanes on Sheridan and Harlem to be coned off at different times, altering traffic flow. As this construction was present for a while before and after the date counts were carried out, commuters may have found alternate paths to and from the area, altering traffic patterns. Even still Levels of Service at the southern entrance were unacceptable with LOS down to E and F.
The only "mitigations" suggested in the Traffic Study were to put up a light at the proposed Sheridan/Fenwick entrance with crosswalk or put in a Hawk signal that would be dangerous in the context of 5 lanes of Sheridan drive for pedestrians or bicyclists alike. It's required in PUD standards that people are not relying on crossing busy arterial

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

roads to access the site. It was noted that there is currently no safe passage for bicyclists at the site. A more comprehensive traffic study needs to be completed with more detail.

5. **Overall Conceptual Landscaping Plan**: PUDs rely heavily on landscaping for buffering of different portions of developments, from neighbors, roadways, paths, etc, within the unified development. Not enough detail has been given in order to review an actual plan with development standards.

6. **SWPPP/Drainage/Floodway/Floodplain plan, as related to Development**

7. **Overview Lighting Plan**
   No lighting plan is included. This will be a very important part of review required to assess potential negative effects of the development on the surrounding neighborhoods and public safety.

8. **No Dumpster/Utility Plan**
   Unreviewable

9. **No Fire and Emergency Vehicle Plan**
   Unreviewable

10. **Rationale for an alternate Development Approval Process**
    There is simply no rationale given to create a unique Development Approval Process for this Park development. Initiating projects on this Town owned property needs to be done in the daylight, in front of the Public. Initiating projects that require the use of town employee time or consultants result in expenditure of taxpayer dollars and the Director of Facilities has not been given that authority by the Town Board. Our Town Code is pretty specific that the power rests with our elected Town Board in a public process. Recently the CIP process has been bastardized to fund segmented aspects of this development process without proper disclosure to the public and SEQRA review of the whole development. It should not be used to initiate projects which will segment the review process, stealing from Peter to pay Paul.

    The Town Board is able right now to create an Amherst Central Park Task Force with entity made up of the Town employees listed in their proposed process. This is usual practice in the TOA, but it's not clear why they want to subvert public involvement as early in the project as possible and feel the need to hide behind an internal structure. Creating this one of kind development process, would set a dangerous precedent, and would be counter to SEQRA. A Planned Unit Development approval is not the way to accomplish changing the Development Approval Process. The Town Board tried to avoid having this development go through the time-tested Development approval process by exempting "certain public properties," but ended up withdrawing their resolution after residents rejected this proposed hidden process. This Town has a history of working

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

with town officials and residents together to create community amenities that suit everyone. No special approval process necessary. Why should this one be any different?

11. **Development Phasing Plan**
    It's impossible to know what to expect as there is no narrative or phasing plan available.

12. **ETC….**

I hope the Town will withdraw this proposal until such time as an Amherst Central Park Plan has been accepted by the Town Board or that this Board will remove it from your agenda until such time as the application is complete and able to be reviewed against PUD Development Standards and SEQRA completed.

Thank you, Mary Shapiro, 16 Royalwoods Ct

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

COMMENTS ON THE PROPOSED PLANNED UNIT DEVELOPMENT

AMHERST CENTRAL PARK (FILE NO. SP-2023-11)

Dear Amherst Town Board and Planning Board,

My name is Jennifer Snyder-Haas and I live at 185 Fairways Blvd. Here are my comments in opposition to aspects of the proposed Planned Unit Development (PUD) for Amherst Central Park and its Draft Environmental Impact Statement (DEIS).

(1) ZONING

First and foremost, this proposal is defective because it states that no change to the current recreation conservation (RC) is necessary. Section 1.2.1 states: "The Property envisioned for the Amherst Central Park is zoned as Recreation Conservation (RC), a district whose purpose is to provide for public, private, and civic uses related to recreation and conservation. Planning for the Amherst Central Park is specifically focused on supporting these uses. The Town's Bicentennial Comprehensive Plan also recommends the Property be used for recreation, open space and greenways. The Property is a component of the LWRP, given its location along Ellicott Creek. The Amherst Central Park is a featured project for recreation and waterfront enhancement in the Town". Section 4.2 states, under the heading "Consistency with Community Character", states that per the Town's Comprehensive Plan, Land Use and Development section 6 identifies the Property as Recreation, Open Space and Greenways"; "the Property is consistent with the Land Use in the Comprehensive Plan"; and "the Property is zoned Recreation Conservation [and] the Amherst Central Park will not be subject to a rezoning or Comprehensive Plan amendment.

The foregoing is patently false. The RC zoning district does not include the construction of an indoor theater in a residential neighborhood, let alone one over 30,000 square feet with extensive pavement for parking. Nor does it include the construction of a museum building of over 30,000 square feet and the displays of livestock and poultry that are slated for the proposed relocation of Buffalo Niagara Heritage Village. It certainly does not include the construction of a new addition for a universal prekindergarten program. While all potentially laudable goals, none fall within the RC zoning code or the identification of the property for "recreation, open space and greenways" as envisioned in the Comprehensive Plan. None of these is consistent with a true park. So, this application cannot go forward without addressing rezoning, which would not be consistent with the Comprehensive Plan in any event.

(2) ALTERNATE SITES/USES

Section 3.4 for Alternative Sites states: “While some of the proposed improvements in the Amherst Central Park could be provided in other areas of the Town, there is no other parcel or combination of parcels owned by the Town that would offer a suitable combination of location, existing natural beauty, overall location, and potential for a cohesive, comprehensive park plan that would be comparable to the proposed Amherst Central Park. This Alternative is therefore not further evaluated in this DSGEIS”.

This is also patently false. The Town in fact alienated 90 acres parkland across Maple Road on Audubon and has already allowed the construction of a large medical office complex on Audubon. The 90 acres included only three holes of the current municipal golf course on Audubon, leaving other ample alienated land. In prior park proposals that were put before the Central Park Task Force, Audubon was considered as the “active” recreation portion of a park that spanned both the Audubon and Westwood properties, with extensive development of Audubon that included housing and commercial uses anticipated. Audubon fronts a major road on Maple that is not nearly as heavily trafficked as Sheridan Drive, is close to the State University at Buffalo North Campus, and is not surrounded by residential homes. The PUD application should include an extensive consideration of this alternate site, particular for the theater, universal and prekindergarten programs and relocation of Buffalo Niagara Heritage Village (if this is to be seriously entertained at all, considering the proposed cost in excess of $7 million with little chance of recouping any financial benefit).

Also, the Buffalo Niagara Heritage Village is located next to other Town-owned land. Its expansion in its current, much more appropriate setting should be considered.

Further, Section 3.5 for Alternative Uses states: “As set forth in the GEIS, the full development of the Property for mixed use commercial and/or residential purposes would result in significant impacts related to traffic, utility infrastructure, and community character. Industrial uses of the site would result in similar impacts. A significantly less intense residential development would reduce traffic and infrastructure impacts relative to the Mixed Use Alternative but would be inconsistent with existing zoning and the Town Comprehensive Plan. None of these alternative uses would meet the Purpose and Need identified in this SGEIS. This Alternative is therefore not further evaluated in this DSGEIS”.

The foregoing posits a false choice – the massive, totally inappropriate Mixed Use Alternative or the Park Concept Plan. How about a park that complies with the applicable zoning, with the elements that do not moved to an appropriate location? How about making Westwood the municipal golf course (which at least would be revenue-producing as opposed to the museum) as part of a larger public park with the other park elements on Audubon?

At the Central Park Task Force meetings, doing a cost/benefit analysis for the alternative was proposed but never followed, and meetings ceased abruptly with no follow through, the concept plan now pitched apparently hatched by the Town Board and developers. Members of the Task Force were asked to submit comments and did so, with Supervisor

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Kulpa telling those members that he “was not even going to pretend” that he shared those with the architectural firm of Dover Kohl. Although the DEIS purports to state that public engagement was robust, it only looks that way on paper. A review of the Task Force meetings would show that member ideas that did not comport with what had already been drawn up were dismissed (and the plans that were drawn up then differ markedly from what is now proposed, which had no input from the long-defunct Task Force).

(3) CONNECTIVITY/WATERFRONT REVITILIZATION

The project benefits extolled in Section 4.2 also include: “Develop new recreation amenities and opportunities for residents with a focus on expanding trails and opportunities for walking and biking; “pursue opportunities to create new sidewalks and pathways that connect the places people live, work, shop, and play in Amherst”; “seek to enhance opportunities for residents to safely walk and bike for exercise, leisure, and transportation purposes”.

Connectivity? The proposed pedestrian/bike paths on Westwood do not connect to anything. Despite trail connectivity being the top public desire per the recreation survey the Town did, the Town has been totally non-responsive to it. The benefits of extending the Ellicott Creek Path that currently dead-ends at the Audubon Golf Course across Maple and through Westwood, and then to Amherst State Park, Glen Park and the Village of Williamsville are numerous and obvious. Yet this plan focuses on vehicular traffic moving into unspoiled greenspace. While Buffalo has eliminated traffic on its “ring road” in the crown jewel of Delaware Park, the Town seeks to create a traffic circle in the middle of Westwood, intersecting with pedestrian paths. Safety? The potential pitfalls are again obvious. The slick, feel-good language in the PUD, while purporting to be about public needs and wants, is really about the need to satisfy developers. The inclusion of a pedestrian entrance off Frankhauser, where there is a blind curve, is tone-deaf to pedestrian/bicyclist safety. The preferred set-up for any park on Westwood is to limit vehicular access to the existing North Forest/Sheridan with plentiful parking available, and possibly a parking lot entrance on the Maple side, with no vehicles allowed into the interior of the site. Although the PUD is silent on the effects on wildlife, once traffic is allowed onto the site, it would never be the same, eliminating its natural character, which this PUD ostensibly seeks to protect.

The proposed benefits also tout the Town of Amherst Local Waterfront Revitalization Program, which “celebrates the beauty and uniqueness of the extensive waterfront along Tonawanda Creek/Erie Canal and Ellicott Creek, and the local history and the community’s desire to build upon existing strengths for the future”, with the Town identifying the following goals for its local waterfront revitalization plan: “increase public access to Town waterways, enhance amenities at existing public parks”.

Yet, for the construction of the non-zoning appropriate theater, the Town plans on disturbing the waterway running across the southern portion of the property, acknowledging that “the canal feature located in the southwestern portion of the Property and identified in the

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Amherst Central Park Plan for expansion into a larger pond may be subject to federal and state permitting if that water is connected to other waters" and "the outlet of the canal feature and discharge location of those waters would be identified to determine any regulatory requirements, which could include enhancement of other wetlands onsite, offsite mitigation, or other mitigation as required by the ACOE and/or NYSDEC". Furthermore, Westwood has no navigable sections of Ellicott Creek, but Audubon does – which one would think this would be a major consideration for considering Audubon as an alternate site.

(4) TRAFFIC

Per the DEIS, a collision analysis was conducted by C&S to evaluate the collision history of signalized intersections of Sheridan Drive at Frankhauser Road and Sheridan Drive at North Forest Road. Collision data was Amherst Central Park Affected Environmental Resources, Impacts, and Mitigation October 12, 2023 4.14 compiled, from January 2018 through December 2022. As detailed in the TIS, a total of 79 collisions were documented with 17 collisions at the Frankhauser Road intersection and 62 collisions at the North Forest Road intersection. Of these, 39% were reportable with injuries.

Despite the significant amount of accidents identified, this plan notes significant increased traffic, largely due to the non-zoning appropriate uses. "Table 6 Trip Generation Park Facility ITE Land Use Code PM Peak Trips Saturday Midday / Peak Trips Entering Exiting Total Entering Exiting Total Park 411 Public Park 18 15 33 33 34 61 Community Building 495 Recreational Community Center 40 46 86 36 31 67 Theater N/A 70 17 87 70 17 87 Ice Rink/Ribbon 465 Ice Skating Rink 31 26 57 60 53 113 Peak Hour Trips 159 104 263 200 128 328 Trip distribution was based on existing traffic patterns in the study area. The main entrance of the Park is proposed to be off of Sheridan Drive, across from Fenwick Road. It was assumed the majority of the trips (70%) will be entering and exiting from the main entrance, and 30% will use the entrance on N. Forest Road".

As previously noted, Maple Road is significantly less trafficked than Sheridan. Also, the proposal notes that a traffic signal should be considered at the proposed park entrance across from Fenwick "at the Amherst Central Park driveway on Sheridan Drive due to the long delays and vehicle queues expected at the site driveway and at Fenwick Road located across from the driveway." There are already long queues at Sheridan and Frankhauser where there is a traffic signal, which would be very close to any traffic signal at Fenwick – the plan does not indicate whether a signal at the park entrance would mean the removal of the signal at Frankhauser, which would of course have significant negative effects for the residents utilizing this existing light.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

(5) OVERALL IMPACTS AS TOO SIMILAR TO MIXED USE DEVELOPMENT

Section 3.3 of the GEIS identifies several of the problems found with the previous mixed use development for which a re-zone was denied, including insufficient sanitary sewer capacity and significant constraints on increasing that capacity; traffic impacts associated with new development in an area not previously planned for such development; extensive new roadway and signal construction to address traffic impacts; impacts associated with wetlands, hardwood swampland, floodplains, and Ellicott Creek; conversion of land zoned RC to higher-density uses; Incompatibility of the proposed uses with surrounding neighborhoods; loss of open space; and a protracted construction period.

The plan goes on to say how much better the current proposal is. However, per Section 2.4, Project Schedule: “The Town anticipates that the implementation of the Amherst Central Park will occur over the course of a 10-year period (June 2024-June 2034). Construction will begin with improvements within the southern portion of the Property, which will include the most intensive development of recreation, community, and civic facilities”. **THIS IS THE SAME AMOUNT OF CONSTRUCTION TIME THAT WAS CITED FOR THE MASSIVE MIXED USE DEVELOPMENT. 10 YEARS.** This is an incredibly long period of time for a construction period in a heavy residential area with homes literally backing up to the construction site. Remember the “lighter, cheaper, faster” mantra that Buffalo so successfully employed at Canalside? This project is entirely too development-heavy, particularly on the Westwood site. It does not have to be this way. There are other land options available that would cause significantly less environmental impact for the items that do not belong in this RC-zoned property.

Additionally, per Section 4.3: “The Amherst Central Park improvements are estimated to generate up to 80,000 gallons/day of sanitary wastewater, primarily from recreational water features, i.e. splash pad spray and backwash water for swimming pool. Wastewater will be treated at the Town of Amherst Water Pollution Control Facility (WPCF), which has existing capacity to convey and treat these uses. In contrast, projected average usage for the Mixed Use Alternative in the GEIS, 245,000 gallons/day, was approximately three times greater than the Park average use, with peak hourly flow rates up to approximately 1,000,000 gallons/day. The projected sewer flow rates exceeded the sanitary system flow capacities and were a key basis for the denial of the Westwood Neighborhood (Mixed Use) application.” Given that the mixed use alternative was so massive and incompatible with the surrounding neighborhood, one-third of its proposed water usage remains a very high amount.

The plan also notes: “As part of the design plan for the Amherst Central Park, it is proposed that the Buffalo Niagara Heritage Village Museum would relocate its outdoor living displays to the Amherst Central Park. These displays may include livestock and poultry which could produce odors and noise. The Town will place these displays approximately 150 feet from the nearest occupied structures to the west of the Park and will maintain them such that

potential impacts due to odors and noise are anticipated to be small." It should be obvious that agricultural displays should not be located behind residential homes. The museum currently has an appropriate location is a more agricultural setting, with plenty of nearby Town-owned land for its expansion.

(6) FUTURE DEVELOPMENT

Although the DEIS purports to preserve 115 acres of the mid- to northern section of the parcel as natural space, Section 6.2 reads: "The establishment of thresholds for the future environmental review of related improvements in the Amherst Central Park that are not set forth in Appendix A is an important component of this SGEIS. Examples of possible future related actions (aka improvements) may include development in the northern section of the Property in a manner that is not entirely consistent with the approved Conceptual Development Plan in Appendix A. This may occur given that the layout of the improvements as depicted on the Conceptual Development Plan is conceptual in nature. Instead, the layout as depicted on the Conceptual Development Plan is meant to depict the anticipated components of the Amherst Central Park and the maximum potential development that could occur without the need for additional environmental review(s) pursuant to SEQRA. The precise layout of improvements will be the subject of an ACP Application process for this Town-owned PUD. The future improvements will be reviewed in accordance with the process established in the PUD application." The following "process" that is outlined significantly limits environmental review of the Town's future actions. This makes one wonder about the Town's true intentions for the northern section of the property. If the Town is pledging to keep 115 acres undeveloped, why is this pledge not cemented in the document, with no future "improvements" of any kind banned in this area?

This plan should NOT be approved by the Planning Board due to the numerous illegalities and deficiencies outlined herein.

Thank you in advance for considering my comments.

Jennifer Snyder-Haas
185 Fairways Blvd

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST
BUILDING DEPARTMENT
ERIE COUNTY, NEW YORK
5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E.
Commissioner of Building

RECEIVED
NOV 01 2023
TOWN OF AMHERST
PLANNING DEPT.

DATE: October 24, 2023

TO: Planning Department

FROM: Doug Gesel Supervising Code Enforcement Officer

RE: Conceptual Plan SP-2023-11 for 772 N Forest Rd, 385 & 391 Maple Rd

☒ Site Plan is: ☐ Subdivision is: ☐ ODA is: ☐ CSP is:

☒ Approved as Submitted

☐ Approved with the following conditions or changes:

☐ Denied for the following reasons:

☐ Not reviewable at this stage because the following information is not provided:

☐ Not applicable to this department at this time.

NOTE:

☒ Floodplain Development Permit required.

☒ Wetlands on property.

☐

*This review was for site compliance only.
*Approval does not grant permission to start construction.

Douglas Gesel

Supervising Code Enforcement Officer
Town of Amherst Building Department

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

PUD

8.1.a

AMHERST FIRE CHIEFS' ASSOCIATION INC.

To: Dan Howard, Planning Director Date: 10/30/23

From: Krista Halt, Liaison to Amherst Fire Safety Committee

RE: Site Plan Review: PUD APPLICATION REVIEW SP-2023-11 PROPOSED CONCEPTUAL DEVELOPMENT PLAN FOR A NEW COMMUNITY PARK
Address: 772 NORTH FOREST RD. 385 & 391 MAPLE RD.

Petitioner: TOWN OF AMHERST

The above referenced ☐ Site Plan is ☐ Subdivision is ☐ Minor Modification is:

☒ Approved as Submitted

☐ Denied due to the following:

☐ Not reviewable at this time due to the following:

RECEIVED
OCT 30 2023
TOWN OF AMHERST
PLANNING DEPT.

☐ 1. Section 503 FCNYS 2020 – Fire Apparatus Access Road

- ☐ A. Section 503 Firelanes (fire apparatus access roads) be provided in accordance with the FCNYS 2020
- ☐ B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled.
- ☐ C. 503.1.2 – provide an additional fire apparatus access road
- ☐ D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7
  - ☐ 1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertical clearance of 13 feet 6 inches.
  - ☐ 2. 503.2.2 – increase width of fire apparatus access road to ____ feet to be adequate for fire or rescue operations.
  - ☐ 3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside.
  - ☐ 4. 503.2.5 – dead end fire apparatus access roads in excess of 150 feet, shall be provided with an approved area for turning around fire apparatus.
  - ☐ 5. 503.3 – fire apparatus access roads must be marked as firelanes per the signage specification established by Appendix D FCNYS 2020
  - ☐ 6. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads.
  - ☐ 7. Appendix D 103.2 Grade: Fire apparatus access rds. Shall not exceed 10 percent in grade.

☐ 2. Section 506 FCNYS 2020 – Key Boxes – A fire department Knox key box is required for access to building keys.

☐ 3. Section 507 FCNYS 2020 – Fire Protection Water Supplies

- ☐ A. Indicate all existing Fire Hydrants on plans.
- ☐ B. All waterlines with numerous hydrants should be looped or on a grid system.
- ☐ C. All fire hydrants must be within 500 feet of each other. (Subdivisions)
- ☐ D. Section 507.5.1 – provide an additional Fire Hydrant within 400 feet of the most remote point of the building (as the fire hose would be laid out) or within 600 feet if the building is equipped with a Fire Sprinkler system.
- ☐ E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building

COMMENTS:

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Szatkowski, Jeffrey
Sent: Wednesday, October 18, 2023 4:29 PM
To: Szatkowski, Jeffrey
Subject: LA Review SP-2023-11_10182023

There are no comments on the submitted proposed conceptual development plan for a new community park.

Thanks,
Jeff

Jeffrey Szatkowski, Landscape Architect
Town of Amherst Planning Department
5583 Main St.
Williamsville, NY 14221
P: (716) 631-7051

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST

BUILDING DEPARTMENT

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E., CFM
Commissioner of Building

Date: October 31, 2023

To: Daniel Ulatowski, AICP- Asst. Planning Director

From: Alan D. Herberger, Sr. Plumbing Inspector

Re: SP-2023-11; Proposed Conceptual Development Plan; New Community Park; 772 North Forest Rd., 385 & 391 Maple Rd. Town of Amherst, Petitioner

The Proposed PUD Application Review is Approved as Submitted. – Plumbing Dept.

cc: Engineering Dept.
Building Dept.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7030
FAX (716) 631-7101
www.amherst.ny.us

Martin A. Polowy
Town Attorney

Elizabeth A. Burakowski
Director of Special Projects

Nicole M. Burroughs
Senior Paralegal

Samuel A. Alba
Sr. Deputy Town Attorney

Nora B. Robshaw
Sr. Deputy Town Attorney

Brittanylee Penberthy
Town Prosecutor

TO: **Scott Marshall, Planning Department**

FROM: **Nora B. Robshaw, Senior Deputy Town Attorney** NBR/rmj
Right-of-Way Review

DATE: **October 25, 2023**

RE: **Proposed PUD Application Review**
SP-2023-11; Proposed Conceptual Development Plan for a New Community Park
772 North Forest Road, 385 & 391 Maple Road
Town of Amherst, Petitioner

This office has reviewed the materials submitted by your correspondence dated October 17, 2023, and has no comments.

We are returning copies of the materials for your file.

NBR:hs

c: Douglas Gesel, Senior Code Enforcement Officer, *(w/o attachment)*
Brian J. Armstrong, EIT, Director of Engineering Services, *(w/o attachment)*
Jeffrey Burroughs, PE, Town Engineer, *(w/o attachment)*
Mary-Diana Pouli, Executive Director of Youth & Recreation *(w/o attachment)*

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TOWN OF AMHERST

TRAFFIC-SAFETY BOARD

ENGINEERING DEPARTMENT – 1100 NORTH FOREST ROAD, WILLIAMSVILLE, NEW YORK 14221
TRAFFIC SAFETY COORDINATOR - TELEPHONE 631-7154 - FAX 631-7222

MICHAEL SZUKALA
Councilmember & Liaison Officer

ERIC FRAAS
Chairman

GREGORY DIONNE
Vice Chairman

CHRISTOPHER P. SCHREGEL
Traffic Safety Coordinator

MEMBERS

DANIEL J. RIDER, P.E.
KENNETH A. SMITH
J. MICHNIEWICZ, P.E., P.T.O.E.
MARK STORCH
MAXWELL KAHN
KEVIN CANTWELL
KRISTIN GOSS
PATRICK WANAMAKER, P.E.

DEPT. LIAISONS

THOMAS VOIGT
Planning

CAPT. CHARLES PERSONS
Police

WILLIAM PRENEVAU
Building

AL SPOTH
Highway

November 2, 2023

TO: Scott Marshall – Principal Planner
Mark S. Berke – Commissioner of Buildings

FROM: Christopher P. Schregel – Traffic Safety Coordinator

SUBJECT: PUD Application Review, **SP-2023-11**
Proposed Conceptual Development plan for a New Community
TOA Job # 2023.16

ADDRESS: 772 North Forest Road, 385 & 391 Maple Road

PETITIONER: Town of Amherst

X PUD APPLICATION REVIEW IS

X APPROVED WITH CONDITIONS

1. Reconsider altering the location and geometry of the N. Forest Road curb-cut as proposed. The proximity of the bends along N. Forest Road at this curb-cut location present challenges given the number trips expected, particularly coming from the north as there is not a proposed access from either Maple Road or Frankhauser Road. Reconsideration of the roundabout configuration is suggested.
2. Provide a pedestrian connection between the public sidewalk along the south side of Maple Road and the internal walking paths that loop near Maple Road.
3. Similar to comment #2, it is expected that park users will utilize the internal pathway system from the north end. Suggested that the Audubon Par 3 parking lot be utilized as a location for park users to park and access the paths within Amherst Central Park (ACP). As such, provide a pedestrian connection between the existing Par 3 parking lot and the internal walking paths within ACP within the golf course. Consider expanding parking at the Par 3 to accommodate this new "trail head".
4. Provide additional internal parking near key park features. Consider utilizing parallel parking along areas where park users may want to access by vehicle, e.g. playgrounds, outdoor exercise area, etc.
5. Traffic Safety Board agrees with the Draft SGIES that while the signal warrants are not met, that a traffic signal still be considered for the ACP driveway on Sheridan Drive at Fenwick to address the projected long delays and queues out of both the site driveway and Fenwick Road. Further providing for an improved pedestrian crossing to the residential subdivision across Sheridan Drive.

CPS/ch
Cc: Jeff Burroughs, Town Engineer
Mary-Diana Pouli, Exec. Director of Youth and Recreation

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Szatkowski, Jeffrey

From: Ulatowski, Daniel
Sent: Thursday, November 16, 2023 1:10 PM
To: Wendy A. Marsh; Wagner, Barbara; Audino, Kate; Polowy, Martin; Burakowski, Elizabeth; Dafchik, Anne; Howard, Dan
Cc: Szatkowski, Jeffrey
Subject: FW: Amherst Central Park Concept Plan - Pedestrian and Bike Entrance at Frankhauser/Fairways

Importance: High

FYI,

See email below.

Dan U

From: Vaughan, William <wvaughan@chsbuffalo.org>
Sent: Thursday, November 16, 2023 1:00 PM
To: Marshall, Scott <SMarshall@amherst.ny.us>; Palumbo, Gary <gpalumbo@amherst.ny.us>; Voigt, Thomas J. <tvoigt@amherst.ny.us>; Ulatowski, Daniel <dulatowski@amherst.ny.us>
Cc: Toa Info <toainfo@amherst.ny.us>; Bucki, Debbie <dbucki@amherst.ny.us>; Berger, Jacqualine <jberger@amherst.ny.us>; Lavin, Shawn A. <slavin@amherst.ny.us>; Szukala, Michael <mszukala@amherst.ny.us>; Taggart, Martha <mtaggart@amherst.ny.us>; 'stephanie vaughan' <vaughan.stephanie81@yahoo.com>
Subject: Amherst Central Park Concept Plan - Pedestrian and Bike Entrance at Frankhauser/Fairways
Importance: High

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

My name is Bill Vaughan and I live at 11 Fairways Blvd. with my wife Stephanie and our two young children Sophie and Aidan. We have lived in Amherst since July of 2012 and our house is at the south end of Fairways, right at the Frankhauser/Fairways intersection.

I would like to state that I am supportive of the overall Westwood Concept as part of the Amherst Central Park but I have some concerns about the proposed ???Pedestrian and Bike Entrance??? to Frankhauser at the South West area of Westwood. A ???Pedestrian and Bike Entrance??? in that space does not make logical sense and also raises a number of traffic and safety concerns. I am writing to you today not only on behalf of my family but for many of our neighbors in the Frankhauser/Fairways neighborhood who have expressed similar concerns as well. Some of the biggest concerns being:

- Why is there a need for a Pedestrian and Bike Entrance? Why aren???t the main entrances adequate?
    - There are no other Pedestrian and Bike Entrances anywhere else on the Concept Plan so why put one there leading to/from Frankhauser?
    - It is important to note that where the Pedestrian and Bike Entrance would be, there are no sidewalks on that East side of Frankhauser from Sheridan leading up to the proposed Pedestrian and Bike Entrance, and then through the Frankhauser/Fairways intersection. The sidewalk does not begin until you are

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

directly in front of my house at 11 Fairways ??? that is a long stretch where pedestrians would be forced to walk in the road to get to a sidewalk.

- This means that pedestrians leaving the park and utilizing the proposed Pedestrian and Bike Entrance would be immediately put into an unsafe situation at the Frankhauser/Fairways intersection as there is nowhere for them to safely walk. The same safety concerns for pedestrians would also be true for people entering the park at that proposed location.
- On a personal note, because pedestrians leaving the park would want to avoid the unsafe intersection, they would utilize my yard (directly adjacent to the proposed Pedestrian and Bike Entrance) as a cut through to get to Fairways Blvd. As I mentioned, I have two young children and we play in our yard on a daily basis ??? having strangers cutting through my yard and being in close proximity to my children, I believe, is also problematic and presents additional safety issues.

- In June of 2020, the town reconfigured the intersection of Frankhauser and Fairways after recommendation from the Amherst Traffic and Safety Board due to traffic and safety issues and it being deemed an unsafe intersection - why would we include a design in the Concept Plan that would offset the work done to help mitigate the traffic/speeding/safety issues?
  - If the intersection was deemed unsafe for vehicles, why would we want pedestrians and bicyclists to utilize that same intersection? Wouldn???t it also be unsafe for them?
  - Even with the intersection redesign, it is still a difficult intersection with safety and speeding issues persisting. Vehicles continue to use Fairways/Frankhauser as a cut-through between Sheridan and Maple, speeding through the intersection causing unsafe traffic conditions ??? on a daily basis there are quite a few ???near miss??? car accidents, with vehicles speeding through the intersection/not stopping at the STOP sign on Fairways at Frankhauser.
  - Since the intersection was redesigned, we have also had multiple instances of vehicles speeding down Frankhauser, losing control of their vehicle, and driving right onto the new grassy area the town installed at the intersection, getting their vehicle stuck. This has happened most often at night and in inclement weather, but has also happened in ordinary driving conditions. Recently, the town removed the guide rail that paralleled the intersection (separating the road from my yard), so the next time this happens the vehicle that loses control and leaves the road will be in my yard. Again, with the additional traffic that will be seen from this, this puts my family at risk.
  - Adding the additional pedestrian and bike traffic, vehicle traffic, and cars parked on Frankhauser and Fairways, it will make an already unsafe intersection even more unsafe.

On behalf of my family and our neighbors, I respectfully ask you to reconsider and remove the Pedestrian and Bike Entrance at Frankhauser/Fairways from the Concept Plan. The questions raised here, and other safety concerns, should all be considered when looking at this possible Pedestrian and Bike Entrance at Frankhauser/Fairways. If the plan were to move forward as shown in the Concept Plan and a Pedestrian and Bike Entrance is placed where it is currently proposed, there will be far more burdens than benefits as a result of that Pedestrian and Bike Entrance, causing increased traffic and safety issues. Thank you for your time and I appreciate you considering this request. Have a great day.

Peace and all good things,

Bill Vaughan, MAT, BCC
Vice President, Mission Integration
Mercy Hospital of Buffalo
565 Abbott Road
Buffalo, New York 14220
Office: (716) 828-2190
Cell: (716) 868-1521
E-mail: wvaughan@chsbuffalo.org

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Catholic Health
Mercy Hospital of Buffalo

[redacted]

In a bind? Use *CredibleMind*
24/7 Online Well-being and Mental Health Help

CONFIDENTIALITY NOTICE: This message is confidential, intended only for the named recipient(s) and may contain information that is privileged, or exempt from disclosure under applicable law.
If you are not the intended recipient(s), you are notified that the dissemination, distribution or copying of this message is strictly prohibited.
If you receive this message in error, or are not the named recipient(s), please notify the sender by reply e-mail, delete this e-mail from your computer, and destroy any copies in any form immediately.
Receipt by anyone other than the named recipient(s) is not a waiver of any attorney-client, work product, or other applicable privilege.
This message and all contents may be reviewed by authorized parties of the Catholic Health System other than those named in the message header.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

A.2 Comment Summary

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

AMHERST CENTRAL PARK
772 North Forest Road and 385 & 391 Maple Road
COMMENTS

Appendix A.2: Comment Summary (Listed By Comment ID)

ID #	First Name	Last Name	Date	Agency (If applicable)	SEQR Process	PUD Process	Transportation	Historic and Archaeological Resources	Human Health	Biological Resources	Water Resources	Overall Project Statements	Zoning	Consistency with Community Plans	Cumulative Impacts	Sanitary Sewer	Noise, Odor and Light	Alternatives Analysis	Fire Protection / Access	Misc.
A-001	Mohammad	Albayed	11/22/2023	NYSDOT			x													
A-002			10/25/2023	USFWS						x										
A-003	R. Daniel	MacKay	11/22/2023	SHPO				x												
A-004	Mohammad	Albayed	11/22/2023	NYSDOT			x													
A-005	David	Denk	11/20/2023	NYSDEC								x								
A-006	David	Denk	11/20/2023	NYSDEC							x									
A-007	David	Denk	11/20/2023	NYSDEC							x									
A-008	David	Denk	11/20/2023	NYSDEC							x									
A-009	David	Denk	11/20/2023	NYSDEC							x									
A-010	David	Denk	11/20/2023	NYSDEC					x											
A-011	David	Denk	11/20/2023	NYSDEC								x								
A-012	David	Hall	11/20/2023	Planning								x								
A-013	Garrett	Hacker	11/22/2023	Erie County Department of Public Works			x													
A-014	Garrett	Hacker	11/22/2023	Erie County Department of Public Works			x													
A-015	Garrett	Hacker	11/22/2023	Erie County Department of Public Works			x													
A-016	Garrett	Hacker	11/22/2023	Erie County Department of Public Works			x													
P-001	Dwight	Kanyuck	10/12/2023	Knauf Shaw	x															
P-002	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023			x													
P-003	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023			x													
P-004	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023			x													
P-005	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023				x												
P-006	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023					x											
P-007	Joan	Hudak	11/12/2023	Public						x										
P-008	Joan	Hudak	11/12/2023	Public						x										
P-009	Joan	Hudak	11/12/2023	Public							x									
P-010	Joan	Hudak	11/12/2023	Public						x										
P-011	Jennifer	Snyder-Haas	11/16/2023	Public																
P-012	Jennifer	Snyder-Haas	11/16/2023	Public									x							
P-013	Jennifer	Snyder-Haas	11/16/2023	Public									x							
P-014	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-015	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-016	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-017	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-018	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-019	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-020	Jennifer	Snyder-Haas	11/16/2023	Public										x						
P-021	Jennifer	Snyder-Haas	11/16/2023	Public			x													
P-022	Jennifer	Snyder-Haas	11/16/2023	Public							x									
P-023	Jennifer	Snyder-Haas	11/16/2023	Public							x									
P-024	Jennifer	Snyder-Haas	11/16/2023	Public			x													
P-025	Jennifer	Snyder-Haas	11/16/2023	Public			x													
P-026	Jennifer	Snyder-Haas	11/16/2023	Public											x					
P-027	Jennifer	Snyder-Haas	11/16/2023	Public											x					
P-028	Jennifer	Snyder-Haas	11/16/2023	Public											x					
P-029	Jennifer	Snyder-Haas	11/16/2023	Public												x				
P-030	Jennifer	Snyder-Haas	11/16/2023	Public													x			
P-031	Jennifer	Snyder-Haas	11/16/2023	Public		x														
P-032	Jennifer	Snyder-Haas	11/16/2023	Public								x								
P-033	Judith (Judy)	Ferraro	11/15/2023	Public								x								
P-034	Judith (Judy)	Ferraro	11/15/2023	Public		x														

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

AMHERST CENTRAL PARK
772 North Forest Road and 385 & 391 Maple Road
COMMENTS

Appendix A.2: Comment Summary (Listed By Comment ID)

ID #	First Name	Last Name	Date	Agency (If applicable)	SEQR Process	PUD Process	Transportation	Historic and Archaeological Resources	Human Health	Biological Resources	Water Resources	Overall Project Statements	Zoning	Consistency with Community Plans	Cumulative Impacts	Sanitary Sewer	Noise, Odor and Light	Alternatives Analysis	Fire Protection / Access	Misc.
P-035	Judith (Judy)	Ferraro	11/15/2023	Public		x														
P-036	Judith (Judy)	Ferraro	11/15/2023	Public		x														
P-037	Judith (Judy)	Ferraro	11/15/2023	Public		x														
P-038	Bill	Vaughan	11/16/2023	Public			x													
P-039	Bill	Vaughan	11/16/2023	Public			x													
P-040	Bill	Vaughan	11/16/2023	Public			x													
P-041	Bill	Vaughan	11/16/2023	Public			x													
P-042	Bill	Vaughan	11/16/2023	Public			x													
P-043	Bill	Vaughan	11/16/2023	Public			x													
P-044	Bill	Vaughan	11/16/2023	Public			x													
P-045	Bill	Vaughan	11/16/2023	Public			x													
P-046	Bill	Vaughan	11/16/2023	Public			x													
P-047	Bill	Vaughan	11/16/2023	Public			x													
P-048	Bill	Vaughan	11/16/2023	Public			x													
P-049	Bill	Vaughan	11/16/2023	Public			x													
P-050	Sandra	Koerber	11/16/2023	Public																x
P-051	Sandra	Koerber	11/16/2023	Public			x													
P-052	Mary	Shapiro	11/16/2023	Public		x														
P-053	Mary	Shapiro	11/16/2023	Public									x							
P-054	Mary	Shapiro	11/16/2023	Public					x											
P-055	Mary	Shapiro	11/16/2023	Public			x													
P-056	Mary	Shapiro	11/16/2023	Public			x													
P-057	Mary	Shapiro	11/16/2023	Public																x
P-058	Mary	Shapiro	11/16/2023	Public							x									
P-059	Mary	Shapiro	11/16/2023	Public																x
P-060	Mary	Shapiro	11/16/2023	Public																x
P-061	Mary	Shapiro	11/16/2023	Public															x	
P-062	Mary	Shapiro	11/16/2023	Public														x		
P-063	Mary	Shapiro	11/16/2023	Public		x														
P-064	Mary	Shapiro	11/16/2023	Public																x
P-065	Mary	Shapiro	11/16/2023	Public								x								
P-066	Maryann	Hochberg	11/16/2023	Public		x														
P-067	Maryann	Hochberg	11/16/2023	Public			x													
P-068	Maryann	Hochberg	11/16/2023	Public			x													
P-069	Maryann	Hochberg	11/16/2023	Public			x													
P-070	Maryann	Hochberg	11/16/2023	Public				x												
P-071	Maryann	Hochberg	11/16/2023	Public																x
P-072	Maureen	Schmitt	11/16/2023	Public																x
P-073	Maureen	Schmitt	11/16/2023	Public																x
P-074	Maureen	Schmitt	11/16/2023	Public			x													
P-075	Maureen	Schmitt	11/16/2023	Public			x													
P-076	Patricia	Fillipponi	11/20/2023	Public																x
P-077	James	Boje	11/18/2023	Public								x								
P-078	James	Boje	11/18/2023	Public								x								
P-079	James	Boje	11/18/2023	Public								x								
P-080	James	Boje	11/18/2023	Public			x													
P-081	James	Boje	11/18/2023	Public			x													
P-082	James	Boje	11/18/2023	Public														x		
T-001	Jeffrey	Szatkowski	10/18/2023	TOA Planning Department								x								
T-002	Douglas	Gesel	10/24/2023	TOA Building Department								x								
T-003	Nora	Robshaw	10/25/2023	TOA Attorney's Office								x								
T-004	Krista	Halt	10/30/2023	TOA Building Department - Fire Safety								x								

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

AMHERST CENTRAL PARK
772 North Forest Road and 385 & 391 Maple Road
COMMENTS

Appendix A.2: Comment Summary (Listed By Comment ID)

ID #	First Name	Last Name	Date	Agency (If applicable)	SEQR Process	PUD Process	Transportation	Historic and Archaeological Resources	Human Health	Biological Resources	Water Resources	Overall Project Statements	Zoning	Consistency with Community Plans	Cumulative Impacts	Sanitary Sewer	Noise, Odor and Light	Alternatives Analysis	Fire Protection / Access	Misc.
T-005	Alan	Herberger	10/31/2023	TOA Building Department - Plumbing								x								
T-006	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													
T-007	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													
T-008	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													
T-009	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													
T-010	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													
T-011	Chris	Schregel	11/3/2023	TOA Engineering Services Division												x				
T-012	Eric	Blocher	11/3/2023	TOA Highway Department																x
T-013			11/3/2023	TOA Traffic Safety Board			x													
T-014			11/3/2023	TOA Traffic Safety Board			x													
T-015			11/3/2023	TOA Traffic Safety Board			x													
T-016			11/3/2023	TOA Traffic Safety Board			x													
T-017			11/3/2023	TOA Traffic Safety Board			x													
T-018	Vaishali	Reberholt	11/6/2023	TOA Engineering Department												x				
T-019	Bonnie	Arnold	11/9/2023	TOA Assessor's Office								x								x
T-020	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-021	Erica	Rodman	11/6/2023	TOA Committee on Disabilities						x										
T-022	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-023	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-024	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-025	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-026	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-027	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-028	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-029	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-030	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-031	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-032	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-033	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-034	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-035	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-036	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-037	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-038	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-039	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-040	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-041	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-042	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes			x													
T-043	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-044			11/16/2023	TOA Planning Board		x														
T-045			11/16/2023	TOA Planning Board		x														
T-046			11/16/2023	TOA Planning Board		x														
T-047			11/16/2023	TOA Planning Board		x														
T-048			11/16/2023	TOA Planning Board		x														

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

AMHERST CENTRAL PARK
772 North Forest Road and 385 & 391 Maple Road
COMMENTS

Appendix A.2: Comment Summary (Listed By Comment ID)

ID #	First Name	Last Name	Date	Agency (If applicable)	SEQR Process	PUD Process	Transportation	Historic and Archaeological Resources	Human Health	Biological Resources	Water Resources	Overall Project Statements	Zoning	Consistency with Community Plans	Cumulative Impacts	Sanitary Sewer	Noise, Odor and Light	Alternatives Analysis	Fire Protection / Access	Misc.
T-049	David	Mingoia	11/20/2023	TOA Industrial Development Agency								x								
T-050			11/20/2023	Engineering Department								x								

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

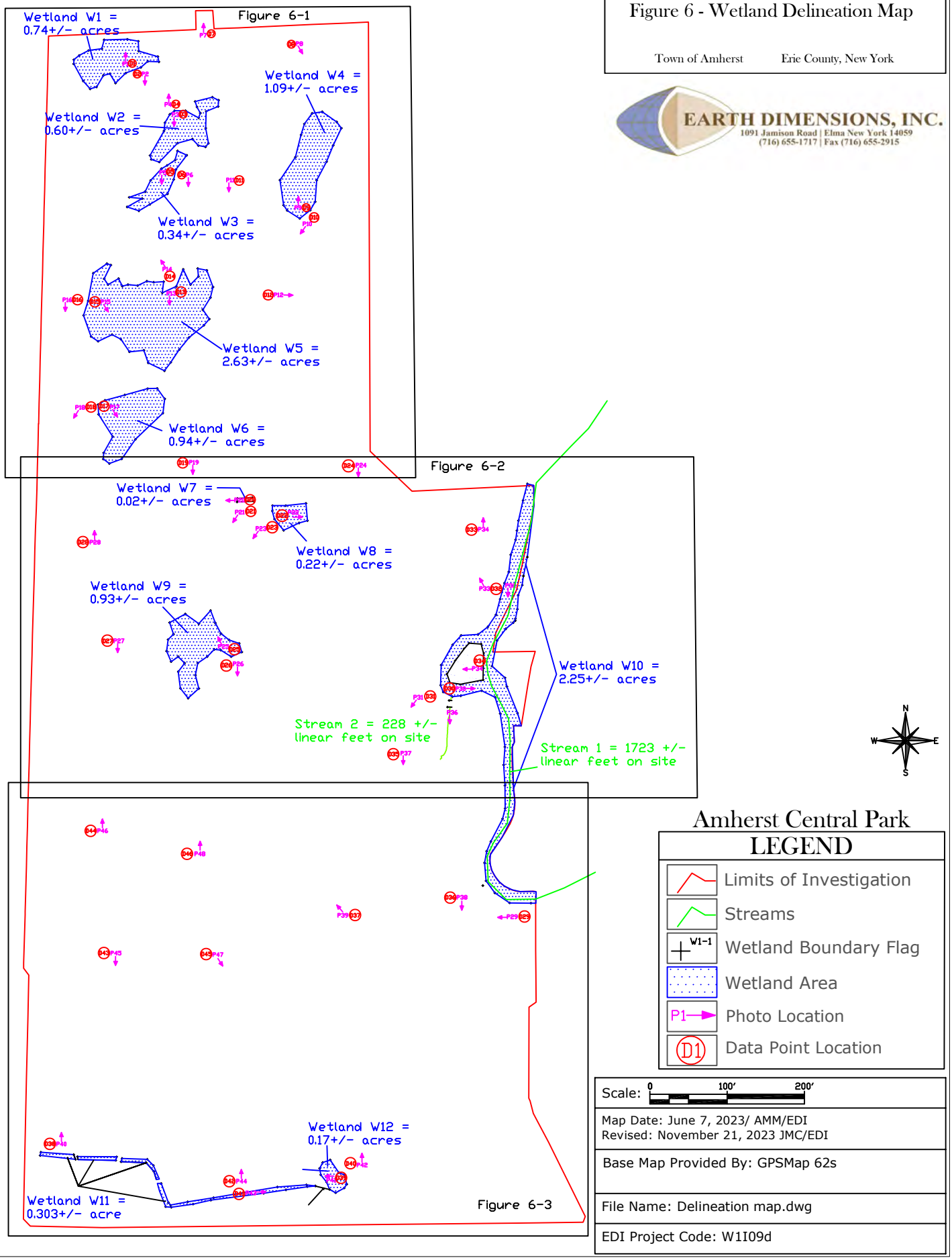
Appendix B Revised Wetland Mapping

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Figure 6 - Wetland Delineation Map

Town of Amherst Erie County, New York

EARTH DIMENSIONS, INC.
1091 Jamison Road | Elma New York 14059
(716) 655-1717 | Fax (716) 655-2915



Amherst Central Park

LEGEND

- Limits of Investigation
- Streams
- W1-1 Wetland Boundary Flag
- Wetland Area
- P1 Photo Location
- D1 Data Point Location

Scale: 0 100' 200'

Map Date: June 7, 2023/ AMM/EDI
Revised: November 21, 2023 JMC/EDI

Base Map Provided By: GPSMap 62s

File Name: Delineation map.dwg

EDI Project Code: W1I09d

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Wetland W6 =
0.94+/- acres

Wetland W7 =
0.02+/- acres

Wetland W8 =
0.22+/- acres

Wetland W9 =
0.93+/- acres

Wetland W10 =
2.25+/- acres

Stream 1 = 1723 +/-
linear feet on site

Stream 2 = 228 +/-
linear feet on site

Figure 6-2

Wetland W11 =
0.303+/- acre
Wetland W12 =
0.17+/- acres
D38
P40
D42
P44
D40
P43
D41
D39
D40
P42
D44
P46
D43
P45
D46
P48
D45
P47
P39
D37
D36
P38
P29
D29

Figure 6-3

Appendix C Updated Traffic Impact Study

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

C&S Engineers, Inc.
141 Elm Street, Suite 100
Buffalo, New York 14203

Traffic Impact Study

Amherst Central Park
Town of Amherst, Erie County, New York

Prepared for:
Town of Amherst
Municipal Building
5583 Main Road
Williamsville, New York 14221

October 2023

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Table of Contents

Executive Summary 1
1.0 Introduction 2
Study Purpose 2
Study Area 2
Methodology 4
2.0 Existing Conditions 4
Roadway Network 4
Capacity Analysis 5
Pedestrian Conditions 7
Bicycle Conditions 7
Transit Conditions 7
Collision Analysis 8
3.0 No Build Condition 8
4.0 Build Condition 9
Site Information 9
Capacity Analysis 11
5.0 Mitigation 14
6.0 Conclusion 14

Appendices:

Appendix A – Figures

Appendix B – Collision Data

Appendix C – Traffic Data

Appendix D – Synchro Reports

Appendix E – Signal Warrant Analysis

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Executive Summary

The existing location of the Westwood Country Club in the Town of Amherst has been proposed to be redeveloped into a 171-acre Town park. The proposed Amherst Central Park will have a variety of amenities for the community, some of which include trails, a community building, pavilions, playgrounds, theaters, an ice skating rink, a winter market, a museum, and more. The proposed site is in the Town of Amherst, Erie County, New York, between Sheridan Drive and Maple Road and Frankhauser Road and N. Forest Road. There are two proposed site driveways at the southern end on Sheridan Drive and N. Forest Road. This Traffic Impact Study is part of a larger Environmental Impact Study for the proposed park.

Through an existing conditions inventory, collision analysis, and level of service analysis, the study area intersections were evaluated for potential improvements and mitigation. The analysis considered existing and build conditions during the afternoon weekday peak and the midday Saturday peak. The selected peak hours were chosen for analysis due to the expected recreational use of the site. The site generated trips were calculated using the ITE Trip Generation Manual and assumptions made based on seating capacity and expected attendance to events. Proposed site generated traffic volumes were distributed using existing traffic patterns.

The existing LOS at the study intersections is acceptable for a congested roadway network with the worst level of service at a LOS D. The proposed park-related generated traffic minimally impacts the LOS at the study intersections. A traffic signal is not warranted at the proposed site driveway on Sheridan Drive; however, a signal should be considered due to the long delays and queue expected at the site driveway.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

1.0 Introduction

Study Purpose

The Town of Amherst has requested a Traffic Impact Study for the proposed Amherst Central Park. This park is proposed to contain a variety of amenities for public use, some of which include pedestrian and bike trails, a community building, pavilions, playgrounds, theaters, an ice skating rink, a winter market, and more. This Traffic Impact Study is part of a larger Environmental Impact Study for the proposed park. The primary purposes of this study are to identify and assess traffic generated by the proposed park, compare existing conditions of the nearby roadways to the expected fully built conditions and recommend mitigation measures required due to the traffic generated by the park development.

Study Area

The proposed site location is in the Town of Amherst, Erie County, New York, at the old Westwood Country Club site. The northern and southern site limits are Sheridan Drive and Maple Road. The eastern limit of the proposed park is a combination of N. Forest Road, Ellicott Creek, and the existing Audubon Par 3 Golf Course. The western site limits are along Frankhauser Road and Fairways Boulevard homes. There are two proposed site driveways to access Amherst Central Park. The main entrance to the proposed park is planned to be off of Sheridan Drive, across from Fenwick Road. The other proposed site driveway is located on N. Forest Road at the existing Westwood Country Club entrance driveway. The study area includes intersections between Harlem Road and N. Forest Road along Sheridan Drive. See Figure 1 for the Study Area Map.

Study Roadways:

1) Sheridan Drive (NYS Route 324)
2) N. Forest Road

Study Intersections:

1) Sheridan Drive (NYS Route 324) at Harlem Road (NYS Route 240)
2) Sheridan Drive (NYS Route 324) at I-290 Ramps
3) Sheridan Drive (NYS Route 324) at Frankhauser Road
4) Sheridan Drive (NYS Route 324) at Fenwick Road
5) Sheridan Drive (NYS Route 324) at N. Forest Road



Figure 1: Study Area Map

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Methodology

Intersections

The study intersections were analyzed using SYNCHRO 11[1], which is a computer program that implements the methods presented in the 6th Edition Highway Capacity Manual[2]. SYNCHRO determines the Level of Service (LOS), which is defined in terms of Delay.

> Delay is a measure of driver discomfort, frustration, fuel consumption and lost travel time. Level of Service criteria are stated in terms of the control delay per vehicle for a 15-minute analysis period and range from "A" to "F". Level of Service A is representative of a movement that is free flowing with minimal delay, while LOS F generally represents long delays. LOS D is generally considered acceptable in urban environments.

The ranges of delay for each level of service, as contained in the 6th Edition Highway Capacity Manual, are shown in Table 1.

Table 1: Intersection Level of Service Criteria

Level of Service (LOS)	Unsignalized Intersections	Signalized Intersections	
	Delay (sec)	Delay (sec)	v/c ratio*
A	0-10	0-10	<1.0
B	> 10-15	> 10-20	<1.0
C	> 15-25	> 20-35	<1.0
D	> 25-35	> 35-55	<1.0
E	> 35-50	> 55-80	<1.0
F	over 50	over 80	≥1.0

* If the volume to capacity ratio is 1.0 or greater, the LOS is an F

2.0 Existing Conditions

Roadway Network

The study area is along Sheridan Drive (NYS Route 324), which is an east/west roadway mainly with 2 travel lanes in each direction and a shared left turning lane with dedicated left turn lanes at intersections. Harlem Road (NYS Route 240) forms a T-junction with Sheridan Drive at the western end of the study area and N. Forest Road intersects Sheridan Drive at the eastern end of the study area. Interstate 290 contains an exit and entrance ramp onto Sheridan Drive. Additionally, there are

[1] Synchro Studio 11, Traffic Signal Optimization and Simulation Modeling Software, Version 10, Trafficware Corporation, Albany, California, 2020.
[2] Highway Capacity Manual, Transportation Research Board, National Research Council, Washington D.C., 2016.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

several minor intersections with Sheridan Drive such as: Sunrise Boulevard, Cranburne Lane, Frankhauser Road, and Fenwick Road. Apart from Frankhauser Road, these are all unsignalized intersections and primarily serve residential areas. Sheridan Drive primarily contains three travel lanes in each direction with a center turn lane from the western end of the study area to the area of the I-290 ramps. From the ramps, it runs with two travel lanes and a center turn lane to the eastern end of the study area. There are no existing bicycle accommodations along any road in the study area. Both Sheridan Drive and N. Forest Road have sidewalks along both sides of the street near the proposed site.

Table 2: Street Network Information

Street	Jurisdiction	Functional Classification	AADT	Speed Limit
Sheridan Drive (NYS Route 324)	NYSDOT	Urban Principal Arterial	36,681	45 mph
Harlem Road (NYS Route 240)	NYSDOT	Urban Minor Arterial	11,530	35 mph
Interstate 290 (WB entrance ramp)	NYSDOT	Urban Principal Arterial Interstate	8,301	-
Interstate 290 (WB exit ramp)	NYSDOT	Urban Principal Arterial Interstate	6,985	-
Sunrise Boulevard	Town of Amherst	Urban Local	-	30 mph
Cranburne Lane	Town of Amherst	Urban Local	-	30 mph
Frankhauser Road	Town of Amherst	Urban Local	-	30 mph
Fenwick Road	Town of Amherst	Urban Local	-	30 mph
North Forest Road	Erie County	Urban Principal Arterial & Urban Minor Arterial	9,583	35 mph

Capacity Analysis

Intersection Analysis

Turning movement counts (TMCs) were collected at the study area intersections through Tri-State Traffic Data. Data was collected on Thursday, September 21, 2023 from 3:00 PM to 6:00 PM and Saturday, September 23, 2023 from 11:00 AM to 2:00 PM. The study area weekday afternoon peak hour is 4:30 PM to 5:30 PM and the Saturday midday peak hour is 12:00 PM to 1:00 PM. Refer to Appendix A, Figure 4 for existing turning movement volumes. Table 3 below highlights the results of the level of service analysis for existing conditions.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Table 3: Intersection LOS Analysis - Existing Conditions

Approach		Weekday PM			Saturday Midday		
		LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS (Delay)	V/C	Queue
Sheridan Drive (NYS Route 324) at Harlem Road (NYS Route 240)							
Eastbound	*Thru*	D (37.9)	0.54	515	C (26.6)	0.35	314
	Right	A (2.7)	0.29	51	A (2.1)	0.31	46
Westbound	*Left*	D (40.0)	0.32	76	C (32.8)	0.39	85
	Thru	A (3.8)	0.34	169	B (10.7)	0.25	267
Northbound	*Left*	**E (69.1)**	**0.48**	**131**	**E (75.0)**	**0.54**	**129**
	Right	A (7.7)	0.67	96	A (4.6)	0.46	46
	Intersection	C (20.7)	-	-	B (19.7)	-	-
Sheridan Drive (NYS Route 324) at I-290 Ramps							
Eastbound	*Left*	**E (63.1)**	**0.87**	**343**	C (26.6)	0.49	213
	Thru	C (26.1)	0.46	525	B (15.2)	0.26	305
Westbound	*Thru/Right*	C (21.0)	0.91	637	B (10.5)	0.37	176
Northbound	*Left*	D (42.3)	0.25	173	D (52.6)	0.40	197
	Left/Right	C (29.1)	0.34	174	B (10.3)	0.35	74
	Right	C (28.5)	0.33	162	A (7.7)	0.33	58
	Intersection	C (27.3)	-	-	B (15.5)	-	-
Sheridan Drive (NYS Route 324) at Frankhauser Road							
Eastbound	*Left*	A (1.6)	0.09	m3	A (1.0)	0.04	3
	Thru	A (6.6)	0.55	217	A (2.7)	0.36	101
Westbound	*Thru/Right*	A (2.2)	0.54	116	A (1.7)	0.34	66
Southbound	*Left*	**F (85.3)**	**0.49**	**106**	**F (84.1)**	**0.42**	**89**
	Right	C (25.5)	0.21	34	C (28.8)	0.17	29
	Intersection	A (5.9)	-	-	A (4.0)	-	-
Sheridan Drive (NYS Route 324) at Fenwick Road							
Westbound	*Left*	c (15.7)	0.04	0.1	b (11.3)	0.03	0.1
Northbound	*Left/Right*	**e (35.7)**	**0.23**	**0.9**	c (21.0)	0.16	0.6
	Intersection	n/a			n/a		

*lowercase letters signify the HCM 6th edition Stop Control methodology was used

a: level-of-service

b: delay is measured in seconds

c: volume to capacity ratio

d: 95th queue length, measured in feet (queue length of stop controlled intersections measured in number of vehicles)

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Table 3 continued

Approach		Weekday PM			Saturday Midday		
		LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS (Delay)	V/C	Queue
Sheridan Drive (NYS Route 324) at N. Forest Road							
Eastbound	*Left*	**E (64.8)**	**0.87**	**#404**	A (9.7)	0.40	115
	Thru	D (36.1)	0.75	727	B (19.6)	0.43	419
	Right	B (17.5)	0.35	208	A (5.4)	0.11	75
Westbound	*Left*	D (39.6)	0.69	168	B (13.0)	0.32	84
	Thru/Right	D (50.1)	0.86	755	C (22.4)	0.40	352
Northbound	*Left*	D (52.3)	0.65	209	D (51.9)	0.38	131
	Thru	**E (73.7)**	**0.81**	**#485**	**E (74.9)**	**0.64**	**270**
	Right	A (8.1)	0.35	64	A (7.8)	0.31	40
Southbound	*Left*	D (40.1)	0.24	61	D (48.2)	0.22	70
	Thru	**E (68.8)**	**0.69**	**262**	**E (71.1)**	**0.51**	**147**
	Right	C (26.9)	0.54	148	B (14.1)	0.53	75
Intersection		D (45.6)	-	-	C (27.0)	-	-

Based on the level of service analysis, the study intersections are operating at an acceptable LOS (LOS D or better). There are some intersection movements that are experiencing poor levels of service (LOS E or F), these movements are on the minor streets and at left turn movements with high opposing volumes. It is common for minor streets and left turns to have poor levels of service to benefit the level of service on the mainline in high traffic volume areas.

Pedestrian Conditions

Sidewalks exist along both sides of Sheridan Drive for the entire length that is contained within the study area. Sidewalks are non-continuous along N. Forest Road. There are signalized crosswalks at the intersections of Sheridan Drive and Harlem Road, Sheridan Drive and Interstate 290 ramps, Sheridan Drive and Frankhauser Road, and Sheridan Drive and N. Forest Road. Marked crosswalks exist along Sheridan Drive at the intersections of Sunrise Boulevard, Cranburne Lane, and Fenwick Road. See **Figure 3** in **Appendix A** for the Pedestrian, Bicycle and Transit Map.

Bicycle Conditions

There is no existing infrastructure for bicycling in the study area.

Transit Conditions

There is an existing operating bus line of the Niagara Frontier Transportation Authority (NFTA) present along Sheridan Drive, the 49 East Amherst line. There are 4 Bus stops in the study area. They are located at the intersections of Frankhauser Road and N. Forest Road.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Collision Analysis

A collision analysis was completed for the study area at signalized intersections along Sheridan Drive at Frankhauser Road and at N. Forest Road. There was a total of 79 collisions over a five-year period from January 2018 through December 2022 with 17 collisions at the Frankhauser Road intersection and 62 collisions at the N. Forest Road intersection. The most common type of collision was a rear end type, representing roughly half of all collisions. The listed cause for most of these collisions was following too closely. 39% of all collisions resulted in injuries. Detailed collision analyses are provided in Appendix B. Table 4 contains a summary of the predominant collision types at each intersection.

Table 4: Collision Analysis

Type of Collision	Number	Percentage
Sheridan Drive at Frankhauser Road		
Rear End	12	70%
Overtaking	0	0%
Right Angle	2	12%
Left Turn	2	12%
Other	1 (fixed object)	6%
Sheridan Drive at Fenwick Road		
Rear End	3	33%
Right Angle	4	44%
Other	2 (fixed object)	22%
Sheridan Drive at North Forest Road		
Rear End	29	47%
Overtaking	4	6%
Right Angle	10	16%
Left Turn	13	21%
Sideswipe	3	5%
Other	3 (fixed object)	5%

3.0 No Build Condition

Historical traffic data was reviewed within the study area; there was an overall decrease in traffic volumes from 2011 to 2019. Based on the GBNRTC's regional Travel Demand Model (TDM), projections of future trip production and attraction for the no build condition anticipates a status quo condition with a small reduction in traffic of 1% - 2% in the future. Any growth in the area is due to other proposed developments; no background growth rate is proposed to analyze the future no build condition.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

4.0 Build Condition

Site Information

The site is proposed to contain a variety of amenities for public use, some of which include pedestrian and bike trails, a community building, pavilions, playgrounds, theaters, an ice skating rink, a winter market, a historic village, and more. The project site is bounded by Maple Road to the north, Sheridan Drive to the south and residential neighborhoods to the east and west. There are two proposed access points to the park, one at the existing Westwood Country Club driveway from N. Forest Road, and the other on Sheridan Drive at the intersection with Fenwick Road. Appendix A, Figure 2 contains the Amherst Central Park Planned Unit Development Conceptual Plan . The construction of this site is estimated to be a phased buildout with a phase one completion within the next 5 years and a phase 2 completion in the next 10 years.

Trip Generation

The proposed Amherst Central Park will consist of:

- 171-acre Park
- 44,500 SF Community Building
- 3,300 SF Amphitheater
- 31,600 SF Music Theater
- 25,000 SF Ice Skating Rink/Ribbon
- 5,000 SF Winter Market
- 52,200 SF Buffalo Niagara Heritage Village and Museum (relocated from northern Amherst)

A combination of the ITE's Trip Generation Manual, seating capacity assumptions based on architectural standards, and historic attendance data were used to determine trips for Amherst Central Park. It is unlikely that all facilities will be peaking and running events that coincide with one another. To not overestimate the trip generation, but also use a conservative approach, the major generators of the park were used to estimate the trip generation. Assumptions for the trip generation are as follows:

- Not all facilities will be at capacity or running programs and events at the same time on the same day
- The facilities that are expected to be the major generators were used for the trip generation (community building and music theater)
- The community building is expected to have a Universal Pre-Kindergarten (UPK) program. This program is expected to peak slightly earlier in the day from the PM peak of the street network, along with the music theater. Some trips were accounted for during the PM peak, to account for other community activities in the center, and late pick up/teacher departure for the UPK program.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

- It is assumed that the music theater will offer evening performances. Seat capacity for the music theater was estimated using architecture standards based on the square footage of the facility. Vehicle occupancy rate was assumed 2.3 attendees/vehicle based on ITE Standards.
- It is assumed that there will still be some background trips using other facilities in the park such as the playground, splashpad, trails, etc. These background trips are accounted for in the trip generation.
- It is assumed that the park will create the most trips during the PM Peak (4:30-5:30pm) and Saturday Midday Peak (12:00-1:00pm).

Trip generation for the PM Peak and Saturday Peak was calculated, and is outlined in Table 5 below.

Table 5: Trip Generation

Park Facility	ITE Land Use Code	PM Peak Trips			Saturday Midday/Peak Trips		
		Entering	Exiting	Total	Entering	Exiting	Total
Park	411 Public Park	18	15	33	33	34	61
Community Building	495 Recreational Community Center	31	35	66	26	22	48
Theater	N/A	70	17	87	70	17	87
Ice Rink/Ribbon	465 Ice Skating Rink	18	15	33	35	31	66
	Peak Hour Trips	137	82	219	165	97	262

Trip Distribution

Trip distribution was based on existing traffic patterns in the study area. The main entrance of the park is proposed to be off of Sheridan Drive, across from Fenwick Road. It was assumed the majority of the trips (70%) will be entering and exiting from the main entrance, and 30% will use the entrance on N. Forest Road.

Sheridan Drive has an approximate 50% split of traffic distributed between eastbound and westbound for both peak hours. Therefore, the overall study area distribution is 50% coming to and from the east, and 50% coming to and from the west. The more localized distribution is traffic distributed between the I-290 ramps, Harlem Road, and N. Forest Road. See Appendix A, Figure 5 for the trip distribution in the study area.

Westwood Mix-Use Neighborhood TIS

The Westwood Mix-Use Neighborhood TIS was completed in 2017 by SRF Associates. The proposed site for this traffic study is the same site as Amherst Central Park. The proposed site development in the Westwood Mixed-Use Neighborhood included a variety of residential (single-family and multi-family) homes, office spaces, mixed-use commercial and residential buildings, a hotel, a senior living facility, a community center, and a public park. Trip generation competed for this study used ITE Trip Generation Manual, 9th Edition and the generation trips are shown in the following table.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

The estimated trips generated by the proposed Amherst Central Park is less than the estimated trips generated by the previously proposed Westwood Mixed-Use Neighborhood. The impact to the nearby neighborhood and roadways by Amherst Central Park will be less than a proposed mixed-use development.

Table 6: Westwood Mixed-Use Neighborhood TIS Trip Generation

PARCEL	DESCRIPTION	SIZE	AM PEAK		PM PEAK	
			ENTER	EXIT	ENTER	EXIT
VII	Senior Housing	104 Units	7	14	14	12
VII	Assisted Living	200 Beds	18	10	19	25
I	Smaller Patio Homes	57 Units	6	13	12	12
IV	Multifamily Community Apartments	180 Units	18	74	76	41
II & III	Large Patio Homes (26) and Single Family Detached Housing (41)	67 Units	14	43	46	27
VI	Multi-family Building Apartments	89 Units	9	38	44	23
VI	Condominium Townhomes along Frankhauser Road	40 Units	4	21	19	9
VI	Hotel	130 Rooms	41	28	40	38
VI	Apartments	221 Units	22	90	90	49
VI	Commercial/Retail	166,000 SF	131	81	404	437
VI	Professional Office	264,800 SF	367	50	64	311
V	City Park	33 Acres of Land (6 Acres pond)	83	66	66	50
	Sub-total		***720***	***528***	***894***	***1034***
	Internal Trips		*-113*	*-101*	*-206*	*-238*
	Pass-by Trips		*0*	*0*	*-102*	*-98*
	Total New Trips		**607**	**427**	**586**	**698**

Capacity Analysis

Intersection Analysis

Refer to Appendix A Figure 7 for build turning movement volumes. Table 7 below highlights the results of the level of service analysis for build conditions compared to the existing conditions.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Table 7: Intersection LOS Analysis Existing versus Build Condition

Approach		Weekday PM						Saturday Midday					
		Existing			Build			Existing			Build		
		LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS (Delay)	V/C	Queue	LOS[a] (Delay)[b]	V/C[c]	Queue[d]
Sheridan Drive (NYS Route 324) at Harlem Road (NYS Route 240)													
Eastbound	*Thru*	D (37.9)	0.54	515	D (37.8)	0.55	532	C (26.6)	0.35	314	C (28.2)	0.38	342
	Right	A (2.7)	0.29	51	A (2.6)	0.29	50	A (2.1)	0.31	46	A (2.4)	0.31	50
Westbound	*Left*	D (40.0)	0.32	76	D (39.8)	0.33	m77	C (32.8)	0.39	85	C (30.7)	0.38	89
	Thru	A (3.8)	0.34	169	A (3.9)	0.34	169	B (10.7)	0.25	267	A (7.6)	0.26	214
Northbound	*Left*	**E (69.1)**	**0.48**	**131**	**E (68.9)**	**0.48**	**131**	**E (75.0)**	**0.54**	**129**	**E (74.4)**	**0.54**	**129**
	Right	A (7.7)	0.67	96	A (7.9)	0.68	100	A (4.6)	0.46	46	A (4.5)	0.48	46
	Intersection	C (20.7)	-	-	C (20.7)	-	-	B (19.7)	-	-	B (19.0)	-	-
Sheridan Drive (NYS Route 324) at I-290 Ramps													
Eastbound	*Left*	**E (63.1)**	**0.87**	**343**	**E (62.9)**	**0.87**	**343**	C (26.6)	0.49	213	C (31.1)	0.54	210
	Thru	C (26.1)	0.46	525	C (26.6)	0.48	547	B (15.2)	0.26	305	B (20.0)	0.29	360
Westbound	*Thru/Right*	C (21.0)	0.91	637	C (21.8)	0.93	654	B (10.5)	0.37	176	B (12.2)	0.42	129
Northbound	*Left*	D (42.3)	0.25	173	D (42.3)	0.25	173	D (52.6)	0.40	197	D (47.0)	0.34	197
	Left/Right	C (29.1)	0.34	174	C (29.8)	0.35	182	B (10.3)	0.35	74	B (12.1)	0.33	93
	Right	C (28.5)	0.33	162	C (29.5)	0.34	172	A (7.7)	0.33	58	B (11.4)	0.32	83
	Intersection	C (27.3)	-	-	C (27.8)	-	-	B (15.5)	-	-	B (18.0)	-	-
Sheridan Drive (NYS Route 324) at Frankhauser Road													
Eastbound	*Left*	A (1.6)	0.09	m3	A (1.7)	0.09	m2	A (1.0)	0.04	3	A (1.0)	0.04	3
	Thru	A (6.6)	0.55	217	A (7.4)	0.58	232	A (2.7)	0.36	101	A (3.0)	0.38	123
Westbound	*Thru/Right*	A (2.2)	0.54	116	A (2.0)	0.55	124	A (1.7)	0.34	66	A (1.7)	0.35	73
Southbound	*Left*	**F (85.3)**	**0.49**	**106**	**F (85.3)**	**0.49**	**106**	**F (84.1)**	**0.42**	**89**	**F (84.1)**	**0.42**	**89**
	Right	C (25.5)	0.21	34	C (25.5)	0.21	34	C (28.8)	0.17	29	C (28.8)	0.17	29
	Intersection	A (5.9)	-	-	A (6.2)	-	-	A (4.0)	-	-	A (4.1)	-	-

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Table 7 continued

Approach		Weekday PM						Saturday Midday					
		Existing			Build			Existing			Build		
		LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS (Delay)	V/C	Queue	LOS[a] (Delay)[b]	V/C[c]	Queue[d]
Sheridan Drive (NYS Route 324) at Fenwick Road and Site Driveway 1													
Eastbound	*Left*	n/a			c (16.7)	0.20	0.7	n/a			B (11.5)	0.14	0.5
Westbound	*Left*	c (15.7)	0.04	0.1	c (15.7)	0.04	0.1	b (11.3)	0.03	0.1	B (11.3)	0.03	0.1
Northbound	*Left/Right*	**e (35.7)**	**0.23**	**0.9**	**f (1247.6)**	**2.53**	**5.2**	c (21.0)	0.16	0.6	**f (148.7)**	**0.70**	**3**
Southbound	*Left/Right*	n/a			**f (901.4)**	**2.30**	**7.5**	n/a			**f (86.2)**	**0.66**	**3.4**
	Intersection	n/a			n/a			n/a			n/a		
Sheridan Drive (NYS Route 324) at N. Forest Road													
Eastbound	*Left*	**E (64.8)**	**0.87**	**#404**	**E (68.2)**	**0.89**	**#402**	A (9.7)	0.40	115	A (9.8)	0.43	123
	Thru	D (36.1)	0.75	727	D (36.3)	0.77	733	B (19.6)	0.43	419	C (20.4)	0.45	454
	Right	B (17.5)	0.35	208	B (17.1)	0.36	201	A (5.4)	0.11	75	A (6.2)	0.12	83
Westbound	*Left*	D (39.6)	0.69	168	D (44.1)	0.71	177	B (13.0)	0.32	84	B (14.1)	0.34	88
	Thru/Right	D (50.1)	0.86	755	D (53.1)	0.89	#825	C (22.4)	0.40	352	C (24.3)	0.43	385
Northbound	*Left*	D (52.3)	0.65	209	D (52.9)	0.68	219	D (51.9)	0.38	131	D (50.5)	0.39	137
	Thru	**E (73.7)**	**0.81**	**#485**	**E (75.3)**	**0.84**	**#539**	**E (74.9)**	**0.64**	**270**	**E (74.7)**	**0.67**	**288**
	Right	A (8.1)	0.35	64	A (8.1)	0.35	65	A (7.8)	0.31	40	A (7.5)	0.30	40
Southbound	*Left*	D (40.1)	0.24	61	D (40.9)	0.28	69	D (48.2)	0.22	70	D (47.6)	0.26	80
	Thru	**E (68.8)**	**0.69**	**262**	**E (67.8)**	**0.68**	**267**	**E (71.1)**	**0.51**	**147**	**E (69.1)**	**0.50**	**151**
	Right	C (26.9)	0.54	148	C (26.4)	0.53	148	B (14.1)	0.53	75	B (15.6)	0.52	83
	Intersection	D (45.6)	-	-	D (47.0)	-	-	C (27.0)	-	-	C (28.1)	-	-

*lowercase letters signify the HCM 6th edition Stop Control methodology was used

a: level-of-service

b: delay is measured in seconds

c: volume to capacity ratio

d: 95th queue length, measured in feet (queue length of stop controlled intersections measured in number of vehicles)

Based on the capacity analysis for the build condition, the proposed site has minor impacts on the level of service experienced at the study area intersections. Levels of service have remained the same at all the signalized intersections (LOS D or better). The intersection of Sheridan Drive and Fenwick Road is the location of a proposed site driveway. The addition of the site driveway and the added volume from the site have impacted the level of service for the movements at the intersection. The minor approaches at this intersection are operating at a LOS F for both the PM peak hour and the Saturday midday peak hour with long delays and queues.

5.0 Mitigation

Mitigation is not necessary for the existing signalized intersections in the study area; the proposed site has little impact on the levels of service at those intersections. Mitigation at the proposed site driveway on Sheridan Drive is recommended. A signal warrant analysis was conducted at the site driveway. Based on the analysis, the expected volumes at the intersection did not warrant a new traffic signal. It is recommended that a traffic signal still be considered at the Amherst Central Park driveway on Sheridan Drive due to the long delays and vehicle queues expected at the site driveway and at Fenwick Road located across from the driveway. Refer to Appendix E for the signal warrant analysis.

Providing multi-modal access to Amherst Central Park should also be considered given the residential nature of the area and proposed amenities at the park. Of particular concern is providing a safe crossing of Sheridan Drive from the neighborhood immediately south of the park. If the traffic signal is installed at the Amherst Central Park driveway on Sheridan Drive, pedestrian signals should be included across all four legs. If the signal is not installed, consideration should be given to a High Intensity Activated CrossWalK (HAWK) signal or Rectangular Rapid Flashing Beacon (RRFB) with a center refuge median.

Transit access can be improved to Amherst Central Park as well. Working with NFTA, a dedicated bus stop could be provided along Sheridan Drive at the (proposed) signalized intersection with the site driveway. If the traffic signal is not installed, a dedicated bus stop could be added within the Park.

6.0 Conclusion

The following are findings from this traffic impact study:

Existing:

- Intersections are operating at acceptable levels of service (LOS D or better) within the study area.
- The majority of collisions at intersections are rear ends.
- There are some multi-modal accommodations along Sheridan Drive in the study area. Bicycle accommodations are not present.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Build:

- The proposed Amherst Central Park on the 171-acre lot is expected to generate 219 new trips during the Weekday PM Peak, and 262 new trips during the Saturday Midday Peak.
- The trips generated by the proposed park are less than trip generated by the formerly proposed Westwood Mixed-Use Neighborhood development based on the TIS completed in 2017.
- The proposed park development is expected to have minimal impact on operations within the study area.
- The proposed site driveway on Sheridan Drive is expected to experience a poor level of service (LOS F).

Mitigation:

- Warrant was not met for a new traffic signal at the proposed driveway on Sheridan Drive.
- It is recommended that a traffic signal still be considered at the proposed site driveway due to long delays and queues on the minor approaches.
- Multi-modal and Transit access to Amherst Central Park should be improved.

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Appendix A – Figures

AMHERST
New York

CENTRAL PARK
Concept Plan

October 2, 2023

COMMISSIONED BY
THE TOWN OF AMHERST, N.Y.

Prepared By
DOVER, KOHL & PARTNERS

Modified By
The Town of Amherst

LEGEND

UNIQUE FEATURES
1) Community Building (Former Club House)
2) Music Fare Theater
3) The Winter Market
4) Ice Ribbon + Ice Rink
5) Splash Pad + Inclusive Playground
6) Amphitheater
7) Lake Front Pavilion
8) Outdoor Exercise Equipment (10 Stations)
9) Community Gardens (can be any size)
10) Greenhouse
11) Maintenance Area
12) Low Ropes Course or suspended bridges
13) Sheltered Bus Stop (at South Entrance)
14) Buffalo Niagara Heritage Village (Relocated)
15) Multi-use Pavilion

Multiple Features
- (PC) Playground (Conventional Equipment)
- (PN) Playground (Natural)
- (RR) Restrooms
- (SH) Roofed Open Air Shelters
- (OC) Outdoor Classrooms
- (ART) Public Art / Sculpture Sites
- (BT) Off-road Bike Trails, 4-feet wide, dirt
- (AR) Accentuated Rise (mounded hills)
- (MG) Minor Entrance Gates.
- (Bikes) Bicycle Parking Racks (size to be determined)

Existing Deciduous

Existing Tree Canopy

Existing Water

Proposed Marsh / Water

Figure 2

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

C&S COMPANIES®

Pedestrian, Bicycle, and Transit Map

Amherst Central Park Traffic Impact Study

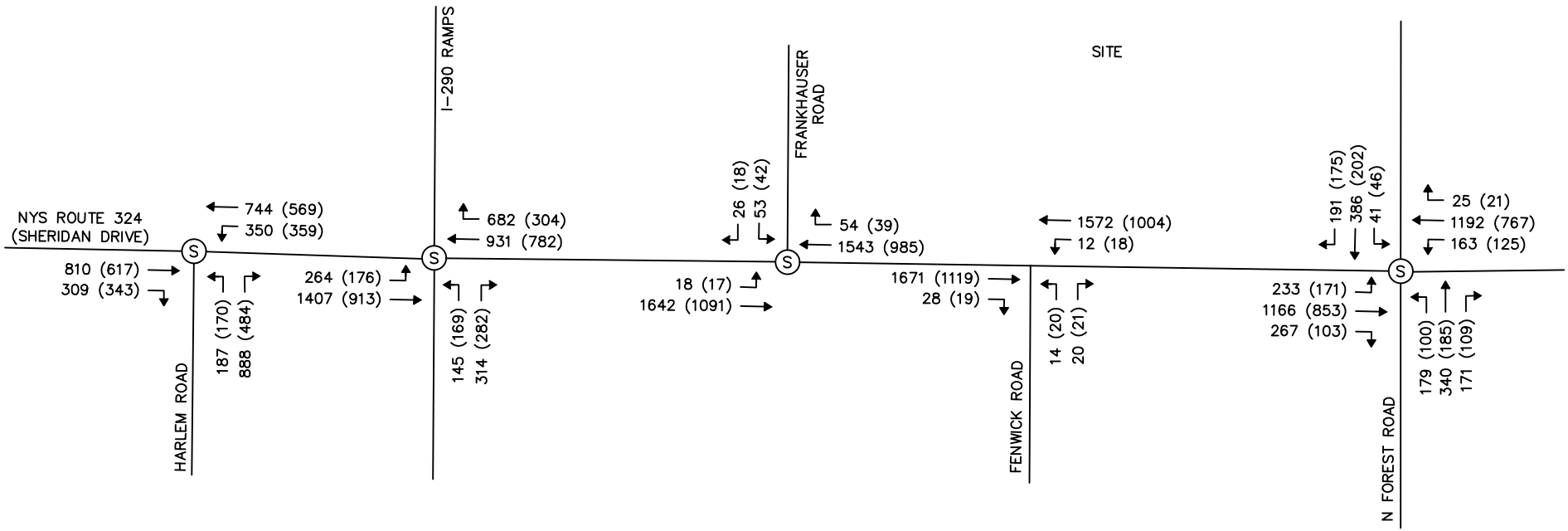
Town of Amherst, Erie County, New York

Figure 3

KEY

XX – WEEKDAY PM PEAK
(4:30 – 5:30 PM)

(XX) – SATURDAY MIDDAY PEAK
(12:00 – 1:00 PM)



Sep 29, 2023 – 10:36am
\\cscos.com\csfile\Eng\Project\H22 – Town of Amherst\H22.007 – 2021 Professional Svcs Term\H22.007.002 – Amherst Central Park TIS\Planning-Study\Technical Information\Turning Movement Diagrams\TMD Existing.dwg

NOT TO SCALE

C&S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, New York 13212
Phone: 315-455-2000
Fax: 315-455-9667
www.cscos.com

PROJECT NO:	H22007002
DATE:	SEPTEMBER 2023
DRAWN BY:	S. GALLAGHER
DESIGNED BY:	K. WESSEL
CHECKED BY:	K. WESSEL

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK EDUCATION LAW

EXISTING (2023)
TURNING MOVEMENT DIAGRAM

AMHERST CENTRAL PARK
TRAFFIC IMPACT STUDY

TOWN OF AMHERST,
ERIE COUNTY

Figure 4

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

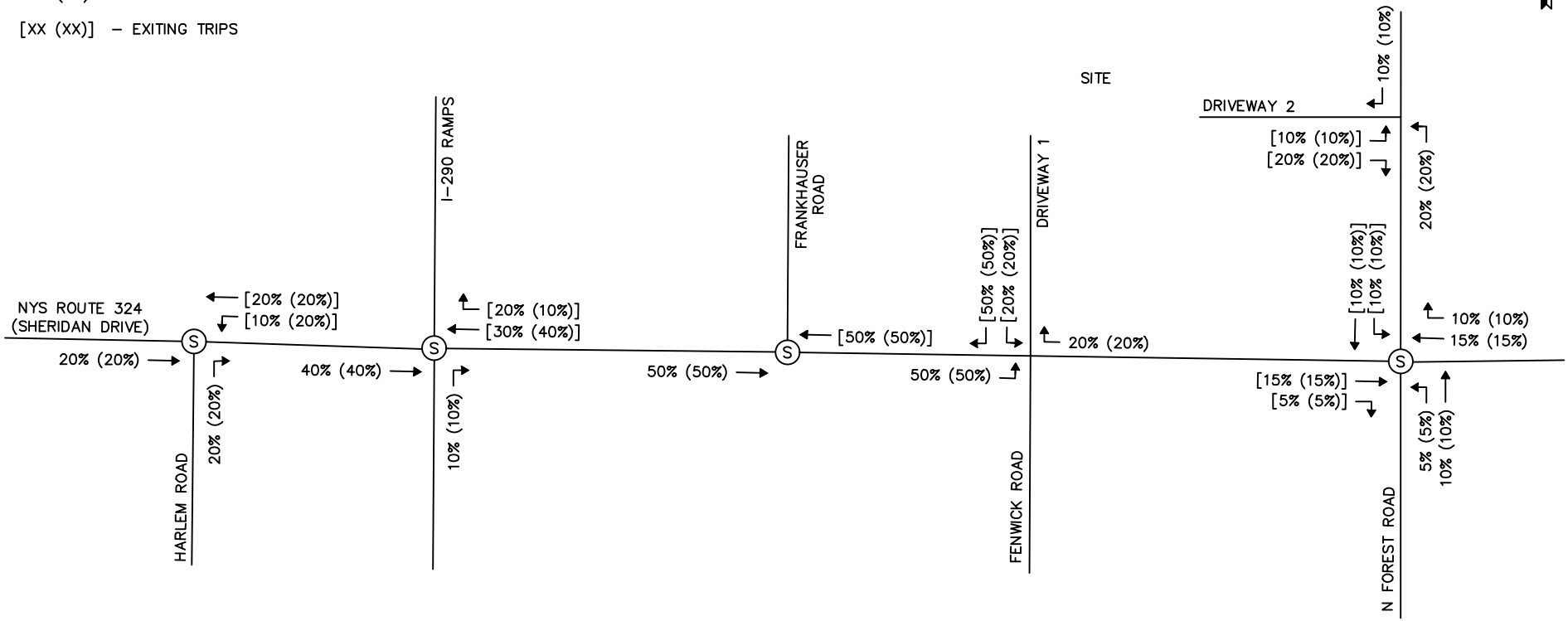
KEY

XX – WEEKDAY PM PEAK
(4:30 – 5:30 PM)

(XX) – SATURDAY MIDDAY PEAK
(12:00 – 1:00 PM)

XX (XX) – ENTERING TRIPS

[XX (XX)] – EXITING TRIPS



Oct 06, 2023 – 12:19pm
\\cscos.com\csfile\Eng\Project\H22 – Town of Amherst\H22.007 – 2021 Professional Svcs Term\H22.007.002 – Amherst Central Park TIS\Planning-Study\Technical Information\Turning Movement Diagrams\Trip Distribution.dwg

NOT TO SCALE

C&S COMPANIES
C&S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, New York 13212
Phone: 315-455-2000
Fax: 315-455-9667
www.cscos.com

PROJECT NO:	H22007002
DATE:	SEPTEMBER 2023
DRAWN BY:	S. GALLAGHER
DESIGNED BY:	K. WESSEL
CHECKED BY:	K. WESSEL

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK EDUCATION LAW

TRIP DISTRIBUTION
TURNING MOVEMENT DIAGRAM

AMHERST CENTRAL PARK
TRAFFIC IMPACT STUDY

TOWN OF AMHERST,
ERIE COUNTY

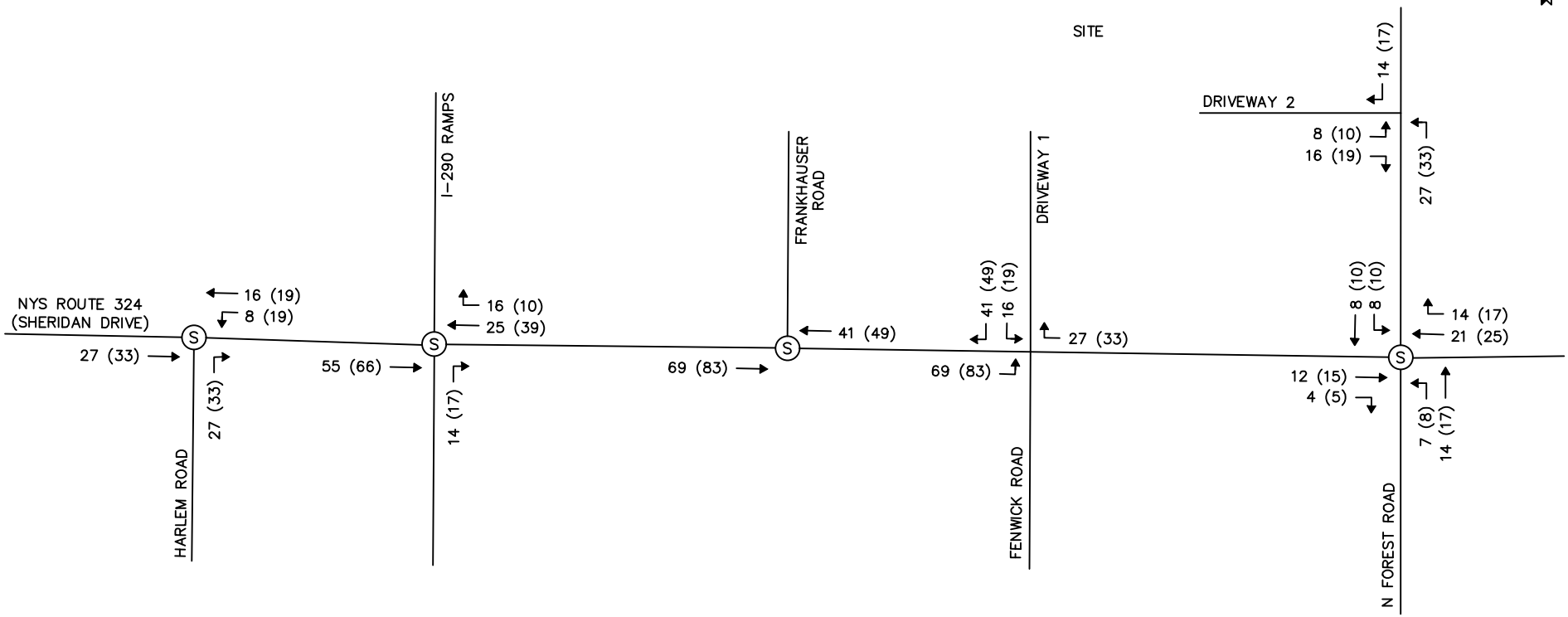
Figure 5

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

KEY

XX – WEEKDAY PM PEAK
(4:30 – 5:30 PM)

(XX) – SATURDAY MIDDAY PEAK
(12:00 – 1:00 PM)



Oct 11, 2023 – 11:24am
\\cscos.com\csfile\Eng\Project\H22 – Town of Amherst\H22.007 – 2021 Professional Svcs Term\H22.007.002 – Amherst Central Park TIS\Planning-Study\Technical Information\Turning Movement Diagrams\Trip generation.dwg

NOT TO SCALE

C&S COMPANIES
C&S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, New York 13212
Phone: 315-455-2000
Fax: 315-455-9667
www.cscos.com

PROJECT NO:	H22007002
DATE:	SEPTEMBER 2023
DRAWN BY:	S. GALLAGHER
DESIGNED BY:	K. WESSEL
CHECKED BY:	K. WESSEL

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK EDUCATION LAW

TRIP GENERATION
TURNING MOVEMENT DIAGRAM

AMHERST CENTRAL PARK
TRAFFIC IMPACT STUDY

TOWN OF AMHERST,
ERIE COUNTY

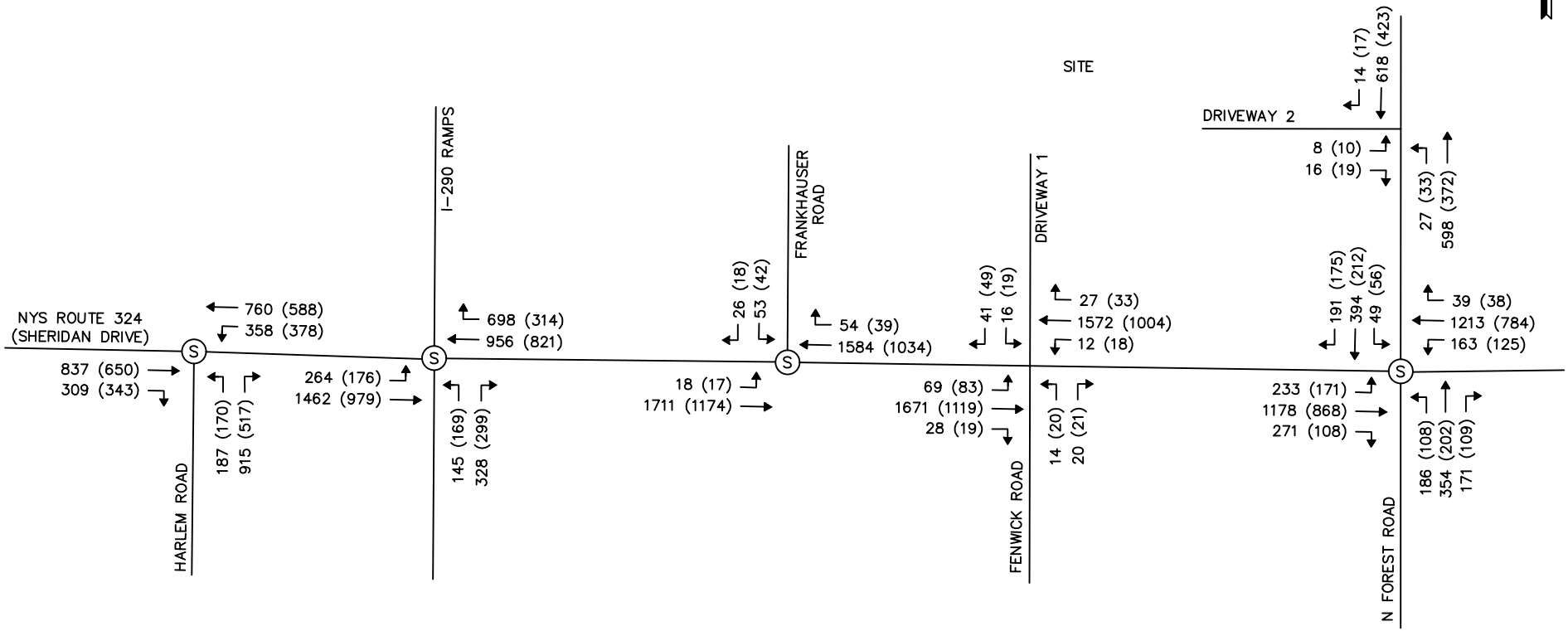
Figure 6

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

KEY

XX – WEEKDAY PM PEAK
(4:30 – 5:30 PM)

(XX) – SATURDAY MIDDAY PEAK
(12:00 – 1:00 PM)



Oct 12, 2023 – 10:48am
\\cscos.com\csfile\Eng\Project\H22 – Town of Amherst\H22.007 – 2021 Professional Svcs Term\H22.007.002 – Amherst Central Park TIS\Planning-Study\Technical Information\Turning Movement Diagrams\TMD Build.dwg

NOT TO SCALE

C&S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, New York 13212
Phone: 315-455-2000
Fax: 315-455-9667
www.cscos.com

PROJECT NO:	H22007002
DATE:	SEPTEMBER 2023
DRAWN BY:	S. GALLAGHER
DESIGNED BY:	K. WESSEL
CHECKED BY:	K. WESSEL

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK EDUCATION LAW

BUILD (2028)
TURNING MOVEMENT DIAGRAM

AMHERST CENTRAL PARK
TRAFFIC IMPACT STUDY

TOWN OF AMHERST,
ERIE COUNTY

Figure 7

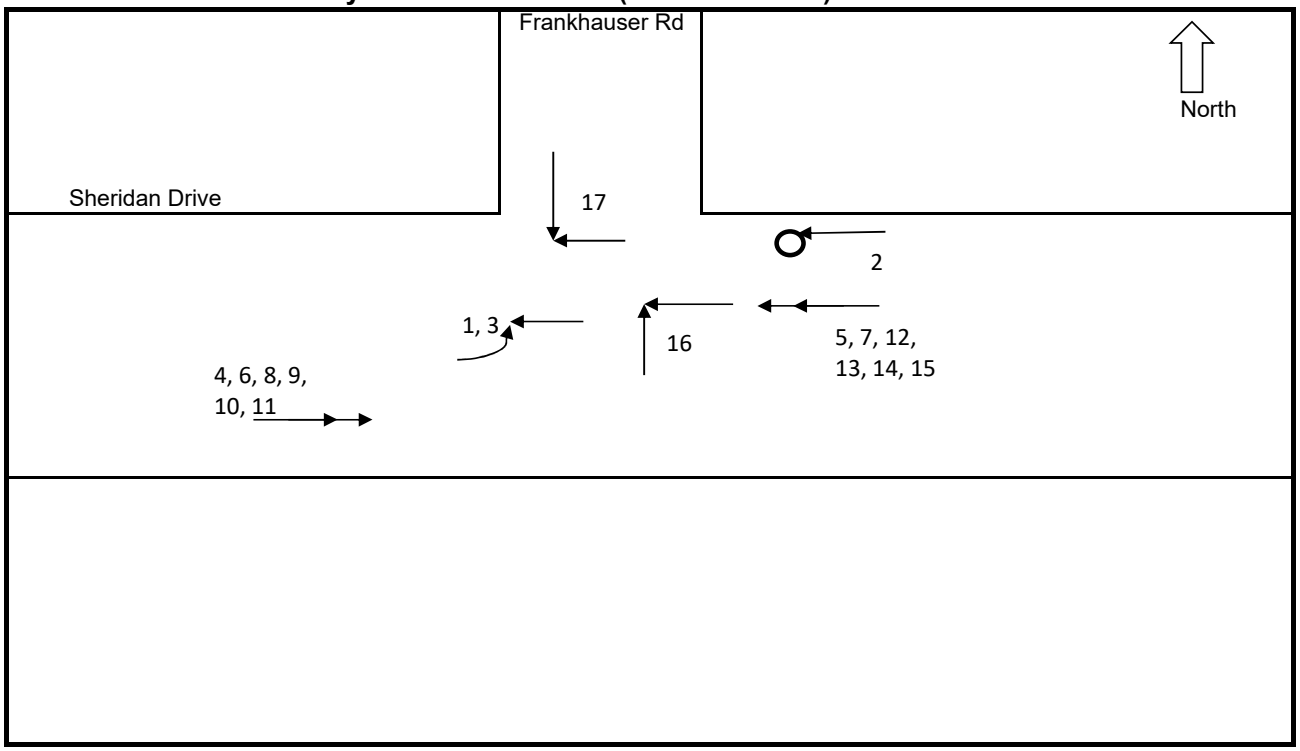
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

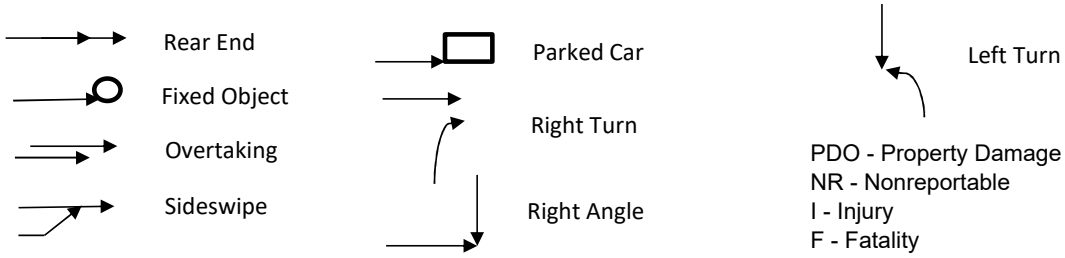
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Appendix B – Collision Data

Project	Amherst Central Park TIS	Sheet	1 of 1
	Crash Analysis	File #	H22.007.002
Prepared by	A. Turner	Date	08/07/2023
Checked by	K. Wessel	Date	08/07/2023

Collision Analysis: Sheridan Drive (NYS Route 324) and Frankhauser Road



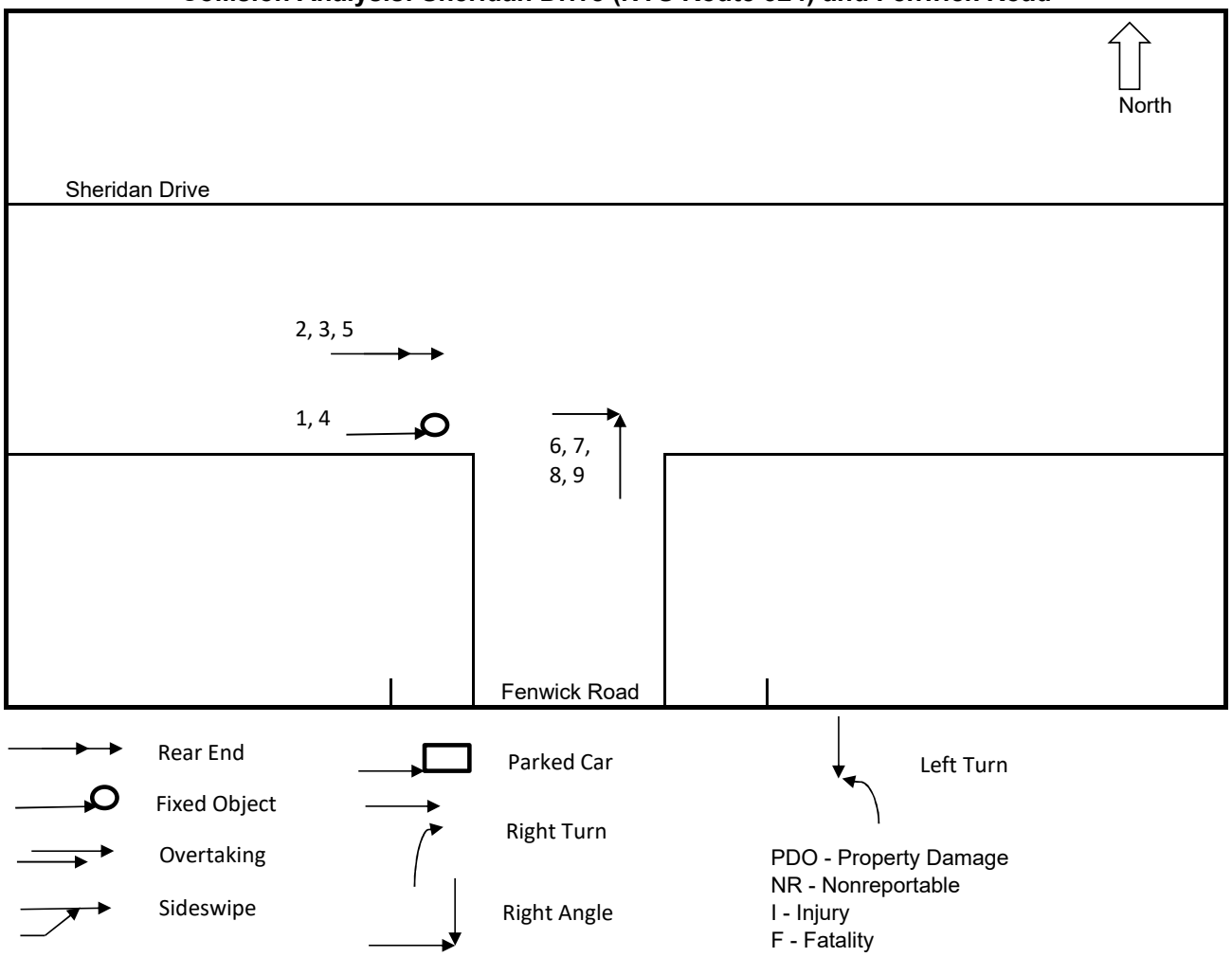


No.	Date	Time	Collision Type	Road Condition	Severity	Comment
1	3/29/2021	4:32 PM	Left Turn	Dry, Light	PDO	Traffic control devices disregarded
2	9/13/2020	11:05 AM	Fixed Object	Wet, Light	I	Driver inattention
3	9/17/2021	10:09 AM	Left Turn	Dry, Light	I	Traffic control devices disregarded
4	03/25/2022	11:51 AM	Rear End	Dry, Light	I	Following too closely
5	10/26/2021	3:32 PM	Rear End	Wet, Light	PDO	Cell phone (hand held), driver inattention
6	09/05/2019	11:47 AM	Rear End	Dry, Light	PDO	Following too closely
7	09/01/2019	1:01 PM	Rear End	Dry, Light	PDO	Unsafe speed
8	07/18/2019	5:32 PM	Rear End	Dry, Light	I	Following too closely
9	07/16/2019	5:28 PM	Rear End	Dry, Light	PDO	Following too closely, driver inattention
10	07/13/2019	8:57 AM	Rear End	Dry, Light	PDO	Unsafe lane change
11	03/22/2019	9:25 PM	Rear End	Wet, Dark	PDO	Following too closely
12	10/02/2018	12:02 PM	Rear End	Wet, Light	PDO	Following too closely
13	07/10/2018	8:37 PM	Rear End	Dry, Dark	I	Alcohol involvement, unsafe speed
14	04/05/2018	5:22 PM	Rear End	Wet, Light	PDO	Following too closely, unsafe speed
15	02/02/2018	12:35 PM	Rear End	Dry, Light	PDO	Unsafe speed, driver inattention
16	04/07/2022	2:36 PM	Right Angle	Dry, Light	PDO	Unsafe lane change, passing or lane usage
17	09/26/2020	5:35 PM	Right Angle	Dry, Light	I	Traffic control devices disregarded, driver

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Project	Amherst Central Park TIS	Sheet	1 of 1
	Crash Analysis	File #	H22.007.002
Prepared by	A. Turner	Date	08/07/2023
Checked by	K. Wessel	Date	08/07/2023

Collision Analysis: Sheridan Drive (NYS Route 324) and Fenwick Road

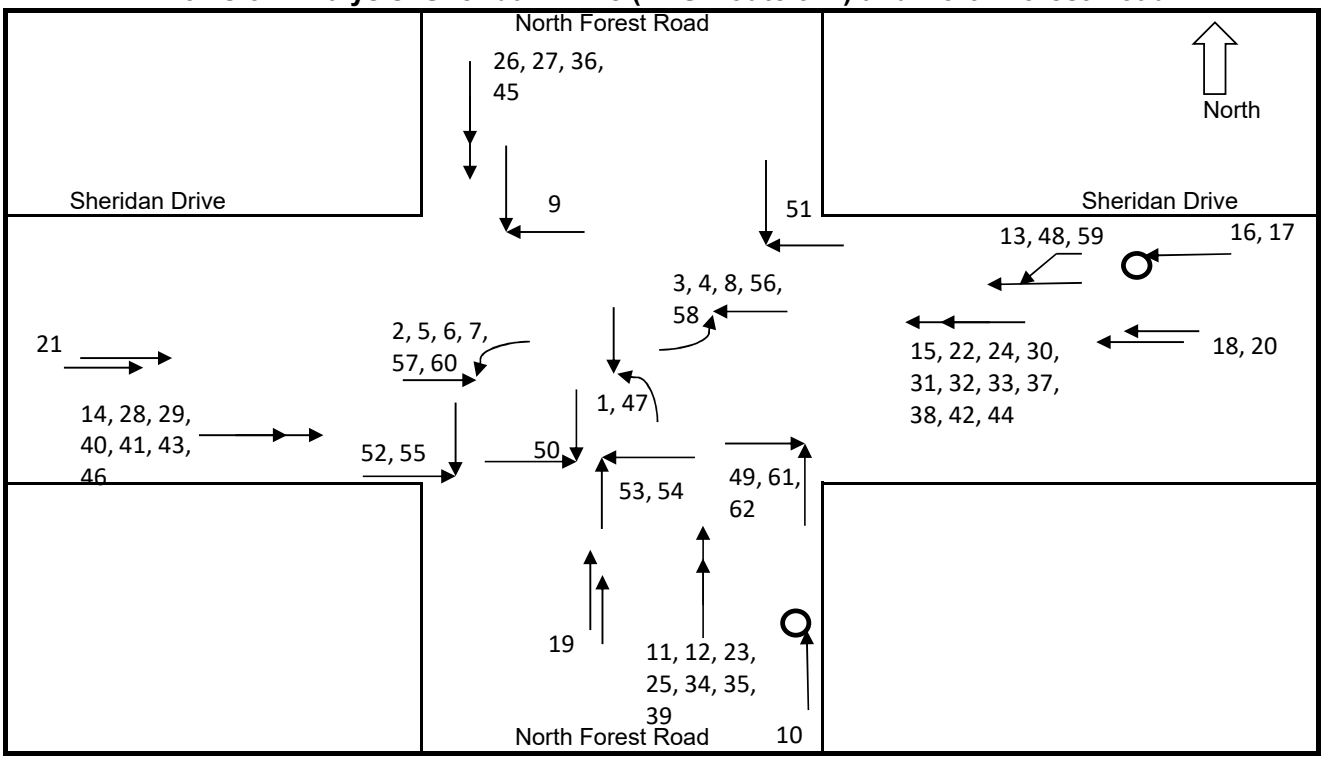


No.	Date	Time	Collision Type	Road Condition	Severity	Comment
1	01/13/2018	6:44 PM	Fixed Object	Wet, Dark	PDO	Unsafe speed
2	12/08/2022	7:47 AM	Rear End	Dry, Dark	I	Driver inattention, following too closely
3	08/14/2019	3:30 PM	Rear End	Dry, Light	I	Following too closely
4	03/01/2018	9:12 PM	Fixed Object	Wet, Dark	PDO	unsafe speed, pavement slippery
5	01/27/2020	8:18 AM	Rear End	Wet, Light	PDO	unsafe speed
6	12/20/2022	2:26 PM	Right Angle	Slush, Light	I	driver inattention, failure to yield right of way
7	01/27/2020	7:55 AM	Right Angle	Snow, Light	PDO	passing or lane usage improperly, failure to yie
8	03/27/2019	8:02 AM	Right Angle	Dry, Light	PDO	failure to yield right of way
9	02/04/2018	4:55 PM	Right Angle	Wet, Dark	I	failure to yield right of way

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Project	Amherst Central Park TIS	Sheet	1 of 2
	Crash Analysis	File #	H22.007.002
Prepared by	A. Turner	Date	08/07/2023
Checked by	K. Wessel	Date	08/07/2023

Collision Analysis: Sheridan Drive (NYS Route 324) and North Forest Road



Rear End
Fixed Object
Overtaking
Sideswipe
Parked Car
Right Turn
Right Angle
Left Turn

PDO - Property Damage
NR - Nonreportable
I - Injury
F - Fatality

No.	Date	Time	Collision Type	Road Condition	Severity	Comment
1	01/09/2020	7:29 AM	Left Turn	Wet, Light	PDO	Failure to yield right of way
2	11/28/2022	8:01 AM	Left Turn	Dry, Light	I	Failure to yield right of way, driver inattention, t
3	10/19/2022	12:10 PM	Left Turn	Wet, Light	I	Traffic control devices disregarded
4	07/07/2022	4:28 PM	Left Turn	Dry, Light	I	Traffic control devices disregarded
5	10/13/2021	3:46 PM	Left Turn	Dry, Light	I	Driver inattention, failure to yield right of way
6	12/11/2018	6:12 PM	Left Turn	Wet, Dark	I	Traffic control devices disregarded, failure to
7	10/15/2018	7:12 AM	Left Turn	Wet, Dark	PDO	Failure to yield right of way
8	5/18/2018	1:22 PM	Left Turn	Dry, Light	I	Failure to yield right of way
9	04/04/2021	9:40 PM	Right Angle	Dry, Dark	PDO	Traffic control devices disregarded
10	02/19/2022	5:30 AM	Fixed Object	Snow, Dark	PDO	N/A
11	09/08/2022	2:28 PM	Rear End	Dry, Light	I	Following too closely
12	05/21/2021	8:50 AM	Rear End	Dry, Light	PDO	N/A
13	12/21/2018	6:06 PM	Sideswipe	Wet, Dark	PDO	Unsafe lane change
14	03/23/2018	9:10 AM	Rear End	Dry, Light	PDO	Driver inattention, glare
15	01/15/2018	5:55 PM	Rear End	Wet, Dark	I	Following too closely
16	07/04/2022	10:49 PM	Fixed Object	Dry, Dark	I	Unsafe speed, driver inattention
17	04/08/2018	12:39 PM	Fixed Object	Dry, Light	PDO	Unsafe lane change, driver inattention

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

H22.007.002

C&S COMPANIES

Project **Amherst Central Park TIS** Sheet **2** of **2**

Crash Analysis File # **H22.007.002**

Prepared by **A. Turner** Date **08/07/2023**

Checked by **K. Wessel** Date **08/07/2023**

No.	Date	Time	Collision Type	Road Condition	Severity	Comment
18	09/17/2022	8:00 AM	Overtaking	Dry, Light	PDO	Unsafe speed
19	03/17/2022	6:34 AM	Overtaking	Dry, Dark	PDO	Unsafe lane change
20	08/04/2019	12:15 PM	Overtaking	Dry, Light	PDO	Unsafe lane change
21	07/25/2019	11:54 AM	Overtaking	Dry, Light	PDO	Unsafe lane change
22	12/22/2022	11:00 AM	Rear End	Unknown	PDO	Unsafe lane change
23	09/13/2022	5:55 PM	Rear End	Dry, Light	PDO	Following too closely, driver inattention
24	6/13/2022	1:03 PM	Rear End	Dry, Light	PDO	Driver inattention
25	05/10/2022	1:45 PM	Rear End	Dry, Light	PDO	Alcohol involvement, unsafe speed
26	11/05/2021	1:15 PM	Rear End	Dry, Light	I	N/A
27	05/06/2021	2:45 PM	Rear End	Dry, Light	PDO	Following too closely, driver inattention
28	11/03/2020	5:25 PM	Rear End	Dry, Dark	I	Driver inattention, following too closely
29	06/10/2020	7:40 PM	Rear End	Dry, Light	I	Following too closely, driver inattention
30	04/23/2020	8:24 AM	Rear End	Dry, Light	I	Driver inattention
31	03/09/2020	1:42 PM	Rear End	Dry, Light	I	Following too closely
32	11/10/2019	11:28 AM	Rear End	Dry, Light	PDO	Driver inattention
33	10/01/2019	7:20 PM	Rear End	Wet, Dark	PDO	Unsafe speed
34	09/16/2019	8:17 AM	Rear End	Dry, Light	PDO	Following too closely
35	08/02/2019	1:29 PM	Rear End	Dry, Light	I	Unsafe speed
36	12/25/2018	3:27 PM	Rear End	Wet, Light	PDO	Unsafe speed
37	11/01/2018	5:15 PM	Rear End	Wet, Dark	I	N/A
38	11/10/2018	11:56 PM	Rear End	Dry, Dark	I	Unsafe speed, driver inattention
39	10/04/2018	2:58 PM	Rear End	Dry, Light	PDO	Following too closely
40	10/02/2018	7:56 AM	Rear End	Wet, Light	PDO	Driver inattention, unsafe speed
41	06/22/2018	1:10 PM	Rear End	Dry, Light	I	Unsafe speed
42	04/08/2018	12:34 PM	Rear End	Dry, Light	PDO	Following too closely
43	03/07/2018	11:41 AM	Rear End	Wet, Light	I	Driver inattention, cell phone (hands free)
44	03/02/2018	11:51 AM	Rear End	Wet, Light	I	Driver inattention, following too closely
45	01/18/2018	9:02 AM	Rear End	Slush, Light	PDO	Following too closely, driver inattention
46	01/10/2018	3:10 PM	Rear End	Wet, Light	PDO	Following too closely
47	04/16/2022	12:48 PM	Left Turn	Dry, Light	PDO	Failure to yield right of way
48	01/31/2022	2:30 PM	Sideswipe	Dry, Light	PDO	Failure to yield right of way
49	10/07/2021	12:35 PM	Right Angle	Dry, Light	PDO	Failure to yield right of way
50	08/15/2021	8:34 PM	Right Angle	Dry, Light	I	Failure to yield right of way, traffic control devic
51	5/18/2021	4:49 PM	Right Angle	Dry, Light	PDO	Traffic control devices disregarded, failure to yi
52	04/21/2021	11:43 AM	Right Angle	Wet, Light	I	Fraffic control devices disregarded
53	01/29/2021	3:35 PM	Right Angle	Dry, Light	PDO	Failure to yield right of way
54	11/15/2020	5:20 PM	Right Angle	Wet, Dark	I	Traffic control device improper/non-working
55	10/19/2020	7:18 PM	Right Angle	Wet, Dark	I	Failure to yield right of way, traffic control devic
56	10/09/2020	5:20 PM	Left Turn	Dry, Light	PDO	Failure to yield right of way, unsafe speed
57	11/10/2019	11:39 AM	Left Turn	Dry, Light	PDO	Failure to yield right of way
58	10/01/2019	7:13 PM	Left Turn	Wet, Dark	I	Failure to yield right of way
59	08/26/2019	12:00 PM	Sideswipe	Dry, Light	PDO	Turning improper
60	12/15/2018	2:26 PM	Left Turn	Wet, Light	PDO	Failure to yield right of way
61	10/30/2018	2:00 PM	Right Angle	Dry, Light	PDO	Failure to yield right of way
62	04/01/2019	12:15 PM	Right Angle	Dry, Light	PDO	Failure to yield right of way

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Appendix C – Traffic Data

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Frankhauser
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & Frankhauser
Latitude and Longitude	42.97821,-78.7765

	Start	End	PHF
PM Peak	2023-09-21 16:30:00	2023-09-21 17:30:00	0.947

Turning Movement Data

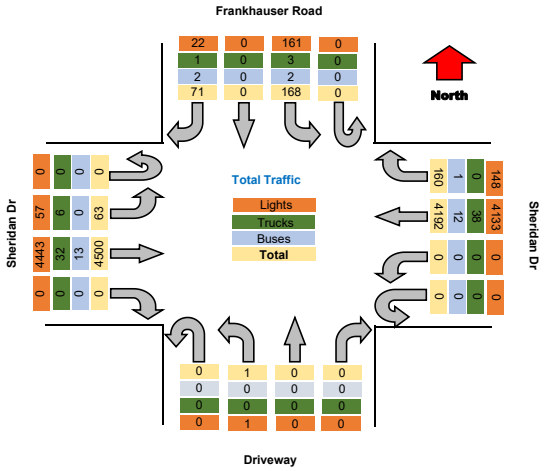
Leg	Frankhauser Road							Sheridan Dr							Driveway							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
3:00:00 PM	3	0	17	0	**20**	1	0	13	336	0	0	**349**	0	0	0	0	0	0	**0**	0	0	0	315	9	0	**324**	0	0	**693**
3:15:00 PM	5	0	17	0	**22**	0	0	14	346	0	0	**360**	0	0	0	0	0	0	**0**	1	0	0	379	5	0	**384**	0	0	**766**
3:30:00 PM	8	0	12	0	**20**	1	0	14	316	0	0	**330**	0	0	0	0	0	0	**0**	0	0	0	327	7	0	**334**	0	0	**684**
3:45:00 PM	9	0	10	0	**19**	0	0	9	322	0	0	**331**	0	0	0	0	0	0	**0**	0	0	0	368	4	0	**372**	0	0	**722**
Hourly Total	25	0	56	0	**81**	2	0	50	1320	0	0	**1370**	0	0	0	0	0	0	**0**	1	0	0	1389	25	0	**1414**	0	0	**2865**
4:00:00 PM	6	0	17	0	**23**	0	0	14	384	0	0	**398**	0	0	0	0	0	0	**0**	0	0	0	382	8	0	**390**	0	0	**811**
4:15:00 PM	4	0	18	0	**22**	0	0	21	300	0	0	**321**	0	0	0	0	0	0	**0**	0	0	0	381	5	0	**386**	0	0	**729**
4:30:00 PM	9	0	18	0	**27**	0	0	15	355	0	0	**370**	0	0	0	0	0	0	**0**	0	0	0	426	6	0	**432**	0	0	**829**
4:45:00 PM	6	0	6	0	**12**	0	0	15	400	0	0	**415**	0	0	0	0	1	0	**1**	1	0	0	422	1	0	**423**	0	0	**851**
Hourly Total	25	0	59	0	**84**	0	0	65	1439	0	0	**1504**	0	0	0	0	1	0	**1**	1	0	0	1611	20	0	**1631**	0	0	**3220**
5:00:00 PM	5	0	20	0	**25**	0	0	10	368	0	0	**378**	0	0	0	0	0	0	**0**	0	0	0	370	3	0	**373**	0	0	**776**
5:15:00 PM	6	0	9	0	**15**	0	0	14	420	0	0	**434**	0	0	0	0	0	0	**0**	0	0	0	424	8	0	**432**	0	0	**881**
5:30:00 PM	5	0	11	0	**16**	0	0	11	341	0	0	**352**	0	0	0	0	0	0	**0**	0	0	0	367	6	0	**373**	0	0	**741**
5:45:00 PM	5	0	13	0	**18**	0	0	10	304	0	0	**314**	0	0	0	0	0	0	**0**	1	0	0	339	1	0	**340**	0	0	**672**
Hourly Total	21	0	53	0	**74**	0	0	45	1433	0	0	**1478**	0	0	0	0	0	0	**0**	1	0	0	1500	18	0	**1518**	0	0	**3070**
Grand Total	71	0	168	0	**239**	2	0	160	4192	0	0	**4352**	0	0	0	0	1	0	**1**	3	0	0	4500	63	0	**4563**	0	0	**9155**
% Approach	29.7%	0.0%	70.3%	0.0%	**0.0%**	0.0%	0.0%	3.7%	96.3%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	98.6%	1.4%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	0.8%	0.0%	1.8%	0.0%	**2.6%**	0.0%	0.0%	1.7%	45.8%	0.0%	0.0%	**47.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	49.2%	0.7%	0.0%	**49.8%**	0.0%	0.0%	**0.0%**
Lights	22	0	161	0	**183**	0	0	148	4133	0	0	**4281**	0	0	0	0	1	0	**1**	0	0	0	4443	57	0	**4500**	0	0	**8965**
% Lights	31.0%	0.0%	95.8%	0.0%	**76.6%**	0.0%	0.0%	92.5%	98.6%	0.0%	0.0%	**98.4%**	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	**100.0%**	0.0%	0.0%	0.0%	98.7%	90.5%	0.0%	**98.6%**	0.0%	0.0%	**97.9%**
Trucks	1	0	3	0	**4**	0	0	0	38	0	0	**38**	0	0	0	0	0	0	**0**	0	0	0	32	6	0	**38**	0	0	**80**
% Trucks	1.4%	0.0%	1.8%	0.0%	**1.7%**	0.0%	0.0%	0.0%	0.9%	0.0%	0.0%	**0.9%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.7%	9.5%	0.0%	**0.8%**	0.0%	0.0%	**0.9%**
Buses	2	0	2	0	**4**	0	0	1	12	0	0	**13**	0	0	0	0	0	0	**0**	0	0	0	13	0	0	**13**	0	0	**30**
% Buses	2.8%	0.0%	1.2%	0.0%	**1.7%**	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	**0.3%**
Pedestrians	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	2	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	66.7%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	33.3%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

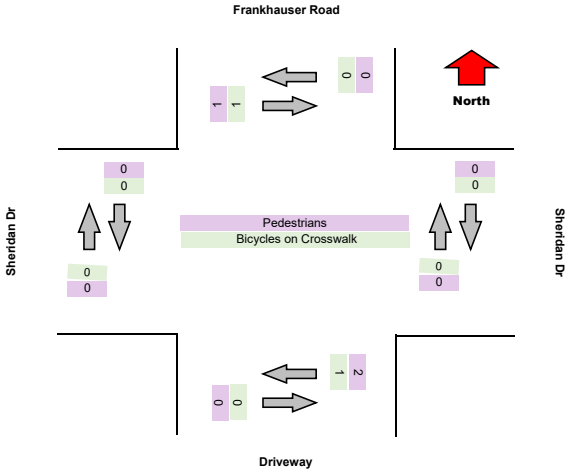
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TSTData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

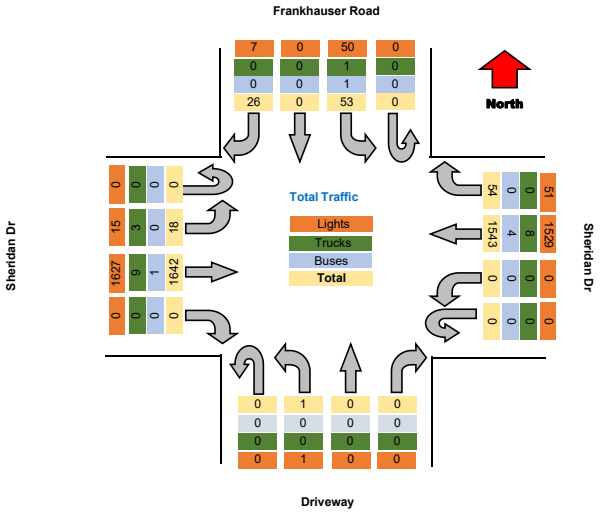
TSTData.com

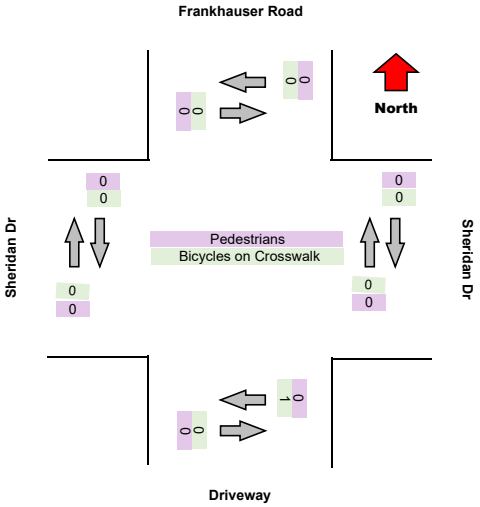
Summary

Turning Movement Peak Hour Data (PM)

4:30:00 PM

Leg	Frankhauser Road							Sheridan Dr							Driveway							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
4:30:00 PM	9	0	18	0	**27**	0	0	15	355	0	0	**370**	0	0	0	0	0	0	**0**	0	0	0	426	6	0	**432**	0	0	**829**
4:45:00 PM	6	0	6	0	**12**	0	0	15	400	0	0	**415**	0	0	0	0	1	0	**1**	1	0	0	422	1	0	**423**	0	0	**851**
5:00:00 PM	5	0	20	0	**25**	0	0	10	368	0	0	**378**	0	0	0	0	0	0	**0**	0	0	0	370	3	0	**373**	0	0	**776**
5:15:00 PM	6	0	9	0	**15**	0	0	14	420	0	0	**434**	0	0	0	0	0	0	**0**	0	0	0	424	8	0	**432**	0	0	**881**
Grand Total	26	0	53	0	**79**	0	0	54	1543	0	0	**1597**	0	0	0	0	1	0	**1**	1	0	0	1642	18	0	**1660**	0	0	**3337**
% Approach	32.9%	0.0%	67.1%	0.0%	**0.0%**	0.0%	0.0%	3.4%	96.6%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	98.9%	1.1%	0.0%	**0.0%**	0.0%	0.0%	
% Total	0.8%	0.0%	1.6%	0.0%	**2.4%**	0.0%	0.0%	1.6%	46.2%	0.0%	0.0%	**47.9%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	49.2%	0.5%	0.0%	**49.7%**	0.0%	0.0%	
PHF	0.722	0.000	0.663	0.000	**0.731**	0.000	0.000	0.900	0.918	0.000	0.000	**0.920**	0.000	0.000	0.000	0.000	0.250	0.000	**0.250**	0.000	0.000	0.000	0.964	0.563	0.000	**0.961**	0.000	0.000	**0.947**
Lights	7	0	50	0	**57**	0	0	51	1529	0	0	**1580**	0	0	0	0	1	0	**1**	0	0	0	1627	15	0	**1642**	0	0	**3280**
% Lights	26.9%	0.0%	94.3%	0.0%	**72.2%**	0.0%	0.0%	94.4%	99.1%	0.0%	0.0%	**98.9%**	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	**100.0%**	0.0%	0.0%	0.0%	99.1%	83.3%	0.0%	**98.9%**	0.0%	0.0%	**98.3%**
Trucks	0	0	1	0	**1**	0	0	0	8	0	0	**8**	0	0	0	0	0	0	**0**	0	0	0	9	3	0	**12**	0	0	**21**
% Trucks	0.0%	0.0%	1.9%	0.0%	**1.3%**	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.5%	16.7%	0.0%	**0.7%**	0.0%	0.0%	**0.6%**
Buses	0	0	1	0	**1**	0	0	0	4	0	0	**4**	0	0	0	0	0	0	**0**	0	0	0	1	0	0	**1**	0	0	**6**
% Buses	0.0%	0.0%	1.9%	0.0%	**1.3%**	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.2%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Frankhauser
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & Frankhauser
Latitude and Longitude	42.97821,-78.7765

	Start	End	PHF
PM Peak	2023-09-23 12:45:00	2023-09-23 13:45:00	0.922

Turning Movement Data

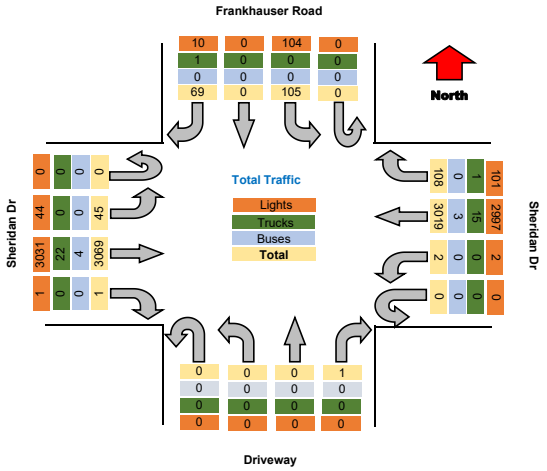
Leg	Frankhauser Road							Sheridan Dr							Driveway							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
11:00:00 AM	7	0	10	0	**17**	0	0	11	233	0	0	**244**	0	0	0	0	0	0	**0**	0	0	0	225	3	0	**228**	0	0	**489**
11:15:00 AM	5	0	11	0	**16**	0	0	12	267	0	0	**279**	0	0	0	0	0	0	**0**	0	1	0	245	4	0	**249**	0	1	**544**
11:30:00 AM	9	0	6	0	**15**	0	0	11	243	1	0	**255**	0	0	0	0	0	0	**0**	0	0	0	257	5	0	**262**	0	0	**532**
11:45:00 AM	8	0	7	0	**15**	0	0	10	239	0	0	**249**	0	0	1	0	0	0	**1**	0	0	0	250	4	0	**254**	0	0	**519**
Hourly Total	29	0	34	0	**63**	0	0	44	982	1	0	**1027**	0	0	1	0	0	0	**1**	0	1	0	977	16	0	**993**	0	1	**2084**
12:00:00 PM	4	0	6	0	**10**	0	0	10	236	1	0	**247**	0	0	0	0	0	0	**0**	1	1	0	274	3	0	**277**	0	0	**534**
12:15:00 PM	2	0	9	0	**11**	0	0	10	248	0	0	**258**	0	0	0	0	0	0	**0**	0	0	0	292	2	0	**294**	0	0	**563**
12:30:00 PM	6	0	11	0	**17**	0	0	11	243	0	0	**254**	0	0	0	0	0	0	**0**	2	1	0	249	6	0	**255**	0	0	**526**
12:45:00 PM	6	0	16	0	**22**	0	0	8	258	0	0	**266**	0	0	0	0	0	0	**0**	0	0	1	276	6	0	**283**	0	1	**571**
Hourly Total	18	0	42	0	**60**	0	0	39	985	1	0	**1025**	0	0	0	0	0	0	**0**	3	2	1	1091	17	0	**1109**	0	1	**2194**
1:00:00 PM	6	0	8	0	**14**	0	0	10	281	0	0	**291**	0	0	0	0	0	0	**0**	0	0	0	239	6	0	**245**	0	0	**550**
1:15:00 PM	4	0	6	0	**10**	0	0	5	235	0	0	**240**	0	0	0	0	0	0	**0**	0	0	0	240	1	0	**241**	0	0	**491**
1:30:00 PM	7	0	8	0	**15**	0	0	7	290	0	0	**297**	0	0	0	0	0	0	**0**	0	0	0	283	5	0	**288**	0	0	**600**
1:45:00 PM	5	0	7	0	**12**	0	0	3	246	0	0	**249**	0	0	0	0	0	0	**0**	0	0	0	239	0	0	**239**	0	0	**500**
Hourly Total	22	0	29	0	**51**	0	0	25	1052	0	0	**1077**	0	0	0	0	0	0	**0**	0	0	0	1001	12	0	**1013**	0	0	**2141**
Grand Total	69	0	105	0	**174**	0	0	108	3019	2	0	**3129**	0	0	1	0	0	0	**1**	3	3	1	3069	45	0	**3115**	0	2	**6419**
% Approach	39.7%	0.0%	60.3%	0.0%	**0.0%**	0.0%	0.0%	3.5%	96.5%	0.1%	0.0%	**0.0%**	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	98.5%	1.4%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	1.1%	0.0%	1.6%	0.0%	**2.7%**	0.0%	0.0%	1.7%	47.0%	0.0%	0.0%	**48.7%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	47.8%	0.7%	0.0%	**48.5%**	0.0%	0.0%	**0.0%**
Lights	10	0	104	0	**114**	0	0	101	2997	2	0	**3100**	0	0	0	0	0	0	**0**	0	0	1	3031	44	0	**3076**	0	0	**6290**
% Lights	14.5%	0.0%	99.0%	0.0%	**65.5%**	0.0%	0.0%	93.5%	99.3%	100.0%	0.0%	**99.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	100.0%	98.8%	97.8%	0.0%	**98.7%**	0.0%	0.0%	**98.0%**
Trucks	1	0	0	0	**1**	0	0	1	15	0	0	**16**	0	0	0	0	0	0	**0**	0	0	0	22	0	0	**22**	0	0	**39**
% Trucks	1.4%	0.0%	0.0%	0.0%	**0.6%**	0.0%	0.0%	0.9%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.7%	0.0%	0.0%	**0.7%**	0.0%	0.0%	**0.6%**
Buses	0	0	0	0	**0**	0	0	0	3	0	0	**3**	0	0	0	0	0	0	**0**	0	0	0	4	0	0	**4**	0	0	**7**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	1	0	0	0	0	**0**	0	1	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	33.3%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	3	2	0	0	0	0	**0**	0	1	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	66.7%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	**0.0%**

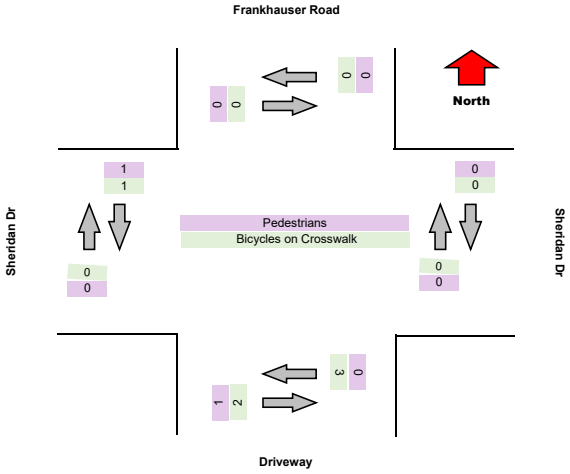
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TSTData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

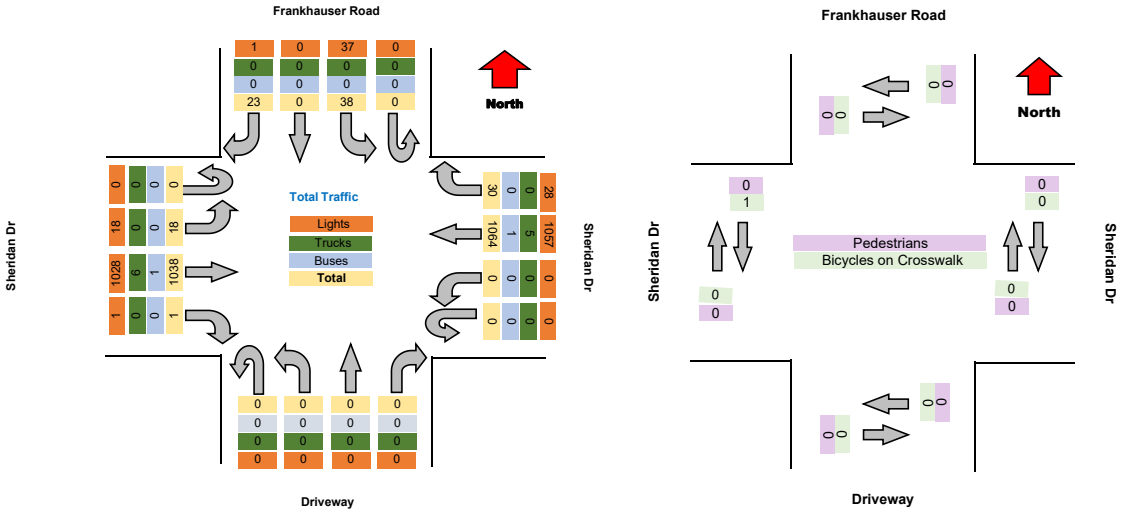
TSTData.com

Summary

Turning Movement Peak Hour Data (PM)

12:45:00 PM

Leg	Frankhauser Road							Sheridan Dr							Driveway							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
12:45:00 PM	6	0	16	0	**22**	0	0	8	258	0	0	**266**	0	0	0	0	0	0	**0**	0	0	1	276	6	0	**283**	0	1	**571**
1:00:00 PM	6	0	8	0	**14**	0	0	10	281	0	0	**291**	0	0	0	0	0	0	**0**	0	0	0	239	6	0	**245**	0	0	**550**
1:15:00 PM	4	0	6	0	**10**	0	0	5	235	0	0	**240**	0	0	0	0	0	0	**0**	0	0	0	240	1	0	**241**	0	0	**491**
1:30:00 PM	7	0	8	0	**15**	0	0	7	290	0	0	**297**	0	0	0	0	0	0	**0**	0	0	0	283	5	0	**288**	0	0	**600**
Grand Total	23	0	38	0	**61**	0	0	30	1064	0	0	**1094**	0	0	0	0	0	0	**0**	0	0	1	1038	18	0	**1057**	0	1	**2212**
% Approach	37.7%	0.0%	62.3%	0.0%	**0.0%**	0.0%	0.0%	2.7%	97.3%	0.0%	0.0%	**0.0%**	0.0%	0.0%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	**0.0%**	0.0%	0.0%	0.1%	98.2%	1.7%	0.0%	**0.0%**	0.0%	0.0%	
% Total	1.0%	0.0%	1.7%	0.0%	**2.8%**	0.0%	0.0%	1.4%	48.1%	0.0%	0.0%	**49.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	46.9%	0.8%	0.0%	**47.8%**	0.0%	0.0%	
PHF	0.821	0.000	0.594	0.000	**0.693**	0.000	0.000	0.750	0.917	0.000	0.000	**0.921**	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**	0.000	0.000	0.250	0.917	0.750	0.000	**0.918**	0.000	0.000	**0.922**
Lights	1	0	37	0	**38**	0	0	28	1057	0	0	**1085**	0	0	0	0	0	0	**0**	0	0	1	1028	18	0	**1047**	0	0	**2170**
% Lights	4.3%	0.0%	97.4%	0.0%	**62.3%**	0.0%	0.0%	93.3%	99.3%	0.0%	0.0%	**99.2%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	100.0%	99.0%	100.0%	0.0%	**99.1%**	0.0%	0.0%	**98.1%**
Trucks	0	0	0	0	**0**	0	0	0	5	0	0	**5**	0	0	0	0	0	0	**0**	0	0	0	6	0	0	**6**	0	0	**11**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.6%	0.0%	0.0%	**0.6%**	0.0%	0.0%	**0.5%**
Buses	0	0	0	0	**0**	0	0	0	1	0	0	**1**	0	0	0	0	0	0	**0**	0	0	0	1	0	0	**1**	0	0	**2**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	1	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA STData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Fenwick Rd
Legs and Movements	All Processed Legs & Movements
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & Fenwick Rd
Latitude and Longitude	42.97813, -78.77413

	Start	End	PHF
PM Peak	2023-09-21 16:30:00	2023-09-21 17:30:00	0.9576

Turning Movement Data

Leg	Sheridan Dr						Fenwick Road						Sheridan Dr						
Direction	Westbound						Northbound						Eastbound						
Start Time	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	U-Turn	**App Total**	Peds CW	Peds CCW	**Total**
3:00:00 PM	358	2	0	**360**	0	0	3	6	0	**9**	0	0	4	328	0	**332**	0	0	**701**
3:15:00 PM	340	4	0	**344**	0	0	4	5	0	**9**	0	0	4	389	0	**393**	0	0	**746**
3:30:00 PM	336	4	0	**340**	0	0	1	3	0	**4**	0	1	5	331	0	**336**	0	0	**680**
3:45:00 PM	336	3	0	**339**	0	0	2	3	0	**5**	0	0	1	376	0	**377**	0	0	**721**
Hourly Total	1370	13	0	**1383**	0	0	10	17	0	**27**	0	1	14	1424	0	**1438**	0	0	**2848**
4:00:00 PM	390	1	0	**391**	0	0	3	0	0	**3**	0	0	7	392	0	**399**	0	0	**793**
4:15:00 PM	325	3	0	**328**	0	0	4	4	0	**8**	0	0	4	398	0	**402**	0	0	**738**
4:30:00 PM	356	4	0	**360**	0	0	8	2	0	**10**	0	0	4	444	0	**448**	0	0	**818**
4:45:00 PM	413	4	0	**417**	0	0	3	3	0	**6**	1	0	6	419	0	**425**	0	0	**848**
Hourly Total	1484	12	0	**1496**	0	0	18	9	0	**27**	1	0	21	1653	0	**1674**	0	0	**3197**
5:00:00 PM	386	3	0	**389**	0	0	3	3	0	**6**	0	0	8	382	0	**390**	0	0	**785**
5:15:00 PM	417	1	0	**418**	0	0	6	6	0	**12**	0	0	10	426	0	**436**	0	0	**866**
5:30:00 PM	345	4	0	**349**	0	0	2	6	0	**8**	0	0	4	377	0	**381**	0	0	**738**
5:45:00 PM	312	2	0	**314**	0	0	2	2	0	**4**	0	0	7	342	0	**349**	0	0	**667**
Hourly Total	1460	10	0	**1470**	0	0	13	17	0	**30**	0	0	29	1527	0	**1556**	0	0	**3056**
Grand Total	4314	35	0	**4349**	0	0	41	43	0	**84**	1	1	64	4604	0	**4668**	0	0	**9101**
% Approach	99.2%	0.8%	0.0%	**0.0%**	0.0%	0.0%	48.8%	51.2%	0.0%	**0.0%**	0.0%	0.0%	1.4%	98.6%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	47.4%	0.4%	0.0%	**47.8%**	0.0%	0.0%	0.5%	0.5%	0.0%	**0.9%**	0.0%	0.0%	0.7%	50.6%	0.0%	**51.3%**	0.0%	0.0%	**0.0%**
Lights	4256	35	0	**4291**	0	0	40	40	0	**80**	0	0	60	4544	0	**4604**	0	0	**8975**
% Lights	98.7%	100.0%	0.0%	**98.7%**	0.0%	0.0%	97.6%	93.0%	0.0%	**95.2%**	0.0%	0.0%	93.8%	98.7%	0.0%	**98.6%**	0.0%	0.0%	**98.6%**
Trucks	36	0	0	**36**	0	0	0	2	0	**2**	0	0	0	35	0	**35**	0	0	**73**
% Trucks	0.8%	0.0%	0.0%	**0.8%**	0.0%	0.0%	0.0%	4.7%	0.0%	**2.4%**	0.0%	0.0%	0.0%	0.8%	0.0%	**0.7%**	0.0%	0.0%	**0.8%**
Buses	12	0	0	**12**	0	0	1	1	0	**2**	0	0	1	14	0	**15**	0	0	**29**
% Buses	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	2.3%	0.0%	**2.4%**	0.0%	0.0%	1.6%	0.3%	0.0%	**0.3%**	0.0%	0.0%	**0.3%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	1	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	1	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

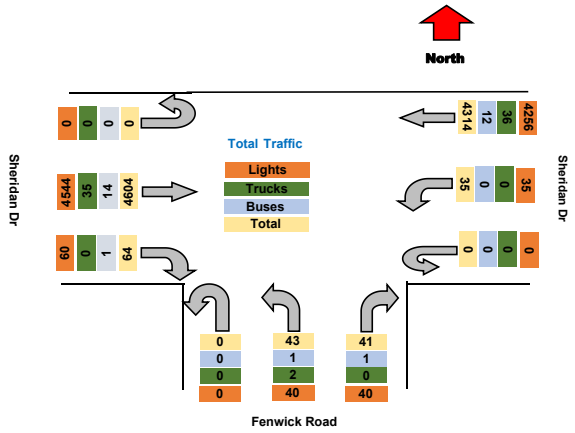
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

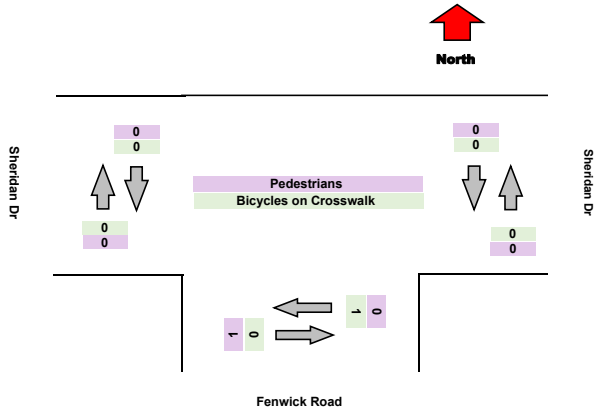
8.1.a

TRI-STATE TRAFFIC DATA STData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

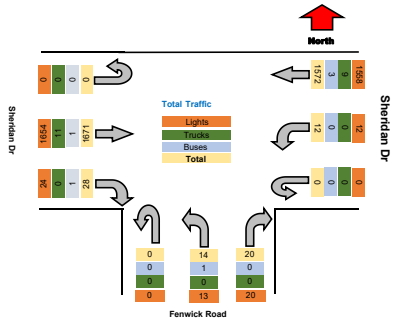
TRI-STATE TRAFFIC DATA STData.com

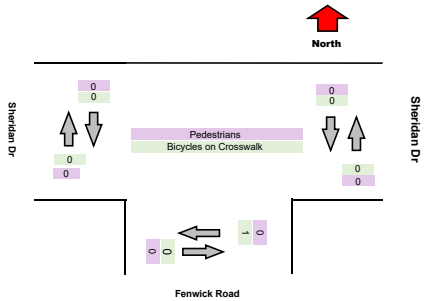
Summary

Turning Movement Peak Hour Data (PM)

4:30:00 PM

Leg	Sheridan Dr						Fenwick Road						Sheridan Dr						
Direction	Westbound						Northbound						Eastbound						
Start Time	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	U-Turn	App Total	Peds CW	Peds CCW	Total
4:30:00 PM	356	4	0	**360**	0	0	8	2	0	**10**	0	0	4	444	0	**448**	0	0	**818**
4:45:00 PM	413	4	0	**417**	0	0	3	3	0	**6**	1	0	6	419	0	**425**	0	0	**848**
5:00:00 PM	386	3	0	**389**	0	0	3	3	0	**6**	0	0	8	382	0	**390**	0	0	**785**
5:15:00 PM	417	1	0	**418**	0	0	6	6	0	**12**	0	0	10	426	0	**436**	0	0	**866**
Grand Total	1572	12	0	**1584**	0	0	20	14	0	**34**	1	0	28	1671	0	**1699**	0	0	**3317**
% Approach	99.2%	0.8%	0.0%	**0.0%**	0.0%	0.0%	58.8%	41.2%	0.0%	**0.0%**	0.0%	0.0%	1.6%	98.4%	0.0%	**0.0%**	0.0%	0.0%	
% Total	47.4%	0.4%	0.0%	**47.8%**	0.0%	0.0%	0.6%	0.4%	0.0%	**1.0%**	0.0%	0.0%	0.8%	50.4%	0.0%	**51.2%**	0.0%	0.0%	
PHF	0.942	0.750	0.000	**0.947**	0.000	0.000	0.625	0.583	0.000	**0.708**	0.000	0.000	0.700	0.941	0.000	**0.948**	0.000	0.000	**0.958**
Lights	1558	12	0	**1570**	0	0	20	13	0	**33**	0	0	24	1654	0	**1678**	0	0	**3281**
% Lights	99.1%	100.0%	0.0%	**99.1%**	0.0%	0.0%	100.0%	92.9%	0.0%	**97.1%**	0.0%	0.0%	85.7%	99.0%	0.0%	**98.8%**	0.0%	0.0%	**98.9%**
Trucks	9	0	0	**9**	0	0	0	0	0	**0**	0	0	0	11	0	**11**	0	0	**20**
% Trucks	0.6%	0.0%	0.0%	**0.6%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.7%	0.0%	**0.6%**	0.0%	0.0%	**0.6%**
Buses	3	0	0	**3**	0	0	0	1	0	**1**	0	0	1	1	0	**2**	0	0	**6**
% Buses	0.2%	0.0%	0.0%	**0.2%**	0.0%	0.0%	0.0%	7.1%	0.0%	**2.9%**	0.0%	0.0%	3.6%	0.1%	0.0%	**0.1%**	0.0%	0.0%	**0.2%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	1	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

TRI-STATE TRAFFIC DATA STData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Fenwick Rd
Legs and Movements	All Processed Legs & Movements
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & Fenwick Rd
Latitude and Longitude	42.97813, -78.77413

	Start	End	PHF
PM Peak	2023-09-23 12:00:00	2023-09-23 13:00:00	0.9553

Turning Movement Data

Leg	Sheridan Dr						Fenwick Road						Sheridan Dr						
Direction	**Westbound**						**Northbound**						**Eastbound**						
Start Time	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	U-Turn	**App Total**	Peds CW	Peds CCW	**Total**
11:00:00 AM	233	4	0	**237**	0	0	2	4	0	**6**	0	0	4	232	0	**236**	0	0	**479**
11:15:00 AM	273	3	0	**276**	0	0	5	5	0	**10**	0	1	4	248	0	**252**	0	0	**538**
11:30:00 AM	260	3	0	**263**	0	0	2	6	0	**8**	0	0	4	260	0	**264**	0	0	**535**
11:45:00 AM	236	1	0	**237**	0	0	5	5	0	**10**	0	0	4	251	0	**255**	0	0	**502**
Hourly Total	1002	11	0	**1013**	0	0	14	20	0	**34**	0	1	16	991	0	**1007**	0	0	**2054**
12:00:00 PM	254	4	0	**258**	0	0	5	4	0	**9**	0	1	8	273	0	**281**	0	0	**548**
12:15:00 PM	240	6	0	**246**	0	0	7	6	0	**13**	0	0	1	301	0	**302**	0	0	**561**
12:30:00 PM	242	6	0	**248**	0	0	6	6	0	**12**	1	0	5	251	0	**256**	0	0	**516**
12:45:00 PM	268	2	0	**270**	0	0	3	4	0	**7**	0	0	5	294	0	**299**	0	0	**576**
Hourly Total	1004	18	0	**1022**	0	0	21	20	0	**41**	1	1	19	1119	0	**1138**	0	0	**2201**
1:00:00 PM	284	1	0	**285**	0	0	3	2	0	**5**	0	0	6	241	0	**247**	0	0	**537**
1:15:00 PM	246	2	0	**248**	0	0	5	4	0	**9**	0	0	3	239	0	**242**	0	0	**499**
1:30:00 PM	283	4	0	**287**	0	0	3	3	0	**6**	0	0	8	285	0	**293**	0	0	**586**
1:45:00 PM	245	0	0	**245**	0	0	2	6	0	**8**	0	0	1	243	0	**244**	0	0	**497**
Hourly Total	1058	7	0	**1065**	0	0	13	15	0	**28**	0	0	18	1008	0	**1026**	0	0	**2119**
Grand Total	3064	36	0	**3100**	0	0	48	55	0	**103**	1	2	53	3118	0	**3171**	0	0	**6374**
% Approach	98.8%	1.2%	0.0%	**0.0%**	0.0%	0.0%	46.6%	53.4%	0.0%	**0.0%**	0.0%	0.0%	1.7%	98.3%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	48.1%	0.6%	0.0%	**48.6%**	0.0%	0.0%	0.8%	0.9%	0.0%	**1.6%**	0.0%	0.0%	0.8%	48.9%	0.0%	**49.7%**	0.0%	0.0%	**0.0%**
Lights	3040	36	0	**3076**	0	0	45	55	0	**100**	0	0	51	3081	0	**3132**	0	0	**6308**
% Lights	99.2%	100.0%	0.0%	**99.2%**	0.0%	0.0%	93.8%	100.0%	0.0%	**97.1%**	0.0%	0.0%	96.2%	98.8%	0.0%	**98.8%**	0.0%	0.0%	**99.0%**
Trucks	16	0	0	**16**	0	0	3	0	0	**3**	0	0	1	21	0	**22**	0	0	**41**
% Trucks	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	6.3%	0.0%	0.0%	**2.9%**	0.0%	0.0%	1.9%	0.7%	0.0%	**0.7%**	0.0%	0.0%	**0.6%**
Buses	3	0	0	**3**	0	0	0	0	0	**0**	0	0	0	4	0	**4**	0	0	**7**
% Buses	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	1	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	1	1	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	50.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

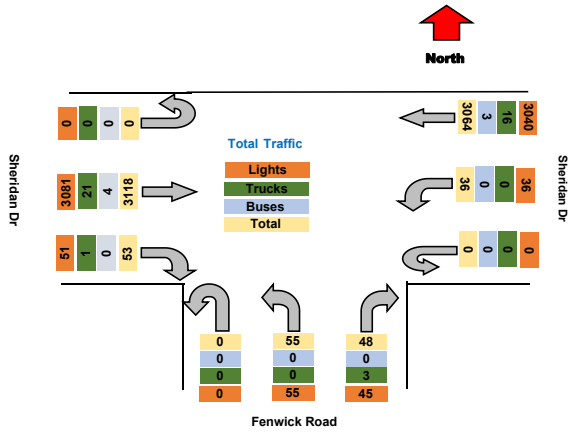
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

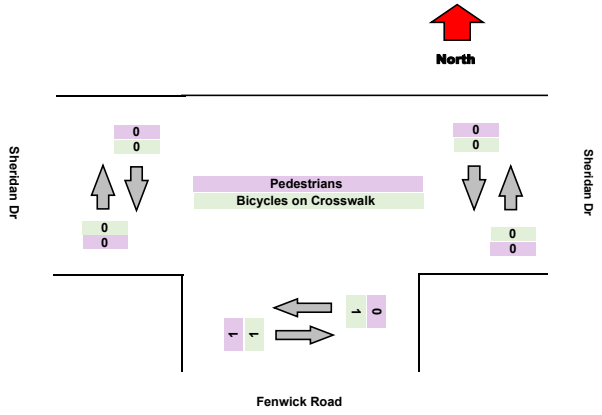
8.1.a

TRI-STATE TRAFFIC DATA STData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

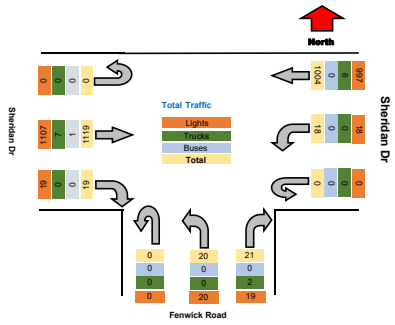
TRI-STATE TRAFFIC DATA STData.com

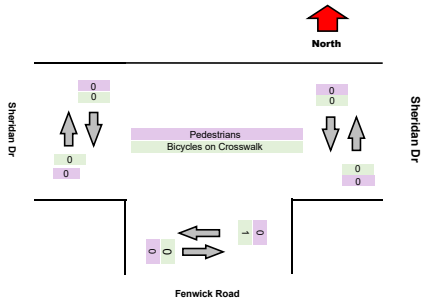
Summary

Turning Movement Peak Hour Data (PM)

12:00:00 PM

Leg	Sheridan Dr						Fenwick Road						Sheridan Dr						
Direction	Westbound						Northbound						Eastbound						
Start Time	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	U-Turn	App Total	Peds CW	Peds CCW	Total
12:00:00 PM	254	4	0	**258**	0	0	5	4	0	**9**	0	1	8	273	0	**281**	0	0	**548**
12:15:00 PM	240	6	0	**246**	0	0	7	6	0	**13**	0	0	1	301	0	**302**	0	0	**561**
12:30:00 PM	242	6	0	**248**	0	0	6	6	0	**12**	1	0	5	251	0	**256**	0	0	**516**
12:45:00 PM	268	2	0	**270**	0	0	3	4	0	**7**	0	0	5	294	0	**299**	0	0	**576**
Grand Total	1004	18	0	**1022**	0	0	21	20	0	**41**	1	1	19	1119	0	**1138**	0	0	**2201**
% Approach	98.2%	1.8%	0.0%	**0.0%**	0.0%	0.0%	51.2%	48.8%	0.0%	**0.0%**	0.0%	0.0%	1.7%	98.3%	0.0%	**0.0%**	0.0%	0.0%	
% Total	45.6%	0.8%	0.0%	**46.4%**	0.0%	0.0%	1.0%	0.9%	0.0%	**1.9%**	0.0%	0.0%	0.9%	50.8%	0.0%	**51.7%**	0.0%	0.0%	
PHF	0.937	0.750	0.000	**0.946**	0.000	0.000	0.750	0.833	0.000	**0.788**	0.000	0.000	0.594	0.929	0.000	**0.942**	0.000	0.000	**0.955**
Lights	997	18	0	**1015**	0	0	19	20	0	**39**	0	0	19	1107	0	**1126**	0	0	**2180**
% Lights	99.3%	100.0%	0.0%	**99.3%**	0.0%	0.0%	90.5%	100.0%	0.0%	**95.1%**	0.0%	0.0%	100.0%	98.9%	0.0%	**98.9%**	0.0%	0.0%	**99.0%**
Trucks	6	0	0	**6**	0	0	2	0	0	**2**	0	0	0	7	0	**7**	0	0	**15**
% Trucks	0.6%	0.0%	0.0%	**0.6%**	0.0%	0.0%	9.5%	0.0%	0.0%	**4.9%**	0.0%	0.0%	0.0%	0.6%	0.0%	**0.6%**	0.0%	0.0%	**0.7%**
Buses	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	1	0	**1**	0	0	**1**
% Buses	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	**0.1%**	0.0%	0.0%	**0.0%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	1	1	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & North Forest
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & North Forest
Latitude and Longitude	42.97808,-78.76788

	Start	End	PHF
PM Peak	2023-09-21 16:30:00	2023-09-21 17:30:00	0.962

Turning Movement Data

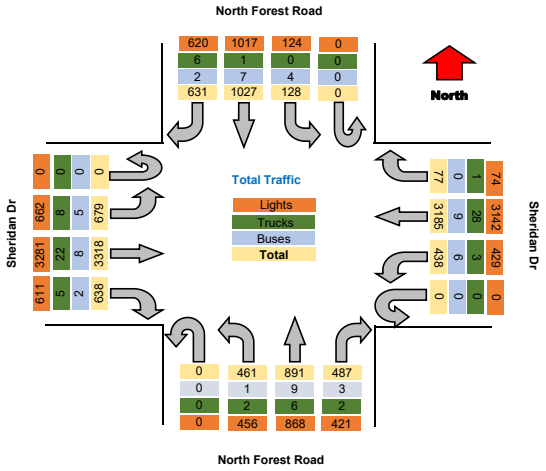
Leg	North Forest Road							Sheridan Dr							North Forest Road							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
3:00:00 PM	77	67	11	0	**155**	1	0	4	249	28	0	**281**	0	0	29	68	28	0	**125**	0	0	34	246	47	0	**327**	0	0	**888**
3:15:00 PM	65	87	13	0	**165**	1	0	5	220	47	0	**272**	0	0	46	67	39	0	**152**	0	0	39	274	60	0	**373**	0	0	**962**
3:30:00 PM	44	66	12	0	**122**	0	0	9	252	26	0	**287**	0	0	38	70	43	0	**151**	0	1	43	249	58	0	**350**	0	0	**910**
3:45:00 PM	61	101	9	0	**171**	0	0	9	240	34	0	**283**	0	0	32	49	35	0	**116**	0	0	55	264	61	0	**380**	0	0	**950**
Hourly Total	247	321	45	0	**613**	2	0	27	961	135	0	**1123**	0	0	145	254	145	0	**544**	0	1	171	1033	226	0	**1430**	0	0	**3710**
4:00:00 PM	60	92	13	0	**165**	0	0	7	286	30	0	**323**	0	0	47	95	36	0	**178**	0	0	56	258	51	0	**365**	0	0	**1031**
4:15:00 PM	31	77	11	0	**119**	0	0	10	280	43	0	**333**	0	0	42	61	31	0	**134**	0	0	77	295	60	0	**432**	0	0	**1018**
4:30:00 PM	46	113	8	0	**167**	0	0	8	265	42	0	**315**	0	1	49	93	38	0	**180**	0	1	81	268	67	0	**416**	0	0	**1078**
4:45:00 PM	51	94	10	0	**155**	0	0	4	308	32	0	**344**	0	0	51	92	52	0	**195**	0	0	67	322	49	0	**438**	0	1	**1132**
Hourly Total	188	376	42	0	**606**	0	0	29	1139	147	0	**1315**	0	1	189	341	157	0	**687**	0	1	281	1143	227	0	**1651**	0	1	**4259**
5:00:00 PM	42	83	12	0	**137**	0	0	7	321	44	0	**372**	0	0	35	71	40	0	**146**	0	0	52	286	64	0	**402**	0	0	**1057**
5:15:00 PM	52	96	11	0	**159**	0	0	6	298	45	0	**349**	1	0	36	84	49	0	**169**	1	0	67	290	53	0	**410**	0	0	**1087**
5:30:00 PM	53	77	11	0	**141**	0	0	3	245	28	0	**276**	0	0	55	69	41	0	**165**	0	0	30	301	53	0	**384**	0	0	**966**
5:45:00 PM	49	74	7	0	**130**	0	0	5	221	39	0	**265**	0	0	27	72	29	0	**128**	0	0	37	265	56	0	**358**	0	0	**881**
Hourly Total	196	330	41	0	**567**	0	0	21	1085	156	0	**1262**	1	0	153	296	159	0	**608**	1	0	186	1142	226	0	**1554**	0	0	**3991**
Grand Total	631	1027	128	0	**1786**	2	0	77	3185	438	0	**3700**	1	1	487	891	461	0	**1839**	1	2	638	3318	679	0	**4635**	0	1	**11960**
% Approach	35.3%	57.5%	7.2%	0.0%	**0.0%**	0.0%	0.0%	2.1%	86.1%	11.8%	0.0%	**0.0%**	0.0%	0.0%	26.5%	48.5%	25.1%	0.0%	**0.0%**	0.0%	0.0%	13.8%	71.6%	14.6%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	5.3%	8.6%	1.1%	0.0%	**14.9%**	0.0%	0.0%	0.6%	26.6%	3.7%	0.0%	**30.9%**	0.0%	0.0%	4.1%	7.4%	3.9%	0.0%	**15.4%**	0.0%	0.0%	5.3%	27.7%	5.7%	0.0%	**38.8%**	0.0%	0.0%	**0.0%**
Lights	620	1017	124	0	**1761**	0	0	74	3142	429	0	**3645**	0	0	421	868	456	0	**1745**	0	0	611	3281	662	0	**4554**	0	0	**11705**
% Lights	98.3%	99.0%	96.9%	0.0%	**98.6%**	0.0%	0.0%	96.1%	98.6%	97.9%	0.0%	**98.5%**	0.0%	0.0%	86.4%	97.4%	98.9%	0.0%	**94.9%**	0.0%	0.0%	95.8%	98.9%	97.5%	0.0%	**98.3%**	0.0%	0.0%	**97.9%**
Trucks	6	1	0	0	**7**	0	0	1	28	3	0	**32**	0	0	2	6	2	0	**10**	0	0	5	22	8	0	**35**	0	0	**84**
% Trucks	1.0%	0.1%	0.0%	0.0%	**0.4%**	0.0%	0.0%	1.3%	0.9%	0.7%	0.0%	**0.9%**	0.0%	0.0%	0.4%	0.7%	0.4%	0.0%	**0.5%**	0.0%	0.0%	0.8%	0.7%	1.2%	0.0%	**0.8%**	0.0%	0.0%	**0.7%**
Buses	2	7	4	0	**13**	0	0	0	9	6	0	**15**	0	0	3	9	1	0	**13**	0	0	2	8	5	0	**15**	0	0	**56**
% Buses	0.3%	0.7%	3.1%	0.0%	**0.7%**	0.0%	0.0%	0.0%	0.3%	1.4%	0.0%	**0.4%**	0.0%	0.0%	0.6%	1.0%	0.2%	0.0%	**0.7%**	0.0%	0.0%	0.3%	0.2%	0.7%	0.0%	**0.3%**	0.0%	0.0%	**0.5%**
Pedestrians	0	0	0	0	**0**	2	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	1	2	0	0	0	0	**0**	0	1	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	1	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

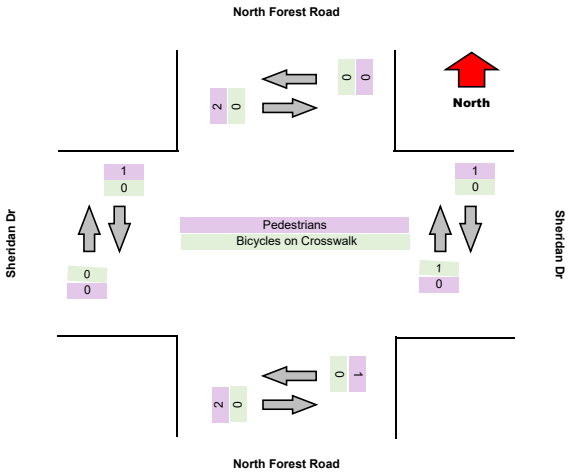
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TSTData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

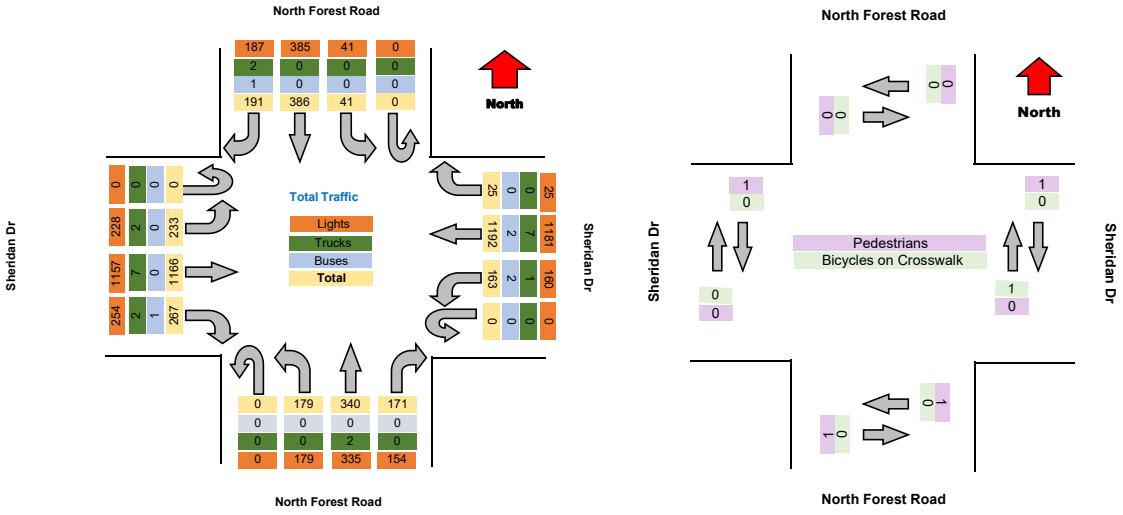
TSTData.com

Summary

Turning Movement Peak Hour Data (PM)

4:30:00 PM

Leg	North Forest Road							Sheridan Dr							North Forest Road							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
4:30:00 PM	46	113	8	0	**167**	0	0	8	265	42	0	**315**	0	1	49	93	38	0	**180**	0	1	81	268	67	0	**416**	0	0	**1078**
4:45:00 PM	51	94	10	0	**155**	0	0	4	308	32	0	**344**	0	0	51	92	52	0	**195**	0	0	67	322	49	0	**438**	0	1	**1132**
5:00:00 PM	42	83	12	0	**137**	0	0	7	321	44	0	**372**	0	0	35	71	40	0	**146**	0	0	52	286	64	0	**402**	0	0	**1057**
5:15:00 PM	52	96	11	0	**159**	0	0	6	298	45	0	**349**	1	0	36	84	49	0	**169**	1	0	67	290	53	0	**410**	0	0	**1087**
Grand Total	191	386	41	0	**618**	0	0	25	1192	163	0	**1380**	1	1	171	340	179	0	**690**	1	1	267	1166	233	0	**1666**	0	1	**4354**
% Approach	30.9%	62.5%	6.6%	0.0%	**0.0%**	0.0%	0.0%	1.8%	86.4%	11.8%	0.0%	**0.0%**	0.0%	0.0%	24.8%	49.3%	25.9%	0.0%	**0.0%**	0.0%	0.0%	16.0%	70.0%	14.0%	0.0%	**0.0%**	0.0%	0.0%	
% Total	4.4%	8.9%	0.9%	0.0%	**14.2%**	0.0%	0.0%	0.6%	27.4%	3.7%	0.0%	**31.7%**	0.0%	0.0%	3.9%	7.8%	4.1%	0.0%	**15.8%**	0.0%	0.0%	6.1%	26.8%	5.4%	0.0%	**38.3%**	0.0%	0.0%	
PHF	0.918	0.854	0.854	0.000	**0.925**	0.000	0.000	0.781	0.928	0.906	0.000	**0.927**	0.000	0.000	0.838	0.914	0.861	0.000	**0.885**	0.000	0.000	0.824	0.905	0.869	0.000	**0.951**	0.000	0.000	**0.962**
Lights	187	385	41	0	**613**	0	0	25	1181	160	0	**1366**	0	0	154	335	179	0	**668**	0	0	254	1157	228	0	**1639**	0	0	**4286**
% Lights	97.9%	99.7%	100.0%	0.0%	**99.2%**	0.0%	0.0%	100.0%	99.1%	98.2%	0.0%	**99.0%**	0.0%	0.0%	90.1%	98.5%	100.0%	0.0%	**96.8%**	0.0%	0.0%	95.1%	99.2%	97.9%	0.0%	**98.4%**	0.0%	0.0%	**98.4%**
Trucks	2	0	0	0	**2**	0	0	0	7	1	0	**8**	0	0	0	2	0	0	**2**	0	0	2	7	2	0	**11**	0	0	**23**
% Trucks	1.0%	0.0%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.6%	0.6%	0.0%	**0.6%**	0.0%	0.0%	0.0%	0.6%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.7%	0.6%	0.9%	0.0%	**0.7%**	0.0%	0.0%	**0.5%**
Buses	1	0	0	0	**1**	0	0	0	2	2	0	**4**	0	0	0	0	0	0	**0**	0	0	1	0	0	0	**1**	0	0	**6**
% Buses	0.5%	0.0%	0.0%	0.0%	**0.2%**	0.0%	0.0%	0.0%	0.2%	1.2%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.4%	0.0%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	1	1	0	0	0	0	**0**	0	1	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	1	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & North Forest
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & North Forest
Latitude and Longitude	42.97808,-78.76788

	Start	End	PHF
PM Peak	2023-09-23 12:00:00	2023-09-23 13:00:00	0.987

Turning Movement Data

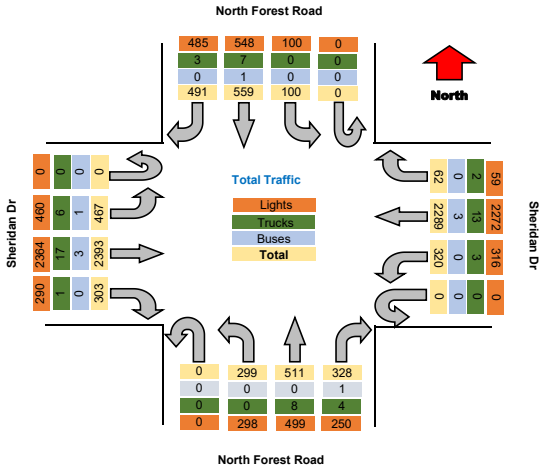
Leg	North Forest Road							Sheridan Dr							North Forest Road							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
11:00:00 AM	39	39	8	0	**86**	0	0	9	168	24	0	**201**	0	0	25	37	27	0	**89**	0	0	15	192	25	0	**232**	1	0	**608**
11:15:00 AM	41	34	8	0	**83**	0	0	6	209	23	0	**238**	0	0	33	32	20	0	**85**	0	0	26	188	36	0	**250**	0	0	**656**
11:30:00 AM	41	58	7	0	**106**	0	0	4	191	20	0	**215**	0	0	29	48	25	0	**102**	0	0	20	192	32	0	**244**	0	1	**667**
11:45:00 AM	43	40	12	0	**95**	0	0	6	169	24	0	**199**	0	0	33	47	22	0	**102**	0	0	23	207	46	0	**276**	0	0	**672**
Hourly Total	164	171	35	0	**370**	0	0	25	737	91	0	**853**	0	0	120	164	94	0	**378**	0	0	84	779	139	0	**1002**	1	1	**2603**
12:00:00 PM	45	53	14	0	**112**	0	0	3	188	31	0	**222**	0	0	30	44	25	0	**99**	0	1	21	212	36	0	**269**	0	0	**702**
12:15:00 PM	43	42	14	0	**99**	0	0	4	177	32	0	**213**	0	1	38	45	25	0	**108**	1	0	29	221	53	0	**303**	0	0	**723**
12:30:00 PM	44	54	12	0	**110**	0	0	7	195	34	0	**236**	0	0	22	49	23	0	**94**	1	0	29	201	38	0	**268**	0	0	**708**
12:45:00 PM	43	53	6	0	**102**	0	0	7	207	28	0	**242**	1	0	19	47	27	0	**93**	0	0	24	219	44	0	**287**	0	0	**724**
Hourly Total	175	202	46	0	**423**	0	0	21	767	125	0	**913**	1	1	109	185	100	0	**394**	2	1	103	853	171	0	**1127**	0	0	**2857**
1:00:00 PM	42	53	5	0	**100**	0	0	3	205	25	0	**233**	0	0	23	39	26	0	**88**	0	0	29	187	42	0	**258**	0	0	**679**
1:15:00 PM	34	38	2	0	**74**	0	0	7	178	22	0	**207**	0	0	22	43	27	0	**92**	0	0	35	172	36	0	**243**	0	0	**616**
1:30:00 PM	43	47	6	0	**96**	0	0	2	214	34	0	**250**	0	0	23	44	29	0	**96**	0	0	30	193	37	0	**260**	0	0	**702**
1:45:00 PM	33	48	6	0	**87**	0	0	4	188	23	0	**215**	0	0	31	36	23	0	**90**	0	0	22	209	42	0	**273**	0	0	**665**
Hourly Total	152	186	19	0	**357**	0	0	16	785	104	0	**905**	0	0	99	162	105	0	**366**	0	0	116	761	157	0	**1034**	0	0	**2662**
Grand Total	491	559	100	0	**1150**	0	0	62	2289	320	0	**2671**	1	1	328	511	299	0	**1138**	2	1	303	2393	467	0	**3163**	1	1	**8122**
% Approach	42.7%	48.6%	8.7%	0.0%	**0.0%**	0.0%	0.0%	2.3%	85.7%	12.0%	0.0%	**0.0%**	0.0%	0.0%	28.8%	44.9%	26.3%	0.0%	**0.0%**	0.0%	0.0%	9.6%	75.7%	14.8%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	6.0%	6.9%	1.2%	0.0%	**14.2%**	0.0%	0.0%	0.8%	28.2%	3.9%	0.0%	**32.9%**	0.0%	0.0%	4.0%	6.3%	3.7%	0.0%	**14.0%**	0.0%	0.0%	3.7%	29.5%	5.7%	0.0%	**38.9%**	0.0%	0.0%	**0.0%**
Lights	485	548	100	0	**1133**	0	0	59	2272	316	0	**2647**	0	0	250	499	298	0	**1047**	0	0	290	2364	460	0	**3114**	0	0	**7941**
% Lights	98.8%	98.0%	100.0%	0.0%	**98.5%**	0.0%	0.0%	95.2%	99.3%	98.8%	0.0%	**99.1%**	0.0%	0.0%	76.2%	97.7%	99.7%	0.0%	**92.0%**	0.0%	0.0%	95.7%	98.8%	98.5%	0.0%	**98.5%**	0.0%	0.0%	**97.8%**
Trucks	3	7	0	0	**10**	0	0	2	13	3	0	**18**	0	0	4	8	0	0	**12**	0	0	1	17	6	0	**24**	0	0	**64**
% Trucks	0.6%	1.3%	0.0%	0.0%	**0.9%**	0.0%	0.0%	3.2%	0.6%	0.9%	0.0%	**0.7%**	0.0%	0.0%	1.2%	1.6%	0.0%	0.0%	**1.1%**	0.0%	0.0%	0.3%	0.7%	1.3%	0.0%	**0.8%**	0.0%	0.0%	**0.8%**
Buses	0	1	0	0	**1**	0	0	0	3	0	0	**3**	0	0	1	0	0	0	**1**	0	0	0	3	1	0	**4**	0	0	**9**
% Buses	0.0%	0.2%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.1%	0.2%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	1	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	1	0	0	0	0	**0**	1	1	0	0	0	0	**0**	0	1	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**

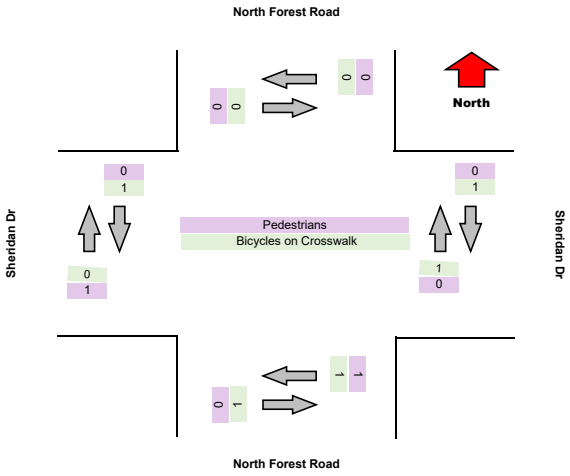
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TSTData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

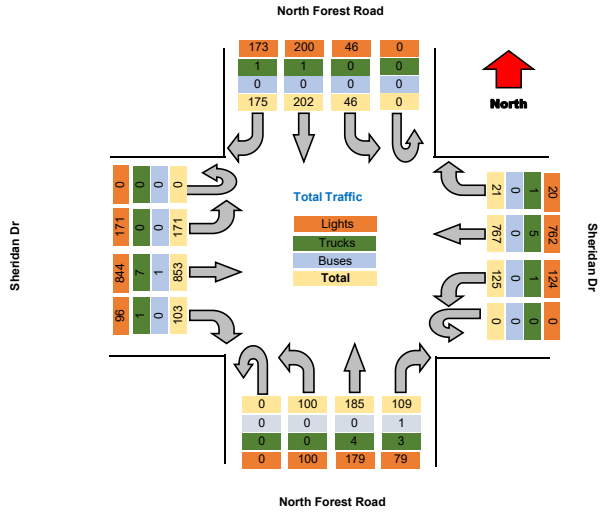
TSTData.com

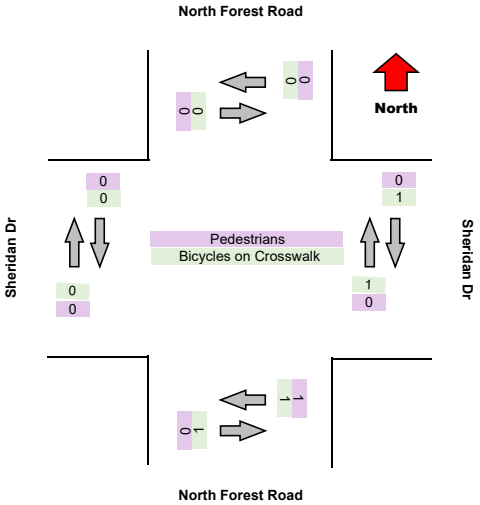
Summary

Turning Movement Peak Hour Data (PM)

12:00:00 PM

Leg	North Forest Road							Sheridan Dr							North Forest Road							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
12:00:00 PM	45	53	14	0	**112**	0	0	3	188	31	0	**222**	0	0	30	44	25	0	**99**	0	1	21	212	36	0	**269**	0	0	**702**
12:15:00 PM	43	42	14	0	**99**	0	0	4	177	32	0	**213**	0	1	38	45	25	0	**108**	1	0	29	221	53	0	**303**	0	0	**723**
12:30:00 PM	44	54	12	0	**110**	0	0	7	195	34	0	**236**	0	0	22	49	23	0	**94**	1	0	29	201	38	0	**268**	0	0	**708**
12:45:00 PM	43	53	6	0	**102**	0	0	7	207	28	0	**242**	1	0	19	47	27	0	**93**	0	0	24	219	44	0	**287**	0	0	**724**
Grand Total	175	202	46	0	**423**	0	0	21	767	125	0	**913**	1	1	109	185	100	0	**394**	2	1	103	853	171	0	**1127**	0	0	**2857**
% Approach	41.4%	47.8%	10.9%	0.0%	**0.0%**	0.0%	0.0%	2.3%	84.0%	13.7%	0.0%	**0.0%**	0.0%	0.0%	27.7%	47.0%	25.4%	0.0%	**0.0%**	0.0%	0.0%	9.1%	75.7%	15.2%	0.0%	**0.0%**	0.0%	0.0%	
% Total	6.1%	7.1%	1.6%	0.0%	**14.8%**	0.0%	0.0%	0.7%	26.8%	4.4%	0.0%	**32.0%**	0.0%	0.0%	3.8%	6.5%	3.5%	0.0%	**13.8%**	0.0%	0.0%	3.6%	29.9%	6.0%	0.0%	**39.4%**	0.0%	0.0%	
PHF	0.972	0.935	0.821	0.000	**0.944**	0.000	0.000	0.750	0.926	0.919	0.000	**0.943**	0.000	0.000	0.717	0.944	0.926	0.000	**0.912**	0.000	0.000	0.888	0.965	0.807	0.000	**0.930**	0.000	0.000	**0.987**
Lights	173	200	46	0	**419**	0	0	20	762	124	0	**906**	0	0	79	179	100	0	**358**	0	0	96	844	171	0	**1111**	0	0	**2794**
% Lights	98.9%	99.0%	100.0%	0.0%	**99.1%**	0.0%	0.0%	95.2%	99.3%	99.2%	0.0%	**99.2%**	0.0%	0.0%	72.5%	96.8%	100.0%	0.0%	**90.9%**	0.0%	0.0%	93.2%	98.9%	100.0%	0.0%	**98.6%**	0.0%	0.0%	**97.8%**
Trucks	1	1	0	0	**2**	0	0	1	5	1	0	**7**	0	0	3	4	0	0	**7**	0	0	1	7	0	0	**8**	0	0	**24**
% Trucks	0.6%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	4.8%	0.7%	0.8%	0.0%	**0.8%**	0.0%	0.0%	2.8%	2.2%	0.0%	0.0%	**1.8%**	0.0%	0.0%	1.0%	0.8%	0.0%	0.0%	**0.7%**	0.0%	0.0%	**0.8%**
Buses	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	1	0	0	0	**1**	0	0	0	1	0	0	**1**	0	0	**2**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.9%	0.0%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	1	0	0	0	0	**0**	1	1	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA STData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Harlem Rd
Legs and Movements	All Processed Legs & Movements
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & Harlem Rd
Latitude and Longitude	42.97858, -78.78386

	Start	End	PHF
PM Peak	2023-09-21 16:30:00	2023-09-21 17:30:00	0.9815

Turning Movement Data

Leg	Sheridan Dr						Harlem Road						Sheridan Dr						
Direction	**Westbound**						**Northbound**						**Eastbound**						
Start Time	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	U-Turn	**App Total**	Peds CW	Peds CCW	**Total**
3:00:00 PM	188	106	0	**294**	0	0	170	59	0	**229**	1	0	101	165	0	**266**	0	0	**789**
3:15:00 PM	159	118	0	**277**	1	0	199	62	0	**261**	0	1	92	158	0	**250**	1	0	**788**
3:30:00 PM	169	77	1	**247**	0	0	164	58	0	**222**	0	1	102	177	0	**279**	0	0	**748**
3:45:00 PM	173	108	0	**281**	0	0	188	48	0	**236**	0	0	86	184	0	**270**	0	0	**787**
Hourly Total	689	409	1	**1099**	1	0	721	227	0	**948**	1	2	381	684	0	**1065**	1	0	**3112**
4:00:00 PM	182	95	1	**278**	0	1	200	54	0	**254**	0	0	76	184	0	**260**	0	1	**792**
4:15:00 PM	185	72	0	**257**	0	0	194	51	0	**245**	0	0	86	207	1	**294**	0	0	**796**
4:30:00 PM	182	79	1	**262**	0	0	248	43	0	**291**	0	16	76	209	0	**285**	0	2	**838**
4:45:00 PM	175	87	0	**262**	0	2	227	56	0	**283**	2	0	79	205	0	**284**	0	2	**829**
Hourly Total	724	333	2	**1059**	0	3	869	204	0	**1073**	2	16	317	805	1	**1123**	0	5	**3255**
5:00:00 PM	183	90	0	**273**	0	0	194	38	0	**232**	13	0	81	206	1	**288**	0	0	**793**
5:15:00 PM	204	94	0	**298**	0	0	219	50	0	**269**	0	3	73	190	0	**263**	0	0	**830**
5:30:00 PM	166	87	0	**253**	0	0	189	51	0	**240**	0	0	76	177	0	**253**	0	0	**746**
5:45:00 PM	172	106	0	**278**	0	1	177	36	0	**213**	0	0	46	132	0	**178**	0	0	**669**
Hourly Total	725	377	0	**1102**	0	1	779	175	0	**954**	13	3	276	705	1	**982**	0	0	**3038**
Grand Total	2138	1119	3	**3260**	1	4	2369	606	0	**2975**	16	21	974	2194	2	**3170**	1	5	**9405**
% Approach	65.6%	34.3%	0.1%	**0.0%**	0.0%	0.0%	79.6%	20.4%	0.0%	**0.0%**	0.0%	0.0%	30.7%	69.2%	0.1%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	22.7%	11.9%	0.0%	**34.7%**	0.0%	0.0%	25.2%	6.4%	0.0%	**31.6%**	0.0%	0.0%	10.4%	23.3%	0.0%	**33.7%**	0.0%	0.0%	**0.0%**
Lights	2104	1099	3	**3206**	0	0	2159	597	0	**2756**	0	0	955	2157	2	**3114**	0	0	**9076**
% Lights	98.4%	98.2%	100.0%	**98.3%**	0.0%	0.0%	91.1%	98.5%	0.0%	**92.6%**	0.0%	0.0%	98.0%	98.3%	100.0%	**98.2%**	0.0%	0.0%	**96.5%**
Trucks	16	13	0	**29**	0	0	19	5	0	**24**	0	0	7	25	0	**32**	0	0	**85**
% Trucks	0.7%	1.2%	0.0%	**0.9%**	0.0%	0.0%	0.8%	0.8%	0.0%	**0.8%**	0.0%	0.0%	0.7%	1.1%	0.0%	**1.0%**	0.0%	0.0%	**0.9%**
Buses	11	4	0	**15**	0	0	11	4	0	**15**	0	0	3	6	0	**9**	0	0	**39**
% Buses	0.5%	0.4%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.7%	0.0%	**0.5%**	0.0%	0.0%	0.3%	0.3%	0.0%	**0.3%**	0.0%	0.0%	**0.4%**
Pedestrians	0	0	0	**0**	1	4	0	0	0	**0**	13	19	0	0	0	**0**	1	3	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	81.3%	90.5%	0.0%	0.0%	0.0%	**0.0%**	100.0%	60.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	3	2	0	0	0	**0**	0	2	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	18.8%	9.5%	0.0%	0.0%	0.0%	**0.0%**	0.0%	40.0%	**0.0%**

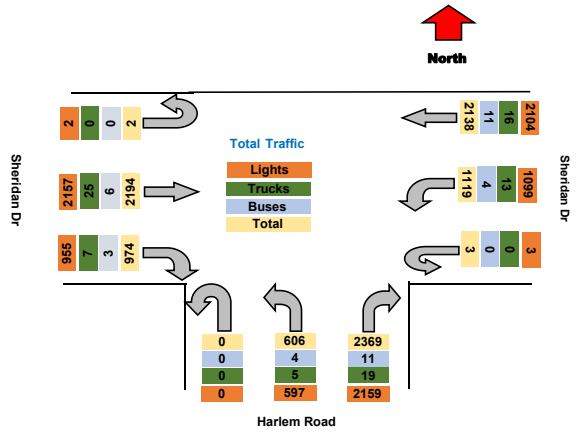
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

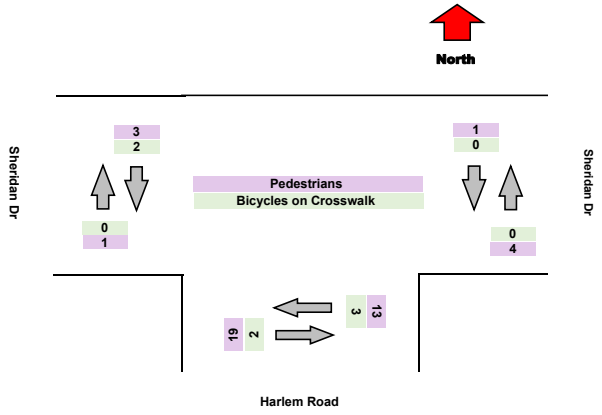
8.1.a

TRI-STATE TRAFFIC DATA STData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

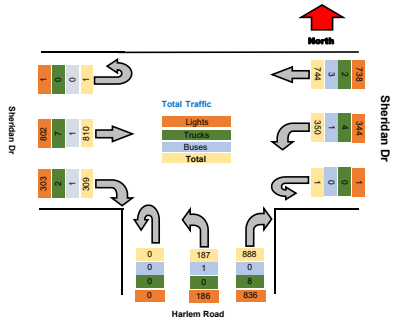
TRI-STATE TRAFFIC DATA STData.com

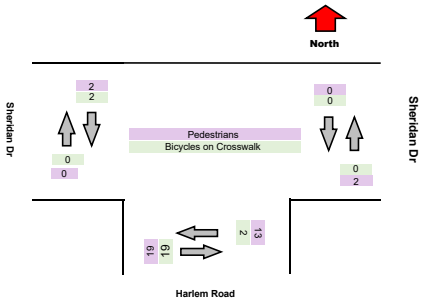
Summary

Turning Movement Peak Hour Data (PM)

4:30:00 PM

Leg	Sheridan Dr						Harlem Road						Sheridan Dr						
Direction	Westbound						Northbound						Eastbound						
Start Time	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	U-Turn	App Total	Peds CW	Peds CCW	Total
4:30:00 PM	182	79	1	**262**	0	0	248	43	0	**291**	0	16	76	209	0	**285**	0	2	**838**
4:45:00 PM	175	87	0	**262**	0	2	227	56	0	**283**	2	0	79	205	0	**284**	0	2	**829**
5:00:00 PM	183	90	0	**273**	0	0	194	38	0	**232**	13	0	81	206	1	**288**	0	0	**793**
5:15:00 PM	204	94	0	**298**	0	0	219	50	0	**269**	0	3	73	190	0	**263**	0	0	**830**
Grand Total	744	350	1	**1095**	0	2	888	187	0	**1075**	15	19	309	810	1	**1120**	0	4	**3290**
% Approach	67.9%	32.0%	0.1%	**0.0%**	0.0%	0.0%	82.6%	17.4%	0.0%	**0.0%**	0.0%	0.0%	27.6%	72.3%	0.1%	**0.0%**	0.0%	0.0%	
% Total	22.6%	10.6%	0.0%	**33.3%**	0.0%	0.0%	27.0%	5.7%	0.0%	**32.7%**	0.0%	0.0%	9.4%	24.6%	0.0%	**34.0%**	0.0%	0.0%	
PHF	0.912	0.931	0.250	**0.919**	0.000	0.000	0.895	0.835	0.000	**0.924**	0.000	0.000	0.954	0.969	0.250	**0.972**	0.000	0.000	**0.982**
Lights	738	344	1	**1083**	0	0	836	186	0	**1022**	0	0	303	802	1	**1106**	0	0	**3211**
% Lights	99.2%	98.3%	100.0%	**98.9%**	0.0%	0.0%	94.1%	99.5%	0.0%	**95.1%**	0.0%	0.0%	98.1%	99.0%	100.0%	**98.8%**	0.0%	0.0%	**97.6%**
Trucks	2	4	0	**6**	0	0	8	0	0	**8**	0	0	2	7	0	**9**	0	0	**23**
% Trucks	0.3%	1.1%	0.0%	**0.5%**	0.0%	0.0%	0.9%	0.0%	0.0%	**0.7%**	0.0%	0.0%	0.6%	0.9%	0.0%	**0.8%**	0.0%	0.0%	**0.7%**
Buses	3	1	0	**4**	0	0	0	1	0	**1**	0	0	1	1	0	**2**	0	0	**7**
% Buses	0.4%	0.3%	0.0%	**0.4%**	0.0%	0.0%	0.0%	0.5%	0.0%	**0.1%**	0.0%	0.0%	0.3%	0.1%	0.0%	**0.2%**	0.0%	0.0%	**0.2%**
Pedestrians	0	0	0	**0**	0	2	0	0	0	**0**	13	19	0	0	0	**0**	0	2	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	86.7%	100.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	2	0	0	0	0	**0**	0	2	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	13.3%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	**0.0%**







Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

TRI-STATE TRAFFIC DATA STData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Harlem Rd
Legs and Movements	All Processed Legs & Movements
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & Harlem Rd
Latitude and Longitude	42.97858, -78.78386

	Start	End	PHF
PM Peak	2023-09-23 12:00:00	2023-09-23 13:00:00	0.9702

Turning Movement Data

Leg	Sheridan Dr						Harlem Road						Sheridan Dr						
Direction	**Westbound**						**Northbound**						**Eastbound**						
Start Time	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	U-Turn	**App Total**	Peds CW	Peds CCW	**Total**
11:00:00 AM	137	75	1	**213**	0	0	110	15	0	**125**	0	0	80	137	0	**217**	0	0	**555**
11:15:00 AM	157	99	0	**256**	0	0	117	53	0	**170**	0	0	95	142	0	**237**	0	0	**663**
11:30:00 AM	105	89	0	**194**	0	0	119	51	0	**170**	0	0	66	150	0	**216**	0	0	**580**
11:45:00 AM	157	81	0	**238**	0	0	111	33	0	**144**	0	0	78	136	0	**214**	0	0	**596**
Hourly Total	556	344	1	**901**	0	0	457	152	0	**609**	0	0	319	565	0	**884**	0	0	**2394**
12:00:00 PM	141	94	0	**235**	0	0	126	32	0	**158**	0	0	99	163	0	**262**	0	0	**655**
12:15:00 PM	144	78	0	**222**	0	0	134	44	0	**178**	0	0	80	166	0	**246**	0	0	**646**
12:30:00 PM	157	94	0	**251**	0	0	111	45	0	**156**	0	0	79	135	0	**214**	0	0	**621**
12:45:00 PM	127	93	0	**220**	0	0	113	49	0	**162**	0	0	85	153	0	**238**	0	2	**620**
Hourly Total	569	359	0	**928**	0	0	484	170	0	**654**	0	0	343	617	0	**960**	0	2	**2542**
1:00:00 PM	168	90	0	**258**	0	0	81	30	0	**111**	0	0	83	169	0	**252**	0	0	**621**
1:15:00 PM	131	88	0	**219**	0	0	77	38	0	**115**	0	0	69	141	0	**210**	0	0	**544**
1:30:00 PM	148	87	0	**235**	0	0	107	44	0	**151**	0	0	91	162	0	**253**	0	0	**639**
1:45:00 PM	155	82	0	**237**	0	0	72	38	0	**110**	0	0	78	125	0	**203**	0	0	**550**
Hourly Total	602	347	0	**949**	0	0	337	150	0	**487**	0	0	321	597	0	**918**	0	0	**2354**
Grand Total	1727	1050	1	**2778**	0	0	1278	472	0	**1750**	0	0	983	1779	0	**2762**	0	2	**7290**
% Approach	62.2%	37.8%	0.0%	**0.0%**	0.0%	0.0%	73.0%	27.0%	0.0%	**0.0%**	0.0%	0.0%	35.6%	64.4%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	23.7%	14.4%	0.0%	**38.1%**	0.0%	0.0%	17.5%	6.5%	0.0%	**24.0%**	0.0%	0.0%	13.5%	24.4%	0.0%	**37.9%**	0.0%	0.0%	**0.0%**
Lights	1721	1039	1	**2761**	0	0	1049	469	0	**1518**	0	0	969	1764	0	**2733**	0	0	**7012**
% Lights	99.7%	99.0%	100.0%	**99.4%**	0.0%	0.0%	82.1%	99.4%	0.0%	**86.7%**	0.0%	0.0%	98.6%	99.2%	0.0%	**99.0%**	0.0%	0.0%	**96.2%**
Trucks	5	7	0	**12**	0	0	5	0	0	**5**	0	0	8	10	0	**18**	0	0	**35**
% Trucks	0.3%	0.7%	0.0%	**0.4%**	0.0%	0.0%	0.4%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.8%	0.6%	0.0%	**0.7%**	0.0%	0.0%	**0.5%**
Buses	0	1	0	**1**	0	0	4	1	0	**5**	0	0	0	0	0	**0**	0	0	**6**
% Buses	0.0%	0.1%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.2%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	2	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

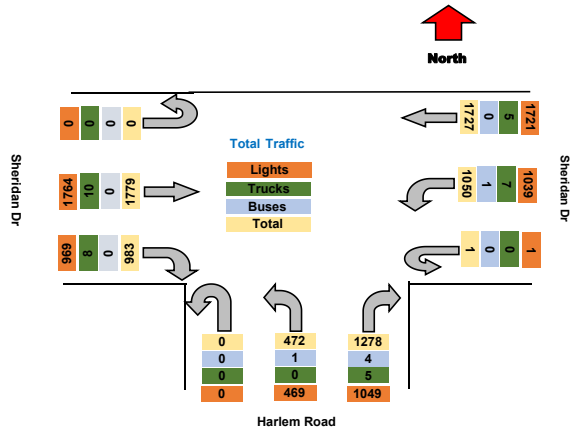
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

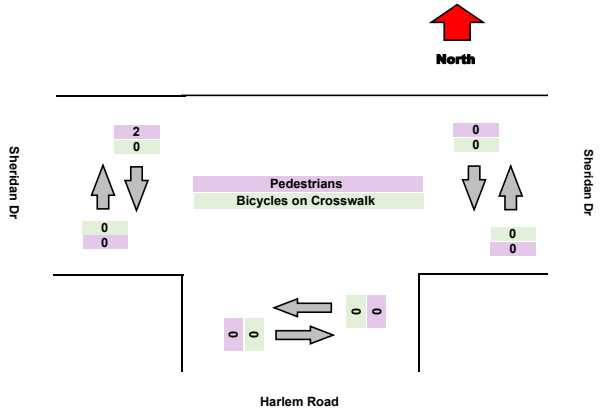
8.1.a

TRI-STATE TRAFFIC DATA STData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

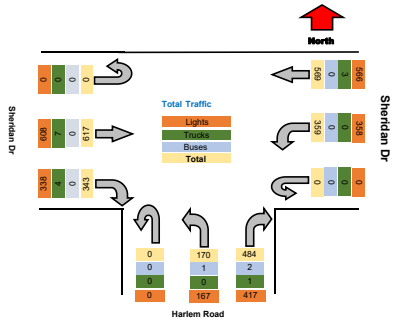
TRI-STATE TRAFFIC DATA STData.com

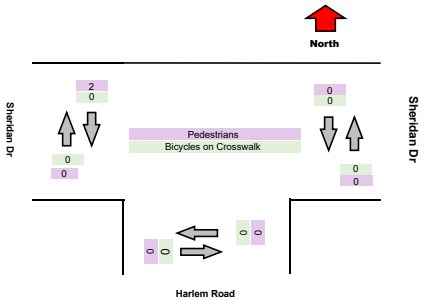
Summary

Turning Movement Peak Hour Data (PM)

12:00:00 PM

Leg	Sheridan Dr						Harlem Road						Sheridan Dr						
Direction	Westbound						Northbound						Eastbound						
Start Time	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	U-Turn	App Total	Peds CW	Peds CCW	Total
12:00:00 PM	141	94	0	**235**	0	0	126	32	0	**158**	0	0	99	163	0	**262**	0	0	**655**
12:15:00 PM	144	78	0	**222**	0	0	134	44	0	**178**	0	0	80	166	0	**246**	0	0	**646**
12:30:00 PM	157	94	0	**251**	0	0	111	45	0	**156**	0	0	79	135	0	**214**	0	0	**621**
12:45:00 PM	127	93	0	**220**	0	0	113	49	0	**162**	0	0	85	153	0	**238**	0	2	**620**
Grand Total	569	359	0	**928**	0	0	484	170	0	**654**	0	0	343	617	0	**960**	0	2	**2542**
% Approach	61.3%	38.7%	0.0%	**0.0%**	0.0%	0.0%	74.0%	26.0%	0.0%	**0.0%**	0.0%	0.0%	35.7%	64.3%	0.0%	**0.0%**	0.0%	0.0%	
% Total	22.4%	14.1%	0.0%	**36.5%**	0.0%	0.0%	19.0%	6.7%	0.0%	**25.7%**	0.0%	0.0%	13.5%	24.3%	0.0%	**37.8%**	0.0%	0.0%	
PHF	0.906	0.955	0.000	**0.924**	0.000	0.000	0.903	0.867	0.000	**0.919**	0.000	0.000	0.866	0.929	0.000	**0.916**	0.000	0.000	**0.970**
Lights	566	358	0	**924**	0	0	417	167	0	**584**	0	0	338	608	0	**946**	0	0	**2454**
% Lights	99.5%	99.7%	0.0%	**99.6%**	0.0%	0.0%	86.2%	98.2%	0.0%	**89.3%**	0.0%	0.0%	98.5%	98.5%	0.0%	**98.5%**	0.0%	0.0%	**96.5%**
Trucks	3	0	0	**3**	0	0	1	0	0	**1**	0	0	4	7	0	**11**	0	0	**15**
% Trucks	0.5%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.2%	0.0%	0.0%	**0.2%**	0.0%	0.0%	1.2%	1.1%	0.0%	**1.1%**	0.0%	0.0%	**0.6%**
Buses	0	0	0	**0**	0	0	2	1	0	**3**	0	0	0	0	0	**0**	0	0	**3**
% Buses	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.4%	0.6%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	2	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & I 290 Ramps
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & I 290 Ramps
Latitude and Longitude	42.97846,-78.78165

	Start	End	PHF
PM Peak	2023-09-21 16:15:00	2023-09-21 17:15:00	0.974

Turning Movement Data

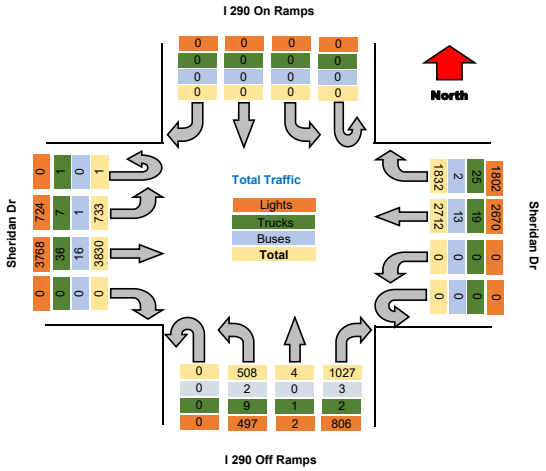
Leg	I 290 On Ramps							Sheridan Dr							I 290 Off Ramps							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
3:00:00 PM	0	0	0	0	**0**	1	1	145	240	0	0	**385**	0	0	86	0	50	0	**136**	0	0	0	283	57	0	**340**	0	0	**861**
3:15:00 PM	0	0	0	0	**0**	0	0	158	217	0	0	**375**	0	0	97	0	53	0	**150**	0	0	0	288	49	0	**337**	0	0	**862**
3:30:00 PM	0	0	0	0	**0**	1	1	142	209	0	0	**351**	0	0	81	0	47	0	**128**	0	0	0	297	69	0	**366**	0	0	**845**
3:45:00 PM	0	0	0	0	**0**	0	0	140	227	0	0	**367**	0	0	94	0	41	0	**135**	0	0	0	325	57	1	**383**	0	0	**885**
Hourly Total	0	0	0	0	**0**	2	2	585	893	0	0	**1478**	0	0	358	0	191	0	**549**	0	0	0	1193	232	1	**1426**	0	0	**3453**
4:00:00 PM	0	0	0	0	**0**	0	0	156	227	0	0	**383**	0	0	88	2	44	0	**134**	0	0	0	310	76	0	**386**	0	0	**903**
4:15:00 PM	0	0	0	0	**0**	0	0	146	225	0	0	**371**	0	0	91	0	39	0	**130**	0	0	0	362	59	0	**421**	0	0	**922**
4:30:00 PM	0	0	0	0	**0**	0	1	165	210	0	0	**375**	0	0	62	0	32	0	**94**	0	1	0	374	84	0	**458**	0	0	**927**
4:45:00 PM	0	0	0	0	**0**	0	2	166	257	0	0	**423**	0	0	76	0	40	0	**116**	3	0	0	353	47	0	**400**	0	0	**939**
Hourly Total	0	0	0	0	**0**	0	3	633	919	0	0	**1552**	0	0	317	2	155	0	**474**	3	1	0	1399	266	0	**1665**	0	0	**3691**
5:00:00 PM	0	0	0	0	**0**	0	0	197	227	0	0	**424**	0	0	87	0	33	0	**120**	8	0	0	348	71	0	**419**	0	0	**963**
5:15:00 PM	0	0	0	0	**0**	2	0	154	237	0	0	**391**	0	0	89	0	40	0	**129**	0	1	0	332	62	0	**394**	0	0	**914**
5:30:00 PM	0	0	0	0	**0**	0	0	160	242	0	0	**402**	0	0	85	0	38	0	**123**	0	0	0	305	49	0	**354**	0	0	**879**
5:45:00 PM	0	0	0	0	**0**	0	1	103	194	0	0	**297**	0	0	91	2	51	0	**144**	0	0	0	253	53	0	**306**	0	0	**747**
Hourly Total	0	0	0	0	**0**	2	1	614	900	0	0	**1514**	0	0	352	2	162	0	**516**	8	1	0	1238	235	0	**1473**	0	0	**3503**
Grand Total	0	0	0	0	**0**	4	6	1832	2712	0	0	**4544**	0	0	1027	4	508	0	**1539**	11	2	0	3830	733	1	**4564**	0	0	**10647**
% Approach	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	40.3%	59.7%	0.0%	0.0%	**0.0%**	0.0%	0.0%	66.7%	0.3%	33.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	83.9%	16.1%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	17.2%	25.5%	0.0%	0.0%	**42.7%**	0.0%	0.0%	9.6%	0.0%	4.8%	0.0%	**14.5%**	0.0%	0.0%	0.0%	36.0%	6.9%	0.0%	**42.9%**	0.0%	0.0%	**0.0%**
Lights	0	0	0	0	**0**	0	0	1802	2670	0	0	**4472**	0	0	806	2	497	0	**1305**	0	0	0	3768	724	0	**4492**	0	0	**10269**
% Lights	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	98.4%	98.5%	0.0%	0.0%	**98.4%**	0.0%	0.0%	78.5%	50.0%	97.8%	0.0%	**84.8%**	0.0%	0.0%	0.0%	98.4%	98.8%	0.0%	**98.4%**	0.0%	0.0%	**96.4%**
Trucks	0	0	0	0	**0**	0	0	25	19	0	0	**44**	0	0	2	1	9	0	**12**	0	0	0	36	7	1	**44**	0	0	**100**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	1.4%	0.7%	0.0%	0.0%	**1.0%**	0.0%	0.0%	0.2%	25.0%	1.8%	0.0%	**0.8%**	0.0%	0.0%	0.0%	0.9%	1.0%	100.0%	**1.0%**	0.0%	0.0%	**0.9%**
Buses	0	0	0	0	**0**	0	0	2	13	0	0	**15**	0	0	3	0	2	0	**5**	0	0	0	16	1	0	**17**	0	0	**37**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.3%	0.0%	0.4%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.4%	0.1%	0.0%	**0.4%**	0.0%	0.0%	**0.3%**
Pedestrians	0	0	0	0	**0**	4	3	0	0	0	0	**0**	0	0	0	0	0	0	**0**	10	2	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	50.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	90.9%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	3	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	9.1%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

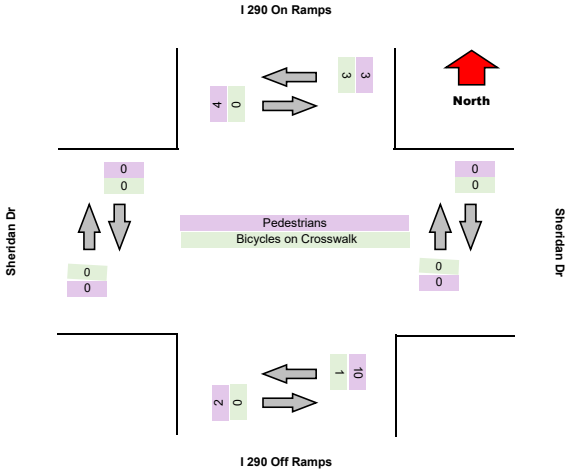
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TSTData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

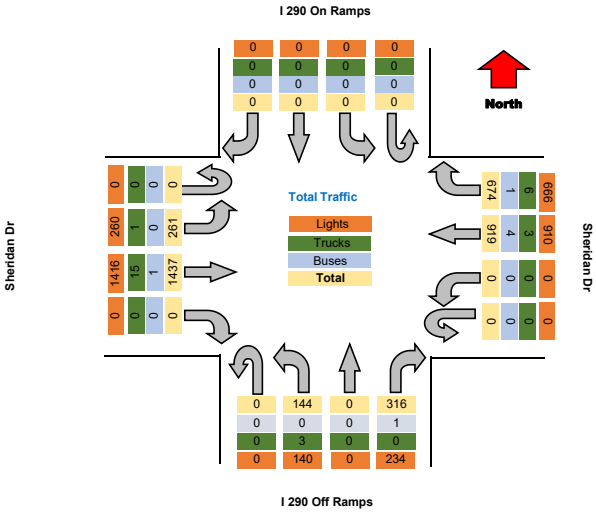
TSTData.com

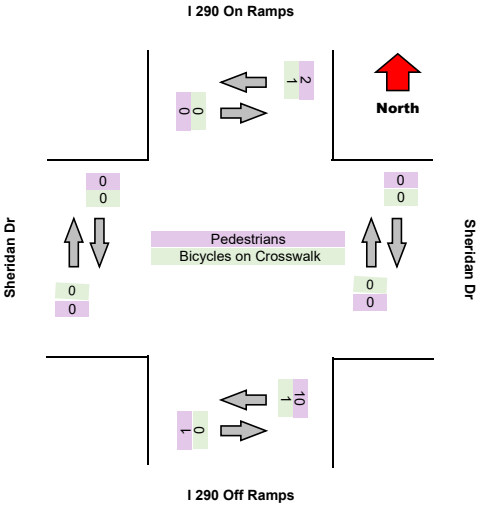
Summary

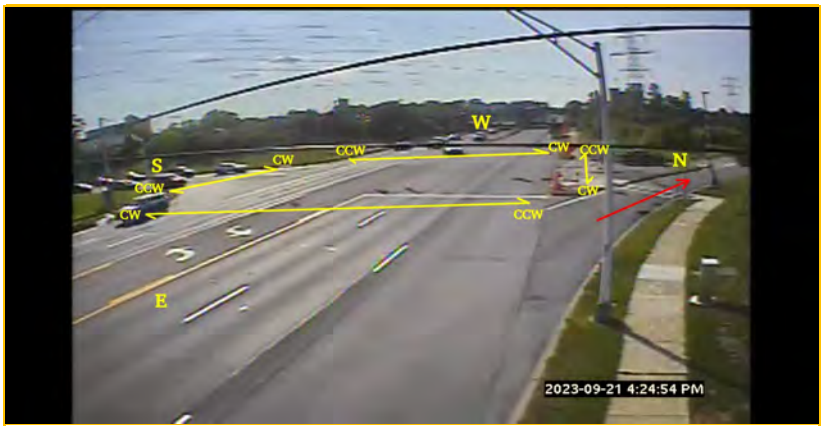
Turning Movement Peak Hour Data (PM)

4:15:00 PM

Leg	I 290 On Ramps							Sheridan Dr							I 290 Off Ramps							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
4:15:00 PM	0	0	0	0	**0**	0	0	146	225	0	0	**371**	0	0	91	0	39	0	**130**	0	0	0	362	59	0	**421**	0	0	**922**
4:30:00 PM	0	0	0	0	**0**	0	1	165	210	0	0	**375**	0	0	62	0	32	0	**94**	0	1	0	374	84	0	**458**	0	0	**927**
4:45:00 PM	0	0	0	0	**0**	0	2	166	257	0	0	**423**	0	0	76	0	40	0	**116**	3	0	0	353	47	0	**400**	0	0	**939**
5:00:00 PM	0	0	0	0	**0**	0	0	197	227	0	0	**424**	0	0	87	0	33	0	**120**	8	0	0	348	71	0	**419**	0	0	**963**
Grand Total	0	0	0	0	**0**	0	3	674	919	0	0	**1593**	0	0	316	0	144	0	**460**	11	1	0	1437	261	0	**1698**	0	0	**3751**
% Approach	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	**0.0%**	0.0%	0.0%	42.3%	57.7%	0.0%	0.0%	**0.0%**	0.0%	0.0%	68.7%	0.0%	31.3%	0.0%	**0.0%**	0.0%	0.0%	0.0%	84.6%	15.4%	0.0%	**0.0%**	0.0%	0.0%	
% Total	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	18.0%	24.5%	0.0%	0.0%	**42.5%**	0.0%	0.0%	8.4%	0.0%	3.8%	0.0%	**12.3%**	0.0%	0.0%	0.0%	38.3%	7.0%	0.0%	**45.3%**	0.0%	0.0%	
PHF	0.000	0.000	0.000	0.000	**0.000**	0.000	0.000	0.855	0.894	0.000	0.000	**0.939**	0.000	0.000	0.868	0.000	0.900	0.000	**0.885**	0.000	0.000	0.000	0.961	0.777	0.000	**0.927**	0.000	0.000	**0.974**
Lights	0	0	0	0	**0**	0	0	666	910	0	0	**1576**	0	0	234	0	140	0	**374**	0	0	0	1416	260	0	**1676**	0	0	**3626**
% Lights	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	98.8%	99.0%	0.0%	0.0%	**98.9%**	0.0%	0.0%	74.1%	0.0%	97.2%	0.0%	**81.3%**	0.0%	0.0%	0.0%	98.5%	99.6%	0.0%	**98.7%**	0.0%	0.0%	**96.7%**
Trucks	0	0	0	0	**0**	0	0	6	3	0	0	**9**	0	0	0	0	3	0	**3**	0	0	0	15	1	0	**16**	0	0	**28**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.9%	0.3%	0.0%	0.0%	**0.6%**	0.0%	0.0%	0.0%	0.0%	2.1%	0.0%	**0.7%**	0.0%	0.0%	0.0%	1.0%	0.4%	0.0%	**0.9%**	0.0%	0.0%	**0.7%**
Buses	0	0	0	0	**0**	0	0	1	4	0	0	**5**	0	0	1	0	1	0	**2**	0	0	0	1	0	0	**1**	0	0	**8**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.1%	0.4%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.3%	0.0%	0.7%	0.0%	**0.4%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.2%**
Pedestrians	0	0	0	0	**0**	0	2	0	0	0	0	**0**	0	0	0	0	0	0	**0**	10	1	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	66.7%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	90.9%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	1	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	33.3%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	9.1%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & I 290 Ramps
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & I 290 Ramps
Latitude and Longitude	42.97846,-78.78165

	Start	End	PHF
PM Peak	2023-09-23 12:00:00	2023-09-23 13:00:00	0.984

Turning Movement Data

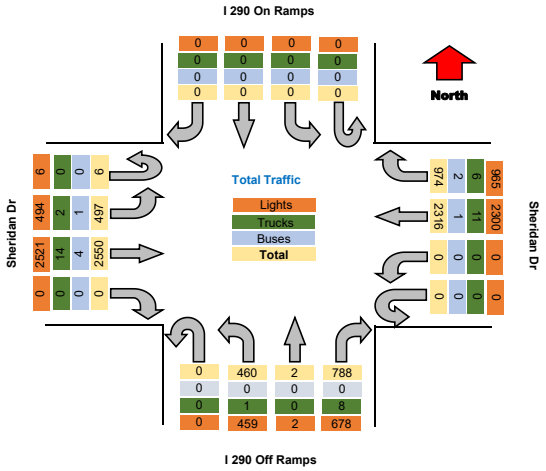
Leg	I 290 On Ramps							Sheridan Dr							I 290 Off Ramps							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
11:00:00 AM	0	0	0	0	**0**	0	0	72	188	0	0	**260**	0	0	38	0	33	0	**71**	0	0	0	203	40	0	**243**	0	0	**574**
11:15:00 AM	0	0	0	0	**0**	0	0	103	212	0	0	**315**	0	0	54	0	42	0	**96**	0	0	0	198	45	0	**243**	0	0	**654**
11:30:00 AM	0	0	0	0	**0**	0	1	75	180	0	0	**255**	0	0	57	0	32	0	**89**	0	0	0	231	47	2	**280**	0	0	**624**
11:45:00 AM	0	0	0	0	**0**	0	0	77	186	0	0	**263**	0	0	74	0	29	0	**103**	0	1	0	209	54	0	**263**	0	0	**629**
Hourly Total	0	0	0	0	**0**	0	1	327	766	0	0	**1093**	0	0	223	0	136	0	**359**	0	1	0	841	186	2	**1029**	0	0	**2481**
12:00:00 PM	0	0	0	0	**0**	0	0	64	186	0	0	**250**	0	0	74	1	45	0	**120**	0	0	0	220	68	1	**289**	0	0	**659**
12:15:00 PM	0	0	0	0	**0**	0	0	70	207	0	0	**277**	0	0	61	0	43	0	**104**	1	0	0	224	39	0	**263**	0	0	**644**
12:30:00 PM	0	0	0	0	**0**	1	0	80	193	0	0	**273**	0	0	70	0	44	0	**114**	1	1	0	228	42	2	**272**	0	0	**659**
12:45:00 PM	0	0	0	0	**0**	0	2	90	196	0	0	**286**	0	0	77	0	37	0	**114**	0	0	0	241	27	0	**268**	0	0	**668**
Hourly Total	0	0	0	0	**0**	1	2	304	782	0	0	**1086**	0	0	282	1	169	0	**452**	2	1	0	913	176	3	**1092**	0	0	**2630**
1:00:00 PM	0	0	0	0	**0**	0	0	84	197	0	0	**281**	0	0	65	1	30	0	**96**	0	0	0	190	41	1	**232**	0	0	**609**
1:15:00 PM	0	0	0	0	**0**	0	1	87	195	0	0	**282**	0	0	62	0	41	0	**103**	0	0	0	196	24	0	**220**	0	0	**605**
1:30:00 PM	0	0	0	0	**0**	0	0	86	202	0	0	**288**	0	0	81	0	36	0	**117**	0	0	0	230	48	0	**278**	0	0	**683**
1:45:00 PM	0	0	0	0	**0**	0	0	86	174	0	0	**260**	0	0	75	0	48	0	**123**	0	0	0	180	22	0	**202**	0	0	**585**
Hourly Total	0	0	0	0	**0**	0	1	343	768	0	0	**1111**	0	0	283	1	155	0	**439**	0	0	0	796	135	1	**932**	0	0	**2482**
Grand Total	0	0	0	0	**0**	1	4	974	2316	0	0	**3290**	0	0	788	2	460	0	**1250**	2	2	0	2550	497	6	**3053**	0	0	**7593**
% Approach	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	29.6%	70.4%	0.0%	0.0%	**0.0%**	0.0%	0.0%	63.0%	0.2%	36.8%	0.0%	**0.0%**	0.0%	0.0%	0.0%	83.5%	16.3%	0.2%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	12.8%	30.5%	0.0%	0.0%	**43.3%**	0.0%	0.0%	10.4%	0.0%	6.1%	0.0%	**16.5%**	0.0%	0.0%	0.0%	33.6%	6.5%	0.1%	**40.2%**	0.0%	0.0%	**0.0%**
Lights	0	0	0	0	**0**	0	0	965	2300	0	0	**3265**	0	0	678	2	459	0	**1139**	0	0	0	2521	494	6	**3021**	0	0	**7425**
% Lights	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	99.1%	99.3%	0.0%	0.0%	**99.2%**	0.0%	0.0%	86.0%	100.0%	99.8%	0.0%	**91.1%**	0.0%	0.0%	0.0%	98.9%	99.4%	100.0%	**99.0%**	0.0%	0.0%	**97.8%**
Trucks	0	0	0	0	**0**	0	0	6	11	0	0	**17**	0	0	8	0	1	0	**9**	0	0	0	14	2	0	**16**	0	0	**42**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.6%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	1.0%	0.0%	0.2%	0.0%	**0.7%**	0.0%	0.0%	0.0%	0.5%	0.4%	0.0%	**0.5%**	0.0%	0.0%	**0.6%**
Buses	0	0	0	0	**0**	0	0	2	1	0	0	**3**	0	0	0	0	0	0	**0**	0	0	0	4	1	0	**5**	0	0	**8**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.2%	0.2%	0.0%	**0.2%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	1	1	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	25.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	3	0	0	0	0	**0**	0	0	0	0	0	0	**0**	2	2	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	75.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

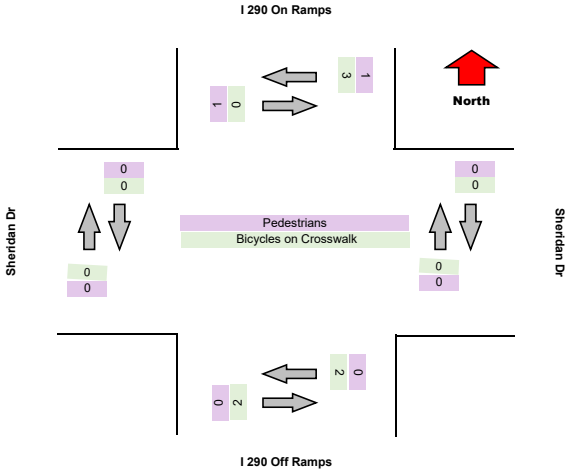
Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TSTData.com

Summary

Turning Movement Data Plot





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

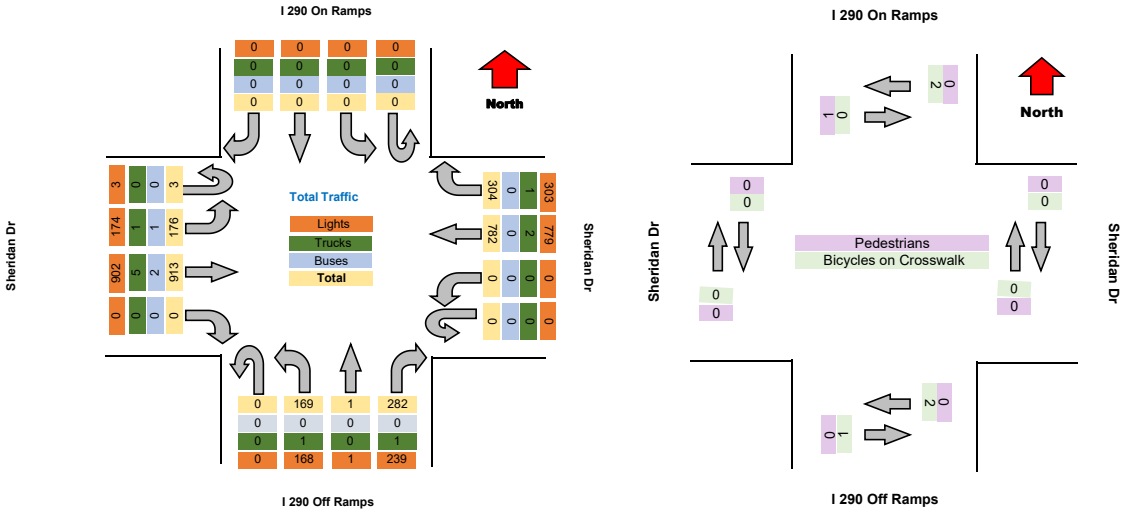
TSTData.com

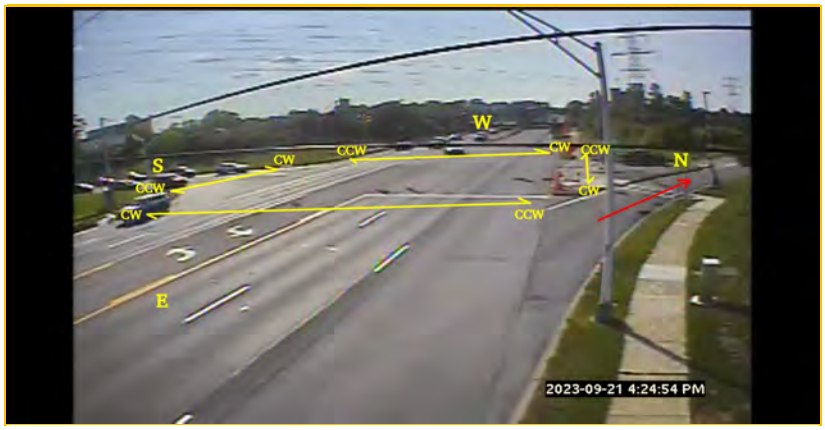
Summary

Turning Movement Peak Hour Data (PM)

12:00:00 PM

Leg	I 290 On Ramps							Sheridan Dr							I 290 Off Ramps							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
12:00:00 PM	0	0	0	0	**0**	0	0	64	186	0	0	**250**	0	0	74	1	45	0	**120**	0	0	0	220	68	1	**289**	0	0	**659**
12:15:00 PM	0	0	0	0	**0**	0	0	70	207	0	0	**277**	0	0	61	0	43	0	**104**	1	0	0	224	39	0	**263**	0	0	**644**
12:30:00 PM	0	0	0	0	**0**	1	0	80	193	0	0	**273**	0	0	70	0	44	0	**114**	1	1	0	228	42	2	**272**	0	0	**659**
12:45:00 PM	0	0	0	0	**0**	0	2	90	196	0	0	**286**	0	0	77	0	37	0	**114**	0	0	0	241	27	0	**268**	0	0	**668**
Grand Total	0	0	0	0	**0**	1	2	304	782	0	0	**1086**	0	0	282	1	169	0	**452**	2	1	0	913	176	3	**1092**	0	0	**2630**
% Approach	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	**0.0%**	0.0%	0.0%	28.0%	72.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	62.4%	0.2%	37.4%	0.0%	**0.0%**	0.0%	0.0%	0.0%	83.6%	16.1%	0.3%	**0.0%**	0.0%	0.0%	
% Total	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	11.6%	29.7%	0.0%	0.0%	**41.3%**	0.0%	0.0%	10.7%	0.0%	6.4%	0.0%	**17.2%**	0.0%	0.0%	0.0%	34.7%	6.7%	0.1%	**41.5%**	0.0%	0.0%	
PHF	0.000	0.000	0.000	0.000	**0.000**	0.000	0.000	0.844	0.944	0.000	0.000	**0.949**	0.000	0.000	0.916	0.250	0.939	0.000	**0.942**	0.000	0.000	0.000	0.947	0.647	0.375	**0.945**	0.000	0.000	**0.984**
Lights	0	0	0	0	**0**	0	0	303	779	0	0	**1082**	0	0	239	1	168	0	**408**	0	0	0	902	174	3	**1079**	0	0	**2569**
% Lights	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	99.7%	99.6%	0.0%	0.0%	**99.6%**	0.0%	0.0%	84.8%	100.0%	99.4%	0.0%	**90.3%**	0.0%	0.0%	0.0%	98.8%	98.9%	100.0%	**98.8%**	0.0%	0.0%	**97.7%**
Trucks	0	0	0	0	**0**	0	0	1	2	0	0	**3**	0	0	1	0	1	0	**2**	0	0	0	5	1	0	**6**	0	0	**11**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.3%	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.4%	0.0%	0.6%	0.0%	**0.4%**	0.0%	0.0%	0.0%	0.5%	0.6%	0.0%	**0.5%**	0.0%	0.0%	**0.4%**
Buses	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	2	1	0	**3**	0	0	**3**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.2%	0.6%	0.0%	**0.3%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	2	0	0	0	0	**0**	0	0	0	0	0	0	**0**	2	1	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**





Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

NB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/21/23	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	1	6	81	89	16	1	0	0	0	0	0	0	0	0	0	194
07:00	4	22	145	115	10	1	0	0	0	0	0	0	0	0	0	297
08:00	1	62	228	142	11	1	0	0	0	0	0	0	0	0	0	445
09:00	1	38	187	110	11	0	0	0	0	0	0	0	0	0	0	347
10:00	3	45	230	113	6	0	0	0	0	0	0	0	0	0	0	397
11:00	2	39	230	110	5	2	0	0	0	0	0	0	0	0	0	388
12 PM	30	39	191	123	6	1	0	0	0	0	0	0	0	0	0	390
13:00	4	68	239	104	4	0	0	0	0	0	0	0	0	0	0	419
14:00	21	133	259	88	5	0	0	0	0	0	0	0	0	0	0	506
15:00	8	108	265	111	7	0	0	0	0	0	0	0	0	0	0	499
16:00	78	128	261	96	2	0	0	0	0	0	0	0	0	0	0	565
17:00	5	59	324	146	14	1	0	0	0	0	0	0	0	0	0	549
18:00	0	50	202	93	14	2	0	0	0	0	0	0	0	0	0	361
19:00	0	18	170	115	16	0	0	0	0	0	0	0	0	0	0	319
20:00	4	22	106	84	12	1	0	0	0	0	0	0	0	0	0	229
21:00	0	12	62	83	6	1	0	0	0	0	0	0	0	0	0	164
22:00	0	6	39	43	9	1	0	0	0	0	0	0	0	0	0	98
23:00	1	1	17	17	6	0	0	0	0	0	0	0	0	0	0	42
Total	163	856	3236	1782	160	12	0	0	0	0	0	0	0	0	0	6209

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

NB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/22/23	0	2	13	14	5	0	0	0	0	0	0	0	0	0	0	34
01:00	0	1	2	4	0	1	0	0	0	0	0	0	0	0	0	8
02:00	0	0	4	5	0	0	0	0	0	0	0	0	0	0	0	9
03:00	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
04:00	0	1	2	4	2	0	0	0	0	0	0	0	0	0	0	9
05:00	0	4	18	26	5	0	0	0	0	0	0	0	0	0	0	53
06:00	4	13	77	71	15	0	0	0	0	0	0	0	0	0	0	180
07:00	8	20	121	109	13	3	0	0	0	0	0	0	0	0	0	274
08:00	3	66	193	157	12	0	0	0	0	0	0	0	0	0	0	431
09:00	7	41	210	112	13	0	0	0	0	0	0	0	0	0	0	383
10:00	2	34	164	108	11	0	1	0	0	0	0	0	0	0	0	320
11:00	4	47	184	103	13	0	0	0	0	0	0	0	0	0	0	351
12 PM	10	45	194	131	14	0	0	0	0	0	0	0	0	0	0	394
13:00	12	68	234	128	13	0	0	0	0	0	0	0	0	0	0	455
14:00	13	82	277	103	7	0	0	0	0	0	0	0	0	0	0	482
15:00	24	134	244	112	13	1	0	0	0	0	0	0	0	0	0	528
16:00	31	115	227	121	11	0	0	0	0	0	0	0	0	0	0	505
17:00	11	65	240	135	9	1	0	0	0	0	0	0	0	0	0	461
18:00	2	35	201	111	12	0	0	0	0	0	0	0	0	0	0	361
19:00	0	24	145	110	9	1	0	0	0	0	0	0	0	0	0	289
20:00	0	13	102	59	12	0	0	0	0	0	0	0	0	0	0	186
21:00	8	4	78	66	5	1	0	0	0	0	0	0	0	0	0	162
22:00	0	3	61	37	7	0	0	0	0	0	0	0	0	0	0	108
23:00	0	2	46	50	7	1	0	0	0	0	0	0	0	0	0	106
Total	139	819	3040	1876	208	9	1	0	0	0	0	0	0	0	0	6092

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

NB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/23/23	0	5	28	22	7	0	0	0	0	0	0	0	0	0	0	62
01:00	0	2	10	15	1	0	0	0	0	0	0	0	0	0	0	28
02:00	0	1	4	4	1	0	0	0	0	0	0	0	0	0	0	10
03:00	0	1	3	3	0	0	0	0	0	0	0	0	0	0	0	7
04:00	0	0	4	11	0	0	0	0	0	0	0	0	0	0	0	15
05:00	1	1	6	11	2	0	0	0	0	0	0	0	0	0	0	21
06:00	0	4	20	22	8	1	0	0	0	0	0	0	0	0	0	55
07:00	0	5	44	48	6	0	0	0	0	0	0	0	0	0	0	103
08:00	1	12	80	80	16	1	0	0	0	0	0	0	0	0	0	190
09:00	0	12	112	90	9	2	0	0	0	0	0	0	0	0	0	225
10:00	3	25	126	126	8	0	0	0	0	0	0	0	0	0	0	288
11:00	5	31	172	98	11	1	0	0	0	0	0	0	0	0	0	318
12 PM	3	39	191	134	12	1	0	0	0	0	0	0	0	0	0	380
13:00	1	23	161	126	17	0	0	0	0	0	0	0	0	0	0	328
14:00	3	58	179	108	14	0	0	0	0	0	0	0	0	0	0	362
15:00	4	20	159	148	10	2	0	0	0	0	0	0	0	0	0	343
16:00	2	15	165	128	11	0	0	0	0	0	0	0	0	0	0	321
17:00	1	18	126	121	18	0	0	0	0	0	0	0	0	0	0	284
18:00	0	21	137	97	12	1	1	0	0	0	0	0	0	0	0	269
19:00	1	21	119	66	5	1	0	0	0	0	0	0	0	0	0	213
20:00	0	9	84	57	6	2	0	0	0	0	0	0	0	0	0	158
21:00	0	14	78	66	7	1	0	0	0	0	0	0	0	0	0	166
22:00	1	5	53	52	9	1	0	0	0	0	0	0	0	0	0	121
23:00	0	5	27	33	4	0	1	0	0	0	0	0	0	0	0	70
Total	26	347	2088	1666	194	14	2	0	0	0	0	0	0	0	0	4337

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

NB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/24/23	0	3	22	13	4	0	1	0	0	0	0	0	0	0	0	43
01:00	0	1	7	10	6	1	0	0	0	0	0	0	0	0	0	25
02:00	0	0	4	5	2	0	0	0	0	0	0	0	0	0	0	11
03:00	0	0	7	5	1	0	0	0	0	0	0	0	0	0	0	13
04:00	0	3	6	5	1	0	0	0	0	0	0	0	0	0	0	15
05:00	0	1	3	10	0	0	0	0	0	0	0	0	0	0	0	14
06:00	1	1	15	18	4	0	0	0	0	0	0	0	0	0	0	39
07:00	0	2	25	30	7	0	0	0	0	0	0	0	0	0	0	64
08:00	0	4	45	64	11	2	0	0	0	0	0	0	0	0	0	126
09:00	4	21	120	122	14	0	0	0	0	0	0	0	0	0	0	281
10:00	1	5	102	110	14	1	0	0	0	0	0	0	0	0	0	233
11:00	5	25	133	108	8	1	0	0	0	0	0	0	0	0	0	280
12 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
20:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
21:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
22:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total	11	66	489	500	72	5	1	0	0	0	0	0	0	0	0	1144
Grand Total	339	2088	8853	5824	634	40	4	0	0	0	0	0	0	0	0	17782

Stats

15th Percentile :	25 MPH
50th Percentile :	28 MPH
85th Percentile :	33 MPH
95th Percentile :	34 MPH
Mean Speed(Average) :	29 MPH
10 MPH Pace Speed :	26-35 MPH
Number in Pace :	14690
Percent in Pace :	82.6%
Number of Vehicles > 35 MPH :	678
Percent of Vehicles > 35 MPH :	3.8%

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

SB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/21/23	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	4	11	55	144	21	0	0	0	0	0	0	0	0	0	0	235
07:00	33	46	278	234	22	0	0	0	0	0	0	0	0	0	0	613
08:00	50	53	196	238	23	0	0	0	0	0	0	0	0	0	0	560
09:00	1	23	248	171	17	0	0	0	0	0	0	0	0	0	0	460
10:00	7	30	194	154	10	0	0	0	0	0	0	0	0	0	0	395
11:00	3	20	230	174	8	0	0	0	0	0	0	0	0	0	0	435
12 PM	4	29	233	171	12	0	1	0	0	0	0	0	0	0	0	450
13:00	3	23	226	187	11	0	0	0	0	0	0	0	0	0	0	450
14:00	5	45	269	186	15	0	0	0	0	0	0	0	0	0	0	520
15:00	26	48	291	239	11	0	0	0	0	0	0	0	0	0	0	615
16:00	169	132	191	105	5	0	0	0	0	0	0	0	0	0	0	602
17:00	5	37	230	257	32	0	0	0	0	0	0	0	0	0	0	561
18:00	0	2	184	199	14	0	0	0	0	0	0	0	0	0	0	399
19:00	2	15	161	118	13	0	1	0	0	0	0	0	0	0	0	310
20:00	2	10	80	63	21	0	0	0	0	0	0	0	0	0	0	176
21:00	1	5	59	62	11	0	0	0	0	0	0	0	0	0	0	138
22:00	0	5	23	37	2	0	0	0	0	0	0	0	0	0	0	67
23:00	0	1	20	24	3	1	1	0	0	0	0	0	0	0	0	50
Total	315	535	3168	2763	251	1	3	0	0	0	0	0	0	0	0	7036

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

SB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/22/23	0	1	3	10	3	0	0	0	0	0	0	0	0	0	0	17
01:00	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	4
02:00	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	4
03:00	0	0	2	6	1	0	0	0	0	0	0	0	0	0	0	9
04:00	0	1	5	2	2	0	0	0	0	0	0	0	0	0	0	10
05:00	0	2	16	32	14	1	0	0	0	0	0	0	0	0	0	65
06:00	4	6	60	121	16	0	0	0	0	0	0	0	0	0	0	207
07:00	19	44	196	242	28	0	0	0	0	0	0	0	0	0	0	529
08:00	54	51	216	222	12	1	0	0	0	0	0	0	0	0	0	556
09:00	2	14	180	183	17	0	0	0	0	0	0	0	0	0	0	396
10:00	10	25	176	157	15	0	0	0	0	0	0	0	0	0	0	383
11:00	13	38	184	197	15	0	0	0	0	0	0	0	0	0	0	447
12 PM	2	21	206	180	12	1	0	0	0	0	0	0	0	0	0	422
13:00	2	30	253	205	8	0	0	0	0	0	0	0	0	0	0	498
14:00	9	43	284	174	9	0	0	0	0	0	0	0	0	0	0	519
15:00	57	62	294	187	12	0	0	0	0	0	0	0	0	0	0	612
16:00	96	105	209	156	15	0	0	0	0	0	0	0	0	0	0	581
17:00	5	20	277	207	16	0	0	0	0	0	0	0	0	0	0	525
18:00	0	5	127	180	30	0	0	0	0	0	0	0	0	0	0	342
19:00	0	11	142	136	12	0	0	0	0	0	0	0	0	0	0	301
20:00	1	13	89	75	8	1	0	0	0	0	0	0	0	0	0	187
21:00	3	8	62	59	8	0	0	0	0	0	0	0	0	0	0	140
22:00	0	7	32	46	13	1	0	0	0	0	0	0	0	0	0	99
23:00	0	2	21	30	4	1	0	0	0	0	0	0	0	0	0	58
Total	277	509	3037	2812	270	6	0	0	0	0	0	0	0	0	0	6911

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

SB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/23/23	0	1	9	20	2	0	0	0	0	0	0	0	0	0	0	32
01:00	0	2	3	10	1	0	0	0	0	0	0	0	0	0	0	16
02:00	0	0	2	2	1	0	0	0	0	0	0	0	0	0	0	5
03:00	0	1	2	3	3	0	0	0	0	0	0	0	0	0	0	9
04:00	0	0	1	5	3	1	0	0	0	0	0	0	0	0	0	10
05:00	0	0	7	10	3	0	0	0	0	0	0	0	0	0	0	20
06:00	0	1	25	34	9	1	0	0	0	0	0	0	0	0	0	70
07:00	0	2	50	78	16	1	0	0	0	0	0	0	0	0	0	147
08:00	1	5	53	145	27	3	0	0	0	0	0	0	0	0	0	234
09:00	2	4	110	163	26	0	0	0	0	0	0	0	0	0	0	305
10:00	5	15	131	210	18	2	0	0	0	0	0	0	0	0	0	381
11:00	1	14	177	154	19	1	0	0	0	0	0	0	0	0	0	366
12 PM	3	26	186	189	15	1	0	0	0	0	0	0	0	0	0	420
13:00	1	9	134	173	18	2	0	0	0	0	0	0	0	0	0	337
14:00	2	21	181	177	18	0	0	0	0	0	0	0	0	0	0	399
15:00	0	14	169	177	21	0	0	0	0	0	0	0	0	0	0	381
16:00	1	8	124	175	22	0	1	0	0	0	0	0	0	0	0	331
17:00	2	17	121	167	19	0	0	0	0	0	0	0	0	0	0	326
18:00	1	8	133	124	21	0	0	0	0	0	0	0	0	0	0	287
19:00	4	15	112	92	9	0	0	0	0	0	0	0	0	0	0	232
20:00	0	11	89	73	8	1	0	0	0	0	0	0	0	0	0	182
21:00	0	5	54	58	5	0	0	0	0	0	0	0	0	0	0	122
22:00	0	6	29	42	5	0	0	0	0	0	0	0	0	0	0	82
23:00	1	4	25	32	5	2	0	0	0	0	0	0	0	0	0	69
Total	24	189	1927	2313	294	15	1	0	0	0	0	0	0	0	0	4763

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

SB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/24/23	0	4	4	9	1	1	0	0	0	0	0	0	0	0	0	19
01:00	0	1	9	1	1	0	0	0	0	0	0	0	0	0	0	12
02:00	1	1	4	4	3	0	0	0	0	0	0	0	0	0	0	13
03:00	0	0	1	5	2	0	0	0	0	0	0	0	0	0	0	8
04:00	0	0	1	7	0	0	0	0	0	0	0	0	0	0	0	8
05:00	0	0	6	7	2	0	0	0	0	0	0	0	0	0	0	15
06:00	0	3	10	27	8	0	0	0	0	0	0	0	0	0	0	48
07:00	0	3	28	42	5	0	0	0	0	0	0	0	0	0	0	78
08:00	1	6	35	87	8	1	0	0	0	0	0	0	0	0	0	138
09:00	0	15	91	115	16	0	0	0	0	0	0	0	0	0	0	237
10:00	1	8	123	152	16	0	0	0	0	0	0	0	0	0	0	300
11:00	1	7	126	153	18	0	0	0	0	0	0	0	0	0	0	305
12 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
20:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
21:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
22:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total	4	48	438	609	80	2	0	0	0	0	0	0	0	0	0	1181
Grand Total	620	1281	8570	8497	895	24	4	0	0	0	0	0	0	0	0	19891

Stats

15th Percentile :	25 MPH
50th Percentile :	29 MPH
85th Percentile :	33 MPH
95th Percentile :	34 MPH
Mean Speed(Average) :	30 MPH
10 MPH Pace Speed :	26-35 MPH
Number in Pace :	17092
Percent in Pace :	85.9%
Number of Vehicles > 35 MPH :	923
Percent of Vehicles > 35 MPH :	4.6%

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: North Forest Rd
Segment: 305' N of Morgan Pkwy
Date: 09/20/2023

GPS: 42.980024, -78.769195

Start	18-Sep-23		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB
12:00 AM	*	*	*	*	*	*	*	*	34	17	62	32	43	19	46	23
01:00	*	*	*	*	*	*	*	*	8	4	28	16	25	12	20	11
02:00	*	*	*	*	*	*	*	*	9	4	10	5	11	13	10	7
03:00	*	*	*	*	*	*	*	*	3	9	7	9	13	8	8	9
04:00	*	*	*	*	*	*	*	*	9	10	15	10	15	8	13	9
05:00	*	*	*	*	*	*	*	*	53	65	21	20	14	15	29	33
06:00	*	*	*	*	*	*	194	235	180	207	55	70	39	48	117	140
07:00	*	*	*	*	*	*	297	**613**	274	529	103	147	64	78	184	342
08:00	*	*	*	*	*	*	**445**	560	**431**	**556**	190	234	126	138	298	372
09:00	*	*	*	*	*	*	347	460	383	396	225	305	**281**	237	309	350
10:00	*	*	*	*	*	*	397	395	320	383	288	**381**	233	300	310	365
11:00	*	*	*	*	*	*	388	435	351	447	**318**	366	280	**305**	**334**	**388**
12:00 PM	*	*	*	*	*	*	390	450	394	422	**380**	**420**	*	*	388	431
01:00	*	*	*	*	*	*	419	450	455	498	328	337	*	*	401	428
02:00	*	*	*	*	*	*	506	520	482	519	362	399	*	*	450	479
03:00	*	*	*	*	*	*	499	**615**	**528**	**612**	343	381	*	*	457	**536**
04:00	*	*	*	*	*	*	**565**	602	505	581	321	331	*	*	**464**	505
05:00	*	*	*	*	*	*	549	561	461	525	284	326	*	*	431	471
06:00	*	*	*	*	*	*	361	399	361	342	269	287	*	*	330	343
07:00	*	*	*	*	*	*	319	310	289	301	213	232	*	*	274	281
08:00	*	*	*	*	*	*	229	176	186	187	158	182	*	*	191	182
09:00	*	*	*	*	*	*	164	138	162	140	166	122	*	*	164	133
10:00	*	*	*	*	*	*	98	67	108	99	121	82	*	*	109	83
11:00	*	*	*	*	*	*	42	50	106	58	70	69	*	*	73	59
Lane	0	0	0	0	0	0	6209	7036	6092	6911	4337	4763	1144	1181	5410	5980
Day	0		0		0		13245		13003		9100		2325		11390	
AM Peak	-	-	-	-	-	-	08:00	07:00	08:00	08:00	11:00	10:00	09:00	11:00	11:00	11:00
Vol.	-	-	-	-	-	-	445	613	431	556	318	381	281	305	334	388
PM Peak	-	-	-	-	-	-	16:00	15:00	15:00	15:00	12:00	12:00	-	-	16:00	15:00
Vol.	-	-	-	-	-	-	565	615	528	612	380	420	-	-	464	536

Comb. Total	0	0	0	13245	13003	9100	2325	11390

ADT ADT 11,319 AADT 11,319

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 775' E of Fenwick, Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

EB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/21/23	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	3	0	2	18	64	150	191	97	22	9	0	0	0	0	0	556
07:00	77	77	78	110	183	285	238	117	20	0	1	0	0	0	0	1186
08:00	74	78	87	129	261	345	223	78	3	3	0	0	0	0	0	1281
09:00	0	0	5	36	145	377	350	134	29	4	0	0	0	0	0	1080
10:00	0	3	10	49	213	404	288	86	15	3	0	0	0	0	0	1071
11:00	2	4	6	72	221	368	235	84	11	2	0	0	0	0	0	1005
12 PM	1	4	19	56	275	370	265	78	16	2	0	0	1	0	0	1087
13:00	1	6	31	80	189	377	274	91	14	1	0	0	0	0	0	1064
14:00	1	2	35	128	326	402	248	57	3	0	0	0	0	0	0	1202
15:00	19	25	43	155	322	398	255	118	13	1	0	0	0	0	0	1349
16:00	139	123	186	297	362	279	121	50	3	2	1	0	0	0	0	1563
17:00	106	75	144	195	292	341	208	79	11	2	0	0	0	0	0	1453
18:00	0	0	9	23	143	325	288	152	26	2	1	0	0	0	0	969
19:00	0	0	1	30	116	237	252	98	13	4	0	0	0	0	0	751
20:00	0	1	2	26	112	164	152	65	20	1	0	0	0	0	0	543
21:00	0	0	1	11	53	150	127	65	11	1	1	0	0	0	0	420
22:00	0	0	0	3	13	82	84	46	7	2	0	1	0	0	0	238
23:00	0	0	0	2	10	28	48	39	10	0	1	0	0	0	0	138
Total	423	398	659	1420	3300	5082	3847	1534	247	39	5	1	1	0	0	16956

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 775' E of Fenwick, Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

EB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/22/23	0	0	0	0	1	8	22	20	4	0	1	0	0	0	0	56
01:00	0	0	0	1	1	7	14	9	2	1	0	1	0	0	0	36
02:00	0	0	0	0	1	2	7	9	2	2	0	0	0	0	0	23
03:00	0	0	0	0	2	8	8	8	0	0	0	0	0	0	0	26
04:00	0	0	0	0	0	10	19	14	2	0	0	0	0	0	0	45
05:00	0	0	0	2	11	31	69	54	13	1	0	0	0	0	0	181
06:00	0	0	1	12	51	169	193	90	24	4	0	0	0	0	0	544
07:00	33	38	64	108	195	301	219	130	31	4	0	0	0	0	0	1123
08:00	13	13	38	78	207	381	321	139	18	3	0	0	0	0	0	1211
09:00	0	1	2	35	182	310	333	128	15	1	0	0	0	0	1	1008
10:00	0	0	3	23	163	305	282	130	19	5	0	0	0	0	0	930
11:00	0	1	5	35	173	358	294	95	14	2	1	0	0	0	0	978
12 PM	0	0	0	42	185	389	311	118	16	4	0	0	0	0	0	1065
13:00	0	0	5	73	234	397	276	93	11	1	0	0	0	0	0	1090
14:00	4	6	23	77	266	436	277	73	7	2	0	0	0	0	0	1171
15:00	20	50	77	158	367	437	205	81	9	0	0	0	0	0	0	1404
16:00	25	36	105	199	379	323	205	80	6	6	0	0	0	0	0	1364
17:00	0	14	27	100	287	392	269	95	20	3	0	0	0	0	0	1207
18:00	0	0	8	49	169	295	273	121	27	2	0	1	0	0	0	945
19:00	1	0	4	21	112	233	210	95	17	2	0	0	0	0	0	695
20:00	0	0	4	17	73	193	145	73	9	3	1	0	0	0	0	518
21:00	1	0	1	9	63	168	145	53	5	1	0	0	0	0	0	446
22:00	0	0	0	7	23	104	113	51	13	3	0	0	0	1	0	315
23:00	0	0	0	1	11	77	95	62	6	0	0	0	0	0	0	252
Total	97	159	367	1047	3156	5334	4305	1821	290	50	3	2	0	1	1	16633

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 775' E of Fenwick, Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

EB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/23/23	0	0	0	2	13	25	48	29	7	2	0	0	0	0	0	126
01:00	0	0	1	0	4	11	16	18	2	0	0	0	1	0	0	53
02:00	0	0	0	0	2	7	18	1	0	0	0	0	0	0	0	28
03:00	0	0	0	0	3	7	10	7	0	0	0	0	0	0	0	27
04:00	0	0	0	0	0	10	14	10	4	0	0	0	0	0	0	38
05:00	0	0	0	1	7	16	29	24	5	3	0	0	0	0	0	85
06:00	0	0	0	3	15	52	78	50	13	2	0	0	0	0	0	213
07:00	0	0	0	7	17	98	121	75	20	3	1	1	0	0	0	343
08:00	0	0	0	21	86	193	182	132	24	2	0	0	0	0	0	640
09:00	0	0	0	12	79	252	249	109	21	3	1	0	0	0	0	726
10:00	0	0	2	37	163	300	289	93	16	1	0	0	0	0	0	901
11:00	0	0	1	22	153	377	273	127	14	1	0	0	0	0	0	968
12 PM	2	0	10	62	191	390	294	120	11	3	0	0	0	0	0	1083
13:00	0	0	2	29	166	352	308	115	15	4	0	1	0	0	0	992
14:00	0	0	11	47	202	392	268	110	14	0	0	0	0	0	0	1044
15:00	0	0	2	22	105	329	282	139	21	4	0	0	0	0	0	904
16:00	0	0	4	34	120	279	315	113	24	2	0	0	1	0	0	892
17:00	0	0	2	26	99	274	276	134	19	2	0	0	0	0	0	832
18:00	1	0	2	21	101	208	236	125	24	4	1	0	0	0	0	723
19:00	0	0	4	30	99	211	170	77	15	3	0	0	0	0	0	609
20:00	0	0	2	12	60	215	138	62	23	0	1	0	0	0	0	513
21:00	0	0	0	7	35	141	117	59	3	1	0	0	0	0	0	363
22:00	0	0	2	4	25	110	105	55	6	1	0	0	0	0	0	308
23:00	0	0	0	0	28	44	89	57	9	0	0	0	0	0	0	227
Total	3	0	45	399	1773	4293	3925	1841	310	41	4	2	2	0	0	12638

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 775' E of Fenwick, Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

EB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/24/23	0	0	0	0	10	26	41	25	9	1	0	0	0	0	0	112
01:00	0	0	0	0	7	16	26	16	2	0	0	0	0	0	0	67
02:00	0	0	0	0	1	4	13	17	2	1	0	0	0	0	0	38
03:00	0	0	0	0	0	9	14	5	0	1	0	1	0	0	0	30
04:00	0	0	0	0	1	7	12	9	1	1	0	0	0	0	0	31
05:00	0	0	0	0	4	16	25	31	6	0	1	0	0	0	0	83
06:00	0	0	0	1	8	27	47	37	6	3	1	0	0	0	0	130
07:00	0	0	0	1	12	61	87	39	9	4	1	0	0	0	0	214
08:00	0	0	0	4	20	101	155	61	14	6	0	0	0	0	0	361
09:00	2	0	0	4	59	206	218	101	17	6	1	1	0	0	0	615
10:00	0	0	0	10	103	223	196	106	21	2	0	0	0	0	0	661
11:00	0	0	4	8	79	235	266	146	19	4	0	0	0	0	0	761
12 PM	0	0	12	65	210	340	289	160	19	1	0	0	1	0	0	1097
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
20:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
21:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
22:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total	2	0	16	93	514	1271	1389	753	125	30	4	2	1	0	0	4200
Grand Total	525	557	1087	2959	8743	15980	13466	5949	972	160	16	7	4	1	1	50427

Stats

15th Percentile :	36 MPH
50th Percentile :	43 MPH
85th Percentile :	49 MPH
95th Percentile :	53 MPH
Mean Speed(Average) :	44 MPH
10 MPH Pace Speed :	41-50 MPH
Number in Pace :	29461
Percent in Pace :	58.4%
Number of Vehicles > 45 MPH :	20576
Percent of Vehicles > 45 MPH :	40.8%

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Location: Amherst, NY
Road Name: Sheridan Dr
Segment: 775' E of Fenwick Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

Start Time	Mon 18-Sep-23	Tue 19-Sep-23	Wed 20-Sep-23	Thu 21-Sep-23	Fri 22-Sep-23	Average Day	Sat 23-Sep-23	Sun 24-Sep-23	Week Average
12:00 AM	*	*	*	*	56	56	126	112	98
01:00	*	*	*	*	36	36	53	67	52
02:00	*	*	*	*	23	23	28	38	30
03:00	*	*	*	*	26	26	27	30	28
04:00	*	*	*	*	45	45	38	31	38
05:00	*	*	*	*	181	181	85	83	116
06:00	*	*	*	555	541	548	213	130	360
07:00	*	*	*	1186	1121	1154	343	214	716
08:00	*	*	*	**1279**	**1211**	**1245**	640	361	873
09:00	*	*	*	1078	1006	1042	724	615	856
10:00	*	*	*	1070	929	1000	900	661	890
11:00	*	*	*	1005	975	990	**968**	**758**	**926**
12:00 PM	*	*	*	1086	1065	1076	**1081**	**1097**	1082
01:00	*	*	*	1062	1088	1075	991	*	1047
02:00	*	*	*	1201	1169	1185	1043	*	1138
03:00	*	*	*	1347	**1404**	1376	902	*	1218
04:00	*	*	*	**1562**	1364	**1463**	892	*	**1273**
05:00	*	*	*	1452	1206	1329	831	*	1163
06:00	*	*	*	969	945	957	723	*	879
07:00	*	*	*	750	695	722	609	*	685
08:00	*	*	*	542	518	530	513	*	524
09:00	*	*	*	420	446	433	363	*	410
10:00	*	*	*	238	315	276	308	*	287
11:00	*	*	*	138	252	195	227	*	206
Day Total	0	0	0	16940	16617	16963	12628	4197	14895
% Avg. WkDay	0.0%	0.0%	0.0%	99.9%	98.0%				
% Avg. Week	0.0%	0.0%	0.0%	113.7%	111.6%	113.9%	84.8%	28.2%	
AM Peak	-	-	-	08:00	08:00	- 08:00	- 11:00	11:00	- 11:00 - -
Vol.	-	-	-	1279	1211	- 1245	- 968	758	- 926 - -
PM Peak	-	-	-	16:00	15:00	- 16:00	- 12:00	12:00	- 16:00 - -
Vol.	-	-	-	1562	1404	- 1463	- 1081	1097	- 1273 - -
Grand Total	0	0	0	16940	16617	16963	12628	4197	14895

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

ADT	ADT 14,794	AADT 14,794

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/21/2023

GPS: 42.978249, -78.77159

WB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/21/23	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	0	1	0	1	23	133	208	128	23	4	0	1	0	0	0	522
07:00	0	0	0	9	88	371	427	190	28	8	4	1	0	0	0	1126
08:00	0	0	2	17	118	456	327	110	13	4	2	0	0	0	0	1049
09:00	0	0	0	10	84	384	384	113	20	2	1	0	0	0	0	998
10:00	0	0	0	4	133	356	320	98	24	2	1	0	0	0	0	938
11:00	1	0	3	27	141	387	317	100	16	3	0	0	0	0	0	995
12 PM	0	0	0	5	115	465	355	108	16	3	0	0	0	0	0	1067
13:00	1	0	0	20	125	446	326	101	13	1	0	0	0	0	0	1033
14:00	0	0	1	16	178	495	346	128	14	4	0	0	0	0	0	1182
15:00	0	2	6	18	168	500	390	151	19	5	3	0	0	0	0	1262
16:00	0	0	0	7	159	533	478	160	27	6	3	1	0	0	0	1374
17:00	0	0	10	25	115	484	504	200	24	4	0	1	0	0	0	1367
18:00	0	0	0	4	70	315	386	178	36	8	1	0	0	0	0	998
19:00	0	0	0	5	75	309	285	95	15	1	0	0	0	0	0	785
20:00	0	0	0	0	32	195	237	103	16	2	0	0	0	0	0	585
21:00	0	0	0	3	33	134	171	83	13	3	0	0	0	0	0	440
22:00	0	0	1	1	11	53	97	68	11	5	0	0	0	0	0	247
23:00	0	0	0	1	7	37	61	33	7	2	0	0	0	0	0	148
Total	2	3	23	173	1675	6053	5619	2147	335	67	15	4	0	0	0	16116

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/21/2023

GPS: 42.978249, -78.77159

WB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/22/23	0	0	0	1	4	7	32	16	5	0	0	0	0	0	0	65
01:00	0	0	0	1	0	7	14	7	3	0	0	0	0	0	0	32
02:00	0	0	0	0	1	3	6	3	0	0	0	0	0	0	0	13
03:00	0	0	0	0	0	3	8	7	1	1	2	0	0	0	0	22
04:00	0	0	0	1	2	7	18	8	6	0	0	0	0	0	0	42
05:00	0	0	1	1	9	24	77	52	13	2	1	0	0	0	0	180
06:00	0	0	0	1	23	109	200	138	27	5	0	1	0	0	0	504
07:00	1	0	0	4	56	319	439	190	41	5	3	0	0	0	0	1058
08:00	0	0	1	23	85	356	385	166	29	0	0	0	0	0	0	1045
09:00	0	0	1	0	89	327	369	149	26	3	1	0	0	0	0	965
10:00	0	0	3	22	118	346	287	141	18	5	0	0	0	0	0	940
11:00	0	1	1	20	128	350	329	146	12	5	0	0	0	0	0	992
12 PM	0	0	0	8	119	428	354	127	22	1	0	0	0	0	0	1059
13:00	0	0	0	3	104	391	364	147	23	2	0	0	0	0	0	1034
14:00	0	0	0	12	164	464	417	138	19	6	0	0	0	0	0	1220
15:00	0	0	1	22	110	436	397	157	26	7	1	0	0	0	0	1157
16:00	0	0	0	16	142	485	456	164	42	7	0	0	0	0	0	1312
17:00	0	0	3	28	137	449	423	162	29	6	1	0	0	0	0	1238
18:00	0	0	0	16	86	291	387	177	30	3	1	0	0	0	0	991
19:00	0	0	0	7	95	240	285	92	14	6	1	1	0	0	0	741
20:00	0	0	0	17	90	181	176	61	10	2	2	0	0	0	0	539
21:00	1	0	2	13	71	181	141	45	4	0	0	0	0	0	0	458
22:00	0	0	0	4	12	85	111	92	24	5	0	0	0	0	0	333
23:00	0	0	0	1	8	56	80	44	15	0	0	0	0	0	0	204
Total	2	1	13	221	1653	5545	5755	2429	439	71	13	2	0	0	0	16144

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/21/2023

GPS: 42.978249, -78.77159

WB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/23/23	0	0	0	0	5	21	48	24	4	1	0	0	0	0	0	103
01:00	0	0	0	1	1	16	21	24	4	0	0	0	0	0	0	67
02:00	0	0	0	0	1	1	8	8	0	0	0	0	1	0	0	19
03:00	0	0	0	0	1	3	12	4	0	1	0	1	0	0	0	22
04:00	0	0	0	0	2	5	11	5	1	2	0	0	0	0	0	26
05:00	0	0	0	1	5	19	19	14	4	0	0	0	0	0	0	62
06:00	0	0	0	0	9	44	50	49	10	3	0	0	0	0	0	165
07:00	0	0	0	1	14	63	153	88	25	5	1	0	0	0	0	350
08:00	0	0	0	2	18	130	213	142	37	5	6	0	0	0	0	553
09:00	0	0	0	2	70	262	273	115	16	3	0	0	0	0	1	742
10:00	0	0	0	4	52	321	374	143	20	1	0	0	0	0	0	915
11:00	0	1	0	2	79	351	355	134	23	1	0	0	0	0	0	946
12 PM	0	0	1	3	84	348	372	134	13	4	1	0	0	0	0	960
13:00	0	0	0	0	60	344	394	170	27	2	1	0	0	0	1	999
14:00	0	0	0	3	73	326	378	165	31	3	1	0	0	0	0	980
15:00	1	0	0	5	56	318	359	173	32	5	0	0	0	0	1	950
16:00	0	0	0	5	41	284	371	143	27	3	1	0	0	0	0	875
17:00	0	0	0	0	53	279	355	158	31	2	2	0	0	0	0	880
18:00	0	0	0	0	37	246	302	134	30	7	1	2	0	0	0	759
19:00	0	0	0	7	53	206	228	124	14	2	0	0	0	0	0	634
20:00	0	0	0	2	48	150	202	92	15	2	2	0	0	0	0	513
21:00	0	0	0	4	33	128	176	64	6	1	0	0	0	0	0	412
22:00	0	0	0	2	10	86	106	62	17	1	1	0	0	0	0	285
23:00	0	1	0	2	13	53	85	51	12	2	0	0	0	0	0	219
Total	1	2	1	46	818	4004	4865	2220	399	56	17	3	1	0	3	12436

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/21/2023

GPS: 42.978249, -78.77159

WB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/24/23	0	0	0	0	4	18	42	42	6	2	0	2	0	0	0	116
01:00	0	0	0	1	1	7	19	15	3	0	0	0	0	0	0	46
02:00	0	1	0	1	0	9	13	6	2	0	0	0	0	0	0	32
03:00	0	0	0	0	0	4	5	6	1	0	0	0	0	0	0	16
04:00	0	0	0	0	0	2	9	1	3	0	1	0	0	1	0	17
05:00	0	0	0	1	0	7	14	9	2	1	0	0	0	0	0	34
06:00	0	0	0	1	5	22	49	30	15	0	0	0	1	0	0	123
07:00	0	0	0	0	12	34	60	58	9	4	0	0	0	0	0	177
08:00	0	0	0	1	13	56	172	92	13	4	1	1	1	0	0	354
09:00	0	0	0	2	24	153	230	121	20	3	0	0	0	1	0	554
10:00	0	0	0	2	26	213	236	147	32	7	0	0	0	0	0	663
11:00	0	0	0	1	35	230	283	168	27	5	0	1	0	0	0	750
12 PM	20	23	17	37	72	268	264	141	12	3	0	1	0	0	0	858
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
20:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
21:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
22:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total	20	24	17	47	192	1023	1396	836	145	29	2	5	2	2	0	3740
Grand Total	25	30	54	487	4338	16625	17635	7632	1318	223	47	14	3	2	3	48436

Stats

15th Percentile :	40 MPH
50th Percentile :	45 MPH
85th Percentile :	51 MPH
95th Percentile :	54 MPH
Mean Speed(Average) :	46 MPH
10 MPH Pace Speed :	41-50 MPH
Number in Pace :	34261
Percent in Pace :	70.7%
Number of Vehicles > 45 MPH :	26877
Percent of Vehicles > 45 MPH :	55.5%

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/20/2023

GPS: 42.978249, -78.77159

Start Time	Mon 18-Sep-23	Tue 19-Sep-23	Wed 20-Sep-23	Thu 21-Sep-23	Fri 22-Sep-23	Average Day	Sat 23-Sep-23	Sun 24-Sep-23	Week Average
12:00 AM	*	*	*	*	65	65	103	116	95
01:00	*	*	*	*	32	32	67	46	48
02:00	*	*	*	*	13	13	19	32	21
03:00	*	*	*	*	22	22	22	16	20
04:00	*	*	*	*	42	42	26	17	28
05:00	*	*	*	*	180	180	62	34	92
06:00	*	*	*	520	504	512	165	123	328
07:00	*	*	*	**1125**	**1057**	**1091**	350	177	677
08:00	*	*	*	1049	1043	1046	553	354	750
09:00	*	*	*	998	963	980	741	554	814
10:00	*	*	*	937	939	938	914	663	863
11:00	*	*	*	994	991	992	**946**	**750**	**920**
12:00 PM	*	*	*	1067	1059	1063	958	**857**	985
01:00	*	*	*	1033	1034	1034	**998**	*	1022
02:00	*	*	*	1182	1218	1200	980	*	1127
03:00	*	*	*	1259	1156	1208	949	*	1121
04:00	*	*	*	**1373**	**1310**	**1342**	875	*	**1186**
05:00	*	*	*	1367	1237	1302	879	*	1161
06:00	*	*	*	997	990	994	758	*	915
07:00	*	*	*	784	741	762	634	*	720
08:00	*	*	*	585	539	562	513	*	546
09:00	*	*	*	440	458	449	412	*	437
10:00	*	*	*	247	333	290	285	*	288
11:00	*	*	*	148	204	176	219	*	190
Day Total	0	0	0	16105	16130	16295	12428	3739	14354
% Avg. WkDay	0.0%	0.0%	0.0%	98.8%	99.0%				
% Avg. Week	0.0%	0.0%	0.0%	112.2%	112.4%	113.5%	86.6%	26.0%	
AM Peak	-	-	-	07:00	07:00	- 07:00	- 11:00	11:00	- 11:00	-	-
Vol.	-	-	-	1125	1057	- 1091	- 946	750	- 920	-	-
PM Peak	-	-	-	16:00	16:00	- 16:00	- 13:00	12:00	- 16:00	-	-
Vol.	-	-	-	1373	1310	- 1342	- 998	857	- 1186	-	-
Grand Total	0	0	0	16105	16130	16295	12428	3739	14354		

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

ADT ADT 14,226 AADT 14,226

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS

Sheridan Drive - Harlem Road to N Forest Road

Year	Combined Volume	% Growth
2011	39724	
2019	36681	-0.99%

Niagara Falls Boulevard from Rt 290 to Maple Road

2011		2019
39724		36681
	-0.99%	

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Appendix D – Synchro Reports

Existing PM
1: Harlem Road & Sheridan Drive

Amherst Central Park
10/12/2023

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Lane Configurations								
Traffic Volume (vph)	810	309	350	744	187	888		
Future Volume (vph)	810	309	350	744	187	888		
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900		
Storage Length (ft)		0	230		0	0		
Storage Lanes		1	1		2	2		
Taper Length (ft)			25		25			
Lane Util. Factor	0.95	1.00	0.97	0.95	0.97	0.88		
Frt		0.850				0.850		
Flt Protected			0.950		0.950			
Satd. Flow (prot)	3539	1583	3433	3539	3433	2787		
Flt Permitted			0.950		0.950			
Satd. Flow (perm)	3539	1583	3433	3539	3433	2787		
Right Turn on Red		Yes				Yes		
Satd. Flow (RTOR)		315				817		
Link Speed (mph)	45			45	35			
Link Distance (ft)	570			576	995			
Travel Time (s)	8.6			8.7	19.4			
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98		
Adj. Flow (vph)	827	315	357	759	191	906		
Shared Lane Traffic (%)								
Lane Group Flow (vph)	827	315	357	759	191	906		
Turn Type	NA	pt+ov	Prot	NA	Prot	custom		
Protected Phases	2	2 3	1 4	2 1	3	3 4	1	4
Permitted Phases								
Detector Phase	2	2 3	1 4	2 1	3	3 4		
Switch Phase								
Minimum Initial (s)	5.0				5.0		5.0	5.0
Minimum Split (s)	24.7				24.9		24.7	22.5
Total Split (s)	49.0				35.0		37.0	39.0
Total Split (%)	30.6%				21.9%		23%	24%
Maximum Green (s)	42.3				28.1		30.3	34.7
Yellow Time (s)	4.0				3.6		4.0	3.2
All-Red Time (s)	2.7				3.3		2.7	1.1
Lost Time Adjust (s)	0.0				0.0			
Total Lost Time (s)	6.7				6.9			
Lead/Lag	Lag				Lead		Lead	Lag
Lead-Lag Optimize?								
Vehicle Extension (s)	3.0				3.0		3.0	3.0
Recall Mode	C-Max				Min		None	None
Walk Time (s)	7.0				7.0		7.0	7.0
Flash Dont Walk (s)	11.0				11.0		11.0	11.0
Pedestrian Calls (#/hr)	0				0		0	0
Act Effct Green (s)	69.7	95.3	51.3	102.4	18.6	44.0		
Actuated g/C Ratio	0.44	0.60	0.32	0.64	0.12	0.28		
v/c Ratio	0.54	0.29	0.32	0.34	0.48	0.67		
Control Delay	37.9	2.7	40.0	3.4	69.1	7.5		
Queue Delay	0.0	0.0	0.0	0.5	0.0	0.2		
Total Delay	37.9	2.7	40.0	3.8	69.1	7.7		

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
LOS	D	A	D	A	E	A		
Approach Delay	28.2			15.4	18.4			
Approach LOS	C			B	B			
90th %ile Green (s)	44.7				28.1		37.6	25.0
90th %ile Term Code	Coord				Max		Gap	Gap
70th %ile Green (s)	63.1				20.1		29.1	23.1
70th %ile Term Code	Coord				Gap		Gap	Gap
50th %ile Green (s)	71.5				17.1		25.0	21.8
50th %ile Term Code	Coord				Gap		Gap	Gap
30th %ile Green (s)	79.1				15.5		21.3	19.5
30th %ile Term Code	Coord				Gap		Gap	Gap
10th %ile Green (s)	90.3				12.3		16.7	16.1
10th %ile Term Code	Coord				Gap		Gap	Gap
Queue Length 50th (ft)	325	0	106	30	98	40		
Queue Length 95th (ft)	515	51	76	169	131	96		
Internal Link Dist (ft)	490			496	915			
Turn Bay Length (ft)			230					
Base Capacity (vph)	1542	1145	1226	2233	602	1526		
Starvation Cap Reductn	0	0	0	947	0	0		
Spillback Cap Reductn	0	0	0	0	0	125		
Storage Cap Reductn	0	0	0	0	0	0		
Reduced v/c Ratio	0.54	0.28	0.29	0.59	0.32	0.65		

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 157 (98%), Referenced to phase 2:EBWB, Start of Yellow			
Natural Cycle: 100			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.67			
Intersection Signal Delay: 20.7		Intersection LOS: C	
Intersection Capacity Utilization 64.8%		ICU Level of Service C	
Analysis Period (min) 15			

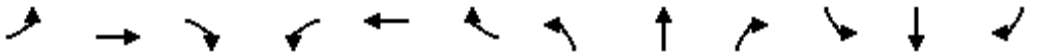
Splits and Phases: 1: Harlem Road & Sheridan Drive



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Existing PM
2: I-290 Ramps & Sheridan Drive

Amherst Central Park
10/12/2023



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	264	1407	0	0	931	682	145	0	314	0	0	0
Future Volume (vph)	264	1407	0	0	931	682	145	0	314	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	0		0	0		0
Storage Lanes	1		0	0		0	1		1	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	0.91	0.95	0.91	0.95	1.00	1.00	1.00
Frt					0.937			0.863	0.850			
Flt Protected	0.950						0.950	0.996				
Satd. Flow (prot)	1770	5085	0	0	4765	0	1681	1457	1504	0	0	0
Flt Permitted	0.053						0.950	0.996				
Satd. Flow (perm)	99	5085	0	0	4765	0	1681	1457	1504	0	0	0
Right Turn on Red			Yes			Yes			Yes			No
Satd. Flow (RTOR)					136			59	59			
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		576			428			842			263	
Travel Time (s)		8.7			6.5			19.1			6.0	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	272	1451	0	0	960	703	149	0	324	0	0	0
Shared Lane Traffic (%)							10%		48%			
Lane Group Flow (vph)	272	1451	0	0	1663	0	134	171	168	0	0	0
Turn Type	pm+pt	NA			NA		Prot	NA	Prot			
Protected Phases	1	6			2		7	3	3			
Permitted Phases	6											
Detector Phase	1	6			2		7	3	3			
Switch Phase												
Minimum Initial (s)	5.0	5.0			5.0		5.0	5.0	5.0			
Minimum Split (s)	10.8	23.8			23.8		9.5	22.5	22.5			
Total Split (s)	36.0	105.0			69.0		55.0	55.0	55.0			
Total Split (%)	22.5%	65.6%			43.1%		34.4%	34.4%	34.4%			
Maximum Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
Yellow Time (s)	4.3	4.3			4.3		3.5	3.5	3.5			
All-Red Time (s)	1.5	1.5			1.5		1.0	1.0	1.0			
Lost Time Adjust (s)	0.0	0.0			0.0		0.0	0.0	0.0			
Total Lost Time (s)	5.8	5.8			5.8		4.5	4.5	4.5			
Lead/Lag	Lead				Lag							
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0			3.0		3.0	3.0	3.0			
Recall Mode	None	C-Max			C-Max		None	None	None			
Walk Time (s)		7.0			7.0			7.0	7.0			
Flash Dont Walk (s)		11.0			11.0			11.0	11.0			
Pedestrian Calls (#/hr)		0			0			0	0			
Act Effct Green (s)	99.2	99.2			69.3		50.5	50.5	50.5			
Actuated g/C Ratio	0.62	0.62			0.43		0.32	0.32	0.32			
v/c Ratio	0.87	0.46			0.91dr		0.25	0.34	0.33			
Control Delay	63.1	25.1			21.0		42.3	29.1	28.5			
Queue Delay	0.0	1.0			0.0		0.0	0.0	0.0			
Total Delay	63.1	26.1			21.0		42.3	29.1	28.5			

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	E	C			C		D	C	C			
Approach Delay		32.0			21.0			32.7				
Approach LOS		C			C			C				
90th %ile Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
90th %ile Term Code	Max	Coord			Coord		Hold	Max	Max			
70th %ile Green (s)	28.8	99.2			64.6		50.5	50.5	50.5			
70th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
50th %ile Green (s)	25.0	99.2			68.4		50.5	50.5	50.5			
50th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
30th %ile Green (s)	21.1	99.2			72.3		50.5	50.5	50.5			
30th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
10th %ile Green (s)	15.5	99.2			77.9		50.5	50.5	50.5			
10th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
Queue Length 50th (ft)	240	345			560		110	96	90			
Queue Length 95th (ft)	343	525			637		173	174	162			
Internal Link Dist (ft)		496			348			762			183	
Turn Bay Length (ft)	150											
Base Capacity (vph)	376	3152			2140		530	500	515			
Starvation Cap Reductn	0	1337			0		0	0	0			
Spillback Cap Reductn	0	0			0		0	0	0			
Storage Cap Reductn	0	0			0		0	0	0			
Reduced v/c Ratio	0.72	0.80			0.78		0.25	0.34	0.33			

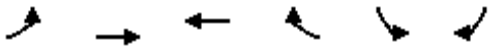
Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 108 (68%), Referenced to phase 2:WBT and 6:EBTL, Start of Yellow
Natural Cycle: 70
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.87
Intersection Signal Delay: 27.3 Intersection LOS: C
Intersection Capacity Utilization 68.5% ICU Level of Service C
Analysis Period (min) 15
dr Defacto Right Lane. Recode with 1 though lane as a right lane.

Splits and Phases: 2: I-290 Ramps & Sheridan Drive

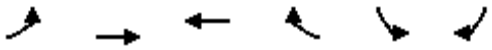


Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	18	1642	1543	54	53	26
Future Volume (vph)	18	1642	1543	54	53	26
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150			0	0	60
Storage Lanes	1			0	1	1
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	0.95	0.95	0.95	1.00	1.00
Frt			0.995			0.850
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1770	3539	3522	0	1770	1583
Flt Permitted	0.129				0.950	
Satd. Flow (perm)	240	3539	3522	0	1770	1583
Right Turn on Red				Yes		Yes
Satd. Flow (RTOR)			4			27
Link Speed (mph)		45	45		30	
Link Distance (ft)		958	640		988	
Travel Time (s)		14.5	9.7		22.5	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	19	1728	1624	57	56	27
Shared Lane Traffic (%)						
Lane Group Flow (vph)	19	1728	1681	0	56	27
Turn Type	Perm	NA	NA		Prot	Prot
Protected Phases		1	1		3	3
Permitted Phases	1					
Detector Phase	1	1	1		3	3
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	23.9	23.9	23.9		23.7	23.7
Total Split (s)	110.0	110.0	110.0		50.0	50.0
Total Split (%)	68.8%	68.8%	68.8%		31.3%	31.3%
Maximum Green (s)	104.1	104.1	104.1		44.3	44.3
Yellow Time (s)	4.3	4.3	4.3		3.2	3.2
All-Red Time (s)	1.6	1.6	1.6		2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)	5.9	5.9	5.9		5.7	5.7
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	C-Max	C-Max	C-Max		None	None
Walk Time (s)	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0
Act Effct Green (s)	141.5	141.5	141.5		10.5	10.5
Actuated g/C Ratio	0.88	0.88	0.88		0.07	0.07
v/c Ratio	0.09	0.55	0.54		0.49	0.21
Control Delay	1.6	6.6	2.2		85.3	25.5
Queue Delay	0.0	0.0	0.0		0.0	0.0
Total Delay	1.6	6.6	2.2		85.3	25.5

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
LOS	A	A	A		F	C
Approach Delay		6.6	2.2		65.8	
Approach LOS		A	A		E	
90th %ile Green (s)	133.8	133.8	133.8		14.6	14.6
90th %ile Term Code	Coord	Coord	Coord		Gap	Gap
70th %ile Green (s)	136.2	136.2	136.2		12.2	12.2
70th %ile Term Code	Coord	Coord	Coord		Gap	Gap
50th %ile Green (s)	137.9	137.9	137.9		10.5	10.5
50th %ile Term Code	Coord	Coord	Coord		Gap	Gap
30th %ile Green (s)	139.7	139.7	139.7		8.7	8.7
30th %ile Term Code	Coord	Coord	Coord		Gap	Gap
10th %ile Green (s)	154.1	154.1	154.1		0.0	0.0
10th %ile Term Code	Coord	Coord	Coord		Skip	Skip
Queue Length 50th (ft)	1	178	66		58	0
Queue Length 95th (ft)	m3	217	116		106	34
Internal Link Dist (ft)		878	560		908	
Turn Bay Length (ft)	150					60
Base Capacity (vph)	212	3130	3115		490	457
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.09	0.55	0.54		0.11	0.06

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 87 (54%), Referenced to phase 1:EBWB, Start of Yellow			
Natural Cycle: 65			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.55			
Intersection Signal Delay: 5.9		Intersection LOS: A	
Intersection Capacity Utilization 59.2%		ICU Level of Service B	
Analysis Period (min) 15			

m Volume for 95th percentile queue is metered by upstream signal.

Splits and Phases: 3: Sheridan Drive & Frankhauser Road



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Intersection	
Int Delay, s/veh	0.4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1671	28	12	1572	14	20
Future Vol, veh/h	1671	28	12	1572	14	20
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	150	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1741	29	13	1638	15	21

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1770	0	2601	885
Stage 1	-	-	-	-	1756	-
Stage 2	-	-	-	-	845	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	348	-	20	288
Stage 1	-	-	-	-	124	-
Stage 2	-	-	-	-	382	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	348	-	19	288
Mov Cap-2 Maneuver	-	-	-	-	91	-
Stage 1	-	-	-	-	124	-
Stage 2	-	-	-	-	368	-

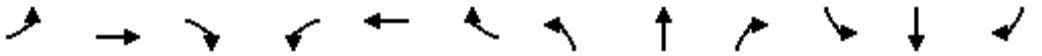
Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	35.7
HCM LOS			E

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	152	-	-	348	-
HCM Lane V/C Ratio	0.233	-	-	0.036	-
HCM Control Delay (s)	35.7	-	-	15.7	-
HCM Lane LOS	E	-	-	C	-
HCM 95th %tile Q(veh)	0.9	-	-	0.1	-

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Existing PM
5: North Forest Road & Sheridan Drive

Amherst Central Park
10/12/2023



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	233	1166	267	163	1192	25	179	340	171	41	386	191
Future Volume (vph)	233	1166	267	163	1192	25	179	340	171	41	386	191
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	350		170	175		0	190		440	350		70
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	25			25			25			200		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	0.95	1.00	1.00	1.00	1.00	0.95	1.00
Frt			0.850		0.997				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	3539	1583	1770	3529	0	1770	1863	1583	1770	3539	1583
Flt Permitted	0.056			0.105			0.261			0.294		
Satd. Flow (perm)	104	3539	1583	196	3529	0	486	1863	1583	548	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			132		2				178			128
Link Speed (mph)		45			45			40			35	
Link Distance (ft)		1664			992			903			941	
Travel Time (s)		25.2			15.0			15.4			18.3	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	243	1215	278	170	1242	26	186	354	178	43	402	199
Shared Lane Traffic (%)												
Lane Group Flow (vph)	243	1215	278	170	1268	0	186	354	178	43	402	199
Turn Type	pm+pt	NA	Prot	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6	6	5	2		7	4		3	8	
Permitted Phases	6			2			4		4	8		8
Detector Phase	1	6	6	5	2		7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	6.0	28.0	28.0	6.0	6.0		6.0	6.0	6.0	6.0	15.0	15.0
Minimum Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (%)	15.6%	44.4%	44.4%	15.6%	44.4%		15.6%	27.5%	27.5%	12.5%	24.4%	24.4%
Maximum Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	36.4	36.4	12.4	31.4	31.4
Yellow Time (s)	4.3	4.3	4.3	4.3	4.3		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.8	2.8	2.8	2.8	2.8		3.6	3.6	3.6	3.6	3.6	3.6
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.1	7.1	7.1	7.1	7.1		7.6	7.6	7.6	7.6	7.6	7.6
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	C-Max	C-Max	None	C-Max		None	None	None	None	None	None
Walk Time (s)		7.0	7.0					7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0					11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0					0	0		0	0
Act Effct Green (s)	91.7	73.0	73.0	81.5	66.8		50.3	37.4	37.4	34.6	26.4	26.4
Actuated g/C Ratio	0.57	0.46	0.46	0.51	0.42		0.31	0.23	0.23	0.22	0.16	0.16
v/c Ratio	0.87	0.75	0.35	0.69	0.86		0.65	0.81	0.35	0.24	0.69	0.54
Control Delay	64.8	36.1	17.5	39.6	50.1		52.3	73.7	8.1	40.1	68.8	26.9
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	64.8	36.1	17.5	39.6	50.1		52.3	73.7	8.1	40.1	68.8	26.9

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	E	D	B	D	D		D	E	A	D	E	C
Approach Delay		37.1			48.8			51.9			53.9	
Approach LOS		D			D			D			D	
90th %ile Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	38.3	38.3	10.5	31.4	31.4
90th %ile Term Code	Max	Coord	Coord	Max	Coord		Max	Max	Max	Gap	Hold	Hold
70th %ile Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	39.8	39.8	9.0	31.4	31.4
70th %ile Term Code	Max	Coord	Coord	Max	Coord		Max	Max	Max	Gap	Hold	Hold
50th %ile Green (s)	21.6	69.3	69.3	16.2	63.9		17.4	37.0	37.0	8.1	27.7	27.7
50th %ile Term Code	Max	Coord	Coord	Gap	Coord		Max	Gap	Gap	Gap	Hold	Hold
30th %ile Green (s)	25.1	77.6	77.6	13.3	65.8		16.0	32.5	32.5	7.2	23.7	23.7
30th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
10th %ile Green (s)	22.5	90.3	90.3	8.5	76.3		13.8	39.4	39.4	0.0	18.0	18.0
10th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Skip	Gap	Gap
Queue Length 50th (ft)	218	621	130	83	651		146	355	0	31	209	65
Queue Length 95th (ft)	#404	727	208	168	755		209	#485	64	61	262	148
Internal Link Dist (ft)		1584			912			823			861	
Turn Bay Length (ft)	350		170	175			190		440	350		70
Base Capacity (vph)	278	1614	793	279	1473		292	444	513	227	694	413
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.87	0.75	0.35	0.61	0.86		0.64	0.80	0.35	0.19	0.58	0.48

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 30 (19%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
Natural Cycle: 160
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.87
Intersection Signal Delay: 45.6 Intersection LOS: D
Intersection Capacity Utilization 94.0% ICU Level of Service F
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 5: North Forest Road & Sheridan Drive



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Exisitng SAT Midday
1: Harlem Road & Sheridan Drive

Amherst Central Park
10/12/2023

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Lane Configurations								
Traffic Volume (vph)	617	343	359	569	170	484		
Future Volume (vph)	617	343	359	569	170	484		
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900		
Storage Length (ft)		0	230		0	0		
Storage Lanes		1	1		2	2		
Taper Length (ft)			25		25			
Lane Util. Factor	0.95	1.00	0.97	0.95	0.97	0.88		
Frt		0.850				0.850		
Flt Protected			0.950		0.950			
Satd. Flow (prot)	3574	1599	3467	3574	3467	2814		
Flt Permitted			0.950		0.950			
Satd. Flow (perm)	3574	1599	3467	3574	3467	2814		
Right Turn on Red		Yes				Yes		
Satd. Flow (RTOR)		354				499		
Link Speed (mph)	45			45	35			
Link Distance (ft)	570			576	995			
Travel Time (s)	8.6			8.7	19.4			
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97		
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%		
Adj. Flow (vph)	636	354	370	587	175	499		
Shared Lane Traffic (%)								
Lane Group Flow (vph)	636	354	370	587	175	499		
Turn Type	NA	pt+ov	Prot	NA	Prot	custom		
Protected Phases	2	2 3	1 4	2 1	3	3 4	1	4
Permitted Phases								
Detector Phase	2	2 3	1 4	2 1	3	3 4		
Switch Phase								
Minimum Initial (s)	5.0				5.0		5.0	5.0
Minimum Split (s)	24.7				24.9		24.7	22.5
Total Split (s)	49.0				35.0		37.0	39.0
Total Split (%)	30.6%				21.9%		23%	24%
Maximum Green (s)	42.3				28.1		30.3	34.7
Yellow Time (s)	4.0				3.6		4.0	3.2
All-Red Time (s)	2.7				3.3		2.7	1.1
Lost Time Adjust (s)	0.0				0.0			
Total Lost Time (s)	6.7				6.9			
Lead/Lag	Lag				Lead		Lead	Lag
Lead-Lag Optimize?								
Vehicle Extension (s)	3.0				3.0		3.0	3.0
Recall Mode	C-Max				Min		None	None
Walk Time (s)	7.0				7.0		7.0	7.0
Flash Dont Walk (s)	11.0				11.0		11.0	11.0
Pedestrian Calls (#/hr)	0				0		0	0
Act Effct Green (s)	80.5	102.3	44.3	106.3	14.9	40.1		
Actuated g/C Ratio	0.50	0.64	0.28	0.66	0.09	0.25		
v/c Ratio	0.35	0.31	0.39	0.25	0.54	0.46		
Control Delay	26.6	2.1	32.8	10.7	75.0	4.6		
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0		

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Total Delay	26.6	2.1	32.8	10.7	75.0	4.6		
LOS	C	A	C	B	E	A		
Approach Delay	17.9			19.2	22.9			
Approach LOS	B			B	C			
90th %ile Green (s)	63.3				19.8		26.8	25.5
90th %ile Term Code	Coord				Gap		Gap	Gap
70th %ile Green (s)	74.6				16.8		21.2	22.8
70th %ile Term Code	Coord				Gap		Gap	Gap
50th %ile Green (s)	79.9				15.3		19.1	21.1
50th %ile Term Code	Coord				Gap		Gap	Gap
30th %ile Green (s)	87.2				12.9		16.1	19.2
30th %ile Term Code	Coord				Gap		Gap	Gap
10th %ile Green (s)	97.5				9.8		12.5	15.6
10th %ile Term Code	Coord				Gap		Gap	Gap
Queue Length 50th (ft)	209	0	86	196	91	0		
Queue Length 95th (ft)	314	46	85	267	129	46		
Internal Link Dist (ft)	490			496	915			
Turn Bay Length (ft)			230					
Base Capacity (vph)	1797	1252	1201	2361	608	1279		
Starvation Cap Reductn	0	0	0	0	0	0		
Spillback Cap Reductn	0	0	0	0	0	0		
Storage Cap Reductn	0	0	0	0	0	0		
Reduced v/c Ratio	0.35	0.28	0.31	0.25	0.29	0.39		

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 157 (98%), Referenced to phase 2:EBWB, Start of Yellow			
Natural Cycle: 100			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.54			
Intersection Signal Delay: 19.7		Intersection LOS: B	
Intersection Capacity Utilization 49.1%		ICU Level of Service A	
Analysis Period (min) 15			

Splits and Phases: 1: Harlem Road & Sheridan Drive



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Exisitng SAT Midday
2: I-290 Ramps & Sheridan Drive

Amherst Central Park
10/12/2023

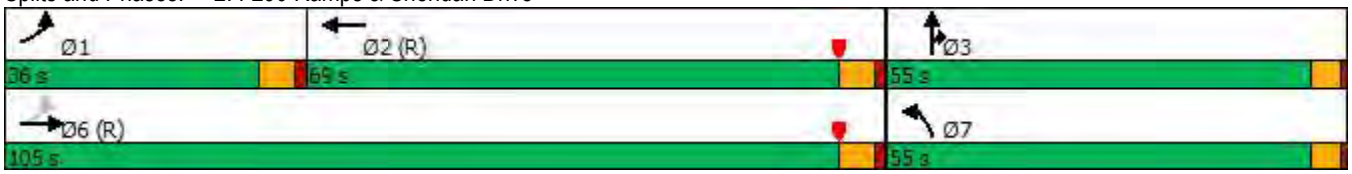
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	176	913	0	0	782	304	169	0	282	0	0	0
Future Volume (vph)	176	913	0	0	782	304	169	0	282	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	0		0	0		0
Storage Lanes	1		0	0		0	1		1	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	0.91	0.95	0.91	0.95	1.00	1.00	1.00
Frt					0.958			0.867	0.850			
Flt Protected	0.950						0.950	0.994				
Satd. Flow (prot)	1787	5136	0	0	4920	0	1698	1475	1519	0	0	0
Flt Permitted	0.201						0.950	0.994				
Satd. Flow (perm)	378	5136	0	0	4920	0	1698	1475	1519	0	0	0
Right Turn on Red			Yes			Yes			Yes			No
Satd. Flow (RTOR)					73			135	151			
Link Speed (mph)		45			45			35			30	
Link Distance (ft)		576			428			842			263	
Travel Time (s)		8.7			6.5			16.4			6.0	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	180	932	0	0	798	310	172	0	288	0	0	0
Shared Lane Traffic (%)							10%		47%			
Lane Group Flow (vph)	180	932	0	0	1108	0	155	152	153	0	0	0
Turn Type	pm+pt	NA			NA		Prot	NA	Prot			
Protected Phases	1	6			2		7	3	3			
Permitted Phases	6											
Detector Phase	1	6			2		7	3	3			
Switch Phase												
Minimum Initial (s)	5.0	5.0			5.0		5.0	5.0	5.0			
Minimum Split (s)	10.8	23.8			23.8		9.5	22.5	22.5			
Total Split (s)	36.0	105.0			69.0		55.0	55.0	55.0			
Total Split (%)	22.5%	65.6%			43.1%		34.4%	34.4%	34.4%			
Maximum Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
Yellow Time (s)	4.3	4.3			4.3		3.5	3.5	3.5			
All-Red Time (s)	1.5	1.5			1.5		1.0	1.0	1.0			
Lost Time Adjust (s)	0.0	0.0			0.0		0.0	0.0	0.0			
Total Lost Time (s)	5.8	5.8			5.8		4.5	4.5	4.5			
Lead/Lag	Lead				Lag							
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0			3.0		3.0	3.0	3.0			
Recall Mode	None	C-Max			C-Max		None	None	None			
Walk Time (s)		7.0			7.0			7.0	7.0			
Flash Dont Walk (s)		11.0			11.0			11.0	11.0			
Pedestrian Calls (#/hr)		0			0			0	0			
Act Effct Green (s)	113.4	113.4			96.3		36.3	36.3	36.3			
Actuated g/C Ratio	0.71	0.71			0.60		0.23	0.23	0.23			
v/c Ratio	0.49	0.26			0.37		0.40	0.35	0.33			
Control Delay	26.6	15.2			10.5		52.6	10.3	7.7			
Queue Delay	0.0	0.0			0.0		0.0	0.0	0.0			

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	26.6	15.2			10.5		52.6	10.3	7.7			
LOS	C	B			B		D	B	A			
Approach Delay		17.0			10.5			23.7				
Approach LOS		B			B			C				
90th %ile Green (s)	15.9	99.2			77.5		50.5	50.5	50.5			
90th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
70th %ile Green (s)	13.7	99.2			79.7		50.5	50.5	50.5			
70th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
50th %ile Green (s)	12.3	99.2			81.1		50.5	50.5	50.5			
50th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
30th %ile Green (s)	7.9	132.6			118.9		17.1	17.1	17.1			
30th %ile Term Code	Gap	Coord			Coord		Gap	Hold	Hold			
10th %ile Green (s)	6.8	136.9			124.3		12.8	12.8	12.8			
10th %ile Term Code	Gap	Coord			Coord		Gap	Hold	Hold			
Queue Length 50th (ft)	101	145			272		129	13	1			
Queue Length 95th (ft)	213	305			176		197	74	58			
Internal Link Dist (ft)		496			348			762			183	
Turn Bay Length (ft)	150											
Base Capacity (vph)	534	3640			2990		535	438	582			
Starvation Cap Reductn	0	0			0		0	0	0			
Spillback Cap Reductn	0	0			0		0	0	0			
Storage Cap Reductn	0	0			0		0	0	0			
Reduced v/c Ratio	0.34	0.26			0.37		0.29	0.35	0.26			

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 108 (68%), Referenced to phase 2:WBT and 6:EBTL, Start of Yellow			
Natural Cycle: 60			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.49			
Intersection Signal Delay: 15.5		Intersection LOS: B	
Intersection Capacity Utilization 52.6%		ICU Level of Service A	
Analysis Period (min) 15			

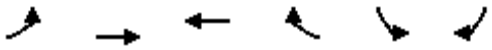
Splits and Phases: 2: I-290 Ramps & Sheridan Drive



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

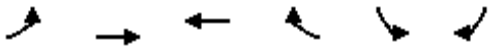
Exisitng SAT Midday
3: Sheridan Drive & Frankhauser Road

Amherst Central Park
10/12/2023



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	17	1091	985	39	42	18
Future Volume (vph)	17	1091	985	39	42	18
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150			0	0	60
Storage Lanes	1			0	1	1
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	0.95	0.95	0.95	1.00	1.00
Frt			0.994			0.850
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1787	3574	3553	0	1787	1599
Flt Permitted	0.262				0.950	
Satd. Flow (perm)	493	3574	3553	0	1787	1599
Right Turn on Red				Yes		Yes
Satd. Flow (RTOR)			5			19
Link Speed (mph)		45	45		30	
Link Distance (ft)		958	640		988	
Travel Time (s)		14.5	9.7		22.5	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	18	1136	1026	41	44	19
Shared Lane Traffic (%)						
Lane Group Flow (vph)	18	1136	1067	0	44	19
Turn Type	Perm	NA	NA		Prot	Prot
Protected Phases		1	1		3	3
Permitted Phases	1					
Detector Phase	1	1	1		3	3
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	23.9	23.9	23.9		23.7	23.7
Total Split (s)	110.0	110.0	110.0		50.0	50.0
Total Split (%)	68.8%	68.8%	68.8%		31.3%	31.3%
Maximum Green (s)	104.1	104.1	104.1		44.3	44.3
Yellow Time (s)	4.3	4.3	4.3		3.2	3.2
All-Red Time (s)	1.6	1.6	1.6		2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)	5.9	5.9	5.9		5.7	5.7
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	C-Max	C-Max	C-Max		None	None
Walk Time (s)	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0
Act Effct Green (s)	142.5	142.5	142.5		9.3	9.3
Actuated g/C Ratio	0.89	0.89	0.89		0.06	0.06
v/c Ratio	0.04	0.36	0.34		0.42	0.17
Control Delay	1.0	2.7	1.7		84.1	28.8
Queue Delay	0.0	0.0	0.0		0.0	0.0

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Total Delay	1.0	2.7	1.7		84.1	28.8
LOS	A	A	A		F	C
Approach Delay		2.6	1.7		67.4	
Approach LOS		A	A		E	
90th %ile Green (s)	135.5	135.5	135.5		12.9	12.9
90th %ile Term Code	Coord	Coord	Coord		Gap	Gap
70th %ile Green (s)	137.5	137.5	137.5		10.9	10.9
70th %ile Term Code	Coord	Coord	Coord		Gap	Gap
50th %ile Green (s)	139.1	139.1	139.1		9.3	9.3
50th %ile Term Code	Coord	Coord	Coord		Gap	Gap
30th %ile Green (s)	140.6	140.6	140.6		7.8	7.8
30th %ile Term Code	Coord	Coord	Coord		Gap	Gap
10th %ile Green (s)	154.1	154.1	154.1		0.0	0.0
10th %ile Term Code	Coord	Coord	Coord		Skip	Skip
Queue Length 50th (ft)	1	52	51		45	0
Queue Length 95th (ft)	3	101	66		89	29
Internal Link Dist (ft)		878	560		908	
Turn Bay Length (ft)	150					60
Base Capacity (vph)	439	3184	3165		494	456
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.04	0.36	0.34		0.09	0.04

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 87 (54%), Referenced to phase 1:EBWB, Start of Yellow			
Natural Cycle: 50			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.42			
Intersection Signal Delay: 4.0		Intersection LOS: A	
Intersection Capacity Utilization 44.0%		ICU Level of Service A	
Analysis Period (min) 15			

Splits and Phases: 3: Sheridan Drive & Frankhauser Road



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Intersection	
Int Delay, s/veh	0.5

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1119	19	18	1004	20	21
Future Vol, veh/h	1119	19	18	1004	20	21
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	150	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	1	1	1	1	1	1
Mvmt Flow	1166	20	19	1046	21	22

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1186	0	1737	593
Stage 1	-	-	-	-	1176	-
Stage 2	-	-	-	-	561	-
Critical Hdwy	-	-	4.12	-	6.82	6.92
Critical Hdwy Stg 1	-	-	-	-	5.82	-
Critical Hdwy Stg 2	-	-	-	-	5.82	-
Follow-up Hdwy	-	-	2.21	-	3.51	3.31
Pot Cap-1 Maneuver	-	-	590	-	79	451
Stage 1	-	-	-	-	257	-
Stage 2	-	-	-	-	538	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	590	-	76	451
Mov Cap-2 Maneuver	-	-	-	-	187	-
Stage 1	-	-	-	-	257	-
Stage 2	-	-	-	-	521	-

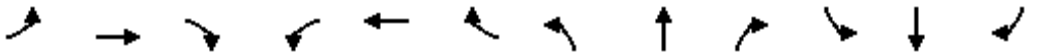
Approach	EB	WB	NB
HCM Control Delay, s	0	0.2	21
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	267	-	-	590	-
HCM Lane V/C Ratio	0.16	-	-	0.032	-
HCM Control Delay (s)	21	-	-	11.3	-
HCM Lane LOS	C	-	-	B	-
HCM 95th %tile Q(veh)	0.6	-	-	0.1	-

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Exisitng SAT Midday
5: North Forest Road & Sheridan Drive

Amherst Central Park
10/12/2023



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	171	853	103	125	767	21	100	185	109	46	202	175
Future Volume (vph)	171	853	103	125	767	21	100	185	109	46	202	175
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	350		170	175		0	190		440	350		70
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	25			25			25			200		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	0.95	1.00	1.00	1.00	1.00	0.95	1.00
Frt			0.850		0.996				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1787	3574	1599	1787	3560	0	1787	1881	1599	1787	3574	1599
Flt Permitted	0.285			0.271			0.457			0.548		
Satd. Flow (perm)	536	3574	1599	510	3560	0	860	1881	1599	1031	3574	1599
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			132		2				128			176
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1664			992			903			941	
Travel Time (s)		25.2			15.0			20.5			21.4	
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	173	862	104	126	775	21	101	187	110	46	204	177
Shared Lane Traffic (%)												
Lane Group Flow (vph)	173	862	104	126	796	0	101	187	110	46	204	177
Turn Type	pm+pt	NA	Prot	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6	6	5	2		7	4		3	8	
Permitted Phases	6			2			4		4	8		8
Detector Phase	1	6	6	5	2		7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	6.0	28.0	28.0	6.0	6.0		6.0	6.0	6.0	6.0	15.0	15.0
Minimum Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (%)	15.6%	44.4%	44.4%	15.6%	44.4%		15.6%	27.5%	27.5%	12.5%	24.4%	24.4%
Maximum Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	36.4	36.4	12.4	31.4	31.4
Yellow Time (s)	4.3	4.3	4.3	4.3	4.3		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.8	2.8	2.8	2.8	2.8		3.6	3.6	3.6	3.6	3.6	3.6
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.1	7.1	7.1	7.1	7.1		7.6	7.6	7.6	7.6	7.6	7.6
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	C-Max	C-Max	None	C-Max		None	None	None	None	None	None
Walk Time (s)		7.0	7.0					7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0					11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0					0	0		0	0
Act Effct Green (s)	101.6	90.2	90.2	98.2	88.5		35.7	24.7	24.7	26.6	17.9	17.9
Actuated g/C Ratio	0.64	0.56	0.56	0.61	0.55		0.22	0.15	0.15	0.17	0.11	0.11
v/c Ratio	0.40	0.43	0.11	0.32	0.40		0.38	0.64	0.31	0.22	0.51	0.53
Control Delay	9.7	19.6	5.4	13.0	22.4		51.9	74.9	7.8	48.2	71.1	14.1
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	9.7	19.6	5.4	13.0	22.4		51.9	74.9	7.8	48.2	71.1	14.1
LOS	A	B	A	B	C		D	E	A	D	E	B
Approach Delay		16.8			21.2			50.5			45.0	
Approach LOS		B			C			D			D	
90th %ile Green (s)	15.6	78.1	78.1	13.0	75.5		16.7	28.2	28.2	11.3	22.8	22.8
90th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
70th %ile Green (s)	12.8	85.8	85.8	10.8	83.8		14.4	24.1	24.1	9.9	19.6	19.6
70th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
50th %ile Green (s)	11.0	91.3	91.3	9.4	89.7		12.8	21.2	21.2	8.7	17.1	17.1
50th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
30th %ile Green (s)	9.6	96.2	96.2	8.3	94.9		11.1	18.6	18.6	7.5	15.0	15.0
30th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Gap	Min	Min
10th %ile Green (s)	8.0	99.8	99.8	7.0	98.8		8.8	31.4	31.4	0.0	15.0	15.0
10th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Skip	Min	Min
Queue Length 50th (ft)	35	231	16	44	240		87	192	0	38	108	1
Queue Length 95th (ft)	115	419	75	84	352		131	270	40	70	147	75
Internal Link Dist (ft)		1584			912			823			861	
Turn Bay Length (ft)	350		170	175			190		440	350		70
Base Capacity (vph)	497	2015	959	479	1970		304	427	462	253	701	455
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.35	0.43	0.11	0.26	0.40		0.33	0.44	0.24	0.18	0.29	0.39

Intersection Summary	
Area Type:	Other
Cycle Length: 160	
Actuated Cycle Length: 160	
Offset: 30 (19%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow	
Natural Cycle: 160	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 0.64	
Intersection Signal Delay: 27.0	Intersection LOS: C
Intersection Capacity Utilization 73.9%	ICU Level of Service D
Analysis Period (min) 15	

Splits and Phases: 5: North Forest Road & Sheridan Drive



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Build PM
1: Harlem Road & Sheridan Drive

Amherst Central Park
10/12/2023

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Lane Configurations								
Traffic Volume (vph)	837	309	358	760	187	915		
Future Volume (vph)	837	309	358	760	187	915		
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900		
Storage Length (ft)		0	230		0	0		
Storage Lanes		1	1		2	2		
Taper Length (ft)			25		25			
Lane Util. Factor	0.95	1.00	0.97	0.95	0.97	0.88		
Frt		0.850				0.850		
Flt Protected			0.950		0.950			
Satd. Flow (prot)	3539	1583	3433	3539	3433	2787		
Flt Permitted			0.950		0.950			
Satd. Flow (perm)	3539	1583	3433	3539	3433	2787		
Right Turn on Red		Yes				Yes		
Satd. Flow (RTOR)		315				839		
Link Speed (mph)	45			45	35			
Link Distance (ft)	570			576	995			
Travel Time (s)	8.6			8.7	19.4			
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98		
Adj. Flow (vph)	854	315	365	776	191	934		
Shared Lane Traffic (%)								
Lane Group Flow (vph)	854	315	365	776	191	934		
Turn Type	NA	pt+ov	Prot	NA	Prot	custom		
Protected Phases	2	2 3	1 4	2 1	3	3 4	1	4
Permitted Phases								
Detector Phase	2	2 3	1 4	2 1	3	3 4		
Switch Phase								
Minimum Initial (s)	5.0				5.0		5.0	5.0
Minimum Split (s)	24.7				24.9		24.7	22.5
Total Split (s)	49.0				35.0		37.0	39.0
Total Split (%)	30.6%				21.9%		23%	24%
Maximum Green (s)	42.3				28.1		31.9	34.7
Yellow Time (s)	4.0				3.6		4.0	3.2
All-Red Time (s)	2.7				3.3		1.1	1.1
Lost Time Adjust (s)	0.0				0.0			
Total Lost Time (s)	6.7				6.9			
Lead/Lag	Lag				Lead		Lead	Lag
Lead-Lag Optimize?								
Vehicle Extension (s)	3.0				3.0		3.0	3.0
Recall Mode	C-Max				Min		None	None
Walk Time (s)	7.0				7.0		7.0	7.0
Flash Dont Walk (s)	11.0				11.0		11.0	11.0
Pedestrian Calls (#/hr)	0				0		0	0
Act Effct Green (s)	70.4	96.1	52.1	102.0	18.7	44.4		
Actuated g/C Ratio	0.44	0.60	0.33	0.64	0.12	0.28		
v/c Ratio	0.55	0.29	0.33	0.34	0.48	0.68		
Control Delay	37.8	2.6	39.8	3.4	68.9	7.7		
Queue Delay	0.0	0.0	0.0	0.5	0.0	0.2		
Total Delay	37.8	2.6	39.8	3.9	68.9	7.9		

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
LOS	D	A	D	A	E	A		
Approach Delay	28.3			15.4	18.3			
Approach LOS	C			B	B			
90th %ile Green (s)	45.6				28.1		38.3	25.0
90th %ile Term Code	Coord				Max		Gap	Gap
70th %ile Green (s)	62.9				20.7		29.9	23.5
70th %ile Term Code	Coord				Gap		Gap	Gap
50th %ile Green (s)	72.3				17.1		25.5	22.1
50th %ile Term Code	Coord				Gap		Gap	Gap
30th %ile Green (s)	80.1				15.5		21.7	19.7
30th %ile Term Code	Coord				Gap		Gap	Gap
10th %ile Green (s)	91.2				12.3		17.1	16.4
10th %ile Term Code	Coord				Gap		Gap	Gap
Queue Length 50th (ft)	335	0	108	33	98	43		
Queue Length 95th (ft)	532	50	m77	169	131	100		
Internal Link Dist (ft)	490			496	915			
Turn Bay Length (ft)			230					
Base Capacity (vph)	1557	1150	1261	2234	602	1541		
Starvation Cap Reductn	0	0	0	946	0	0		
Spillback Cap Reductn	0	0	0	0	0	141		
Storage Cap Reductn	0	0	0	0	0	0		
Reduced v/c Ratio	0.55	0.27	0.29	0.60	0.32	0.67		

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 157 (98%), Referenced to phase 2:EBWB, Start of Yellow
Natural Cycle: 100
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.68
Intersection Signal Delay: 20.7 Intersection LOS: C
Intersection Capacity Utilization 66.5% ICU Level of Service C
Analysis Period (min) 15
m Volume for 95th percentile queue is metered by upstream signal.

Splits and Phases: 1: Harlem Road & Sheridan Drive



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	264	1462	0	0	956	698	145	0	328	0	0	0
Future Volume (vph)	264	1462	0	0	956	698	145	0	328	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	0		0	0		0
Storage Lanes	1		0	0		0	1		1	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	0.91	0.95	0.91	0.95	1.00	1.00	1.00
Frt					0.937			0.863	0.850			
Flt Protected	0.950						0.950	0.996				
Satd. Flow (prot)	1770	5085	0	0	4765	0	1681	1457	1504	0	0	0
Flt Permitted	0.053						0.950	0.996				
Satd. Flow (perm)	99	5085	0	0	4765	0	1681	1457	1504	0	0	0
Right Turn on Red			Yes			Yes			Yes			No
Satd. Flow (RTOR)					136			59	59			
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		576			428			842			263	
Travel Time (s)		8.7			6.5			19.1			6.0	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	272	1507	0	0	986	720	149	0	338	0	0	0
Shared Lane Traffic (%)							10%		48%			
Lane Group Flow (vph)	272	1507	0	0	1706	0	134	177	176	0	0	0
Turn Type	pm+pt	NA			NA		Prot	NA	Prot			
Protected Phases	1	6			2		7	3	3			
Permitted Phases	6											
Detector Phase	1	6			2		7	3	3			
Switch Phase												
Minimum Initial (s)	5.0	5.0			5.0		5.0	5.0	5.0			
Minimum Split (s)	10.8	23.8			23.8		9.5	22.5	22.5			
Total Split (s)	36.0	105.0			69.0		55.0	55.0	55.0			
Total Split (%)	22.5%	65.6%			43.1%		34.4%	34.4%	34.4%			
Maximum Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
Yellow Time (s)	4.3	4.3			4.3		3.5	3.5	3.5			
All-Red Time (s)	1.5	1.5			1.5		1.0	1.0	1.0			
Lost Time Adjust (s)	0.0	0.0			0.0		0.0	0.0	0.0			
Total Lost Time (s)	5.8	5.8			5.8		4.5	4.5	4.5			
Lead/Lag	Lead				Lag							
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0			3.0		3.0	3.0	3.0			
Recall Mode	None	C-Max			C-Max		None	None	None			
Walk Time (s)		7.0			7.0			7.0	7.0			
Flash Dont Walk (s)		11.0			11.0			11.0	11.0			
Pedestrian Calls (#/hr)		0			0			0	0			
Act Effct Green (s)	99.2	99.2			69.3		50.5	50.5	50.5			
Actuated g/C Ratio	0.62	0.62			0.43		0.32	0.32	0.32			
v/c Ratio	0.87	0.48			0.93dr		0.25	0.35	0.34			
Control Delay	62.9	25.4			21.8		42.3	29.8	29.5			
Queue Delay	0.0	1.2			0.0		0.0	0.0	0.0			
Total Delay	62.9	26.6			21.8		42.3	29.8	29.5			

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	E	C			C		D	C	C			
Approach Delay		32.2			21.8			33.1				
Approach LOS		C			C			C				
90th %ile Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
90th %ile Term Code	Max	Coord			Coord		Hold	Max	Max			
70th %ile Green (s)	28.8	99.2			64.6		50.5	50.5	50.5			
70th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
50th %ile Green (s)	25.0	99.2			68.4		50.5	50.5	50.5			
50th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
30th %ile Green (s)	21.1	99.2			72.3		50.5	50.5	50.5			
30th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
10th %ile Green (s)	15.5	99.2			77.9		50.5	50.5	50.5			
10th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
Queue Length 50th (ft)	240	357			580		110	103	96			
Queue Length 95th (ft)	343	547			654		173	182	172			
Internal Link Dist (ft)		496			348			762			183	
Turn Bay Length (ft)	150											
Base Capacity (vph)	376	3152			2140		530	500	515			
Starvation Cap Reductn	0	1316			0		0	0	0			
Spillback Cap Reductn	0	0			0		0	0	0			
Storage Cap Reductn	0	0			0		0	0	0			
Reduced v/c Ratio	0.72	0.82			0.80		0.25	0.35	0.34			

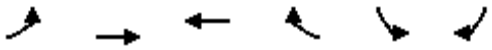
Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 108 (68%), Referenced to phase 2:WBT and 6:EBTL, Start of Yellow
Natural Cycle: 70
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.87
Intersection Signal Delay: 27.8 Intersection LOS: C
Intersection Capacity Utilization 69.5% ICU Level of Service C
Analysis Period (min) 15
dr Defacto Right Lane. Recode with 1 though lane as a right lane.

Splits and Phases: 2: I-290 Ramps

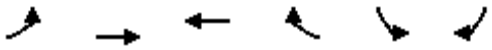


Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	18	1711	1584	54	53	26
Future Volume (vph)	18	1711	1584	54	53	26
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150			0	0	60
Storage Lanes	1			0	1	1
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	0.95	0.95	0.95	1.00	1.00
Frt			0.995			0.850
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1770	3539	3522	0	1770	1583
Flt Permitted	0.123				0.950	
Satd. Flow (perm)	229	3539	3522	0	1770	1583
Right Turn on Red				Yes		Yes
Satd. Flow (RTOR)			4			27
Link Speed (mph)		45	45		30	
Link Distance (ft)		958	640		988	
Travel Time (s)		14.5	9.7		22.5	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	19	1801	1667	57	56	27
Shared Lane Traffic (%)						
Lane Group Flow (vph)	19	1801	1724	0	56	27
Turn Type	Perm	NA	NA		Prot	Prot
Protected Phases		1	1		3	3
Permitted Phases	1					
Detector Phase	1	1	1		3	3
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	23.9	23.9	23.9		23.7	23.7
Total Split (s)	110.0	110.0	110.0		50.0	50.0
Total Split (%)	68.8%	68.8%	68.8%		31.3%	31.3%
Maximum Green (s)	104.1	104.1	104.1		44.3	44.3
Yellow Time (s)	4.3	4.3	4.3		3.2	3.2
All-Red Time (s)	1.6	1.6	1.6		2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)	5.9	5.9	5.9		5.7	5.7
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	C-Max	C-Max	C-Max		None	None
Walk Time (s)	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0
Act Effct Green (s)	141.5	141.5	141.5		10.5	10.5
Actuated g/C Ratio	0.88	0.88	0.88		0.07	0.07
v/c Ratio	0.09	0.58	0.55		0.49	0.21
Control Delay	1.7	7.4	2.0		85.3	25.5
Queue Delay	0.0	0.0	0.0		0.0	0.0
Total Delay	1.7	7.4	2.0		85.3	25.5

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
LOS	A	A	A		F	C
Approach Delay		7.4	2.0		65.8	
Approach LOS		A	A		E	
90th %ile Green (s)	133.8	133.8	133.8		14.6	14.6
90th %ile Term Code	Coord	Coord	Coord		Gap	Gap
70th %ile Green (s)	136.2	136.2	136.2		12.2	12.2
70th %ile Term Code	Coord	Coord	Coord		Gap	Gap
50th %ile Green (s)	137.9	137.9	137.9		10.5	10.5
50th %ile Term Code	Coord	Coord	Coord		Gap	Gap
30th %ile Green (s)	139.7	139.7	139.7		8.7	8.7
30th %ile Term Code	Coord	Coord	Coord		Gap	Gap
10th %ile Green (s)	154.1	154.1	154.1		0.0	0.0
10th %ile Term Code	Coord	Coord	Coord		Skip	Skip
Queue Length 50th (ft)	1	189	68		58	0
Queue Length 95th (ft)	m2	232	124		106	34
Internal Link Dist (ft)		878	560		908	
Turn Bay Length (ft)	150					60
Base Capacity (vph)	202	3130	3115		490	457
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.09	0.58	0.55		0.11	0.06

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 87 (54%), Referenced to phase 1:EBWB, Start of Yellow			
Natural Cycle: 65			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.58			
Intersection Signal Delay: 6.2		Intersection LOS: A	
Intersection Capacity Utilization 61.1%		ICU Level of Service B	
Analysis Period (min) 15			

m Volume for 95th percentile queue is metered by upstream signal.

Splits and Phases: 3: Sheridan Drive & Frankhauser Road



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Intersection	
Int Delay, s/veh	28

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	69	1671	28	12	1572	27	14	0	20	16	0	41
Future Vol, veh/h	69	1671	28	12	1572	27	14	0	20	16	0	41
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	125	-	-	150	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	96	96	96	96	92	96	92	96	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	75	1741	29	13	1638	29	15	0	21	17	0	45

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1667	0	0	1770	0	0	2751	3599	885	2700	3599	834
Stage 1	-	-	-	-	-	-	1906	1906	-	1679	1679	-
Stage 2	-	-	-	-	-	-	845	1693	-	1021	1920	-
Critical Hdwy	4.14	-	-	4.14	-	-	7.54	6.54	6.94	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.22	-	-	3.52	4.02	3.32	3.52	4.02	3.32
Pot Cap-1 Maneuver	382	-	-	348	-	-	~ 9	5	288	~ 10	5	311
Stage 1	-	-	-	-	-	-	71	115	-	99	150	-
Stage 2	-	-	-	-	-	-	324	147	-	253	113	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	382	-	-	348	-	-	~ 6	4	288	~ 8	4	311
Mov Cap-2 Maneuver	-	-	-	-	-	-	~ 6	4	-	~ 8	4	-
Stage 1	-	-	-	-	-	-	57	92	-	80	144	-
Stage 2	-	-	-	-	-	-	267	142	-	189	91	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.7	0.1	$ 1247.6	$ 901.4
HCM LOS			F	F

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	14	382	-	-	348	-	-	27
HCM Lane V/C Ratio	2.53	0.196	-	-	0.036	-	-	2.295
HCM Control Delay (s)	$ 1247.6	16.7	-	-	15.7	-	-	$ 901.4
HCM Lane LOS	F	C	-	-	C	-	-	F
HCM 95th %tile Q(veh)	5.2	0.7	-	-	0.1	-	-	7.5

Notes			
~: Volume exceeds capacity	$: Delay exceeds 300s	+: Computation Not Defined	*: All major volume in platoon

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	233	1178	271	163	1213	39	186	354	171	49	394	191
Future Volume (vph)	233	1178	271	163	1213	39	186	354	171	49	394	191
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	350		170	175		0	190		440	350		70
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	25			25			25			200		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	0.95	1.00	1.00	1.00	1.00	0.95	1.00
Frt			0.850		0.995				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	3539	1583	1770	3522	0	1770	1863	1583	1770	3539	1583
Flt Permitted	0.057			0.096			0.259			0.265		
Satd. Flow (perm)	106	3539	1583	179	3522	0	482	1863	1583	494	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			132		2				178			128
Link Speed (mph)		45			45			40			35	
Link Distance (ft)		1664			992			903			690	
Travel Time (s)		25.2			15.0			15.4			13.4	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	243	1227	282	170	1264	41	194	369	178	51	410	199
Shared Lane Traffic (%)												
Lane Group Flow (vph)	243	1227	282	170	1305	0	194	369	178	51	410	199
Turn Type	pm+pt	NA	Prot	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6	6	5	2		7	4		3	8	
Permitted Phases	6			2			4		4	8		8
Detector Phase	1	6	6	5	2		7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	6.0	28.0	28.0	6.0	6.0		6.0	6.0	6.0	6.0	15.0	15.0
Minimum Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (%)	15.6%	44.4%	44.4%	15.6%	44.4%		15.6%	27.5%	27.5%	12.5%	24.4%	24.4%
Maximum Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	36.4	36.4	12.4	31.4	31.4
Yellow Time (s)	4.3	4.3	4.3	4.3	4.3		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.8	2.8	2.8	2.8	2.8		3.6	3.6	3.6	3.6	3.6	3.6
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.1	7.1	7.1	7.1	7.1		7.6	7.6	7.6	7.6	7.6	7.6
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	C-Max	C-Max	None	C-Max		None	None	None	None	None	None
Walk Time (s)		7.0	7.0					7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0					11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0					0	0		0	0
Act Effct Green (s)	90.2	71.9	71.9	81.1	66.2		51.1	37.9	37.9	35.9	27.3	27.3
Actuated g/C Ratio	0.56	0.45	0.45	0.51	0.41		0.32	0.24	0.24	0.22	0.17	0.17
v/c Ratio	0.89	0.77	0.36	0.71	0.89		0.68	0.84	0.35	0.28	0.68	0.53
Control Delay	68.2	36.3	17.1	44.1	53.1		52.9	75.3	8.1	40.9	67.8	26.4
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	68.2	36.3	17.1	44.1	53.1		52.9	75.3	8.1	40.9	67.8	26.4

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	E	D	B	D	D		D	E	A	D	E	C
Approach Delay		37.6			52.1			53.3			53.3	
Approach LOS		D			D			D			D	
90th %ile Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	37.5	37.5	11.3	31.4	31.4
90th %ile Term Code	Max	Coord	Coord	Max	Coord		Max	Max	Max	Gap	Hold	Hold
70th %ile Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	39.1	39.1	9.7	31.4	31.4
70th %ile Term Code	Max	Coord	Coord	Max	Coord		Max	Max	Max	Gap	Hold	Hold
50th %ile Green (s)	19.4	66.9	66.9	16.4	63.9		17.4	38.8	38.8	8.5	29.9	29.9
50th %ile Term Code	Max	Coord	Coord	Gap	Coord		Max	Gap	Gap	Gap	Hold	Hold
30th %ile Green (s)	24.9	75.2	75.2	13.6	63.9		16.4	34.2	34.2	7.6	25.4	25.4
30th %ile Term Code	Max	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
10th %ile Green (s)	22.5	89.5	89.5	8.6	75.6		14.2	40.1	40.1	0.0	18.3	18.3
10th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Skip	Gap	Gap
Queue Length 50th (ft)	219	641	131	91	681		150	368	0	36	210	64
Queue Length 95th (ft)	#402	733	201	177	#825		219	#539	65	69	267	148
Internal Link Dist (ft)		1584			912			823			610	
Turn Bay Length (ft)	350		170	175			190		440	350		70
Base Capacity (vph)	273	1589	783	272	1459		293	446	515	221	694	413
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.89	0.77	0.36	0.63	0.89		0.66	0.83	0.35	0.23	0.59	0.48

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 30 (19%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
Natural Cycle: 160
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.89
Intersection Signal Delay: 47.0 Intersection LOS: D
Intersection Capacity Utilization 95.8% ICU Level of Service F
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 5: North Forest Road & Sheridan Drive



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Build SAT Midday
1: Harlem Road & Sheridan Drive

Amherst Central Park
10/12/2023

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Lane Configurations								
Traffic Volume (vph)	650	343	378	588	170	517		
Future Volume (vph)	650	343	378	588	170	517		
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900		
Storage Length (ft)		0	230		0	0		
Storage Lanes		1	1		2	2		
Taper Length (ft)			25		25			
Lane Util. Factor	0.95	1.00	0.97	0.95	0.97	0.88		
Frt		0.850				0.850		
Flt Protected			0.950		0.950			
Satd. Flow (prot)	3574	1599	3467	3574	3467	2814		
Flt Permitted			0.950		0.950			
Satd. Flow (perm)	3574	1599	3467	3574	3467	2814		
Right Turn on Red		Yes				Yes		
Satd. Flow (RTOR)		349				533		
Link Speed (mph)	45			45	30			
Link Distance (ft)	570			576	995			
Travel Time (s)	8.6			8.7	22.6			
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97		
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%		
Adj. Flow (vph)	670	354	390	606	175	533		
Shared Lane Traffic (%)								
Lane Group Flow (vph)	670	354	390	606	175	533		
Turn Type	NA	pt+ov	Prot	NA	Prot	custom		
Protected Phases	2	2 3	1 4	2 1	3	3 4	1	4
Permitted Phases								
Detector Phase	2	2 3	1 4	2 1	3	3 4		
Switch Phase								
Minimum Initial (s)	5.0				5.0		5.0	5.0
Minimum Split (s)	24.7				24.9		24.7	22.5
Total Split (s)	49.0				35.0		37.0	39.0
Total Split (%)	30.6%				21.9%		23%	24%
Maximum Green (s)	42.3				28.1		31.9	34.7
Yellow Time (s)	4.0				3.6		4.0	3.2
All-Red Time (s)	2.7				3.3		1.1	1.1
Lost Time Adjust (s)	0.0				0.0			
Total Lost Time (s)	6.7				6.9			
Lead/Lag	Lag				Lead		Lead	Lag
Lead-Lag Optimize?								
Vehicle Extension (s)	3.0				3.0		3.0	3.0
Recall Mode	C-Max				Min		None	None
Walk Time (s)	7.0				7.0		7.0	7.0
Flash Dont Walk (s)	11.0				11.0		11.0	11.0
Pedestrian Calls (#/hr)	0				0		0	0
Act Effct Green (s)	80.2	102.2	46.0	105.3	15.1	41.1		
Actuated g/C Ratio	0.50	0.64	0.29	0.66	0.09	0.26		
v/c Ratio	0.37	0.31	0.39	0.26	0.54	0.48		
Control Delay	27.2	2.2	31.0	9.0	74.7	4.5		
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0		

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Total Delay	27.2	2.2	31.0	9.0	74.7	4.5		
LOS	C	A	C	A	E	A		
Approach Delay	18.6			17.6	21.8			
Approach LOS	B			B	C			
90th %ile Green (s)	63.4				19.8		27.6	26.2
90th %ile Term Code	Coord				Gap		Gap	Gap
70th %ile Green (s)	72.9				16.8		23.0	24.3
70th %ile Term Code	Coord				Gap		Gap	Gap
50th %ile Green (s)	80.1				15.3		19.7	21.9
50th %ile Term Code	Coord				Gap		Gap	Gap
30th %ile Green (s)	87.6				12.9		16.6	19.9
30th %ile Term Code	Coord				Gap		Gap	Gap
10th %ile Green (s)	97.1				10.7		13.0	16.2
10th %ile Term Code	Coord				Gap		Gap	Gap
Queue Length 50th (ft)	222	2	89	205	91	0		
Queue Length 95th (ft)	333	48	87	254	129	46		
Internal Link Dist (ft)	490			496	915			
Turn Bay Length (ft)			230					
Base Capacity (vph)	1791	1249	1254	2341	608	1304		
Starvation Cap Reductn	0	0	0	0	0	0		
Spillback Cap Reductn	0	0	0	0	0	0		
Storage Cap Reductn	0	0	0	0	0	0		
Reduced v/c Ratio	0.37	0.28	0.31	0.26	0.29	0.41		

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 157 (98%), Referenced to phase 2:EBWB, Start of Yellow			
Natural Cycle: 100			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.54			
Intersection Signal Delay: 19.1		Intersection LOS: B	
Intersection Capacity Utilization 49.2%		ICU Level of Service A	
Analysis Period (min) 15			

Splits and Phases: 1: Harlem Road & Sheridan Drive



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	176	979	0	0	821	314	169	0	299	0	0	0
Future Volume (vph)	176	979	0	0	821	314	169	0	299	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	0		0	0		0
Storage Lanes	1		0	0		0	1		1	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	0.91	0.95	0.91	0.95	1.00	1.00	1.00
Frt					0.959			0.866	0.850			
Flt Protected	0.950						0.950	0.995				
Satd. Flow (prot)	1787	5136	0	0	4925	0	1698	1475	1519	0	0	0
Flt Permitted	0.179						0.950	0.995				
Satd. Flow (perm)	337	5136	0	0	4925	0	1698	1475	1519	0	0	0
Right Turn on Red			Yes			Yes			Yes			No
Satd. Flow (RTOR)					71			130	130			
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		576			428			842			263	
Travel Time (s)		13.1			9.7			19.1			6.0	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	180	999	0	0	838	320	172	0	305	0	0	0
Shared Lane Traffic (%)							10%		48%			
Lane Group Flow (vph)	180	999	0	0	1158	0	155	163	159	0	0	0
Turn Type	pm+pt	NA			NA		Prot	NA	Prot			
Protected Phases	1	6			2		7	3	3			
Permitted Phases	6											
Detector Phase	1	6			2		7	3	3			
Switch Phase												
Minimum Initial (s)	5.0	5.0			5.0		5.0	5.0	5.0			
Minimum Split (s)	10.8	23.8			23.8		9.5	22.5	22.5			
Total Split (s)	36.0	105.0			69.0		55.0	55.0	55.0			
Total Split (%)	22.5%	65.6%			43.1%		34.4%	34.4%	34.4%			
Maximum Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
Yellow Time (s)	4.3	4.3			4.3		3.5	3.5	3.5			
All-Red Time (s)	1.5	1.5			1.5		1.0	1.0	1.0			
Lost Time Adjust (s)	0.0	0.0			0.0		0.0	0.0	0.0			
Total Lost Time (s)	5.8	5.8			5.8		4.5	4.5	4.5			
Lead/Lag	Lead				Lag							
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0			3.0		3.0	3.0	3.0			
Recall Mode	None	C-Max			C-Max		None	None	None			
Walk Time (s)		7.0			7.0			7.0	7.0			
Flash Dont Walk (s)		11.0			11.0			11.0	11.0			
Pedestrian Calls (#/hr)		0			0			0	0			
Act Effct Green (s)	106.7	106.7			88.9		43.0	43.0	43.0			
Actuated g/C Ratio	0.67	0.67			0.56		0.27	0.27	0.27			
v/c Ratio	0.54	0.29			0.42		0.34	0.33	0.32			
Control Delay	31.1	20.0			12.2		47.0	12.1	11.4			
Queue Delay	0.0	0.0			0.0		0.0	0.0	0.0			

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

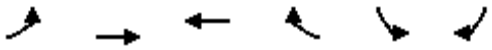
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	31.1	20.0			12.2		47.0	12.1	11.4			
LOS	C	B			B		D	B	B			
Approach Delay		21.7			12.2			23.2				
Approach LOS		C			B			C				
90th %ile Green (s)	16.7	99.2			76.7		50.5	50.5	50.5			
90th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
70th %ile Green (s)	13.7	99.2			79.7		50.5	50.5	50.5			
70th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
50th %ile Green (s)	12.3	99.2			81.1		50.5	50.5	50.5			
50th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
30th %ile Green (s)	10.9	99.2			82.5		50.5	50.5	50.5			
30th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
10th %ile Green (s)	6.8	136.9			124.3		12.8	12.8	12.8			
10th %ile Term Code	Gap	Coord			Coord		Gap	Hold	Hold			
Queue Length 50th (ft)	115	166			281		129	26	22			
Queue Length 95th (ft)	210	360			129		197	93	83			
Internal Link Dist (ft)		496			348			762			183	
Turn Bay Length (ft)	150											
Base Capacity (vph)	498	3426			2766		535	491	568			
Starvation Cap Reductn	0	0			0		0	0	0			
Spillback Cap Reductn	0	0			0		0	0	0			
Storage Cap Reductn	0	0			0		0	0	0			
Reduced v/c Ratio	0.36	0.29			0.42		0.29	0.33	0.28			

Intersection Summary	
Area Type:	Other
Cycle Length: 160	
Actuated Cycle Length: 160	
Offset: 108 (68%), Referenced to phase 2:WBT and 6:EBTL, Start of Yellow	
Natural Cycle: 60	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 0.54	
Intersection Signal Delay: 18.0	Intersection LOS: B
Intersection Capacity Utilization 53.8%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 2: I-290 Ramps

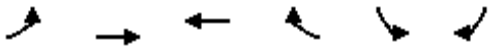


Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	17	1174	1034	39	42	18
Future Volume (vph)	17	1174	1034	39	42	18
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150			0	0	60
Storage Lanes	1			0	1	1
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	0.95	0.95	0.95	1.00	1.00
Frt			0.994			0.850
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1787	3574	3553	0	1787	1599
Flt Permitted	0.248				0.950	
Satd. Flow (perm)	467	3574	3553	0	1787	1599
Right Turn on Red				Yes		Yes
Satd. Flow (RTOR)			5			19
Link Speed (mph)		45	45		30	
Link Distance (ft)		958	640		988	
Travel Time (s)		14.5	9.7		22.5	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	18	1223	1077	41	44	19
Shared Lane Traffic (%)						
Lane Group Flow (vph)	18	1223	1118	0	44	19
Turn Type	Perm	NA	NA		Prot	Prot
Protected Phases		1	1		3	3
Permitted Phases	1					
Detector Phase	1	1	1		3	3
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	23.9	23.9	23.9		23.7	23.7
Total Split (s)	110.0	110.0	110.0		50.0	50.0
Total Split (%)	68.8%	68.8%	68.8%		31.3%	31.3%
Maximum Green (s)	104.1	104.1	104.1		44.3	44.3
Yellow Time (s)	4.3	4.3	4.3		3.2	3.2
All-Red Time (s)	1.6	1.6	1.6		2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)	5.9	5.9	5.9		5.7	5.7
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	C-Max	C-Max	C-Max		None	None
Walk Time (s)	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0
Act Effct Green (s)	142.5	142.5	142.5		9.3	9.3
Actuated g/C Ratio	0.89	0.89	0.89		0.06	0.06
v/c Ratio	0.04	0.38	0.35		0.42	0.17
Control Delay	1.0	3.0	1.7		84.1	28.8
Queue Delay	0.0	0.0	0.0		0.0	0.0

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Total Delay	1.0	3.0	1.7		84.1	28.8
LOS	A	A	A		F	C
Approach Delay		3.0	1.7		67.4	
Approach LOS		A	A		E	
90th %ile Green (s)	135.5	135.5	135.5		12.9	12.9
90th %ile Term Code	Coord	Coord	Coord		Gap	Gap
70th %ile Green (s)	137.5	137.5	137.5		10.9	10.9
70th %ile Term Code	Coord	Coord	Coord		Gap	Gap
50th %ile Green (s)	139.1	139.1	139.1		9.3	9.3
50th %ile Term Code	Coord	Coord	Coord		Gap	Gap
30th %ile Green (s)	140.6	140.6	140.6		7.8	7.8
30th %ile Term Code	Coord	Coord	Coord		Gap	Gap
10th %ile Green (s)	154.1	154.1	154.1		0.0	0.0
10th %ile Term Code	Coord	Coord	Coord		Skip	Skip
Queue Length 50th (ft)	1	67	61		45	0
Queue Length 95th (ft)	3	123	73		89	29
Internal Link Dist (ft)		878	560		908	
Turn Bay Length (ft)	150					60
Base Capacity (vph)	416	3184	3165		494	456
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.04	0.38	0.35		0.09	0.04

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 87 (54%), Referenced to phase 1:EBWB, Start of Yellow			
Natural Cycle: 55			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.42			
Intersection Signal Delay: 4.1		Intersection LOS: A	
Intersection Capacity Utilization 46.3%		ICU Level of Service A	
Analysis Period (min) 15			

Splits and Phases: 3: Sheridan Drive & Frankhauser Road



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Intersection	
Int Delay, s/veh	5.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	83	1119	19	18	1004	33	20	0	21	19	0	49
Future Vol, veh/h	83	1119	19	18	1004	33	20	0	21	19	0	49
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	125	-	-	150	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	96	96	96	96	92	96	92	96	92	92	92
Heavy Vehicles, %	2	1	1	1	1	2	1	2	1	2	2	2
Mvmt Flow	90	1166	20	19	1046	36	21	0	22	21	0	53

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1082	0	0	1186	0	0	1917	2476	593	1865	2468	541
Stage 1	-	-	-	-	-	-	1356	1356	-	1102	1102	-
Stage 2	-	-	-	-	-	-	561	1120	-	763	1366	-
Critical Hdwy	4.14	-	-	4.12	-	-	7.52	6.54	6.92	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	6.52	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.52	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.21	-	-	3.51	4.02	3.31	3.52	4.02	3.32
Pot Cap-1 Maneuver	640	-	-	590	-	-	41	29	451	45	30	485
Stage 1	-	-	-	-	-	-	159	216	-	226	286	-
Stage 2	-	-	-	-	-	-	482	280	-	363	213	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	640	-	-	590	-	-	32	24	451	37	25	485
Mov Cap-2 Maneuver	-	-	-	-	-	-	32	24	-	37	25	-
Stage 1	-	-	-	-	-	-	137	186	-	194	277	-
Stage 2	-	-	-	-	-	-	415	271	-	297	183	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.8	0.2	148.7	86.2
HCM LOS			F	F

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	61	640	-	-	590	-	-	111
HCM Lane V/C Ratio	0.7	0.141	-	-	0.032	-	-	0.666
HCM Control Delay (s)	148.7	11.5	-	-	11.3	-	-	86.2
HCM Lane LOS	F	B	-	-	B	-	-	F
HCM 95th %tile Q(veh)	3	0.5	-	-	0.1	-	-	3.4

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	171	868	108	125	784	38	108	202	109	56	212	175
Future Volume (vph)	171	868	108	125	784	38	108	202	109	56	212	175
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	350		170	175		0	190		440	350		70
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	25			25			25			200		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	0.95	1.00	1.00	1.00	1.00	0.95	1.00
Frt			0.850		0.993				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1787	3574	1599	1787	3549	0	1787	1881	1599	1787	3574	1599
Flt Permitted	0.266			0.261			0.457			0.496		
Satd. Flow (perm)	500	3574	1599	491	3549	0	860	1881	1599	933	3574	1599
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			132		4				128			167
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1664			992			903			690	
Travel Time (s)		25.2			15.0			20.5			15.7	
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	173	877	109	126	792	38	109	204	110	57	214	177
Shared Lane Traffic (%)												
Lane Group Flow (vph)	173	877	109	126	830	0	109	204	110	57	214	177
Turn Type	pm+pt	NA	Prot	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6	6	5	2		7	4		3	8	
Permitted Phases	6			2			4		4	8		8
Detector Phase	1	6	6	5	2		7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	6.0	28.0	28.0	6.0	6.0		6.0	6.0	6.0	6.0	15.0	15.0
Minimum Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (%)	15.6%	44.4%	44.4%	15.6%	44.4%		15.6%	27.5%	27.5%	12.5%	24.4%	24.4%
Maximum Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	36.4	36.4	12.4	31.4	31.4
Yellow Time (s)	4.3	4.3	4.3	4.3	4.3		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.8	2.8	2.8	2.8	2.8		3.6	3.6	3.6	3.6	3.6	3.6
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.1	7.1	7.1	7.1	7.1		7.6	7.6	7.6	7.6	7.6	7.6
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	C-Max	C-Max	None	C-Max		None	None	None	None	None	None
Walk Time (s)		7.0	7.0					7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0					11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0					0	0		0	0
Act Effct Green (s)	99.8	88.1	88.1	96.2	86.4		37.4	26.0	26.0	28.8	19.4	19.4
Actuated g/C Ratio	0.62	0.55	0.55	0.60	0.54		0.23	0.16	0.16	0.18	0.12	0.12
v/c Ratio	0.43	0.45	0.12	0.34	0.43		0.39	0.67	0.30	0.26	0.50	0.52
Control Delay	9.8	20.4	6.2	14.1	24.3		50.5	74.7	7.5	47.6	69.1	15.6
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	9.8	20.4	6.2	14.1	24.3		50.5	74.7	7.5	47.6	69.1	15.6
LOS	A	C	A	B	C		D	E	A	D	E	B
Approach Delay		17.5			22.9			51.0			45.2	
Approach LOS		B			C			D			D	
90th %ile Green (s)	16.1	75.0	75.0	13.3	72.2		17.2	30.0	30.0	12.3	25.1	25.1
90th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
70th %ile Green (s)	13.1	83.2	83.2	11.0	81.1		14.9	25.7	25.7	10.7	21.5	21.5
70th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
50th %ile Green (s)	11.3	88.8	88.8	9.6	87.1		13.3	22.7	22.7	9.5	18.9	18.9
50th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
30th %ile Green (s)	9.7	94.4	94.4	8.4	93.1		11.5	19.6	19.6	8.2	16.3	16.3
30th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
10th %ile Green (s)	8.0	99.3	99.3	7.0	98.3		9.3	31.9	31.9	0.0	15.0	15.0
10th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Skip	Min	Min
Queue Length 50th (ft)	44	247	18	46	263		92	209	0	47	112	9
Queue Length 95th (ft)	123	454	83	88	385		137	288	40	80	151	83
Internal Link Dist (ft)		1584			912			823			610	
Turn Bay Length (ft)	350		170	175			190		440	350		70
Base Capacity (vph)	470	1968	940	462	1917		313	427	462	251	701	448
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.37	0.45	0.12	0.27	0.43		0.35	0.48	0.24	0.23	0.31	0.40

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 30 (19%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow			
Natural Cycle: 160			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.67			
Intersection Signal Delay: 28.1		Intersection LOS: C	
Intersection Capacity Utilization 75.3%		ICU Level of Service D	
Analysis Period (min) 15			

Splits and Phases: 5: North Forest Road & Sheridan Drive



Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Appendix E – Signal Warrant Analysis

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Project	Amherst Central Park	Sheet	1 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Sheridan Drive at Fenwick Road Signal Warrant Analysis

Reference: FHWA Manual on Uniform Traffic Control Devices 2009 Edition, Chapter 4C Warrants
NYS Supplement MUTCD, 2009 Edition, Chapter 4C Warrants

Background Data:

Artery: Sheridan Drive (NYS Route 324)
Side Road: Fenwick road

Traffic Volumes:	Saturday Peak Hour	8th Highest Hour
Artery (Total of Both Approaches, incl aux lns):	2276	1366
Side Road (Highest of either approach, 1 dir only, incl aux lns):	68	41

* If 8th highest hour is not known, use 0.6 x peak hour

Number of Approach Lanes excluding Auxiliary Lanes
Artery: 2
Side Road: 1

Warrant 1 - Eight-Hour Vehicular Volume

85th percentile speed exceed 40 mph? Yes
OR
Is intersection within built up area of an isolated community having population less than 10,000? No
If answer is yes to either question, then 70% or 56% of condition can be applicable No

Condition A - Min Vehicular Volume

Number of lanes		VPH on Major				VPH on Higher Volume			
Each Approach		Total Both Approaches				Minor Approach			
Major	Minor	Incl Aux Lanes				Incl Aux Lanes			
		100%	80%	70%	56%	100%	80%	70%	56%
1	1	500	400	350	280	150	120	105	84
2 or more	1	600	480	420	336	150	120	105	84
2 or more	2 or more	600	480	420	336	200	160	140	112
1	2 or more	500	400	350	280	200	160	140	112

Condition B - Interruption of Continous Traffic

Number of lanes		VPH on Major				VPH on Higher Volume			
Each Approach		Total Both Approaches				Minor Approach			
Major	Minor	Incl Aux Lanes				Incl Aux Lanes			
		100%	80%	70%	56%	100%	80%	70%	56%
1	1	750	600	525	420	75	60	53	42
2 or more	1	900	720	630	504	75	60	53	42
2 or more	2 or more	900	720	630	504	100	80	70	56
1	2 or more	750	600	525	420	100	80	70	56

Major # Lanes	2	VPH on Artery	1366
Minor # Lanes	1	VPH on Side Road	41

Warrant Satisfied:

No

If 100% of A or B is met, then yes (same 8 hours for major/minor)
If 80% of A and B is met, then yes (same major/minor 8 hours, but not same for A&B)
If speed is > 40MPH and 70% of A or B is met, then yes
If speed is > 40MPH and 56% of A and B is met, then yes

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

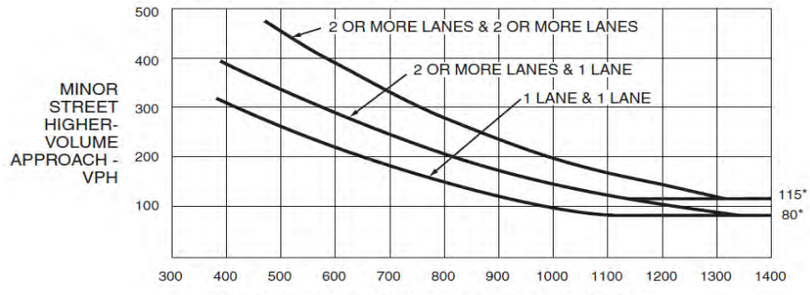
Project	**Amherst Central Park**	Sheet	**2** of **7**
	Signal Warrant Analysis	File #	**H22.007.002**
Prepared by	**S. Gallagher**	Date	**10/10/23**
Checked by		Date	

Warrant 2 - Four Hour Volumes

Four Highest Hourly Volumes (any four hrs, same for side rd and artery, not necessarily consectutive)

Major	1914	Minor	68
(Both Approaches)	2039	(1 direction)	
	1989		57
	2023		

Figure 4C-1. Warrant 2, Four-Hour Vehicular Volume



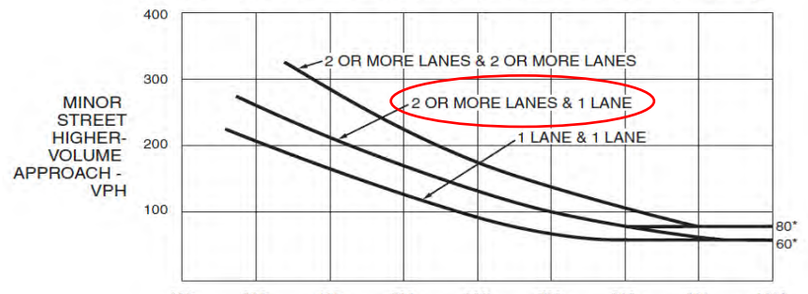
*Note: 115 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 80 vph applies as the lower threshold volume for a minor-street approach with one lane.

If 4 volumes when plotted fall above curve shown for given approach lane configuration, warrant is satisfied

Does the 85th percentile speed exceed 40 mph? Yes
OR
Is intersection within built up area of an isolated community having population less than 10,000? No

If Yes to either, then the following graph should be used:

Figure 4C-2. Warrant 2, Four-Hour Vehicular Volume (70% Factor)
(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



*Note: 80 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 60 vph applies as the lower threshold volume for a minor-street approach with one lane.

If 4 volumes when plotted fall above curve shown for given approach lane configuration, warrant is satisfied

Warrant Satisfied: **No**

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	**Amherst Central Park**	Sheet	**3** of **7**
	Signal Warrant Analysis	File #	**H22.007.002**
Prepared by	**S. Gallagher**	Date	**10/10/23**
Checked by		Date	

Warrant 3 - Peak Hour

(used in unusual cases that attract or discharge a lot of vehicles in a short amount of time)

Criteria A or B need to be met for warrant to be met

Criteria A: need all three (3) conditions to be met

1) stopped time delay for minor (1 dir) equals or exceeds 4 veh/hrs (1 appr) or 5 veh/hr (2 appr) and — Yes
2) volume on the same minor appr equals or exceeds 100 veh/hr (1 lane) or 150 veh/hr (2 lanes) and — No
3) total entering volume equals or exceeds 650 veh/hr (3 appr) or 800 veh/hr (4 + appr) — Yes

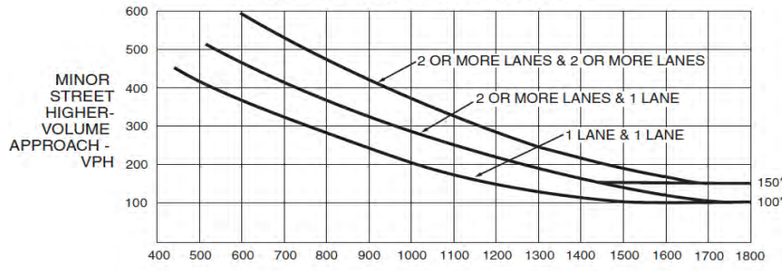
Criteria A met? No

Criteria B

Peak Hour Volume (any 4 consecutive 15 minute intervals)

Major 2276 (Both Approaches) Minor 68 (1 direction)

Figure 4C-3. Warrant 3, Peak Hour



*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

If Peak Hour volume when plotted falls above curve shown for given approach lane configuration, Criteria B is satisfied

Does the 85th percentile speed exceed 40 mph? — Yes

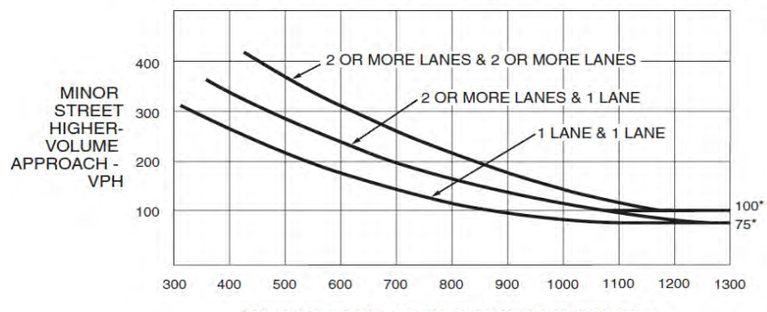
OR

Is intersection within built up area of an isolated community having population less than 10,000? — No

If Yes to either, then the following graph should be used:

Figure 4C-4. Warrant 3, Peak Hour (70% Factor)

(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

If Peak Hour volume when plotted falls above curve shown for given approach lane configuration, criteria B is satisfied

Criteria B met? No

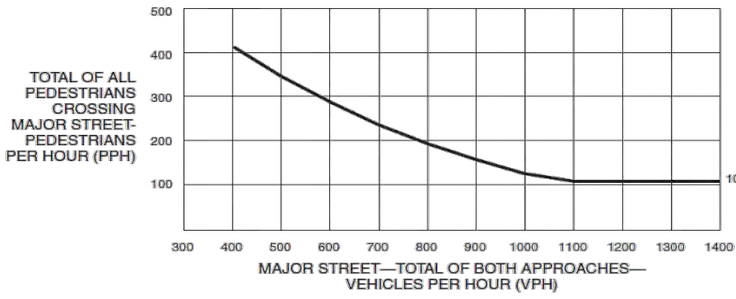
Warrant Satisfied: **No**

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park	Sheet	4 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 4 - Minimum Pedestrian Volume

Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume



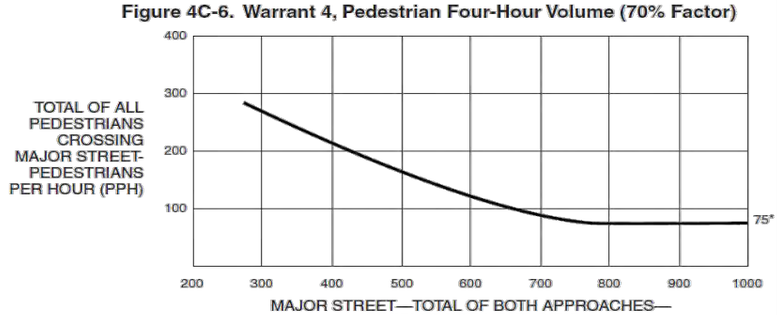
*Note: 107 pph applies as the lower threshold volume.

Use Figure 4C-5 for any 4 hours of an average day

Four-hour Volumes
(any 4 hours of an average day)

Major 2276 (Both Approaches) Peds 0 (Crossing Major)

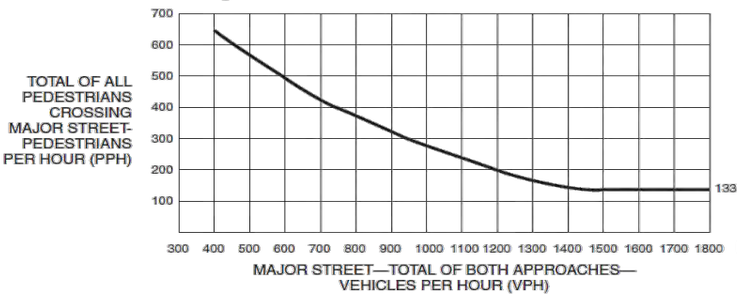
Figure 4C-6. Warrant 4, Pedestrian Four-Hour Volume (70% Factor)



*Note: 75 pph applies as the lower threshold volume.

Use Figure 4C-6 for 4-hour volumes if the speed limit or 85th percentile speed on the major exceeds 35 MPH, or if the intersection lies in a built-up area of an isolated community of less than 10,000

Figure 4C-7. Warrant 4, Pedestrian Peak Hour



*Note: 133 pph applies as the lower threshold volume.

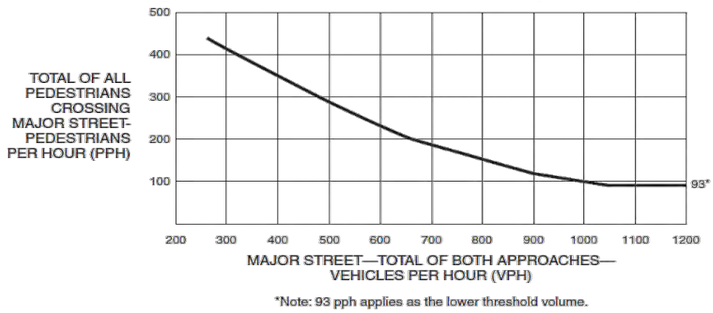
Use Figure 4C-7 for one hour (any 4 consecutive 15 min periods)

Peak Hour Volume
(any 4 consecutive 15 min intervals)

Major 2276 (Both Approaches) Peds 0 (Crossing Major)

Use Figure 4C-8 for 4-hour volumes if the speed limit or 85th percentile speed on the major exceeds 35 MPH, or if the intersection lies in a built-up area of an isolated community of less than 10,000

Figure 4C-8. Warrant 4, Pedestrian Peak Hour (70% Factor)



*Note: 93 pph applies as the lower threshold volume.

This warrant shall not be applied at locations where the distance to the nearest signal along major is less than 90m (300ft)

*** The ped criterion may be reduced as much as 50% if the average crossing speed of a ped is less than 3.5 ft/s**

Warrant Satisfied: **No**

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park	Sheet	5 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 5 - School Crossing

Are the # of adequate gaps in each hour less than the # of minutes in each hour? N/A
AND
Are there a minimum of 20 students during the highest crossing hour? N/A

This warrant shall not be applied at locations where the distance to the nearest signal along the

major is less than 90m (300ft)

Warrant Satisfied: **No**

This warrant does not apply because it is for school children, and there are no schools near this intersection.

Warrant 6 - Coordinated Signal System

Are the adjacent traffic control signals so far apart that they do no provide a necessary degree of vehicular platooning (1-way street or traffic mainly in 1 direction)? No
OR
On a 2-way street will proposed and adjacent signals provide a progressive operation? No

* This warrant should not be applied where the spacing of signals would be less than 300m (1000ft).

Warrant Satisfied: **No**

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park	Sheet	6 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 7 - Crash Experience

Have adequate trial of less restrictive remedies with satisfactory observance and enforcement failed to reduce the number of accidents? No
AND
Have there been 5 or more reported accidents susceptible to correction by a traffic signal within a 12 month period? Yes
AND

Are vehicle and ped volumes at least 80% of the requirements specified in Warrants 1 (Cond A or B) or 4? (56% criteria can be used if applicable) No

The answer to all above questions must be "yes" to satisfy this warrant

Warrant Satisfied: **No**

Warrant 8 - Roadway Network (for intersection of 2 majors)

1) Total Existing Weekday Peak Hour Volume Entering Intersection 3502
Is this volume > 1000 VPH? No
AND
Do the ETC+5 yrs volumes satisfy warrants 1, 2 or 3? No

OR

2) 5th highest Weekend volume entering intersection
Is this volume > 1000 VPH? No

Both answers to 1) **or** the answer to 2) must be "yes" to satisfy this warrant

Warrant Satisfied: **No**

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park	Sheet	7 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 9 - Intersection Near a Grade Crossing

This warrant does not apply because there are no grade crossings at this intersection

Criteria A and B need to be met for warrant to be met

Criteria A:

A grade crossing exists on an approach controlled by a stop or yield sign and the center of the track nearest to the intersection is within 140 ft of the stop line or yield line on the approach

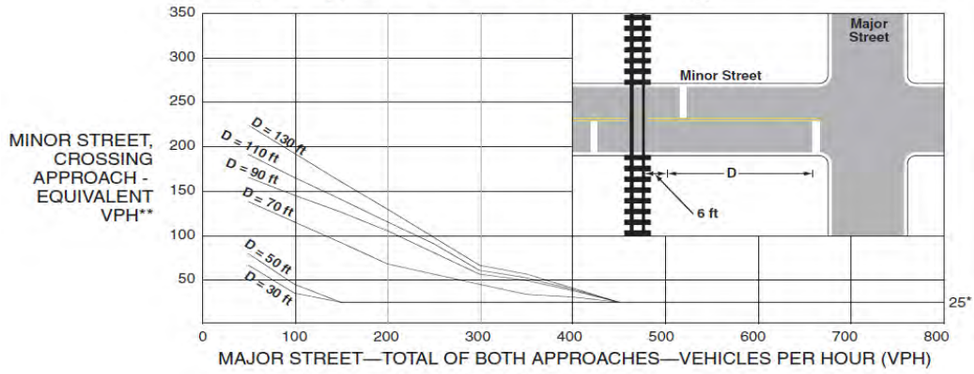
Criteria A met? No

Criteria B

Highest traffic volume hour with rail traffic (if rail schedule isn't known, use peak hour volumes)

Major 2276 (Both Approaches) Minor 68 (1 direction)

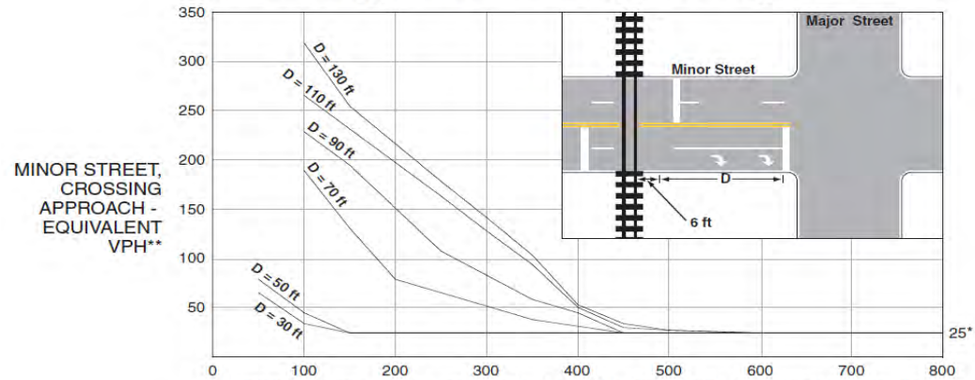
Figure 4C-9. Warrant 9, Intersection Near a Grade Crossing (One Approach Lane at the Track Crossing)



* 25 vph applies as the lower threshold volume

** VPH after applying the adjustment factors in Tables 4C-2, 4C-3, and/or 4C-4, if appropriate

Figure 4C-10. Warrant 9, Intersection Near a Grade Crossing (Two or More Approach Lanes at the Track Crossing)



* 25 vph applies as the lower threshold volume

** VPH after applying the adjustment factors in Tables 4C-2, 4C-3, and/or 4C-4, if appropriate

See MUTCD text for adjustment based on frequency of rail traffic, high-occupancy buses and tractor-trailer percentages

Criteria B met? No

Warrant Satisfied: **No**

Attachment: SP-2023-11_TB_Letter_Packet_FSGEIS Acceptance_12042023 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

14-12-8 (3/99)-9c

SEQR

State Environmental Quality Review

Notice of Completion of Final Supplemental Generic EIS

Project Number **SP-2023-11** **Date:** **December 4, 2023**

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

A Final Supplemental Generic Environmental Impact Statement has been completed and accepted by the Town of Amherst Town Board, as lead agency, for the proposed action described below.

Name of Action:

Amherst Central Park Conceptual Development Plan – Planned Unit Development

Description of Action:

The action involves the adoption of a Planned Unit Development and implementation of a Conceptual Development Plan for the Amherst Central Park, a proposed 171+/- acre community park, formerly utilized as a private golf course.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

772 North Forest Road, 385 and 391 Maple Road, Amherst, NY

Attachment: SP-2023-11_Notice of Complete FSGEIS 112923 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Potential Environmental Impacts:

Impact on Land: The proposed conversion of the former golf course to a community park may involve the excavation and removal of more than 1000 tons of soil from the 170.5 +/- acre site.

Impact on Surface Water: The construction of a 0.96+/- acre decorative pond within an existing unnamed tributary may disturb existing bottom sediments of such tributary. Additionally, a 0.17 +/- acre isolated wetland will be filled to accommodate a parking area.

Impact on Transportation: The proposed action will result in the construction of paved parking for 500 or more vehicles and the proposed action may alter the present pattern of movement of people or goods.

Impacts on Public Health and Safety: The project site has evidence of soil contaminants as a result of past use of herbicides/pesticides. Adequate control measures will be in place to ensure that any contaminated soils are managed in accordance with applicable laws and be protective of the environment and human health.

A copy of the Final Supplemental Generic EIS may be obtained from:

Contact Person: Daniel C. Howard, AICP, Planning Director

Address: 5583 Main Street, Williamsville, NY 14221

Telephone Number: 716-631-7051

A copy of this notice must be sent to:

Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of Amherst

Any person who has requested a copy of the Final Supplemental Generic EIS

Any other involved agencies

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750

Copies of the Final Supplemental Generic EIS must be distributed according to 6NYCRR 617.12(b).

Attachment: SP-2023-11_Notice of Complete FSGEIS 112923 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Stantec

TOWN OF AMHERST, NY - AMHERST CENTRAL PARK

FINAL SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

November 29, 2023

Prepared for:
Town of Amherst, NY
5583 Main Street,
Williamsville, NY

Prepared by:
Stantec Consulting Services
61 Commercial Street, Suite 100
Rochester, NY, 14614

Project Number:
195602832

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Table of Contents

ACRONYMS / ABBREVIATIONS III

1 INTRODUCTION 1
1.1 Summary of SEQRA Process to Date 1
1.2 Summary of Project 1
1.3 Updated Project Analyses and Information 2
1.4 SEQRA Process Moving Forward 3

2 SUMMARY OF COMMENTS RECEIVED 4
2.1 Comment Summary and Description 4

3 RESPONSE TO SEQR COMMENTS 5
3.1 Overall Project Statements 5
3.2 SEQR Process 5
3.3 PUD Process 6
3.4 Alternative Analysis 7
3.5 Zoning 9
3.6 Transportation 10
3.7 Historic and Archaeological 10
3.8 Human Health 10
3.9 Water Resources 11
3.10 Sanitary Sewer 13
3.11 Noise, Odor, and Light 14
3.12 Consistency with Community Plans 14
3.13 Cumulative Impacts 15

4 RESPONSE TO AMHERST CENTRAL PARK GENERAL COMMENTS 17
4.1 Overall Project Statements 17
4.2 PUD Process 19
4.3 Alternative Analysis 23
4.4 Zoning 24
4.5 Transportation 25
4.6 Historic and Archaeological 25
4.7 Human Health 26
4.8 Biological Resources 26
4.9 Water Resources 27
4.10 Sanitary Sewer 28
4.11 Noise, Odor, and Light 28
4.12 Fire Protection/Access 29
4.13 Miscellaneous 30

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

LIST OF APPENDICES

APPENDIX A COMMENTS 1
A.1 Written Comments 1
A.1.1 Agency 1
A.1.2 Town 2
A.1.3 Agency 3
A.2 Comment Summary 4
APPENDIX B REVISED WETLAND MAPPING 1
APPENDIX C UPDATED TRAFFIC IMPACT STUDY 1

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Acronyms / Abbreviations

Acronym	Term
ac	acres
ACP	Amherst Central Park
BNHV	Buffalo Niagara Heritage Village
DSGEIS	Draft Supplemental Generic Environmental Impact Statement
ECDPW	Erie County Department of Public Works
EIS	Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FSGEIS	Final Supplemental Generic Environmental Impact Statement
GP	General Permit
IFC	International Fire Code
IPaC	Information for Planning and Consultation
LWRP	Local Waterfront Revitalization Program
NOI	Notice of Intent
NYCRR	New York Codes, Rules and Regulations
NYSDEC	New York State Department of Environmental Conservation
NYSDOS	New York State Department of State
NYSDOT	New York State Department of Transportation
OPRHP	NYS Office of Parks, Recreation and Historic Preservation
PUD	Planned Unit Development
RC	Recreation Conservation
SABAH	Skating Association for the Blind and Handicapped
SEQR(A)	State Environmental Quality Review (Act)
SF	square feet
SHPO	State Historic Preservation Office
SWPPP	Stormwater Pollution Prevention Plan
TIS	Traffic Impact Study
UPK	Universal Pre-Kindergarten
USACE / ACOE	United States Army Corps of Engineers
USFWS	US Fish and Wildlife Service
WPCF	Water Pollution Control Facility
ZBA	Zoning Board of Appeals

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

1 Introduction

The purpose of this environmental review is to evaluate adoption of a conceptual development plan for a planned unit development ("PUD") for the conversion of an approximately 170.5± acre parcel located at 772 North Forest Road and 385 & 391 Maple Road ("Property") to a community park to include cultural, recreational and civic public spaces ("Amherst Central Park", "ACP").

This document, in combination with the Draft Supplemental Generic Environmental Impact Statement (DSGEIS), accepted for public review by the Amherst Town Board, acting as the Lead Agency, on October 16, 2023, comprises the Final Supplemental Generic Environmental Impact Statement (FSGEIS) for the Park. The purpose of the FSGEIS is to incorporate all substantive comments received on the DSGEIS during the public comment period and to provide responses to them.

This FSGEIS and the associated appendices include modifications to the Amherst Central Park that are in response to comments received during the public comment period that ran from October 16 to November 20, 2023. Comments were received from Town Departments, interested/involved public agencies, and the public.

1.1 Summary of SEQRA Process to Date

Section 1 of the DSGEIS contains a description and chronology of the Planned Unit Development ("PUD") Application and subsequent SEQRA process up to the October 16, 2023 acceptance of the DSGEIS for public review.

The period for public comments on the DSGEIS closed on November 20, 2023. The Town Board, as Lead Agency, is responsible for reviewing the FSGEIS. Next steps are summarized in Section 1.4.

1.2 Summary of Project

The Amherst Central Park PUD Conceptual Development Plan (sometimes referred to herein as the "PUD Plan") is summarized below.

Using an existing entrance with access to North Forest Road and a proposed entrance to Sheridan Drive, the Plan proposes the following features moving from the southeast to the southwest portion of the parcel:

- Ice Ribbon and Ice Rink, approximately 25,000 SF
- Inclusive Playground, approximately 12,500 SF
- Splash Pad, approximately 6,100 SF
- Public Plaza, approximately 20,000 SF, including a Winter Market, approximately 5,000 SF (buildings)

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

- Renovation of the former clubhouse into a Community Building, approximately 2,500 SF addition to existing (approximately 44,500 SF total at completion, including basement and all floors), to provide services including space for a Universal Pre-Kindergarten (UPK) program
- Outdoor Amphitheater, approximately 3,300 SF
- Community Theater Building, approximately 31,600 SF
- New building for the Buffalo Niagara Heritage Village Museum – approximately 36,000 SF, as well as relocation of historical buildings associated with the museum, totaling approximately 20,000 SF
- Enhancement of an existing wetland as a decorative pond and associated onsite mitigation (if required) and filling or modification of non-regulated wetlands
- Ancillary park improvements such as playgrounds, gardens/greenhouses, pedestrian access/pathways, educational kiosks and access drives as shown conceptually on the PUD Plan
- Construction of required mechanical buildings, public restrooms, parking lots, and supportive utilities such as storm sewers and stormwater management features, sanitary sewers, water, fiber optic cables, electric and natural gas service

The northern portion of Amherst Central Park is planned for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas. From the southern portion, moving to the north, a proposed main loop drive provides access to features such as maintained trails and bike paths, natural playgrounds, and a variety of community gardens and tree plantings.

The Applicant anticipates that the implementation of the proposed Amherst Central Park will occur over the course of the June 2024 through June 2034 time period. The southern portion of the Park, which will have the most intensive development with cultural, recreational and civic facilities, will be completed first.

1.3 Updated Project Analyses and Information

The Applicant provided updates to various studies and analyses to support the proposed Amherst Central Park. A listing of the supporting studies and analyses follows. Specific comments and responses on those studies are presented in Section 3 by subject matter/topic.

Transportation: An updated Traffic Impact Study ("TIS") prepared by C&S Engineers, Inc. was provided to the Town on October 14, 2023.

Wetlands: The wetland delineation maps prepared by Earth Dimensions, Inc. were revised and provided to the United States Army Corps of Engineers (USACE) on November 21, 2023. The maps were revised to include a culvert crossing for Stream 2. The Stream 3 label was removed from the map and replaced with the ID of "Wetland 11" per discussions with the USACE. Wetland 11 (0.303 ac) and Wetland 12 (0.17 ac) will be altered for the theater/roadway.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

The jurisdictional determination for the waterbodies onsite is currently outstanding as of the date of this report.

Local Waterfront Revitalization Program: The Town will follow the requirements of Chapter 205: Local Waterfront Revitalization Program (LWRP) during the Facility Improvement Plan process.

1.4 SEQRA Process Moving Forward

As Lead Agency, the Amherst Town Board is charged with the preparation of the FSGEIS. The Town Board is responsible for:

1. Notifying the involved and interested agencies, the Town Supervisor, and the applicant that the FSGEIS has been issued;
2. Sending the FSGEIS to the NYS Department of Environmental Conservation (NYSDEC); and
3. Submitting the Notice of Completion in the NYSDEC Environmental Notice Bulletin.

No sooner than 10 days and no later than 30 days after completion of the FSGEIS, the Lead Agency is required to adopt a Findings Statement. The Findings Statement affirms that all SEQR requirements for making decisions on an action have been met and states the Lead Agency's findings. A positive findings statement means that, after consideration of the final FSGEIS, the project or action can be approved, and the action chosen is the one that minimizes or avoids environmental impacts to the maximum extent practicable. If the action cannot be approved based on analyses in the final FSGEIS, a negative findings statement must be prepared, documenting the reasons for the denial.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

2 Summary of Comments Received

2.1 Comment Summary and Description

Comments were received from various Town of Amherst Departments, regional agencies, and the public. Comments were reviewed and categorized according to their main concerns. Each comment was given an identification (ID) of a letter followed by a 3-digit number. Comments received by agencies are identified by an “A”, comments from the Town with a “T”, comments from the public with a “P”, and comments received from informal outlets such as The Amherst Bee are identified with an “I”. Comments are numbered in the order in which they were received. Appendix A.2 provides a summary of all the received comments and the sections of this FSGEIS that the comment applied to. Appendix A.2 also lists comments by commenter ID number and by commenter last name, respectively. Within the text, applicable excerpts of comments are referenced in each section of the document. At the end of the excerpt the comment ID is referenced as, e.g. “A-001” followed by the date the comment was received and name of the individual commenter.

The Town received comments on the DSGEIS, as well as general comments on the underlying PUD Application. The SEQRA comments to the DSGEIS are addressed in Section 3.0, followed by responses to comments made to the PUD Application in Section 4.0

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

3 Response to SEQR Comments

3.1 Overall Project Statements

3.1.1 AGENCY COMMENTS

1. The New York State Department of Environmental Conservation (NYSDEC) has reviewed the Draft Supplemental Generic Environmental Impact Statement (DSGEIS) prepared for the above-referenced project. The DSGEIS appears to cover all of the environmental issues and impacts that are of a concern to this agency. (A-005, Denk, NYSDEC, 11/20/2023) The NYSDEC letter included comments on other substantive areas, which were separated into comments A-008 through A-011, which are addressed in the following sections.

Comment	Section
A-006	3.9.1
A-007	3.9.1
A-008	3.9.1
A-009	3.9.1
A-010	3.8.1
A-011	3.1.1

Comment acknowledged.

2. NYSDEC encourages the Town to coordinate with all involved and interested agencies as future projects are better defined. Thank you for the opportunity to comment on the DSGEIS. (A-011, Denk, NYSDEC, 11/20/2023).

Comment acknowledged.

3.1.2 PUBLIC COMMENTS

1. This plan should NOT be approved by the Planning Board due to the numerous illegalities and deficiencies outlined herein. Thank you in advance for considering my comments. (P-032, Snyder-Haas, Public, 11/16/2023).

Comment acknowledged.

3.2 SEQR Process

3.2.1 PUBLIC COMMENTS

1. We are the attorneys for Concerned Residents for Amherst Central Park, a group of Amherst residents advocating for the promise of a world-class Amherst Central Park.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

It was noted today that the DEC's Environmental Notice Bulletin published a SEQRA "negative declaration" for the SEQRA review of the Amherst Central Park Conceptual Development Plan Planned Unit Development (meaning there are no adverse environmental impacts). See https://www.dec.ny.gov/enb/20231011_not9.html. This is contrary to the "positive declaration" (meaning there may be adverse environmental impacts) that appears in the meeting minutes for the October 2 Town Board meeting (https://amherstny.iqm2.com/Citizens/FileOpen.aspx?Type=12&ID=3628&Inline=True). One or the other is in error and you are the contact person identified in the DEC notice. Please clarify what SEQRA determination was reached and which record will be corrected. Thank you. (P-001, Kanyuck, Knauf Shaw, 10/12/2023).

The October 11, 2023 issue of the Environmental Notice Bulletin mistakenly listed the Amherst Central Park project located in the Town of Amherst as a Negative Declaration. The ENB form that [was] submitted Wed. Oct. 4, documents a notice for a Positive Declaration (for a Supplemental GEIS).

This was republished on October 18th as a correction by the ENB.

3.3 PUD Process

3.3.1 PUBLIC COMMENTS

1. Although the DEIS purports to preserve 115 acres of the mid- to northern section of the parcel as natural space, Section 6.2 reads: "The establishment of thresholds for the future environmental review of related improvements in the Amherst Central Park that are not set forth in Appendix A is an important component of this SGEIS. Examples of possible future related actions (aka improvements) may include development in the northern section of the Property in a manner that is not entirely consistent with the approved Conceptual Development Plan in Appendix A. This may occur given that the layout of the improvements as depicted on the Conceptual Development Plan is conceptual in nature. Instead, the layout as depicted on the Conceptual Development Plan is meant to depict the anticipated components of the Amherst Central Park and the maximum potential development that could occur without the need for additional environmental review(s) pursuant to SEQRA. The precise layout of improvements will be the subject of an ACP Application process for this Town-owned PUD. The future improvements will be reviewed in accordance with the process established in the PUD application." The following "process" that is outlined significantly limits environmental review of the Town's future actions. This makes one wonder about the Town's true intentions for the northern section of the property. If the Town is pledging to keep 115 acres undeveloped, why is this pledge not cemented in the document, with no future "improvements" of any kind banned in this area? (P-031, Snyder-Haas, Public, 11/16/2023).

As noted in the DSGEIS, the northern portion of the Property is slated for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas. In general, the Conceptual Plan also provides for ancillary park improvements such as

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

playgrounds, gardens/greenhouses, pedestrian access/pathways, educational kiosks and access drives as shown conceptually on the PUD plan. Other proposed improvements would be subject to the ACP Facility Improvement Review process.

3.4 Alternative Analysis

3.4.1 PUBLIC COMMENTS

1. Section 3.4 for Alternative Sites states: "While some of the proposed improvements in the Amherst Central Park could be provided in other areas of the Town, there is no other parcel or combination of parcels owned by the Town that would offer a suitable combination of location, existing natural beauty, overall location, and potential for a cohesive, comprehensive park plan that would be comparable to the proposed Amherst Central Park. This Alternative is therefore not further evaluated in this DSGEIS". This is also patently false. (P-014, Snyder-Haas, Public, 11/16/2023).

   Comment Acknowledged. Also see response to Comment #2 in this section.

2. The Town in fact alienated 90 acres parkland across Maple Road on Audubon and has already allowed the construction of a large medical office complex on Audubon. The 90 acres included only three holes of the current municipal golf course on Audubon, leaving other ample alienated land. In prior park proposals that were put before the Central Park Task Force, Audubon was considered as the "active" recreation portion of a park that spanned both the Audubon and Westwood properties, with extensive development of Audubon that included housing and commercial uses anticipated. Audubon fronts a major road on Maple that is not nearly as heavily trafficked as Sheridan Drive, is close to the State University at Buffalo North Campus, and is not surrounded by residential homes. The PUD application should include an extensive consideration of this alternate site, particular for the theater, universal and prekindergarten programs and relocation of Buffalo Niagara Heritage Village (if this is to be seriously entertained at all, considering the proposed cost in excess of $7 million with little chance of recouping any financial benefit). (P-015, Snyder-Haas, Public, 11/16/2023).

   The North Town Recreation Center and Audubon Golf Course will continue to be utilized for recreational purposes and as a golf course for the foreseeable future.

3. Also, the Buffalo Niagara Heritage Village is located next to other Town-owned land. Its expansion in its current, much more appropriate setting should be considered. (P-016, Snyder-Haas, Public, 11/16/2023).

   The Town of Amherst currently has budget lines that support the Buffalo Niagara Heritage Village including a maintenance budget and capital improvements budget. Relocating the Buffalo Niagara Heritage Village provides opportunity for consolidation of maintenance and capital improvement budgets while providing a centralized location within the Town to promote increased accessibility to Town Residents.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

4. Further, Section 3.5 for Alternative Uses states: "As set forth in the GEIS, the full development of the Property for mixed use commercial and/or residential purposes would result in significant impacts related to traffic, utility infrastructure, and community character. Industrial uses of the site would result in similar impacts. A significantly less intense residential development would reduce traffic and infrastructure impacts relative to the Mixed Use Alternative but would be inconsistent with existing zoning and the Town Comprehensive Plan. None of these alternative uses would meet the Purpose and Need identified in this SGEIS. This Alternative is therefore not further evaluated in this DSGEIS". The foregoing posits a false choice – the massive, totally inappropriate Mixed Use Alternative or the Park Concept Plan. How about a park that complies with the applicable zoning, with the elements that do not moved to an appropriate location? (P-017, Snyder-Haas, Public, 11/16/2023).

   As the commenter alludes, the original Mixed-Use Alternative was ultimately denied based on the impacts cited. The point of the referenced text was to screen additional alternative uses of the property for further evaluation, including industrial and less intense residential development. As noted, these Alternatives failed the first screen based on inconsistency with zoning and the Town Comprehensive plan as well as failure to meet the identified Purpose and Need. The Town believes that the proposed uses are consistent with the intents and purpose of the recreation conservation zoning district.

5. How about making Westwood the municipal golf course (which at least would be revenue-producing as opposed to the museum) as part of a larger public park with the other park elements on Audubon? (P-018, Snyder-Haas, Public, 11/16/2023).

   The Town is committed to the mixture of uses shown on the Conceptual Development Plan, as developed through a 5+ year planning process. The Town is also committed to maintaining golf activities at Audubon for the foreseeable future.

6. At the Central Park Task Force meetings, doing a cost/benefit analysis for the alternative was proposed but never followed, and meetings ceased abruptly with no follow through, the concept plan now pitched apparently hatched by the Town Board and developers. Members of the Task Force were asked to submit comments and did so, with Supervisor Kulpa telling those members that he "was not even going to pretend" that he shared those with the architectural firm of Dover Kohl. Although the DEIS purports to state that public engagement was robust, it only looks that way on paper. A review of the Task Force meetings would show that member ideas that did not comport with what had already been drawn up were dismissed (and the plans that were drawn up then differ markedly from what is now proposed, which had no input from the long-defunct Task Force). (P-019, Snyder-Haas, Public, 11/16/2023).

   The Town has considered input from a variety of stakeholders, including the Task Force members. Based on that input, the Town has determined that acquisition of the property and development for recreation/education/civic use will benefit the community.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

3.5 Zoning

3.5.1 PUBLIC COMMENTS

1. Here are my comments in opposition to aspects of the proposed Planned Unit Development (PUD) for Amherst Central Park and its Draft Environmental Impact Statement (DEIS).

   First and foremost, this proposal is defective because it states that no change to the current recreation conservation (RC) is necessary. Section 1.2.1 states: "The Property envisioned for the Amherst Central Park is zoned as Recreation Conservation (RC), a district whose purpose is to provide for public, private, and civic uses related to recreation and conservation. Planning for the Amherst Central Park is specifically focused on supporting these uses. The Town's Bicentennial Comprehensive Plan also recommends the Property be used for recreation, open space and greenways. The Property is a component of the LWRP, given its location along Ellicott Creek. The Amherst Central Park is a featured project for recreation and waterfront enhancement in the Town". Section 4.2 states, under the heading "Consistency with Community Character", states that per the Town's Comprehensive Plan, Land Use and Development section 6 identifies the Property as Recreation, Open Space and Greenways"; "the Property is consistent with the Land Use in the Comprehensive Plan"; and "the Property is zoned Recreation Conservation [and] the Amherst Central Park will not be subject to a rezoning or Comprehensive Plan amendment. The foregoing is patently false. (P-011-012, Snyder-Haas, Public, 11/16/2023).

   The Town believes that the proposed uses are consistent with the intent and purpose of the Recreation Conservation zoning district. The open uses associated with the Buffalo Niagara Heritage Village (BNHV) living museum will be approved as part of the PUD process.

2. The RC zoning district does not include the construction of an indoor theater in a residential neighborhood, let alone one over 30,000 square feet with extensive pavement for parking. Nor does it include the construction of a museum building of over 30,000 square feet and the displays of livestock and poultry that are slated for the proposed relocation of Buffalo Niagara Heritage Village. It certainly does not include the construction of a new addition for a universal prekindergarten program. While all potentially laudable goals, none fall within the RC zoning code or the identification of the property for "recreation, open space and greenways" as envisioned in the Comprehensive Plan. None of these is consistent with a true park. So, this application cannot go forward without addressing rezoning, which would not be consistent with the Comprehensive Plan in any event. (P-013, Snyder-Haas, Public, 11/16/2023).

   Under the provision of the PUD the Town Board may elect to adjust some provisions of the zoning to permit development in accordance with the intent and goals for the Amherst Central Park. The Town believes that the proposed uses are consistent with the intent and purpose of the recreation conservation zoning district.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

3.6 Transportation

To Be Completed

3.7 Historic and Archaeological

3.7.1 AGENCY COMMENTS

1. Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617). Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project. Project Number: 23PR09036. (A-003, SHPO, 11/22/2023).

   Comment acknowledged.

3.7.2 PUBLIC COMMENTS

1. The transfer of the Buffalo Niagara Heritage Village - The Buffalo Niagara Heritage Village has a lovely home on Tonawanda Creek Road. Moving the old wooden buildings from this site and constructing a new Heritage Village Museum will be very expensive. This is an unnecessary financial burden for taxpayers, and it should also be removed from the Concept Plan. (P-005, Boehm, Public, 11/08/2023, resubmitted 11/27/2023).

   Comment acknowledged. The Town of Amherst currently has budget lines that support the Buffalo Niagara Heritage Village including a Maintenance Budget and Capital Improvements Budget. Relocating the Buffalo Niagara Heritage Village provides opportunity for consolidation of Maintenance and Capital Improvement Budgets while providing other benefits to the facility and promote increased accessibility to Town Residents.

3.8 Human Health

3.8.1 AGENCY COMMENTS

1. Section 4.7.1, Existing Conditions: This section states that “A comprehensive environmental assessment of the Property revealed the presence of contamination in soils at the site that

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

exceed New York State Department of Environmental Conservation ("NYSDEC") Soil Cleanup Objectives for commercial, passive and active remediation land use." This statement is inaccurate, investigations to characterize potential impacts to environmental media have been limited and focused on a few former golf course holes. This statement should be revised to accurately reflect the extent of the completed environmental assessment. (A-010, Denk, NYSDEC, 11/20/2023).

An environmental assessment of the Property conducted by a prior owner revealed the presence of contamination in soils at the Site that exceed New York State Department of Environmental Conservation ("NYSDEC") Soil Cleanup Objectives for commercial, passive and active remediation land use. The Town will be executing a regulatory Consent Order with the NYSDEC to conduct ongoing investigations and remediation consistent with the Town's construction schedule under the oversight of the NYSDEC.

3.8.2 PUBLIC COMMENTS

1. The removal of toxic waste from the site - A few years ago, the soil on this site was tested, and harmful chemicals were found. How and when is this remediation taking place? Thank you for addressing these matters. (P-006, Boehm, Public, 11/8/2023, resubmitted 11/27/2023).

   The Town will follow NYSDEC Requirements. The previous owner terminated its application into the Brownfield Program with NYSDEC in April of 2023. Thereafter, the Town commenced communications with NYSDEC to test and remediate soils exceeding NYSDEC standards. Remediation will commence in 2024.

3.9 Water Resources

3.9.1 AGENCY COMMENTS

1. Section 2.3 Description of Required Approvals and Permits:

   a. If stormwater outfalls are to be connected to Ellicott Creek (water classification and standard of B, pursuant to 6 NYCRR Part 837, Item 25), a Protection of Waters Permit (Article 15, Title 5 of the Environmental Conservation Law) will be required from NYSDEC.

   b. If any of the project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice of Intent (NOI) and prior to commencement of the project.

   The Town of Amherst is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

The "MS4 SWPPP Acceptance" form must be signed by the principal executive officer or ranking elected official from the MS4 community, or by a duly authorized representative of that person, and submitted along with the NOI, to the Department at NOTICE OF INTENT, NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commences. (A-006, Denk, NYSDEC, 11/20/2023).

Comment noted. The Project will comply with regulatory requirements.

2. Section 4.3, Impacts Assessed as None/Small, Flood Hazard Zones:

   a. Flood Control: The portion of Ellicott Creek within the proposed work area is part of the Ellicott Creek Flood Control Project. An Article 16 Flood Control Land Use Permit from the Department and a Section 408 Permission may be required for work near or within the creek.

   b. Floodplain Management: Any work done in a floodplain will require a Floodplain Management Permit which can be obtained through the Town of Amherst Floodplain Manager. Please note that the proposed work area includes both floodplain and floodway, the latter of which is more restrictive. Also, projects are state-financed, NYCCRR Part 502 may apply and must meet all FEMA floodplain management criteria. (A-007, Denk, NYSDEC, 11/20/2023).

   Comment noted. The Project will comply with regulatory requirements.

3. Section 4.5.1, Surface Waters Existing Conditions:

   a. Freshwater Wetlands: There are no NYSDEC Regulated Freshwater Wetlands mapped on the property. Prior to undertaking a project, a Request for Wetlands Determination, Verification, or Delineation should be submitted to NYSDEC to confirm that the wetlands are not jurisdictional.

   b. Freshwater Mussels: Ellicott Creek is identified as having New York State listed threatened and endangered mussel species and critically imperiled (S1) and imperiled (S2) mussel species. If the proposed project involves any activity within or adjacent to Ellicott Creek, additional consultation with NYSDEC will be necessary to determine if a freshwater mussel survey is required. (A-008, Denk, NYSDEC, 11/20/2023).

   Comment noted. The Project will comply with regulatory requirements.

4. Section 4.5.2, Surface Waters Potential Impacts: Ellicott Creek, has a water classification and standard of B, pursuant to 6 NYCRR Part 837, Item 25. Therefore, any physical alteration (i.e. land clearing, filling, drainage pipe/ditch installation, etc.) to the bed or banks (within 50 feet of the stream) will require an Article 15, Title 5, Protection of Waters Permit from this Department. (A-009, Denk, NYSDEC, 11/20/2023).

   Comment noted. The Project will comply with regulatory requirements.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

3.9.2 PUBLIC COMMENTS

1. The proposed benefits also tout the Town of Amherst Local Waterfront Revitalization Program, which "celebrates the beauty and uniqueness of the extensive waterfront along Tonawanda Creek/Erie Canal and Ellicott Creek, and the local history and the community's desire to build upon existing strengths for the future", with the Town identifying the following goals for its local waterfront revitalization plan: "increase public access to Town waterways, enhance amenities at existing public parks".

   Yet, for the construction of the non-zoning appropriate theater, the Town plans on disturbing the waterway running across the southern portion of the property, acknowledging that "the canal feature located in the southwestern portion of the Property and identified in the Amherst Central Park Plan for expansion into a larger pond may be subject to federal and state permitting if that water is connected to other waters" and "the outlet of the canal feature and discharge location of those waters would be identified to determine any regulatory requirements, which could include enhancement of other wetlands onsite, offsite mitigation, or other mitigation as required by the ACOE and/or NYSDEC". (P-022, Snyder-Haas, Public, 11/16/2023).

   The majority of wetlands/waterbodies will remain untouched (10.09 acres) with the exception of the tributary within the lower southern portion of the site. This tributary known as UNT is 0.17 acres and will be altered for the proposed theater and main roadway. The Town will alter this tributary to accommodate proper stormwater run-off. Of the 10.26 acres of wetlands on site, 0.17 acres will be altered. Further, The Town will secure all necessary permits with the federal, state and county agencies prior to construction.

2. Furthermore, Westwood has no navigable sections of Ellicott Creek, but Audubon does – which one would think this would be a major consideration for considering Audubon as an alternate site. (P-023, Snyder-Haas, Public, 11/16/2023).

   In either location, the Town will not be altering the Ellicott Creek corridor. There will be no proposed foreshore features.

3.10 Sanitary Sewer

3.10.1 PUBLIC COMMENTS

1. Additionally, per Section 4.3: "The Amherst Central Park improvements are estimated to generate up to 80,000 gallons/day of sanitary wastewater, primarily from recreational water features, i.e. splash pad spray and backwash water for swimming pool. Wastewater will be treated at the Town of Amherst Water Pollution Control Facility (WPCF), which has existing capacity to convey and treat these uses. In contrast, projected average usage for the Mixed Use Alternative in the GEIS, 245,000 gallons/day, was approximately three times greater than the Park average use, with peak hourly flow rates up to approximately 1,000,000 gallons/day. The projected sewer flow rates exceeded the sanitary system flow capacities and were a key basis for the denial of the Westwood Neighborhood (Mixed Use) application." Given that the mixed use alternative was so

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

massive and incompatible with the surrounding neighborhood, one-third of its proposed water usage remains a very high amount. (P-029, Snyder-Haas, Public, 11/16/2023).

Sewer capacity was one of many issues that formed the basis of denial of the proposed Westwood mixed use project. The proposed mixed use project was to be constructed within the wet weather constrained West Side Interceptor system. As such, peak flows generated by the development would have potentially exacerbated or extended sanitary sewer overflows caused by wet weather events. It is anticipated that the peak flows generated by the recreational facilities detailed in the proposed Amherst Central Park plan will occur during dry weather patterns (consistent with supporting outdoor activities) which will correspond to lower flow periods in the West Side Interceptor. In summation, the proposed 80,000 gallons per day sewer demand is not anticipated to cause capacity issues and hence is not at all similar to the sewer capacity issues potentially generated by the proposed Westwood mixed use project.

3.11 Noise, Odor, and Light

3.11.1 PUBLIC COMMENTS

1. The plan also notes: “As part of the design plan for the Amherst Central Park, it is proposed that the Buffalo Niagara Heritage Village Museum would relocate its outdoor living displays to the Amherst Central Park. These displays may include livestock and poultry which could produce odors and noise. The Town will place these displays approximately 150 feet from the nearest occupied structures to the west of the Park and will maintain them such that potential impacts due to odors and noise are anticipated to be small.” It should be obvious that agricultural displays should not be located behind residential homes. The museum currently has an appropriate location is a more agricultural setting, with plenty of nearby Town-owned land for its expansion. (P-030, Snyder-Haas, Public, 11/16/2023).

   Comment acknowledged. Operational limitations including limiting hours of outdoor access, number of animals and good sanitary management practices will be employed for the living displays to mitigate potential for odor and noise nuisances.

3.12 Consistency with Community Plans

3.12.1 PUBLIC COMMENTS

1. The project benefits extolled in Section 4.2 also include: “Develop new recreation amenities and opportunities for residents with a focus on expanding trails and opportunities for walking and biking; “pursue opportunities to create new sidewalks and pathways that connect the places people live, work, shop, and play in Amherst”; “seek to enhance opportunities for residents to safely walk and bike for exercise, leisure, and transportation purposes”.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Connectivity? The proposed pedestrian/bike paths on Westwood do not connect to anything. Despite trail connectivity being the top public desire per the recreation survey the Town did, the Town has been totally non-responsive to it. The benefits of extending the Ellicott Creek Path that currently dead-ends at the Audubon Golf Course across Maple and through Westwood, and then to Amherst State Park, Glen Park and the Village of Williamsville are numerous and obvious. Yet this plan focuses on vehicular traffic moving into unspoiled greenspace. While Buffalo has eliminated traffic on its "ring road" in the crown jewel of Delaware Park, the Town seeks to create a traffic circle in the middle of Westwood, intersecting with pedestrian paths. (P-020, Snyder-Haas, Public, 11/16/2023).

Connectivity for pedestrian and bicycle circulation will be explored through the ACP Facility Improvement Review process as New York State Department of Transportation (NYSDOT)/Erie County Department of Public Works (ECDPW) permits are considered. There are no plans for a traffic circle in the middle of the Amherst Central Park, only a Park drive for maintenance purposes and so that users can access park features such as playgrounds.

3.13 Cumulative Impacts

3.13.1 PUBLIC COMMENTS

1. Section 3.3 of the GEIS identifies several of the problems found with the previous mixed use development for which a re-zone was denied, including insufficient sanitary sewer capacity and significant constraints on increasing that capacity; traffic impacts associated with new development in an area not previously planned for such development; extensive new roadway and signal construction to address traffic impacts; impacts associated with wetlands, hardwood swampland, floodplains, and Ellicott Creek; conversion of land zoned RC to higher-density uses; Incompatibility of the proposed uses with surrounding neighborhoods; loss of open space; and a protracted construction period. (P-026, Snyder-Haas, Public, 11/16/2023).

   Comment acknowledged.

2. The plan goes on to say how much better the current proposal is. However, per Section 2.4, Project Schedule: "The Town anticipates that the implementation of the Amherst Central Park will occur over the course of a 10-year period (June 2024-June 2034). Construction will begin with improvements within the southern portion of the Property, which will include the most intensive development of recreation, community, and civic facilities". THIS IS THE SAME AMOUNT OF CONSTRUCTION TIME THAT WAS CITED FOR THE MASSIVE MIXED-USE DEVELOPMENT. 10 YEARS. This is an incredibly long period of time for a construction period in a heavy residential area with homes literally backing up to the construction site. (P-027, Snyder-Haas, Public, 11/16/2023).

   The timing of the Amherst Central Park construction is to be determined. While a 10-year period was cited as a conservative duration, total amount and intensity of construction will

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

be much less than was proposed for the Mixed-Use Alternative. Construction noise mitigation measures will be implemented in accordance with Town Code.

3. Remember the “lighter, cheaper, faster” mantra that Buffalo so successfully employed at Canalside? This project is entirely too development-heavy, particularly on the Westwood site. It does not have to be this way. There are other land options available that would cause significantly less environmental impact for the items that do not belong in this RC-zoned property. (P-028, Snyder-Haas, Public, 11/16/2023).

   The Town has determined that acquisition of the property and development of recreation/education/civic uses within this section of Town will benefit the community. The northern portion of Amherst Central Park is planned for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

4 Response to Amherst Central Park General Comments[1]

4.1 Overall Project Statements

4.1.1 AGENCY COMMENTS

1. Site Plan or Zoning Referral to County of Erie, N.Y. and Reply to Municipality - No Recommendation; proposed action has been reviewed and determined to be of local concern. (A-012, Hall, Erie County Environment and Planning, 11/20/2023).

   Comment acknowledged.

4.1.2 TOWN COMMENTS

1. There are no comments on the submitted proposed Conceptual Development Plan for a new community park. (T-001, Szatkowski, Planning Department, 10/18/2023)[2].

   Comment acknowledged.

2. Due to inflation and material/labor cost escalations, some sizing flexibility may be required in order to ensure the viability of some of the park improvements and as such, we may want to include some size ranges as follows:

   - Ice Ribbon and Ice Rink, approximately 15,000 – 25,000 SF

   - Inclusive Playground, approximately 10,000 – 12,500 SF

   - Splash Pad, approximately 3,000 – 6,000 SF

   (T-050, Engineering Department, 11/20/2023).

   Comment acknowledged. Sizing revisions would be handled according to the PUD review process outlined in Section 6 of the DSGEIS. Downsizing of improvements would likely be categorized as a Type II Action for purposes of SEQR and revisions would be assessed for implementation by the ACP Planning Team.

[1] The comments discussed in this Section are not SEQRA comments to the DSGEIS, and instead relate to the underlying PUD Application. Notwithstanding, the Town compiled the comments received during the comment period and provide responses to each.
[2] Response from Town representative regarding the PUD Conceptual Development Plan pertaining to the specific department.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

3. Site Plan is Approved as Submitted. Note Floodplains Development Permit required and Wetlands on property. (T-002, Gesel, Building Department, 10/24/2023).[3]

   A floodplain development permit and all building permits will be obtained prior to construction.

4. This office has reviewed the materials submitted by your correspondence dated October 17, 2023, and has no comments. We are returning copies of the materials for your file. (T-003, Robshaw, Attorney's Office, 10/25/2023).

   Comment acknowledged.

5. Approved as submitted. (T-004, Halt, Building Department – Fire Safety, 10/30/2023).

   Comment acknowledged. See also Section 4.12.

6. The Proposed PUD Application Review is Approved as Submitted. – Plumbing Dept. (T-005, Herberger, Building Department - Plumbing, 10/31/2023).

   Comment acknowledged.

7. Site plan approved once properties are merged. (T-019, Arnold, Assessor's Office, 11/9/2023).

   Comment acknowledged. Town staff will merge the properties prior to submitting Facility Improvement Plan.

8. The Town of Amherst Industrial Development Agency has reviewed the documents related to Amherst Central Park and does not have any comments. (T-049, Mingoia, Industrial Development Agency, 11/20/2023).

   Comment acknowledged.

4.1.3 PUBLIC COMMENTS

1. The current Westwood proposal seems to be another convoluted play to effectively suppress information… thereby the voice and will of the people…and a variation of what was attempted months ago by amending the zoning code. Seems to be Kulpa's Westwood plan has been a tangle of smoke and mirrors, obfuscation and lies, from the start. Much of the process has been truncated and/or eliminated. (P-033, Ferraro, Public, 11/15/2023).

   Comment acknowledged.

[3] The Town compiled comments to the PUD Application from its internal departments using its standard forms utilized for development projects. It should be noted that references to "approved" and/or "site plan approved" merely mean that the department had no comments to the PUD application reference. The term "approved" does not constitute a formal approval of the proposal.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

2. I hope the Town will withdraw this proposal until such time as an Amherst Central Park Plan has been accepted by the Town Board or that this Board will remove it from your agenda until such time as the application is complete and able to be reviewed against PUD Development Standards and SEQRA completed. (P-065, Shapiro, Public, 11/16/2023).

   On October 2, 2023 the Town Board issued a SEQR Positive Declaration as part of its self-initiated PUD Application. On October 16, 2023 the Town Board subsequently amended its PUD application, such application was deemed complete at the same time the Town Board accepted the DSGEIS as complete.

3. How much is this park plan going to cost and where will Amherst be getting the money? (P-077, Boje, Public, 11/18/2023).

   The Town includes expenses in its annual Capital Improvement Budget, which includes projects proposed in the Park.

4. After the initial capital cost, what is the proposed annual maintenance & upkeep costs and where is that money coming from? (P-078, Boje, Public, 11/18/2023).

   The Town will include funding for its maintenance and upkeep expenses in its annual Operating and Capital Improvement Budgets.

5. Are BNHV and Music Fare Theater paying for their new facilities? If not, I'm not sure it's legal for the public to pay for facilities for private parties. (P-079, Boje, Public, 11/18/2023).

   BNHV facilities are Town owned and are therefore a Town purpose. BNHV is a non-profit-corporation which manages the facilities under an operating agreement with the Town. Occupancy of Community Theater Building will be memorialized by a lease agreement or other contract which will outline Town use as well as the occupant's financial contribution toward the construction of the Community Theater Building in the form of rent or other financial contributions.

4.2 PUD Process

4.2.1 TOWN COMMENTS

1. Once, if we were to make a recommendation today and it goes to the town board, it's ultimately the Town Board that will facilitate the development of this parcel. Will the Planning Board see future development plans for the Park? (T-044, Planning Board, 11/16/2023).

   The Town Board will be reviewing future improvement plans in the Amherst Central Park as outlined in the ACP Facility Improvement Review Process. As detailed in the DSGEIS Section 1.1 and Section 6, the Director of Facilities will work with the Planning Director to prepare a Facilities Improvement Plan application ("ACP Application") for the ACP Planning Team to review. The ACP Application will be posted on the Town website and distributed to Town departments and other agencies as appropriate. The ACP Planning

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Team's recommendations will be reviewed at a Town Board meeting, including a public hearing if required. The Town Board will issue a SEQRA determination, if required, and decide whether to approve and fund the proposed improvement.

2. This is really to provide a set of guidelines and some flexibility for what's supposed to be a very lengthy construction period if/when it's approved and would I be correct to understand that with individual parts that are coming up there'll be additional opportunities for input, for change, for making sure that local residents are protected, things of that nature. (T-045, Planning Board, 11/16/2023).

   Yes, there will be, as outlined in the ACP Facility Improvement Review Process (DSGEIS Section 1.1 and Section 6).

3. It's a very large project with so many components to it. This is a very large undertaking which is going to take, it has a lot of components in it and some major components. You have shown us a flowchart of how the approving process will go for each major item. Is that right? (T-046, Planning Board, 11/16/2023).

   The Town Board will be reviewing future improvement plans as outlined in the ACP Facility Improvement Review Process (DSGEIS Section 1.1 and Section 6).

4. Is there a timeline in mind as to, or a sequence of what these components are going to be implemented? When and on a calendar? (T-047, Planning Board, 11/16/2023).

   The specific timeline will be developed following completion of the SEQR process, based on permitting requirements and construction logistics. However, in general, development is anticipated to begin on the southern section of the property, likely starting on the eastern side.

5. Just to emphasize that any major component, when we start implementing it, there will be several opportunities for the public which are more concerned of what's happening to voice their concerns, to give their ideas, to provide input to help the project along? There will be many such opportunities in the future? (T-048, Planning Board, 11/16/2023).

   As noted in the ACP Facility Review Process (Section 1.1 of the DSGEIS), all ACP applications will be posted to the Town "Pending Development Projects" webpage and noticed when placed on the Town Board agenda. Section 6 sets forth thresholds for improvements requiring additional review.

4.2.2 PUBLIC COMMENTS

1. PUD (Planned Unit Development) standards requires details of the development be made available to the public...in its entirety. Segmenting is not an option and requires more than a map for information. How can anyone approve this vague, haphazard, hodgepodge proposal? (P-034, Ferraro, Public, 11/15/2023).

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Comment acknowledged.

2. Each significant addition to this property needs a public hearing where all stakeholders are included and have all relevant facts and costs available to them. That has not and is not happening. Manipulation behind closed doors with selected attendees clearly bypasses community oversight and input. It is purposeful and reprehensible. (P-035, Ferraro, Public, 11/15/2023).

   The Town Board will be reviewing future improvement plans in the Amherst Central Park as outlined in the ACP Facility Improvement Review Process. As detailed in the DSGEIS Section 1.1 and Section 6, the Director of Facilities will work with the Planning Director to prepare a Facilities Improvement Plan application ("ACP Application") for the ACP Planning Team to review. The ACP Application will be posted on the Town website and distributed to Town departments and other agencies as appropriate. The ACP Planning Team's recommendations will be reviewed at a Town Board meeting, including a public hearing if required. The Town Board will issue a SEQRA determination, if required, and decide whether to approve and fund the proposed improvement. Significant improvements to the Amherst Central Park will require funding that must be approved by the Town Board. The Board may be required, or elect, to hold a public hearing prior to approval.

3. Building Musical Fare, a pre-K day care, an amphitheater, moving the museum, including the animals are being pushed on residents with no transparency, no short and long term costs and no serious discussion of the feasibility of locating all of this in a residential neighborhood with inevitable consequences. (P-036, Ferraro, Public, 11/15/2023).

   Starting in 2018 the proposed ACP Plan was the product of a multi-year participatory planning process involving municipal leaders, residents, community stakeholders and consultants. Several meetings and discussions have been held. The Town published the plan in the Amherst Bee in May 2023 and provided a QR code to access more information on the plan. The Amherst Central Park is a component of the Amherst LWRP Plan (Section 4).

4. Please consider doing the right thing for this prime piece of greenspace...that some seem to be hellbent on destroying...incrementally. Please make an effort to read the entire proposal...and ask yourself if it makes sense environmentally, economically…in a financially strapped town/county/state, and in the best interest of ordinary citizens? You might start by revisiting the traffic safety issues of the entire area in 2023. Not earlier. Such negligence demonstrates either appalling ignorance or willful blindness. (P-037, Ferraro, Public, 11/15/2023).

   Comment acknowledged. An updated (October 2023) traffic study was prepared for the DSGEIS.

5. I am here to request that the Town withdraw this application or that the Planning Board removes it from their agenda until such time as the application is complete. To date the Town Board has not presented, accepted or approved an actual "Amherst Central Park Plan." This is the first actual

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

public hearing addressing any part of the plan. So this proposal for a Planned Unit Development seems premature, vague and incomplete. It's not clear under what authorization this petition was even submitted. No authorizing resolution from the Town Board is included in the application.

The Planning Board is tasked with making a recommendation to the Town Board based on whether the Central Park Development Plan described is consistent with the Comprehensive Plan and the Zoning ordinance, including the stringent development standards for a Planned Unit Development. The Board also needs to consider whether the Plan is compatible with uses allowable in the current RC (Recreation Conservation) zoning district and conforms to the character of surrounding neighborhoods, as well as determining if there are adequate services and utilities, etc. prior to formulating a recommendation to the Town Board. SEQRA requirements also needs to be fulfilled, as this is a Type I action, highly likely to produce negative environmental effects.

Unfortunately, the PUD application is incomplete, with only a vague visual concept plan included, and an even vaguer SGEIS to assist you in your task of review. The zoning code for PUD only mentions a requirement for the inclusion of a Conceptual Development Plan, but that is not the only required submittal. As I said earlier, this Park Plan has never been presented to the public at a prior hearing. If this Board was meant to review it at this stage, you would have a complete plan to compare to the PUD Development Standards in the code. The development standards, although allowing for flexibility in choice of how to meet the standards, still must be met. Nowhere in the standards does it give an opportunity to change or alter the Development Approval Process, set forth in Town Code, but that is what's being proposed here tonight. What's missing: (P-052, Shapiro, Public, 11/16/2023) [See comments P-053 through P-065 which are addressed in the following sections]

Comment	Section
P-053	4.4.1
P-054	4.7.1
P-055	4.5.3
P-056	4.5.3
P-057	4.13.2
P-058	4.9.1
P-059	4.13.2
P-060	4.13.2
P-061	4.12.2
P-062	4.3.1
P-063	4.2.2
P-064	4.13.2
P-065	4.1.3

Starting in 2018 the proposed ACP Plan was the product of a multi-year participatory planning process involving municipal leaders, residents, community stakeholders and

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

consultants. Several meetings and discussions have been held. The Town published the plan in the Amherst Bee in May 2023 and provided a QR code to access more information on the plan. The Amherst Central Park is a component of the Amherst LWRP Plan (Section 4). The Amherst Central Park, with its location along Ellicott Creek is a featured project for recreation and waterfront enhancement in the Town. The New York State Department of State (NYSDOS) LWRP plan is adopted by the Town Board and New York Secretary of State.

On October 2, 2023, the Town Board issued a SEQR Positive Declaration as part of its self-initiated PUD application. On October 16, 2023 the Town Board amended its PUD application, such application was deemed completed the same time the Town Board accepted the DSGEIS as complete. All of which were made publicly available as required. The PUD process required the Planning Board to issue a recommendation to the Town Board. On November 16, the Planning Board, in accordance with Section 8-4-4 of the Zoning Ordinance, recommended approval of the PUD application and Conceptual Development Plan.

6. Development Phasing Plan - It's impossible to know what to expect as there is no narrative or phasing plan available. (P-063, Shapiro, Public, 11/16/2023).

   The Amherst Central Park southern portion will be developed as shown in the PUD plan as individual projects. The northern area is not planned for development at this time.

7. Regarding the Amherst Central Park project, my understanding is the zoning for this parcel remains RC (Recreation Conservation), with no zoning district change, however, adjustments are proposed as part of the PUD application. There is a leap of faith involved as the purpose of the PUD Process is to permit coordinated development that allows flexibility to respond to market demands. And the intent is to adjust the regulations, standards and criteria of the Zoning Ordinance as part of the PUD Process for the Amherst Central Park to implement the Conceptual Development Plan and future improvements that are not part of the Conceptual Development Plan. (P-066, Hochberg, Public, 11/16/2023).

   Comment acknowledged.

4.3 Alternative Analysis

4.3.1 PUBLIC COMMENTS

1. Rationale for an alternate Development Approval Process - There is simply no rationale given to create a unique Development Approval Process for this Park development. Initiating projects on this Town owned property needs to be done in the daylight, in front of the Public. Initiating projects that require the use of town employee time or consultants result in expenditure of taxpayer dollars and the Director of Facilities has not been given that authority by the Town Board. Our Town Code is pretty specific that the power rests with our elected Town Board in a public process. Recently the CIP process has been bastardized to fund segmented aspects of

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

this development process without proper disclosure to the public and SEQRA review of the whole development. It should not be used to initiate projects which will segment the review process, stealing from Peter to pay Paul.

The Town Board is able right now to create an Amherst Central Park Task Force with entity made up of the Town employees listed in their proposed process. This is usual practice in the TOA, but it's not clear why they want to subvert public involvement as early in the project as possible and feel the need to hide behind an internal structure. Creating this one of kind development process, would set a dangerous precedent, and would be counter to SEQRA. A Planned Unit Development approval is not the way to accomplish changing the Development Approval Process. The Town Board tried to avoid having this development go through the time-tested Development approval process by exempting "certain public properties," but ended up withdrawing their resolution after residents rejected this proposed hidden process. This Town has a history of working with town officials and residents together to create community amenities that suit everyone. No special approval process necessary. Why should this one be any different? (P-062, Shapiro, Public, 11/16/2023).

The Director of Facilities will be acting on the direction of the Town Board in accordance with the Amherst Central Park development plans and funding available. The proposed ACP Planning Team is comprised of agency representatives that currently review site development plans. The public will have opportunities to comment. Town Board approval of ACP applications will be considered in tandem with budget approvals. As discussed in Section 6 of the DSGEIS, proposed projects not properly evaluated in the DSGEIS would still be subject to the usual requirements of SEQRA.

4.4 Zoning

4.4.1 PUBLIC COMMENTS

1. Variances Required: The Central Park property is zoned RC (Recreational Conservation). The following uses displayed on the concept plan are not allowed in this zoning district:

    - Livestock is not permitted (Livestock is noted on the site of a relocated museum)
    - Chickens are not permitted (Chickens may be included on the site of a relocated museum)
    - Commercial uses are not permitted {Commercial use is indicated in the EAF, but not elaborated upon). It's not clear if "Winter Market" will include commercial uses. Food and Beverage solid waste in large numbers are also indicated. It's not clear if the BNHV is a commercial use and whether the public will have to pay admission, as well as the Theatre indicated.
    - Schools and daycares are not permitted as a primary use (they are only permitted as an accessory to a place of worship).

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

The Town still needs to comply with use restrictions in this current zoning district. PUD application does not change this.

As you're aware, Variances are gained via another public process at the ZBA and not part of a PUD approval. (P-053, Shapiro, Public, 11/16/2023).

The Conceptual Development Plan meets the purpose and objectives of the RC-Recreation Conservation zoning district by providing public and private civic uses related to recreation and conservation. The Conceptual Development Plan and Facility Improvement Plans will be consistent with any applicable use regulations, or as adjusted by the Town Board under Section 8-4-6(F) of the ordinance. The Conceptual Development Plan and the proposed uses, which comprise the proposed community park are consistent with the policies of the comprehensive plan.

4.5 Transportation

To Be Completed

4.6 Historic and Archaeological

4.6.1 PUBLIC COMMENTS

1. Additionally, I noted the following omissions in the application:

- 829 North Forest Road is identified as a very important historic resource, but omitted is the clubhouse itself at 772 North Forest Road as well.
- The millrace on North Forest Road near the site was omitted as being is clearly identified as a significant archeological site. (P-070, Hochberg, Public, 11/16/2023).

829 North Forest contains no local landmark designation but is considered an eligible property for the NYS and National Register according to the Cultural Resource Information System. The proposed project will not alter 829 North Forest Road.

The Town is aware of the historic nature of 772 North Forest Road (the Clubhouse). In reference to the NYS Office of Recreation and Historic Preservation (SHPO) evaluation of the 772 North Forest Road property (the Clubhouse), their November 22, 2023 letter states that "*it is the opinion of the OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project*".

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

4.7 Human Health

4.7.1 PUBLIC COMMENTS

1. Brownfield Remediation Plan: Amherst Central Park is a contaminated Brownfield. Other than a couple of vague mentions in the EAF and SEIS, including the removal of 1000's of cf of soil, no detail is given on required remediation. What Standard of clean-up will be done? Will it be done piecemeal as portions of the Park are developed or all at once, prior to development? Will fencing remain up where clean-up has been postponed? It doesn't appear that the Town has initiated the steps required to assess or begin clean-up. No consultants have been identified other to say, "The Town is currently in negotiations with the NYSDEC." This is not adequate information to determine if there are adverse effects to neighboring residents, or if the Park will only be partially accessible for long periods of time. (P-054, Shapiro, Public, 11/16/2023).

   The Property will be cleaned up to regulatory standards for active and passive recreation, dependent upon use within the Amherst Central Park. The work will be completed as the Park is developed; all under oversight of NYSDEC. Fencing will be installed and remain as required by NYSDEC. C&S Engineers has been retained as consultants to the Town. Accessibility to portions of the Park, as it is developed, will be determined with input from NYSDEC.

4.8 Biological Resources

4.8.1 AGENCY COMMENTS

A list of threatened and endangered species that may occur in the proposed project location was requested through the US Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) website. A response was received from the USFWS on October 25, 2023. The following species were identified for the Amherst Central Park:

- Northern Long-eared Bat (Myotis septentrionalis), Endangered;
- Salamander Mussel (Simpsonaias ambigua), Proposed Endangered; and
- Monarch Butterfly (Danaus plexippus), Candidate.

No critical habitats were identified within the Park that are under federal jurisdiction.

An Amherst Central Park Biological Analysis (prepared using IPaC) was submitted for USFWS review on October 25, 2023.

1. Report with subject "List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project" (A-002, USFWS, 10/25/2023).

   As noted above, a Biological Assessment was submitted for USFWS review. Salamander Mussel is not anticipated to be impacted by the Project. The Northern Long-eared Bat potential impacts, if any, are typically managed by time-of-year restrictions on

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

construction. Monarch Butterly habitat is proposed to be enhanced by a pollinator garden and the majority of the site habitat will be preserved.

4.8.2 TOWN COMMENTS

1. What kind of trees is the Town planning for the perimeter? A member expressed concern that trees with falling leaves may cause clean-up and safety concerns for skaters. (T-021, Rodman, Committee on Disabilities, 11/06/2023).

   The plan is to use conifer (non-deciduous) trees to shade the ice in winter. This will reduce solar heat gain on the ice surface which helps keep the ice cooler in winter. There is a precedent for many "natural" ice trails in the US and Canada – and when the leaves fall on the ice, they just get captured within the ice the next time the Zamboni goes around.

4.8.3 PUBLIC COMMENTS

1. There are forests on this property. Trees that are very old. Are they going to be spared? Any forest or wildlife being sacrificed? (P-007, Hudak, Public, 11/12/2023).

   The vegetation within the lower southern area near Sheridan Drive will be removed for the cultural, recreation, and community facilities. The mature vegetation within the central and northern part of the project site will remain preserved (14.97 acres) in total. A small percentage of existing large mature trees will be preserved in open spaces and near the Amherst Central Park features.

2. Will wildlife be preserved? (P-008, Hudak, Public, 11/12/2023).

   There will be over 100 acres left as open space on the project site. The entire Ellicott Creek corridor will remain untouched. The majority of wetlands/waterbodies will remain untouched, a total of 14.39 acres, 14.97 acres of existing mature vegetation will be preserved.

3. Any forest or wildlife being sacrificed? (P-010, Hudak, Public, 11/12/2023).

   The majority of trees on the project site will remain with the exception of trees removed within the lower southern area near Sheridan Drive that could be removed for the cultural, recreation, and community facilities. There will be approximately 110+ acres left as open space on the project site.

4.9 Water Resources

4.9.1 PUBLIC COMMENTS

1. Will wetlands be preserved? (P-009, Hudak, Public, 11/12/2023)

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

The majority of wetlands/waterbodies will remain untouched (10.09 acres) with the exception of the tributary within the lower southern portion of the site. This tributary known as UNT is 0.17 acres and will be altered for the proposed theater and main roadway. The Town will alter this tributary to accommodate proper stormwater run-off. Of the 10.26 acres of wetlands on site, 0.17 acres will be altered.

2. [Commenter states the following is missing] SWPPP/Drainage/Floodway/Floodplain plan, as related to Development. (P-058, Shapiro, Public, 11/16/2023).

   Detailed plans will be prepared when Facility Improvement Plans are prepared for the ACP Planning Team.

4.10 Sanitary Sewer

4.10.1 TOWN COMMENTS

1. The lines on Frankhauser that drain the park have been flushed and cameraed and are clear. (T-011, Schregel, Engineering Services, 11/3/2023).

   Comment acknowledged.

2. The sewer maintenance division agrees with the review process detailed in the PUD Application, sewer flow related approvals shall be given during specific project related site plan reviews. Please note that the splash pad needs to be isolated from sanitary sewer when not in use by adding a valve/diverter, so rainwater can be collected and used for irrigation purposes if needed. (T-018, Reberholt, Engineering Department, 11/6/2023).

   The splash pad will be isolated from the sanitary sewer. As per Erie County Water Director of Environmental Health: NYS Subpart 6-3, Title: Sub Part 6-3 - Recreational Aquatic Spray Grounds | New York Codes, Rules and Regulations (ny.gov), regulates recreational aquatic spray grounds. Due to the potential for human contamination of the water and bacterial/virus growth, water used at aquatic spray grounds cannot be recirculated and reused for the aquatic spray ground. The used water from an aquatic spray ground would be considered wastewater and due to the potential for human contamination may not be used the purposes of irrigation. Erie County Sanitary Code Article IV definitions for Sewage and Offensive Material would be applied here and then Section 2.1 would be applicable.

4.11 Noise, Odor, and Light

4.11.1 PUBLIC COMMENTS

1. Are proposed BNHV livestock really going to be located less than 100' from Frankhauser? If so, what are the noise and odor solutions for those living on Frankhauser? (P-082, Boje, Public, 11/18/2023).

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Comment acknowledged. Operational limitations including limiting hours of outdoor access, number of animals and good sanitary management practices will be employed for the living displays to mitigate potential for odor and noise nuisances.

4.12 Fire Protection/Access

4.12.1 TOWN COMMENTS

1. B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled. Clubhouse, Restroom and Skate Rental, museum buildings are the ones in question. (T-028, Halt, Fire Chief's Association, 11/7/2023).

   The proposed project will comply with Section 503.

2. D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7

   1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertical clearance of 13 feet 6 inches.

   2. 503.2.2 – increase width of fire apparatus access road to __26__ feet to be adequate for fire or rescue operations. Where access roads contain a hydrant and where aerial access is needed.

   3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside.

   4. 503.3 – fire apparatus access roads must be marked as fire lanes per the signage specification established by Appendix D IFC 2015

   5. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads. Distance from Buildings > 30' H should be 15' min. and 30' max.

   6. Appendix D 103.2 Grade: Fire apparatus access roads. Shall not exceed 10 percent in grade. Particularly at the Musical Fare Building. (T-029, Halt, Fire Chief's Association, 11/7/2023).

   The proposed project will comply with Section 503.

3. 2. Section 506 IFC 2015 – Key Boxes – A fire department Knox key box is required for access to building keys. (T-030, Halt, Fire Chief's Association, 11/7/2023).

   The proposed project will comply with Section 506.

4. 3. Section 507 IFC 2015 – Fire Protection Water Supplies

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

A. Indicate all existing Fire Hydrants on plans. Provide a water plan that shows Fire Main connections w/RPZ and Hotbox, fire line to sprinklered buildings and new and existing hydrants.

B. All waterlines with numerous hydrants should be looped or on a grid system. (T-031, Halt, Fire Chief's Association, 11/7/2023).

The proposed project will comply with Section 507.

5. E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building. Fire Dept. connections should be located on fire access road side. (T-032, Halt, Fire Chief's Association, 11/7/2023).

   The proposed project will comply with Section 912.

6. Due to the size of the site, Snyder Fire Chief is requesting a garage/tool room for storage of fire equipment. (This was discussed at a meeting with Dan Rizzo and Anne Dafchik). A concrete pad with a hydrant for training is also desirable. (T-033, Halt, Fire Chief's Association, 11/7/2023).

   The proposed project accommodates storage for fire equipment. The proposed project will accommodate garage style storage for ATV's and tools in the existing Maintenance Garage, centrally located within the Amherst Central Park. A concrete pad with hydrant location will be considered and designed when the new Maintenance Garage is designed.

4.12.2 PUBLIC COMMENTS

1. [There is] No Fire and Emergency Vehicle Plan - Unreviewable (P-061, Shapiro, Public, 11/16/2023).

   Detailed plans, which will include utilities required for fire access will be prepared when Facility Improvement Plans are prepared for the ACP Planning Team.

4.13 Miscellaneous

4.13.1 TOWN COMMENTS

1. The highway [department] will have no maintenance responsibilities in town park. (T-012, Blocher, Highway Department, 11/3/2023).

   Comment acknowledged.

2. Suggest collaborating with SABAH (Skating Association for the Blind and Handicapped) to get their input on accessibility concerns. Member Rachel Martin has a contact at SABAH she can reach out to. (T-020, Rodman, Committee on Disabilities, 11/06/2023).

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Stakeholders and user groups with specialized insights can be consulted to provide guidance to the ACP Planning Team.

3. Are there plans for a protective barrier around the perimeter of the rink? If yes, will that barrier have a wall and/or handle for skaters to hold on to? (T-022, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

4. Suggest accessible items for skaters such as walkers/orange cones/reflective labeled vests (i.e., blind skater) made available for skaters. (T-023, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

5. Will the rink be "skate only" or will there be the option to use other equipment on the rink such as a sled that can be pulled (to increase opportunity for all to experience). (T-024, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

6. Will there be rest places/benches around the perimeter and multiple exits/entrances? (T-025, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

7. Are there plans for an emergency phone/first aid center/indoor area with a family restroom? (T-026, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

8. The Committee would like to have more information about the fire ring and its purpose in this context. This concept was new to the members. A member asked what kind of protective safety barrier would be around the ring. (T-027, Rodman, Committee on Disabilities, 11/06/2023).

   Please see response to 4.13.1 Comment #2.

9. The location monuments or projects that celebrate the diversity of Amherst would be best located in a visible plaza or public place. Could the big meadow area centrally located between the theater museum and clubhouse be ideal? Even though it is spread out it seems like an appropriate location. Perhaps an additional, smaller location might be near the Winter Market. (T-034, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

   Please see response to 4.13.1 Comment #2.

10. Question from committee members on how these types of projects (often considered as art or separate from buildings) would be funded if they are included as part of a larger project or if they are standalone budgets? (T-035, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Please see response to 4.13.1 Comment #2.

11. Could the Buffalo Niagara Heritage Village museum, once relocated, also include a permanent exhibit that celebrates the beginning and current diversity and makeup of the town? (T-036, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

12. Whatever form the exhibit or monuments take it should have the ability to grow over time as diversity grows in the Town... Suggestions for flags, benches, murals, pavers/tiles or monuments... Perhaps there is an opportunity for members of the public to sponsor individual components of the design. A circular layout to the project may be favorable, however the order of the individual components should be such that importance isn't implied from one area over another. (T-037, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

13. Any monuments or plaza components honoring diversity should not only include nationalities but also cultures, religions, faiths, and ethnicity. (T-038, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

14. A request was made to consider the need for large picnic shelters or pavilions similar to the Governor's Lodge at Chestnut Ridge... There are very few Town parks that have large park pavilions. Spaces that enables a large crowd to come together promote "coming together" and interaction. The ability to connect and gather together is important for growing diversity and appreciation of others. (T-039, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

15. Several committees would benefit from regular updates from the Amherst Central Park planning group. Those committees include the Diversity Committee, Committee on Disabilities, and the Arts and Culture in Public Places board. Perhaps regular quarterly updates would be an appropriate interval. (T-040, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

16. A request was made to re-engage the Amherst Central Park task force; public input is important for public support. (T-041, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Please see response to 4.13.1 Comment #2.

17. The committee will send via email examples of good exhibits or public spaces that celebrate diversity. (T-043, Dafchik, Diversity Committee-Meeting Notes, 11/14/2023).

    Comment acknowledged.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

4.13.2 PUBLIC COMMENTS

1. What type of fence is being planned for the perimeter of the Park since there is an entry gate on Frankhauser? (P-050, Koerber, Public, 11/16/2023).

   Screening in the form of vegetation or fencing will be evaluated during the preparation of the Facility Improvement Plans. Such screening/buffering will be incorporated when necessary to mitigate for noise and/or light glare.

2. Overall Conceptual Landscaping Plan: PUDs rely heavily on landscaping for buffering of different portions of developments, from neighbors, roadways, paths, etc, within the unified development. Not enough detail has been given in order to review an actual plan with development standards. (P-057, Shapiro, Public, 11/16/2023).

   Screening in the form of vegetation or fencing will be evaluated during the preparation of the Facility Improvement Plans. Such screening/buffering will be incorporated when necessary to mitigate for noise and/or light glare.

3. Overview Lighting Plan: No lighting plan is included. This will be a very important part of review required to assess potential negative effects of the development on the surrounding neighborhoods and public safety. (P-059, Shapiro, Public, 11/16/2023).

   Detailed plans, which will include lighting, will be prepared when Facility Improvement Plans are prepared for the ACP Planning Team.

4. [Commenter states that this item is missing from the DSGEIS] No Dumpster/Utility Plan: Unreviewable (P-060, Shapiro, Public, 11/16/2023).

   Detailed plans, which will include utilities, will be prepared when Facility Improvement Plans are prepared for the ACP Planning Team.

5. ETC…. (P-064, Shapiro, Public, 11/16/2023).

   Comment Acknowledged.

6. 10 year build out, starting at the south end. Omission in application is any timeline for when the north end will be available. Please do not make us wait towards the end of the build out to enjoy the passive section of the park.

   Approximately 26 years ago residents of North Forest Rd, County Section between Maple Road & Sheridan Drive stood for the first time before an Amherst Board to voice concern and stand in solidarity to protect the character & integrity of our area. In that moment we started to paint the picture of what we wanted here with success. I am proud to be a leader in that over the many years.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

It has expanded beyond just us in wanting to preserve this central area, and brings us to today, with the many neighborhoods surrounding the project invested in the outcome of the proposed Amherst Central Park.

Thanks to Daniel Howard and his team in the Planning Department on their hard work. Everyone wants a good result. (P-071, Hochberg, Public, 11/16/2023).

The timing of the Amherst Central Park construction is to be determined during the Facility Improvement Plan process.

7. I would like to thank the Town of Amherst for proposing a park setting on this property. I have 3 concerns I would like to express for the record and bring to your attention this evening.

   The first is a request for an 8-foot-high maintenance free fence running the entire property line between [address removed] North Forest and the park property, specifically 4 feet from the street to the creek. I have lived on North Forest for 37 years and have always enjoyed my privacy and am concerned that visitors to the park could easily wander into my yard as they meander through the walking and biking paths. I'm asking for 8 foot high, so it is not easily scaled and asking for maintenance free, so the Town of Amherst doesn't have to be attentive to regular maintenance such as painting or staining. (P-072, Schmitt, Public, 11/16/2023).

   The ACP Planning Team will evaluate what form of screening/buffering may be necessary to minimize any potential impacts to adjacent residents.

8. Next, I would ask that all parking lot and area lighting that is adjacent to my homes be positioned facing away from my properties and that the proposed new maintenance garage, that is within 100 feet of my property, only has service hours between 7:00am and 6:00pm. (P-073, Schmitt, Public, 11/16/2023).

   Any proposed lighting will be dark sky compliant and be designed to minimize impacts to adjacent properties. Facility programming and timing is premature, the ACP Planning Team will consider this request. The Town will establish reasonable hours which will minimize impacts to adjacent users.

9. My name is [Name] and I've lived at [Address] in Williamsville for the last 30 years, where we've enjoyed the open, green, peaceful setting of what used to be Westwood Country Club.

   In the last few years it has become an eyesore with Northtown Dealerships using the tennis courts as a parking lot.

   My home is directly across from the current entrance of Amherst Central Park and where the planned skating rink, restrooms, winter market, etc. are to be placed.

   The issue my husband and I have with this plan is that you currently do not show on your map any division between the roadway (North Forest) and the planned sites; such as burms, trees and/or fences.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

This is desperately needed to cut down on noise, lighting that may be directed towards our homes and most importantly for safety reasons. Since we have lived in our home there have been numerous times that cars come around the curve on North Forest and veer off directly into that piece of land. Without the safety of burms/trees/fence the children/adults that may be using the site could be seriously injured.

We ask that you take these points into consideration while finalizing your plans. (P-076, Fillipponi, Public, 11/20/2023)

The design of the playground, splash pad and restroom building will include landscaping and stormwater control areas that will create additional natural buffers, beyond the physical distance between the roadway and the buildings/park components.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

APPENDICES

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Appendix A Comments

A.1 Written Comments

A.1.1 AGENCY

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

From: Howard, Dan
To: Audino, Kate; Wendy A. Marsh; Wagner, Barbara; Kelsey Wessel
Cc: Szatkowski, Jeffrey; Schregel, Chris; Polowy, Martin; Burakowski, Elizabeth; dchoward60@gmail.com
Subject: FW: Amherst Central Park - Notice of Completion SDGEIS
Date: Wednesday, November 22, 2023 4:14:09 PM
Attachments: image001.png

See response letter from the NYSDOT below.

Looks like we will have an issue with a Sheridan access.

Several comments on the TIS.

I can be reached at 716-957-4764 or my gmail address over the weekend.

From: dot.sm.r05.SEQR <dot.sm.r05.SEQR@dot.ny.gov>
Sent: Wednesday, November 22, 2023 1:46 PM
To: Howard, Dan <DHOWARD@amherst.ny.us>
Cc: Carrato, Amy <acarrato@amherst.ny.us>; Polowy, Martin <mpolowy@amherst.ny.us>; Burakowski, Elizabeth <eburakowski@amherst.ny.us>; Ismail, Haris (DOT) <Haris.Ismail@dot.ny.gov>; Hill, David J. (DOT) <David.Hill@dot.ny.gov>; Richards, Thomas J. (DOT) <Thomas.Richards@dot.ny.gov>; Ulatowski, Daniel <dulatowski@amherst.ny.us>
Subject: RE: Amherst Central Park - Notice of Completion SDGEIS

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

The New York State Department of Transportation (NYSDOT) has reviewed the documentation provided for **Amherst Central Park – 772 North Forest Rd** and has the following comments:

- NYSDOT concurs with Town of Amherst for it to act as the Lead Agency
- **Traffic Impact Study Comments**
  - NYSDOT policy requires developments to utilize minor street access points when they are available. After reviewing the TIS and the proposed internal circulation patterns, an entrance to the Amherst Town Park will not be permitted on Sheridan Drive (NY 324). Additional access points should be considered along Frankhauser Road and North Forest Road. Additional access points along the local road network will provide safer access points to the park and the state/county highway system via existing 3-color traffic signals at Frankhauser Road/Sheridan Drive, North Forest Road/Sheridan Drive and North Forest/Maple Road.
  - Based on the signal warrant analysis provided in the TIS, a signal will not be considered at the intersection of Fenwick Road and Sheridan Drive. The analysis did not identify any MUTCD warrants that would be met based on

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

current or projected traffic volumes.

- After corrections to the Synchro model are made, tables 2, 3, and 7 of the TIS will need to be updated.
- Section 4: The Westwood Mixed Use development will not be constructed, and therefore has no part in the analysis for this location.
- Table 7 (continued) uses lower case letters for LOS for NYS Route 324 at Fenwick Road. For consistency purposes all LOS should be capital letters.
- Based on the area's development potential, further justification for the growth rate reductions of 1%-2% will need to be provided.

- **Synchro Analysis Comments**

  - Sheridan & Harlem

    - Signal phasing will need to be corrected such that phase 4 of this signal is a pedestrian exclusive phase to cross Sheridan Drive on the western side of the intersection. Phase 1 is a westbound left/thru with the northbound right turn overlap. Please correct the phasing of this signal.
    - The northbound approach on Harlem Road is only two lanes that widens out to four lanes at the intersection. The left lanes should be modeled as storage. Not showing this storage limitation will greatly affect how queueing and storage affects traffic.
    - The signal detection should be changed from synchro default to two 20' loops with a 10' gap allowing for 50' of detection near the signal.
    - Pedestrian cross times will be required for phases 2 and 4 of the signal. Phase 2 has 35 seconds of pedestrian clearance with 7 seconds of walk and phase 4 has 27 seconds of pedestrian clearance with 7 seconds of walk.

  - Sheridan & I-290

    - The I-290 Westbound off ramp is only one lane coming off the I-290 that widens out to 3 lanes closer to the intersection. Change the model to have the left lane and right land to be modeled as storage lanes.
    - The signal detection model should be two 20' loops with a 10' gap extending 1' in front of the stop bar.
    - The existing model shows 3 westbound travel lanes on Sheridan Drive west of Frankhauser. However, at Frankhauser, there are only 2 westbound lanes with the third lane not opening until after Sunrise. The model will need to be corrected to accurately depict the existing condition.
    - Pedestrian cross times will be required for phases 2 and 6 of the signal. Phase 2 has 15 seconds of pedestrian clearance with 7 second walk

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

and phase 6 has 19 seconds of pedestrian clearance with 7 seconds of walk.

- Sheridan & Frankhauser
  - The signal detection model should be two 20' loops on the Frankhauser approach. There is currently no signal detection on the Sheridan Drive approaches.
  - Pedestrian cross times will be required for phases 1 and 3 of the signal. Phase 1 has 17 seconds of pedestrian clearance with 7 seconds of walk and phase 3 has 27 seconds of pedestrian clearance with 7 seconds of walk.
- Sheridan and North Forest
  - The signal detection model should be two 20' loops with a 10' gap between them in each lane.
  - Pedestrian cross times will be required for phases 2,4,6, and 8 of the signal. Phase 2 has 21 seconds of pedestrian clearance with 7 seconds of walk, phase 4 has 32 seconds of pedestrian clearance with 7 second walk, phase 6 has 32 seconds of pedestrian clearance with 7 seconds of walk, and phase 8 has 28 seconds of pedestrian clearance with 7 seconds of walk.

- Synchro Build Conditions
  - All Synchro comments above will need to be applied to the build conditions model

- Please update the NYSDOT contact info for future SEQR processes, Site Plan reviews, Zoning updates and changes, variances, or other similar review requests to the NYSDOT Region 5 SEQR Coordinator Group at the following:

SEQR Coordinator Group
Planning and Program Management
New York State Department of Transportation Region 5
100 Seneca Street, Buffalo, NY 14203
dot.sm.r05.SEQR@dot.ny.gov

At your earliest convenience, please submit a comment resolution letter along with the updated traffic impact study and synchro model for review. Additional comments may follow after the review of the Synchro model and the revised TIS.

A NYSDOT Highway Work Permit is required to work within the State's right-of-way. This

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

correspondence does not constitute approval for the purposes of the Highway Work Permit.

Mohammad Albayed
Assistant Engineer – Planning & Program Management

NYS Department of Transportation, Region 5
100 Seneca Street, Buffalo, NY 14203
(716) 847-3519 | mohammad.albayed@dot.ny.gov
www.dot.ny.gov

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

From: Ulatowski, Daniel <dulatowski@amherst.ny.us>
Sent: Tuesday, October 17, 2023 4:26 PM
To: 'FW5ES_NYFO@fws.gov' <FW5ES_NYFO@fws.gov>; 'LRB.Regulatory.NewYork_Actions@usace.army.mil' <LRB.Regulatory.NewYork_Actions@usace.army.mil>; Denk, David (DEC) <david.denk@dec.ny.gov>; Hill, David J. (DOT) <David.Hill@dot.ny.gov>; Castle, Daniel (ERIE) <daniel.castle@erie.gov>; Walkowski, Jennifer (PARKS) <Jennifer.Walkowski@parks.ny.gov>; Geary, William E. (ERIE) <william.geary@erie.gov>; 'media@ecwa.org' <media@ecwa.org>; 'sfdistrict@snyderfd.com' <sfdistrict@snyderfd.com>; Delaney, Jennifer (ERIE) <jennifer.delaney@erie.gov>; 'trmaturski@williamsvillek12.org' <trmaturski@williamsvillek12.org>; dmingoia@amherstida.com; Burroughs, Jeffrey <jburroughs@amherst.ny.us>; mberke@amherst.ny.us; Lucey, Patrick G. <plucey@amherst.ny.us>; Murphy, Emily <emurphy@amherst.ny.us>; khalt@amherst.ny.us; cschregel@amherst.ny.us; aherberger@amherst.ny.us; vreberholt@amherst.ny.us; 'dcopeland@roadrunner.com' <dcopeland@roadrunner.com>
Cc: Carrato, Amy <acarrato@amherst.ny.us>; Polowy, Martin <mpolowy@amherst.ny.us>; Burakowski, Elizabeth <eburakowski@amherst.ny.us>
Subject: Amherst Central Park - Notice of Completion SDGEIS

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Interested/Involved Agency:

Please see attached notice pursuant to Part 617 of the State Environmental Quality Review Act.

Sincerely,

Daniel J. Ulatowski, AICP
Assistant Planning Director/ZEO
Town of Amherst Planning Department

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

5583 Main Street
Williamsville, New York 14221
O: 716.631.7051
E: dulatowski@amherst.ny.us

Caution: This email originated from outside of Stantec. Please take extra precaution.

Attention: Ce courriel provient de l'extérieur de Stantec. Veuillez prendre des précautions supplémentaires.

Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
Email Address: fw5es_nyfo@fws.gov

In Reply Refer To:
Project Code: 2024-0008434
Project Name: Amherst Central Park

October 25, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
(607) 753-9334

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

PROJECT SUMMARY

Project Code: 2024-0008434
Project Name: Amherst Central Park
Project Type: Recreation - New Construction
Project Description: Adoption of a conceptual development plan for a planned unit development for the conversion of a former private golf course to a community park to include cultural, recreational and civic public spaces on an approximately 170.5 +/- acre parcel (see attached description). And, a Supplemental Final Environmental Impact Statement for the proposed project site.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@42.99217065,-78.7733148465993,14z



Counties: Erie County, New York

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

CLAMS

NAME	STATUS
Salamander Mussel *Simpsonaias ambigua* There is **proposed** critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/6208	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

IPAC USER CONTACT INFORMATION

Agency: Amherst town
Name: Jeffrey Szatkowski
Address: 5583 Main Street
City: Williamsville
State: NY
Zip: 14221
Email jszatkowski@amherst.ny.us
Phone: 7166317051

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

New York State
Parks, Recreation and
Historic Preservation

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

November 22, 2023

Daniel Howard
Planning Director
Town of Amherst
5583 Main St
Williamsville, NY 14221

Re: DEC
Amherst Central Park Planned Unit Development
772 N Forest Rd, Amherst, NY 14221
23PR09036

Dear Daniel Howard:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

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

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation
Division for Historic Preservation

rev: S. Snyder

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
700 Delaware Avenue, Buffalo, NY 14209
P: (716) 851-7165 | F: (716) 851-7168
www.dec.ny.gov

SENT VIA EMAIL

November 20, 2023

Daniel Howard, Planning Director
Town of Amherst
5583 Main Street
Williamsville, NEW York 14221

Dear Daniel Howard:

Draft Supplemental Generic Environmental Impact Statement
Amherst Central Park
772 North Forest Road, 385 & 391 Maple Road
Town of Amherst, Erie County

The New York State Department of Environmental Conservation (NYSDEC) has reviewed the Draft Supplemental Generic Environmental Impact Statement (DSGEIS) prepared for the above-referenced project. The DSGEIS appears to cover all of the environmental issues and impacts that are of a concern to this agency. However, please note the following:

1. **Section 2.3 Description of Required Approvals and Permits:**

   a. If stormwater outfalls are to be connected to Ellicott Creek (water classification and standard of B, pursuant to 6 NYCRR Part 837, Item 25), a Protection of Waters Permit (Article 15, Title 5 of the Environmental Conservation Law) will be required from NYSDEC.

   b. If any of the project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice of Intent (NOI) and prior to commencement of the project.

      The Town of Amherst is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The “MS4 SWPPP Acceptance” form must be signed by the principal executive officer or ranking elected official from the MS4 community, or by a duly authorized representative of that person, and submitted along with the NOI, to the Department at NOTICE OF INTENT,

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commences.

2. **Section 4.3, Impacts Assessed as None/Small, Flood Hazard Zones:**

   a. Flood Control: The portion of Ellicott Creek within the proposed work area is part of the Ellicott Creek Flood Control Project. An Article 16 Flood Control Land Use Permit from the Department and a Section 408 Permission may be required for work near or within the creek.

   b. Floodplain Management: Any work done in a floodplain will require a Floodplain Management Permit which can be obtained through the Town of Amherst Floodplain Manager. Please note that the proposed work area includes both floodplain and floodway, the latter of which is more restrictive. Also, projects are state-financed, NYCCRR Part 502 may apply and must meet all FEMA floodplain management criteria.

3. **Section 4.5.1, Surface Waters Existing Conditions:**

   a. Freshwater Wetlands: There are no NYSDEC Regulated Freshwater Wetlands mapped on the property. Prior to undertaking a project, a Request for Wetlands Determination, Verification, or Delineation should be submitted to NYSDEC to confirm that the wetlands are not jurisdictional.

   b. Freshwater Mussels: Ellicott Creek is identified as having New York State listed threatened and endangered mussel species and critically imperiled (S1) and imperiled (S2) mussel species. If the proposed project involves any activity within or adjacent to Ellicott Creek, additional consultation with NYSDEC will be necessary to determine if a freshwater mussel survey is required.

4. **Section 4.5.2, Surface Waters Potential Impacts:** Ellicott Creek, has a water classification and standard of B, pursuant to 6 NYCRR Part 837, Item 25. Therefore, any physical alteration (i.e. land clearing, filling, drainage pipe/ditch installation, etc.) to the bed or banks (within 50 feet of the stream) will require an Article 15, Title 5, Protection of Waters Permit from this Department.

5. **Section 4.7.1, Existing Conditions**: This section states that *"A comprehensive environmental assessment of the Property revealed the presence of contamination in soils at the site that exceed New York State Department of Environmental Conservation ("NYSDEC") Soil Cleanup Objectives for commercial, passive and active remediation land use."* This statement is inaccurate, investigations to characterize potential impacts to environmental media have been limited and focused on a few former golf course holes. This statement should be revised to accurately reflect the extent of the completed environmental assessment.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

NYSDEC encourages the Town to coordinate with all involved and interested agencies as future projects are better defined. Thank you for the opportunity to comment on the DSGEIS.

Please do not hesitate to contact me or Lisa Connors with any questions or comments regarding this letter at (716) 851-7165 or lisa.connors@dec.ny.gov.

Sincerely,

David S. Denk

David S. Denk
Regional Permit Administrator

LDC

ecc: Daniel Ulatowski, Town of Amherst Assistant Planning Director

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.
AND REPLY TO MUNICIPALITY

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE
Case No.: M617-23-610
Postmark/Delivery Date: 10-18-23

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 l - nn
A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

Description of Proposed Action

1. Name of Municipality: Town of Amherst

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.
If the county fails to reply within such period, the referring body may take final action.
However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)
The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

2. Hearing Schedule: Date 12/4/2023 Time 7PM Location 5583 Main Street, Williamsville

3. Action is before: ☑ Legislative Body ☐ Board of Appeals ☐ Planning Board

4. Action consists of: ☐ New Ordinance ☐ Rezone/Map Change ☐ Ordinance Amendment
☐ Site Plan ☐ Variance ☐ Special Use Permit ☑ Other: PUD Application

5. Location of Property: ☐ Entire Municipality ☑ Address: 772 North Forest Road, 385 & 391 Maple Road

5a. S.B.L. of Property: 68.01-1-1.2,55.18-4-9&10

6. Referral required as site is within 500' of: ☐ State or County Property/Institution ☐ Municipal Boundary ☐ Farm Operation located in an Agricultural District
☐ Expressway ☑ County Road ☑ State Highway ☐ Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: *(specify the action, such as the scope of variances or site plans)* adoption of a planned unit development and implementation of a conceptual development plan for 171+/- acre community park.

8. Other remarks: date prepared: 10/17/2023

9. Submitted by: Daniel J. Ulatowski, AICP, Assistant Planning Dir. **Email:** dulatowski@amherst.ny.us

10. Return Address: Amherst Town Hall, 5583 Main Street, Williamsville, NY 14221

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 10/18/23. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. ☐ **The proposed action is not subject to review under the law.**
2. ☐ **Comment on proposed action is attached hereto.**
3. ☐ **The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.**
4. ☒ **No Recommendation; proposed action has been reviewed and determined to be of local concern.**

By the Division of Planning: Dan M. Hall **Date:** 11/20/23

ZR1
Revised 5/22

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

COUNTY OF ERIE

WILLIAM E. GEARY, JR.
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS
RATH BUILDING 14TH FLOOR

TELEPHONE:716.858.8300
FAX: 716.858.8228

November 22, 2023

Mr. Daniel Howard, AICP
Planning Director
Town of Amherst Planning Department
5583 Main Street
Williamsville, New York 14221

Re: Proposed Amherst Central Park
772 North Forest Road (CR-294)
385 & 391 Maple Road (CR-192)
(T) of Amherst, County of Erie

Dear Mr. Howard:

Erie County Department of Public Works has reviewed the conceptual plan for the proposed Amherst Central Park located at 772 North Forest Road (CR-294) and 385, 391 Maple Road (CR-192) in the Town of Amherst, and has the following comments:

1. Include a left turn lane on North Forest Road (CR-294) at the driveway to the Park.

2. Realign the existing curb and drainage structure on the west side of North Forest Road (CR-294) to accommodate the proposed left turn lane.

3. A stormwater management report and drainage plans shall be provided for our review. Stormwater drainage for this site shall be designed in accordance with the New York State stormwater management design manual and local Town requirements.

Permit Requirements

1. The project sponsor will be required to apply for and obtain an Erie County Highway Work Permit for Utility Work Perm-2 prior to construction within the North Forest Road (CR-294) and Maple Road (CR-192) highway right-of-way.

2. The project sponsor will be required to apply for and obtain an Erie County Highway Work Permit for Non-Utility Work, Perm 3 prior to construction within the North Forest Road (CR-294) and Maple Road (CR-192) highway right-of-way.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Attn: Mr. Daniel Howard, AICP
Planning Director
Town of Amherst Planning Department
Re: Proposed Amherst Central Park
Date: November 22, 2023

Further review by this department will commence upon receipt of a stormwater management report and final design drawings.

Sincerely,

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS

Garrett M. Hacker, P.E.
Senior Civil Engineer

cc: Karen Hoak, Deputy Commissioner – Highways
Darlene Svilokos, P.E., Director of Engineering
Gina Wilkolaski, P.E., Traffic Safety Engineer
Joseph Donlon, Senior Highway Maintenance Engineer
David Hall, DEP - Planner
File: CR-192

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

A.1.2 TOWN

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST
BUILDING DEPARTMENT
ERIE COUNTY, NEW YORK
5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E.
Commissioner of Building

RECEIVED
NOV 01 2023
TOWN OF AMHERST
PLANNING DEPT.

DATE: October 24, 2023

TO: Planning Department

FROM: Doug Gesel Supervising Code Enforcement Officer

RE: Conceptual Plan SP-2023-11 for 772 N Forest Rd, 385 & 391 Maple Rd

☒ Site Plan is: ☐ Subdivision is: ☐ ODA is: ☐ CSP is:

☒ Approved as Submitted

☐ Approved with the following conditions or changes:

☐ Denied for the following reasons:

☐ Not reviewable at this stage because the following information is not provided:

☐ Not applicable to this department at this time.

NOTE:

☒ Floodplain Development Permit required.

☒ Wetlands on property.

☐

*This review was for site compliance only.
*Approval does not grant permission to start construction.

Douglas Gesel

Supervising Code Enforcement Officer
Town of Amherst Building Department

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

PUD

8.1.c

AMHERST FIRE CHIEFS' ASSOCIATION INC.

To: Dan Howard, Planning Director Date: 10/30/23

From: Krista Halt, Liaison to Amherst Fire Safety Committee

RE: Site Plan Review: PUD APPLICATION REVIEW SP-2023-11 PROPOSED CONCEPTUAL DEVELOPMENT PLAN FOR A NEW COMMUNITY PARK
Address: 772 NORTH FOREST RD. 385 & 391 MAPLE RD.

Petitioner: TOWN OF AMHERST

The above referenced ☐ Site Plan is ☐ Subdivision is ☐ Minor Modification is:

☒ Approved as Submitted

☐ Denied due to the following:

☐ Not reviewable at this time due to the following:

RECEIVED
OCT 30 2023
TOWN OF AMHERST
PLANNING DEPT.

☐ 1. Section 503 FCNYS 2020 – Fire Apparatus Access Road

- ☐ A. Section 503 Firelanes (fire apparatus access roads) be provided in accordance with the FCNYS 2020
- ☐ B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled.
- ☐ C. 503.1.2 – provide an additional fire apparatus access road
- ☐ D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7
  - ☐ 1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertical clearance of 13 feet 6 inches.
  - ☐ 2. 503.2.2 – increase width of fire apparatus access road to ____ feet to be adequate for fire or rescue operations.
  - ☐ 3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside.
  - ☐ 4. 503.2.5 – dead end fire apparatus access roads in excess of 150 feet, shall be provided with an approved area for turning around fire apparatus.
  - ☐ 5. 503.3 – fire apparatus access roads must be marked as firelanes per the signage specification established by Appendix D FCNYS 2020
  - ☐ 6. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads.
  - ☐ 7. Appendix D 103.2 Grade: Fire apparatus access rds. Shall not exceed 10 percent in grade.

☐ 2. Section 506 FCNYS 2020 – Key Boxes – A fire department Knox key box is required for access to building keys.

☐ 3. Section 507 FCNYS 2020 – Fire Protection Water Supplies

- ☐ A. Indicate all existing Fire Hydrants on plans.
- ☐ B. All waterlines with numerous hydrants should be looped or on a grid system.
- ☐ C. All fire hydrants must be within 500 feet of each other. (Subdivisions)
- ☐ D. Section 507.5.1 – provide an additional Fire Hydrant within 400 feet of the most remote point of the building (as the fire hose would be laid out) or within 600 feet if the building is equipped with a Fire Sprinkler system.
- ☐ E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building

COMMENTS:

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Szatkowski, Jeffrey
Sent: Wednesday, October 18, 2023 4:29 PM
To: Szatkowski, Jeffrey
Subject: LA Review SP-2023-11_10182023

There are no comments on the submitted proposed conceptual development plan for a new community park.

Thanks,
Jeff

Jeffrey Szatkowski, Landscape Architect
Town of Amherst Planning Department
5583 Main St.
Williamsville, NY 14221
P: (716) 631-7051

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST

BUILDING DEPARTMENT

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E., CFM
Commissioner of Building

Date: October 31, 2023

To: Daniel Ulatowski, AICP- Asst. Planning Director

From: Alan D. Herberger, Sr. Plumbing Inspector

Re: SP-2023-11; Proposed Conceptual Development Plan; New Community Park; 772 North Forest Rd., 385 & 391 Maple Rd. Town of Amherst, Petitioner

The Proposed PUD Application Review is Approved as Submitted. – Plumbing Dept.

cc: Engineering Dept.
Building Dept.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7030
FAX (716) 631-7101
www.amherst.ny.us

Martin A. Polowy
Town Attorney

Elizabeth A. Burakowski
Director of Special Projects

Nicole M. Burroughs
Senior Paralegal

Samuel A. Alba
Sr. Deputy Town Attorney

Nora B. Robshaw
Sr. Deputy Town Attorney

Brittanylee Penberthy
Town Prosecutor

TO: **Scott Marshall, Planning Department**

FROM: **Nora B. Robshaw, Senior Deputy Town Attorney** NBR/rmj
Right-of-Way Review

DATE: **October 25, 2023**

RE: **Proposed PUD Application Review**
SP-2023-11; Proposed Conceptual Development Plan for a New Community Park
772 North Forest Road, 385 & 391 Maple Road
Town of Amherst, Petitioner

This office has reviewed the materials submitted by your correspondence dated October 17, 2023, and has no comments.

We are returning copies of the materials for your file.

NBR:hs

c: Douglas Gesel, Senior Code Enforcement Officer, *(w/o attachment)*
Brian J. Armstrong, EIT, Director of Engineering Services, *(w/o attachment)*
Jeffrey Burroughs, PE, Town Engineer, *(w/o attachment)*
Mary-Diana Pouli, Executive Director of Youth & Recreation *(w/o attachment)*

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST

TRAFFIC-SAFETY BOARD

ENGINEERING DEPARTMENT – 1100 NORTH FOREST ROAD, WILLIAMSVILLE, NEW YORK 14221
TRAFFIC SAFETY COORDINATOR - TELEPHONE 631-7154 - FAX 631-7222

MICHAEL SZUKALA
Councilmember & Liaison Officer

ERIC FRAAS
Chairman

GREGORY DIONNE
Vice Chairman

CHRISTOPHER P. SCHREGEL
Traffic Safety Coordinator

MEMBERS

DANIEL J. RIDER, P.E.
KENNETH A. SMITH
J. MICHNIEWICZ, P.E., P.T.O.E.
MARK STORCH
MAXWELL KAHN
KEVIN CANTWELL
KRISTIN GOSS
PATRICK WANAMAKER, P.E.

DEPT. LIAISONS

THOMAS VOIGT
Planning

CAPT. CHARLES PERSONS
Police

WILLIAM PRENEVAU
Building

AL SPOTH
Highway

November 2, 2023

TO: Scott Marshall – Principal Planner
Mark S. Berke – Commissioner of Buildings

FROM: Christopher P. Schregel – Traffic Safety Coordinator

SUBJECT: PUD Application Review, **SP-2023-11**
Proposed Conceptual Development plan for a New Community
TOA Job # 2023.16

ADDRESS: 772 North Forest Road, 385 & 391 Maple Road

PETITIONER: Town of Amherst

X PUD APPLICATION REVIEW IS

X APPROVED WITH CONDITIONS

1. Reconsider altering the location and geometry of the N. Forest Road curb-cut as proposed. The proximity of the bends along N. Forest Road at this curb-cut location present challenges given the number trips expected, particularly coming from the north as there is not a proposed access from either Maple Road or Frankhauser Road. Reconsideration of the roundabout configuration is suggested.
2. Provide a pedestrian connection between the public sidewalk along the south side of Maple Road and the internal walking paths that loop near Maple Road.
3. Similar to comment #2, it is expected that park users will utilize the internal pathway system from the north end. Suggested that the Audubon Par 3 parking lot be utilized as a location for park users to park and access the paths within Amherst Central Park (ACP). As such, provide a pedestrian connection between the existing Par 3 parking lot and the internal walking paths within ACP within the golf course. Consider expanding parking at the Par 3 to accommodate this new "trail head".
4. Provide additional internal parking near key park features. Consider utilizing parallel parking along areas where park users may want to access by vehicle, e.g. playgrounds, outdoor exercise area, etc.
5. Traffic Safety Board agrees with the Draft SGIES that while the signal warrants are not met, that a traffic signal still be considered for the ACP driveway on Sheridan Drive at Fenwick to address the projected long delays and queues out of both the site driveway and Fenwick Road. Further providing for an improved pedestrian crossing to the residential subdivision across Sheridan Drive.

CPS/ch
Cc: Jeff Burroughs, Town Engineer
Mary-Diana Pouli, Exec. Director of Youth and Recreation

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST

ASSESSOR'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
PHONE: 716-631-7038

Emily A. Murphy
Assessor
emurphy@amherst.ny.us

MEMORANDUM

TO: Daniel Ulatowski, AICP, Associate Planning Director
Douglas Gesel, Supervising Code Enforcement Officer
Jeff Burroughs, Town Engineer
Scott Marshall, Principle Planner

FROM: Bonnie B. Arnold, Real Property Appraiser

DATE: November 9, 2023

SUBJECT: PUD Application Review: **SP-2023-11**
Proposed: Conceptual Development Plan for a New Community Park
Property Location: **772 North Forest Rd., 385 & 391 Maple Rd**
Petitioner: Town of Amherst

Site plan approved once properties are merged.

cc: Jeff Burroughs, Town Engineer
Mary-Diana Pouli, Exec Dir. Youth and Recreation

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Committee on Disabilities…

Notes for 11/6 meeting.

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Dafchik, Anne
Sent: Tuesday, October 3, 2023 10:00:38 PM
To: Erica Rodman
Cc: Bucki, Debbie ; McCarthy, Robert ; David Wantuck ; Berke, Mark S. ; Rizzo, Daniel J. ; Bushen, Michael
Subject: RE: Follow up Amherst Central Park

Hi Erica – thank you for reaching out. These are all really great suggestions and comments. We are still early in the design process overall, but I believe I can respond to most of your comments.
I'm not yet sure which meeting would be best for me to join. Would you mind please forwarding the calendar invitation for both the October and November meetings? I'm leaning towards November, but I'm not totally sure yet.
Thank you again – these ideas will help make the park a more welcoming place.
Respectfully,
Anne Dafchik, AIA, NCARB
Architect
Facilities
Town of Amherst

1. Suggest collaborating with SABAH (Skating Association for the Blind and Handicapped) to get their input on accessibility concerns. Member Rachel Martin has a contact at SABAH she can reach out to.
    a. *SABAH is an excellent group and we'd be happy to work with them to see what expertise they can share. Would Rachel be able to setup a meeting with SABAH? For me, I'd appreciate if it could be during traditional business hours 9-5, but I can be flexible if absolutely necessary. Typically Monday/Wednesday/Friday afternoons work well for me, or Tuesday mornings.*
2. What kind of trees is the Town planning for the perimeter? A member expressed concern that trees with falling leaves may cause clean-up and safety concerns for skaters.
    a. *The plan is to use conifer (non-deciduous) trees to shade the ice in winter. This will reduce solar heat gain on the ice surface which*

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

helps keep the ice cooler in winter. There is a precedent for many "natural" ice trails in the US and Canada – and when the leaves fall on the ice, they just get captured within the ice the next time the Zamboni goes around. Please see photos below which show leaves captured within the ice and deciduous trees directly adjacent to ice ribbons.

b.





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

3. Are there plans for a protective barrier around the perimeter of the rink? If yes, will that barrier have a wall and/or handle for skaters to hold on to?
    a. *Yes, the protective barrier will double as railing along the outer perimeter of the ice surface. The inner perimeter of the ice surface will have opportunities for seating.*
    b. *A link to a YouTube video below shows Maple Grove ice loop in Minneapolis which serves as an exemplary model. I hope the audio in the video sufficiently describes the images on screen – if not, I am happy to clarify further for folks who may want a better description.*

https://www.youtube.com/watch?app=desktop&v=fsUNbinbmxg

4. Suggest accessible items for skaters such as walkers/orange cones/reflective labeled vests (ie., blind skater) made available for skaters.
    a. *This is a great idea, and we would like to review this again when we get further along into the operations side of this.*
5. Will the rink be "skate only" or will there be the option to use other equipment on the rink such as a sled that can be pulled (to increase opportunity for all to experience).
    a. *Again – another good idea. Is this something SABAH can advise on? Perhaps we need a better understanding on which types of adaptive equipment would be appropriate to make available from the skate rental area so we can offer an inclusive set of options.*
6. Will there be rest places/benches around the perimeter and multiple exits/entrances?
    a. *Yes, with regards to benches, please see the response and video from Question 3 above. With regards to the multiple exits/entrances, we really need to limit it to a maximum of two points of entry/exit. Our facilities team will need to make sure the ice is clear and that people will not re-enter the ice when the Ice Resurfacer (AKA Zamboni) is out cleaning the ice. Where we do have those entry points onto the ice, we will include railings or hand-holds that help people transition onto the ice.*
7. Are there plans for an emergency phone/first aid center/indoor area with a family restroom?

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

a. *The restroom facility building does include two family restrooms, along with family changing rooms – 1 of which will include a 72-inch x 30-inch bench which will allow for diaper needs for older children and adults who need that option.*
b. *The skate rental building includes a Main Lobby that has indoor seating, drinking fountains, etc. I'd like to discuss more how we can include an emergency phone. We do not have space for a dedicated first aid room, but I'm sure we find a solution where people can meet with a paramedic once called, or can self-help with a first aid kit? We are still reviewing the levels of staffing that will be required to make this area of the park functional.*

8. The Committee would like to have more information about the fire ring and its purpose in this context. This concept was new to the members. A member asked what kind of protective safety barrier would be around the ring.
   a. *As shown in the example video, a low wall with a glass barrier creates an aesthetic that allows people to view the fire without being close enough that it creates a danger. All fire rings in public spaces require safety shut-off buttons that would allow any park user to immediately shut off the gas supply should there be a problem. In the image below, the safety shut-off is the yellow and black "stand" at the left of the seating ring.*
   b. 

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

From: Erica Rodman
Sent: Monday, October 2, 2023 1:37 PM
To: Dafchik, Anne
Cc: Bucki, Debbie ; McCarthy, Robert ; David Wantuck ; Berke, Mark S.
Subject: Follow up Amherst Central Park

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Happy Monday, Anne -

Thank you for reaching out last month to share more insight into the Amherst Central Park project. The Committee met a couple of weeks ago and compiled a list of questions and comments for consideration. They are listed below. Our next meeting is Tuesday, October 17th at 6:30 on Zoom. I'd love to share your thoughts with the Committee at that time. If you think it would be beneficial to join us before the end of the year, please let me know. Our last two meetings of the year will be Tuesday, October 17th and Monday, November 6th .

1. Suggest collaborating with SABAH (Skating Association for the Blind and Handicapped) to get their input on accessibility concerns. Member Rachel Martin has a contact at SABAH she can reach out to.
2. What kind of trees is the Town planning for the perimeter? A member expressed concern that trees with falling leaves may cause clean-up and safety concerns for skaters.
3. Are there plans for a protective barrier around the perimeter of the rink? If yes, will that barrier have a wall and/or handle for skaters to hold on to?
4. Suggest accessible items for skaters such as walkers/orange cones/reflective labeled vests (ie., blind skater) made available for skaters.
5. Will the rink be "skate only" or will there be the option to use other equipment on the rink such as a sled that can be pulled (to increase opportunity for all to experience).
6. Will there be rest places/benches around the perimeter and multiple exits/entrances?
7. Are there plans for an emergency phone/first aid center/indoor area with a family restroom?
8. The Committee would like to have more information about the fire ring and its purpose in this context. This concept was new to the members.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

A member asked what kind of protective safety barrier would be around the ring.

Thank you again, Anne, for your consideration and willingness to include the Committee on Disabilities in discussion during the planning of this exciting project.
Talk soon,
Erica

Erica Rodman
Ph: 716.348.7898
Town of Amherst Committee on Disabilities | *Chair*
Niagara University Disability Awareness Training Program | *Project Assistant*

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

AMHERST FIRE CHIEFS' ASSOCIATION INC.

To: Dan Howard, Planning Director Date: 11/7/23

From: Krista Halt, Liaison to Amherst Fire Safety Committee

RE: Concept Plan: Amherst Central Park
Address: 772 North Forest

Petitioner: Town Of Amherst

The above referenced ☒ Site Plan is ☐ Subdivision is ☐ Minor Modification is:

☒ See comments

☐ Denied due to the following:

☐ Not reviewable at this time due to the following:

☒ 1. Section 503 FCNYS 2020 – Fire Apparatus Access Road

- ☐ A. Section 503 Firelanes (fire apparatus access roads) be provided in accordance with the FCNYS 2020
- ☒ B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled. Clubhouse, Restroom and Skate rental, museum buildings are the ones in question.
- ☐ C. 503.1.2 – provide an additional fire apparatus access road
- ☒ D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7
  - ☒ 1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertica clearance of 13 feet 6 inches.
  - ☒ 2. 503.2.2 – increase width of fire apparatus access road to __26__ feet to be adequate for fire or rescue operations. Where access roads contain a hydrant and where aerial access is needed.
  - ☒ 3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside. Provide a truck turning plan through the site.
  - ☐ 4. 503.2.5 – dead end fire apparatus access roads in excess of 150 feet, shall be provided with an approvec area for turning around fire apparatus.
  - ☒ 5. 503.3 – fire apparatus access roads must be marked as firelanes per the signage specification established by Appendix D FCNYS 2020
  - ☒ 6. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads. Distance from buildings > 30'H should be 15'min. and 30' max.
  - ☒ 7. Appendix D 103.2 Grade: Fire apparatus access rds. Shall not exceed 10 percent in grade. Particularly at the Musical Fare Building

☒ 2. Section 506 FCNYS 2020 – Key Boxes – A fire department Knox key box is required for access to building keys.

☒ 3. Section 507 FCNYS 2020 – Fire Protection Water Supplies

- ☒ A. Indicate all existing Fire Hydrants on plans. Provide a water plan that shows Fire Main connections w/RPZ and Hotbox, fire line to sprinklered buildings and new and existing hydrants.
- ☒ B. All waterlines with numerous hydrants should be looped or on a grid system.
- ☐ C. All fire hydrants must be within 500 feet of each other. (Subdivisions)
- ☐ D. Section 507.5.1 – provide an additional Fire Hydrant within 400 feet of the most remote point of the building (as the fire hose would be laid out) or within 600 feet if the building is equipped with a Fire Sprinkler system.
- ☒ E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building. Fire Dept. connections should be located on fire access rd. side.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

COMMENTS: Due to the size of the site, Snyder Fire Chief is requesting a garage/tool room for storage of fire equipment. (This was discussed at a meeting with Dan Rizzo and Anne Dafchik.) A concrete pad w/ a hydrant for training is also desirable.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Howard, Dan
Sent: Friday, November 17, 2023 4:53 PM
To: Szatkowski, Jeffrey
Subject: FW: Diversity Commission Contributions to Amherst Central Park

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

From: Zhen Liu <zl24@buffalo.edu>
Sent: Friday, November 17, 2023 12:01 AM
To: Dafchik, Anne <adafchik@amherst.ny.us>; Bucki, Debbie <dbucki@amherst.ny.us>
Cc: devgunms@buffalostate.edu; gulattiq95@hotmail.com; Taggart, Martha <mtaggart@amherst.ny.us>; Kulpa, Brian J. <bkulpa@amherst.ny.us>; Howard, Dan <DHOWARD@amherst.ny.us>; Rizzo, Daniel J. <drizzo@amherst.ny.us>
Subject: Re: Diversity Commission Contributions to Amherst Central Park

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Anne, I really appreciate the notes. I will take my time reading it, but at the first sight I don't see anything missing.

Thank you.

Zhen

Get Outlook for Android

From: Dafchik, Anne <adafchik@amherst.ny.us>
Sent: Tuesday, November 14, 2023 7:30:30 PM
To: Bucki, Debbie <dbucki@amherst.ny.us>
Cc: devgunms@buffalostate.edu <devgunms@buffalostate.edu>; gulattiq95@hotmail.com <gulattiq95@hotmail.com>; Zhen Liu <zl24@buffalo.edu>; Taggart, Martha <mtaggart@amherst.ny.us>; Kulpa, Brian J. <bkulpa@amherst.ny.us>; Howard, Dan <DHOWARD@amherst.ny.us>; Rizzo, Daniel J. <drizzo@amherst.ny.us>
Subject: RE: Diversity Commission Contributions to Amherst Central Park

Thank you again to the Diversity Committee for inviting me to tonight's meeting. Below are the feedback notes I took regarding the Amherst Central Park design. Please let me know if I missed anything.

1. The location monuments or projects that celebrate the diversity of Amherst would be best located in a visible plaza or public place. Could the big meadow area centrally located between the theater museum and clubhouse be ideal? Even though it is spread out it seems like an appropriate location. Perhaps an additional, smaller location might be near the Winter Market.

2. Question from committee members on how these types of projects (often considered as art or separate from buildings) would be funded if they are included as part of a larger project or if they are standalone budgets?

3. Could the Buffalo Niagara Heritage Village museum, once relocated, also include a permanent exhibit that celebrates the beginning and current diversity and makeup of the town?

4. Whatever form the exhibit or monuments take it should have the ability to grow over time as diversity grows in the Town... Suggestions for flags, benches, murals, pavers/tiles or monuments... Perhaps there is an opportunity for members of the public to sponsor individual components of the design. A circular layout to the project may be favorable, however the order of the individual components should be such that importance isn't implied from one area over another.

5. Any monuments or plaza components honoring diversity should not only include nationalities but also cultures, religions, faiths, and ethnicity.

6. A request was made to consider the need for large picnic shelters or pavilions similar to the Governor's Lodge at Chestnut Ridge... There are very few Town parks that have large park pavilions. Spaces that enables a large crowd to come together promote "coming together" and interaction. The ability to connect and gather together is important for growing diversity and appreciation of others.

7. Several committees would benefit from regular updates from the Amherst Central Park planning group. Those committees include the Diversity Committee, Committee on Disabilities, and the Arts and Culture in Public Places board. Perhaps regular quarterly updates would be an appropriate interval.

8. A request was made to re-engage the Amherst Central Park task force; public input is important for public support.

9. Considerations for park access via public transit or non-vehicular modes of transportation would be beneficial.

10. The committee will send via email examples of good exhibits or public spaces that celebrate diversity.

Thank you again for your input, looking forward to meeting with the Committee again in the future.

Anne Dafchik, AIA
Town of Amherst

On Oct 27, 2023 11:09 AM, "Bucki, Debbie" <dbucki@amherst.ny.us> wrote:

Dear Anne,
Thank you for your message and for your offer to attend the next Diversity Meeting. For me, I think that a paper copy is good, but defer to the Diversity Commission Members as to their preference.
As always, your assistance and consideration are greatly appreciated.
Gratefully,
Deborah Bruch Bucki
Amherst Deputy Supervisor
Diversity Commission Liaison

On Oct 23, 2023 1:56 PM, "Dafchik, Anne" <adafchik@amherst.ny.us> wrote:

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Thank you Debbie – I will be there on 11/14 at 5:30 pm. Would the Commission prefer paper or digital versions of the ACP plans? If we do a large paper version, we can add notes and comments in a group format. Or we can do digital format up on a screen…
Thanks, Anne

From: Bucki, Debbie <dbucki@amherst.ny.us>
Sent: Sunday, October 22, 2023 1:35 PM
To: Dafchik, Anne <adafchik@amherst.ny.us>
Cc: devgunms@buffalostate.edu; gulattiq95@hotmail.com; zl24@buffalo.edu; Taggart, Martha <mtaggart@amherst.ny.us>; Kulpa, Brian J. <bkulpa@amherst.ny.us>
Subject: RE: Diversity Commission Contributions to Amherst Central Park

Dear Anne,
Thank you for your kind message.
The next meeting of the Amherst Community Diversity Commission is scheduled in person at Town Hall on Tuesday, November 14th at 5:30 PM.
The Commission cordially invites you to attend that meeting if you are available.
As always, your assistance and consideration are greatly appreciated.
Sincerely,
Deborah Bruch Bucki
Amherst Deputy Supervisor
Diversity Commission Liaison

On Oct 18, 2023 9:20 PM, "Dafchik, Anne" <adafchik@amherst.ny.us> wrote:
Hi Councilmember Bucki and Diversity Commission leadership – Thank you for reaching out. I appreciate the opportunity to collaborate with you as we develop plans for Amherst Central Park. When does the Commission meet next? I'd be happy to attend a meeting (either virtually or in-person) with the group to review park concept plans and understand how we can design a more inclusive and welcoming environment for all community members and visitors.

Please let me know your next upcoming meeting dates and times so I can connect with you.

Looking forward to it and thank you,

Anne Dafchik, AIA, NCARB
Architect | Facilities
Town of Amherst

From: Bucki, Debbie <dbucki@amherst.ny.us>
Sent: Friday, October 13, 2023 9:38 AM
To: Dafchik, Anne <adafchik@amherst.ny.us>
Cc: devgunms@buffalostate.edu; gulattiq95@hotmail.com; zl24@buffalo.edu; Taggart, Martha <mtaggart@amherst.ny.us>; Kulpa, Brian J. <bkulpa@amherst.ny.us>
Subject: Diversity Commission Contributions to Amherst Central Park

Good morning..
This week, the Amherst Community Diversity Commission met with the Supervisor regarding future planning for the group.
Supervisor Kulpa suggested that the Diversity Commission meet with you to discuss how their input could be incorporated into the Park Development, most especially regarding inclusion in the areas of ethnicity and culture.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

I am copying the Diversity Commission Leadership on this message. Please reach out to them at your earliest convenience.
A format for participation of the Diversity Commission in this initiative might be similar to that used with the Disabilities Committee.
As always, your assistance is greatly appreciated.
Sincerely,
Deborah Bruch Bucki
Amherst Deputy Supervisor
Diversity Commission Liaison

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Howard, Dan
Sent: Monday, November 20, 2023 10:20 AM
To: Szatkowski, Jeffrey
Subject: FW: Amherst Central Park

Jeff – please note and forward.

From: Dave Mingoia <DMingoia@amherstida.com>
Sent: Monday, November 20, 2023 10:19 AM
To: Howard, Dan <DHOWARD@amherst.ny.us>
Subject: Amherst Central Park

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

The Town of Amherst Industrial Development Agency has reviewed the documents related to Amherst Central Park and does not have any comments.

Regards,

David S. Mingoia, CEcD
Executive Director/CEO
Town of Amherst Industrial Development Agency
4287 Main Street
Amherst, New York 14226
(716)688-9000
(716)688-0205 (fax)
www.AmherstIDA.com

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST

ENGINEERING DEPARTMENT

ERIE COUNTY – NEW YORK

JEFFREY S. BURROUGHS, P.E., TOWN ENGINEER

November 6, 2023

TO: Daniel J. Ulatowski, Assistant Planning Director/ZEO

REVIEWER: Vaishali Reberholt, P.E, CPESC – Assistant Town Engineer

SUBJECT: PUD Application Review; SP-2023-11
Proposed Conceptual Development Plan for a New Community Park

ADDRESS: 772 North Forest Rd, 385 & 391 Maple Rd

PETITIONER: Town of Amherst

PUD Application Sanitary Review

- The sewer maintenance division agrees with the review process detailed in the PUD Application, sewer flow related approvals shall be given during specific project related site plan reviews. Please note that the splash pad needs to be isolated from sanitary sewer when not in use by adding a valve/diverter, so rainwater can be collected and used for irrigation purposes if needed.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

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

A.1.3 PUBLIC

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

191 Fairways Blvd.
Williamsville NY 14221
November 8, 2023

Mr. Daniel C. Howard
Town of Amherst
5583 Main Street
Williamsville NY 14221

RECEIVED
NOV 13 2023
TOWN OF AMHERST
PLANNING DEPT.

RE: The SGEIS Draft

Dear Mr. Howard,

I am a Town of Amherst resident and taxpayer, and I think the Amherst Central Park will be great addition to the Town of Amherst. However, after carefully studying the October 2023 Concept Plan, I have several concerns about this Concept Plan

1. Safety at the proposed Sheridan Drive entrance/exit
   The Sheridan Drive entrance/exit is near the planned theatre and its parking lots, and it will also serve as a park entrance/exit Because of its location, the heavy traffic on Sheridan and the possibility of bicyclists and jay-walkers, this entrance/exit has the potential for serious accidents. It will be a dangerous entrance/exit, and it should be removed from the Concept Plan. The theatre and its parking lots can be relocated.

2. Pedestrian/bike entrance/exit on Frankhauser Road
   This entrance/exit also has the potential for serious accidents. It is located at the beginning of Fairways and the bend in Frankhauser Road, where there is considerable vehicular traffic. This entrance/exit is especially dangerous for children, pedestrians and bicyclists, and it should be removed from the Concept Plan.

3. The construction of a paved roadway around the Central Meadow
   The Central Meadow is a natural preserve filled with trees and paths. There is no need for an expensive paved roadway for vehicular traffic around the Central Meadow. This paved roadway should be removed from the Concept Plan.

4. The transfer of the Buffalo Niagara Heritage Village
   The Buffalo Niagara Heritage Village has a lovely home on Tonawanda Creek Road. Moving the old wooden buildings from this site and constructing a new Heritage Village Museum will be very expensive. This is an unnecessary financial burden for taxpayers, and it should also be removed from the Concept Plan.

5. The removal of toxic waste from the site
   A few years ago, the soil on this site was tested, and harmful chemicals were found. How and when is this remediation taking place?

Thank you for addressing these matters.

Sincerely yours.

Mary K. Boehm

(Mrs.) Mary K. Boehm
mkboehm@roadrunner.com

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

November 27, 2023

RECEIVED
NOV 27 2023
TOWN OF AMHERST
PLANNING DEPT

To: Robert J. Gilmour, Chairman
Town of Amherst Planning Board

RE: **The October 2023 Concept Plan for the Amherst Central Park**

I am a Town of Amherst resident and taxpayer, and I think the Amherst Central Park will be great addition to the Town of Amherst. However, after carefully studying the October 2023 Concept Plan for the Amherst Central Park, I am very concerned about parts of this plan.

1. Safety at the proposed Sheridan Drive entrance/exit
The Sheridan Drive entrance/exit is near the planned theatre and its parking lots, and it wi also serve as a park entrance/exit Due to the heavy traffic on Sheridan Drive and the bicyclists, pedestrians and jay-walkers, this entrance/exit has the potential for serious accidents. It will be a dangerous entrance/exit, and it should be removed from the Concep Plan. Another entrance/exit along Sheridan Drive will be just as dangerous and should not be added to the Concept Plan. The theatre and its parking lots can be moved to a safer location within the park.

2. Pedestrian/bike entrance/exit on Frankhauser Road
This entrance/exit also has the potential for serious accidents. It is located at the beginnin of Fairways and the bend in Frankhauser Road, where there is much vehicular traffic. Thi entrance/exit is especially dangerous for children, pedestrians and bicyclists, and it should be removed from the Concept Plan.

3. The construction of a paved roadway around the Central Meadow
The Central Meadow is a natural preserve filled with trees and paths. There is no need fo an expensive paved roadway for vehicular traffic around the Central Meadow. This paved roadway should be removed from the Concept Plan.

4. The transfer of the Buffalo Niagara Heritage Village
The Buffalo Niagara Heritage Village has a lovely home on Tonawanda Creek Road. Moving the old wooden buildings from this site and constructing a new Heritage Village Museum will be very expensive. This is an unnecessary financial burden for taxpayers, and it should also be removed from the Concept Plan.

5. The removal of toxic waste from the site
A few years ago, the soil on this site was tested, and harmful chemicals were found. How and when is this remediation taking place?

Thank you for addressing these issues.

Mary Boehm

(Mrs.) Mary Boehm
191 Fairways Blvd.
Williamsville NY 14221

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: burst@emailmeform.com on behalf of EmailMeForm <burst@emailmeform.com>
Sent: Saturday, November 18, 2023 3:13 PM
To: Melski, Emily
Subject: Amherst Central Park - Submission ID# 18

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

For best security and privacy of your information, we recommend viewing this entry in the Data Manager

View Entry

Type*:	Question
Question, Comment, or Concern*:	1. How much is this park plan going to cost and where will Amherst be getting the money? 2. After the initial capital cost, what is the proposed annual maintenance & upkeep costs and where is that money coming from? 3. Are BNHV and Music Fare Theater paying for their new facilities? I not, I'm not sure it's legal for the public to pay for facilities for private parties. 4. Is there going to be a new traffic light added on Sheridan Drive for the entrance/exit located across from Fenwick Road? Would it be too close to the traffic light at Frankhauser? 5. Has a traffic study been done for the entrance/exit located off of North Forest Road? That two-lane road backs up numerous times a day so I'm not sure how a major park entrance/exit would work without adding to that congestion. 6. Are proposed BNHV livestock really going to be located less than 100' from Frankhauser? If so, what are the noise and odor solutions for those living on Frankhauser?
Name*:	James Boje
Address*:	42 Brookdale Drive
Phone:	716-440-0493
Email*:	jimaboje@gmail.com

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Howard, Dan
Sent: Monday, November 20, 2023 9:34 AM
To: Szatkowski, Jeffrey
Subject: FW: SP-2023-11

Comment

From: buffalomotor@verizon.net <buffalomotor@verizon.net>
Sent: Monday, November 20, 2023 9:23 AM
To: Howard, Dan <DHOWARD@amherst.ny.us>
Subject: RE: SP-2023-11

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Howard,

My name is Patricia Fillipponi and I've lived at 805 N. Forest Road in Williamsville for the last 30 years, where we've enjoyed the open, green, peaceful setting of what used to be Westwood Country Club. In the last few years it has become an eyesore with Northtown Dealerships using the tennis courts as a parking lot.

My home is **directly across** from the current entrance of Amherst Central Park and where the planned skating rink, restrooms, winter market, etc. are to be placed.

The issue my husband and I have with this plan is that you currently **do not** show on your map any division between the roadway (North Forest) and the planned sites; such as burms, trees and/or fences. This is **desperately** needed to cut down on **noise**, **lighting** that may be directed towards our homes and **most importantly for safety reasons**. Since we have lived in our home there have been numerous times that cars come around the curve on North Forest and veer off directly into that piece of land. Without the safety of burms/trees/fence the children/adults that may be using the site could be seriously injured.

We ask that you take these points into consideration while finalizing your plans.

Respectfully,

Patricia Fillipponi
805 North Forest Road
Williamsville, NY 14221

Patricia Fillipponi
Co-owner / VP

Buffalo Motor & Generator Corp.
175 Ohio Street

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Buffalo, New York 14203
(716) 854-4588

Virus-free.www.avg.com

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

From: Dwight Kanyuck <dkanyuck@nyenvlaw.com>
Sent: Thursday, October 12, 2023 2:27 PM
To: Howard, Dan <DHOWARD@amherst.ny.us>
Subject: SEQRA Determination-Amherst Central Park Conceptual Development Plan Planned Unit Development

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Howard,

We are the attorneys for Concerned Residents for Amherst Central Park, a group of Amherst residents advocating for the promise of a world-class Amherst Central Park.

It was noted today that the DEC's Environmental Notice Bulletin published a SEQRA "negative declaration" for the SEQRA review of the Amherst Central Park Conceptual Development Plan Planned Unit Development (meaning there are no adverse environmental impacts). See https://www.dec.ny.gov/enb/20231011_not9.html . This is contrary to the "positive declaration" (meaning there *may* be adverse environmental impacts) that appears in the meeting minutes for the October 2 Town Board meeting (https://amherstny.iqm2.com/Citizens/FileOpen.aspx?Type=12&ID=3628&Inline=True). One or the other is in error and you are the contact person identified in the DEC notice. Please clarify what SEQRA determination was reached and which record will be corrected. Thank you.

Regards,

KNAUF SHAW
Dwight Kanyuck
Attorney at Law
*NOTE OUR NEW ADDRESS:

Knauf Shaw LLP
2600 Innovation Square
100 South Clinton Avenue
Rochester, New York 14604
585.546.8430 Ext. 106
vCard● Website

This electronic mail transmission is intended only for the use of the individual or entity to which it is addressed and may contain confidential information which is protected by the attorney-client privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by email and delete the original message.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Armstrong, Brian
Sent: Wednesday, November 8, 2023 11:25 AM
To: Howard, Dan; Szatkowski, Jeffrey
Cc: Ulatowski, Daniel
Subject: Proposed Conceptual Development Plan for a New Community Park - SP-2023-11
Attachments: PUD Application Review Comments - BJA 11-8-23.docx

Dan and Jeff,

In the interest of expedience, please consider this my formal response to your request for comments associated with SP-2023-11.

With respect to the section titled; "The Amherst Central Park PUD Plan", due to inflation and material/labor cost escalations,
some sizing flexibility may be required in order to ensure the viability of some of the park improvements and as such, we may want to
include some size ranges (assuming you agree it would be appropriate to include them):

- Ice Ribbon and Ice Rink, approximately 15,000 – 25,000 SF
- Inclusive Playground, approximately 10,000 – 12,500 SF
- Splash Pad, approximately 3,000 – 6,000 SF

Additionally and for your consideration, I have also made revisions (using the track changes utility), on the attached portions of the PUD process.

Otherwise, I believe the balance of the PUD Application to be complete and appropriate.

Thanks,

Brian J. Armstrong
Director of Engineering Services
Town of Amherst
Engineering Department
1100 North Forest Road
Williamsville, NY 14221
716.631.7154 ext. 7412 office
716.631.7222 fax
barmstrong@amherst.ny.us

From: Howard, Dan <DHOWARD@amherst.ny.us>
Sent: Tuesday, November 7, 2023 12:28 PM
To: Bushen, Michael <mbushen@amherst.ny.us>; Dafchik, Anne <adafchik@amherst.ny.us>; Burakowski, Elizabeth <eburakowski@amherst.ny.us>; Hitzel, Michael <mhitzel@amherst.ny.us>; Juul, Lynda <ljuul@amherst.ny.us>; Armstrong, Brian <BArmstrong@amherst.ny.us>; Szatkowski, Jeffrey <jszatkowski@amherst.ny.us>; Rizzo, Daniel J. <drizzo@amherst.ny.us>; Polowy, Martin <mpolowy@amherst.ny.us>; Berke, Mark S. <mberke@amherst.ny.us>
Cc: Ulatowski, Daniel <dulatowski@amherst.ny.us>

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Howard, Dan
Sent: Wednesday, November 15, 2023 4:55 PM
To: Szatkowski, Jeffrey
Subject: FW: Westwood Proposal..Planning Board review/Nov. 16..

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

-----Original Message-----
From: Carrato, Amy <acarrato@amherst.ny.us>
Sent: Wednesday, November 15, 2023 4:42 PM
To: Brittany Penberthy <bpenberthy@thepenlawgroup.com>; Carrie Kahn <carrie.kahn@gmail.com>; Dal Giuliani <dcg5719@verizon.net>; Harbinder Gill <hsgill@usa.net>; Joseph Raffaele Jr <Jraffaele@tcco.com>; Michael J. Chmiel <mchmiel@cheluslaw.com>; Robert Gilmour <rgilmour@roadrunner.com>
Cc: Howard, Dan <DHOWARD@amherst.ny.us>; Ulatowski, Daniel <dulatowski@amherst.ny.us>; Marshall, Scott <SMarshall@amherst.ny.us>; Voigt, Thomas J. <tvoigt@amherst.ny.us>; Palumbo, Gary <gpalumbo@amherst.ny.us>
Subject: FW: Westwood Proposal..Planning Board review/Nov. 16..

Please see the email below regarding SP-2023-11, 772 N. Forest Road, 385 &391 Maple Road.

-----Original Message-----
From: Judith Ferraro <jferraro@roadrunner.com>
Sent: Wednesday, November 15, 2023 2:18 PM
To: Carrato, Amy <acarrato@amherst.ny.us>
Subject: RE: Westwood Proposal..Planning Board review/Nov. 16..

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Amy,
Please forward the following message to all Planning Board members and Dan Howard.
Thank you.
Judy Ferraro

The current Westwood proposal seems to be another convoluted play to effectively suppress information.. thereby the voice and will of the people…and a
variation of what was attempted months ago by amending the zoning code. Seems to be Kulpa's Westwood plan has been a tangle of smoke and mirrors,
obfuscation and lies, from the start. Much of the process has been truncated and/or eliminated.

PUD (Planned Unit Development) standards requires details of the development be made available to the public..in its entirety. Segmenting is not an option
and requires more than a map for information. How can anyone approve this vague, haphazard, hodgepodge proposal?

Each significant addition to this property needs a public hearing where all stakeholders are included and have all relevant facts and costs available to them.
That has not and is not happening. Manipulation behind closed doors with selected attendees clearly bypasses community oversight and input. It is
purposeful and reprehensible.

Building Musical Fare, a preK day care, an amphitheater, moving the museum, including the animals are being pushed on residents with no transparency, no short and long term costs and no serious discussion of the feasibility of locating all of this in a residential neighborhood with inevitable consequences.

Please consider doing the right thing for this prime piece of greenspace..that some seem to be hellbent on destroying..incrementally. Please make an effort to
read the entire proposal..and ask yourself if it makes sense environmentally, economically…in a financially strapped town/county/state, and in the best interest of ordinary citizens? You might start by revisiting the traffic safety issues of the entire area in 2023. Not earlier. Such negligence demonstrates either appalling ignorance or willful blindness.
Thank you.
Judy Ferraro

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Ulatowski, Daniel
Sent: Monday, November 13, 2023 6:33 PM
To: Szatkowski, Jeffrey
Subject: FW: Central Park - Westwood

FYI

From: Carrato, Amy <acarrato@amherst.ny.us>
Sent: Monday, November 13, 2023 9:25 AM
To: Brittany Penberthy <bpenberthy@thepenlawgroup.com>; Carrie Kahn <carrie.kahn@gmail.com>; Dal Giuliani <dcg5719@verizon.net>; Harbinder Gill <hsgill@usa.net>; Joseph Raffaele Jr <Jraffaele@tcco.com>; Michael J. Chmiel <mchmiel@cheluslaw.com>; Robert Gilmour <rgilmour@roadrunner.com>
Cc: Howard, Dan <DHOWARD@amherst.ny.us>; Ulatowski, Daniel <dulatowski@amherst.ny.us>; Marshall, Scott <SMarshall@amherst.ny.us>; Voigt, Thomas J. <tvoigt@amherst.ny.us>; Palumbo, Gary <gpalumbo@amherst.ny.us>
Subject: FW: Central Park - Westwood

See email below regarding SP-2023-11, Amherst Central Park

From: Joan Hudak <joanhudak@hotmail.com>
Sent: Sunday, November 12, 2023 9:50 AM
To: Carrato, Amy <acarrato@amherst.ny.us>
Subject: Central Park - Westwood

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

I have a few questions on this project.

- There are forests on this property. Trees that are very old. Are they going to be spared? Any forest or wildlife being sacrificed?
- Will wild life be preserved?
- Will wet lands be preserved

Joan Hudak

Be the change you wish to see in the world….. Gandi

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

11/16/202

Amherst Planning Board
5583 Main Street
Williamsville, NY 14221

Planning Board Members,

Regarding the Amherst Central Park project, my understanding is the zoning for this parcel remains RC (Recreation Conservation), with no zoning district change, however, adjustments are proposed as part of the PUD application. There is a leap of faith involved as the purpose of the PUD Process is to permit coordinated development that allows flexibility to respond to market demands. And the intent is to adjust the regulations, standards and criteria of the Zoning Ordinance as part of the PUD Process for the Amherst Central Park to implement the Conceptual Development Plan **and future improvements that are not part of the Conceptual Development Plan.**

My comments & concerns tonight focus largely on the impact of traffic on North Forest Rd, County Section between Maple Road & Sheridan Drive, and multi-modal ingress and egress in general.

We are far more residential here now and want to ensure that all efforts will be made, so our stretch of roadway does not bare the brunt of traffic for this project, passive to the north, but pretty busy to the south. For this reason, it is imperative that there be a second means of vehicular ingress and egress. If the proposed entrance on Sheridan Drive cannot work out, it alternatively must be Maple Road.

We would also need a 2nd entrance to be available immediately at the start of construction, so that the North Forest entrance and roadway in general is not the primary means of access.

We also want to be sure that this isn't a park that you have to drive to in order to enjoy it. I have introduced into the record a letter prepared following the Dec. 2020 Traffic Safety sidewalk feasibility meeting. Residents of North Forest Road north and south of Sheridan Drive are represented in the comments regarding pedestrian access to and through the park.

There doesn't look to be much ingress and egress from the surrounding neighborhoods for pedestrians and bicycles. With Maple Road shut off, our central park is not continuous or connected with the Audubon side or the Amherst Bike path. And is there a way for people to park on the Maple Road end to use pedestrian access on that end only? There should be creative solutions to mitigate these concerns.

Additionally, I noted the following omissions in the application:

- 829 North Forest Road is identified as a very important historic resource, but omitted is the clubhouse itself at 772 North Forest Road as well.
- The millrace on North Forest Road near the site was omitted as being is clearly identified as a significant archeological site.
- 10 year build out, starting at the south end. Omission in application is any timeline for when the north end will be available. Please do not make us wait towards the end of the build out to enjoy the passive section of the park.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Approximately 26 years ago residents of North Forest Rd, County Section between Maple Road & Sheridan Drive stood for the first time before an Amherst Board to voice concern and stand in solidarity to protect the character & integrity of our area. In that moment we started to paint the picture of what we wanted here with success. I am proud to be a leader in that over the many years.

It has expanded beyond just us in wanting to preserve this central area, and brings us to today, with the many neighborhoods surrounding the project invested in the outcome of the proposed Amherst Central Park.

Thanks to the Daniel Howard and his team in the Planning Department on their hard work. Everyone wants a good result.

Respectfully,

Maryann Hochberg

Maryann Hochberg
1075 North Forest Rd
Williamsville, NY 14221

cc: Amherst Town Boad members

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

12/22/2020

Eric Fraas, Chair
Amherst Traffic Safety Board
Amherst Municipal Building
5583 Main Street
Williamsville, NY 14221

Dear Chairman Fraas,

Writing as follow-up to the Dec. 2, 2020 Traffic Safety Board Meeting regarding Townwide Sidewalks to request clarification on the final recommendation made specifically for North Forest Rd /Sheridan Drive. For the meeting, this area was split into 2 separate locations for discussion and consideration:

- 3a) North Forest from Morgan Parkway to Indian Trial Road (County jurisdiction)
- 3b) North Forest from Wiltshire to Meadowbrook (State jurisdiction)

Decision made was to remove North Forest /Sheridan Drive encompassing both sections, but resident input was only heard from those living on the County section that evening. The agenda listing was vague on this topic, as no specific locations were clearly identified, and residents from the State section did not join in. For North Forest south of Sheridan Drive there is overwhelming resident interest in having sidewalks to fill the gap, in part given that placement would lead residents to the new Amherst Central Park. For this reason, request that the Traffic Safety Board re-evaluate their 12/2/2020 decision for the State section only.

For item 3a) North Forest (County jurisdiction) – Removal of this item should stand, not recommending sidewalks here. Appreciate the Traffic Safety Board taking into consideration the concerns of residents living on the County section regarding impact of sidewalks on those properties, potential property owner hardship, pedestrian safety, and concerns impacting physical implementation issues. Ideally, pedestrian connectivity for this area will be safely through the new Amherst Central Park as mentioned.

For item 3b) North Forest (State jurisdiction) – Request that sidewalks for this area be recommended to move forward to next steps. There is interest, and residents here would then have another opportunity to provide their input.

The wants, needs and feasibility of implementing sidewalks to fill gaps may differ for the County and State sections of North Forest. Together these two options would lead pedestrians to and through the new park.

Residents of the North Forest areas north and south of Sheridan Drive stand together in solidarity in protecting and preserving the integrity of this area overall. Thank you for your attention to this matter.

Sincerely,

Nathan Hartrich, President
Morningside Home Owners Association
47 Meadowbrook Rd
Williamsville, NY 14221

Maryann Hochberg
1075 North Forest Rd
Williamsville, NY 14221

cc: Amherst Traffic Safety Board members
Christopher P. Schregel
Francina J. Spoth, Amherst Town Clerk

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Ulatowski, Daniel
Sent: Thursday, November 16, 2023 10:26 AM
To: Wendy A. Marsh; Wagner, Barbara; Howard, Dan; Szatkowski, Jeffrey; Dafchik, Anne; Polowy, Martin; Burakowski, Elizabeth
Subject: FW: Amherst Central Park - email inquiry

All,

See below .

Dan U

From: SANDRA KOERBER <smk54f@verizon.net>
Sent: Thursday, November 16, 2023 9:16 AM
To: Ulatowski, Daniel <dulatowski@amherst.ny.us>
Subject: Amherst Central Park

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Dan:
Hope all is well.
What type of fence is being planned for the perimeter of the Park since there is an entry gate on Frankhauser?
Also, where is the 300+ parking lot going to be placed and how will street parking be prevented.
Look forward to hearing from you.
Thank you.
Sandra Koerber
54 Frankhauser Road

Sent from Yahoo Mail on Android

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Maureen T. Schmitt

866 North Forest Rod

Williamsville, New York 14221

11-16-23

To: Amherst Town Planning Board and Amherst Town Board

Good evening, my name is Maureen Schmit and I reside at 866 North Forest Road. I also own homes at 860 and 850 North Forest. 850 North Forest is directly adjacent to the proposed Amherst Central Park. I would like to thank the Town of Amherst for proposing a park setting on this property.

I have 3 concerns I would like to express for the record and bring to your attention this evening.

The first is a request for an 8-foot-high maintenance free fence running the entire property line between 850 North Forest and the park property, specifically 4 feet from the street to the creek. I have lived on North Forest for 37 years and have always enjoyed my privacy and am concerned that visitors to the park could easily wander into my yard as they meander through the walking and biking paths. I'm asking for 8 foot high, so it is not easily scaled and asking for maintenance free, so the Town of Amherst doesn't have to be attentive to regular maintenance such as painting or staining.

Next. I would ask that all parking lot and area lighting that is adjacent to my homes be positioned facing away from my properties and that the proposed new maintenance garage, that is within 100 feet of my property, only has service hours between 7:00am and 6:00pm.

As many of you know, the residents of North Forest worked very hard with Erie County and The Town of Amherst between 1998 and 2008 to retain the character and integrity of North Forest Road. There was talk of widening the road, adding turn lanes, straightening the curves, and adding sidewalks. It was determined by Erie County and approved by the Town of Amherst to keep the road as it is.

I understand that there is not an ingress or egress on Maple Road to the park because of concern that the road would become a North- South throughfare which is something the Town doesn't want. I would ask that you consider an entrance on Maple Road to service a parking area for the residents using the walking and biking trails on the northern portion of the park. I'm not requesting a road through the park but simply an entrance and parking lot off Maple Road. This would mitigate some of the increased traffic that will be directed onto North Forest now that all the parking for the new park is located off North Forest and Sheridan Drive.

Thank you for your time, please include my comments for the record.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Comments re:

Proposed Planned Unit Development-Amherst Central Park, SP-2023-11

772 N Forest Rd and 385 & 391 Maple Rd Public hearing, TOA Planning Board

Good evening members of the Planning Board. My name is Mary Shapiro, residing at 16 Royalwoods Ct.

I am here to request that the Town withdraw this application or that the Planning Board removes it from their agenda until such time as the application is complete. To date the Town Board has not presented, accepted or approved an actual "Amherst Central Park Plan." This is the first actual public hearing addressing any part of the plan. So this proposal for a Planned Unit Development seems premature, vague and incomplete. It's not clear under what authorization this petition was even submitted. No authorizing resolution from the Town Board is included in the application.

The Planning Board is tasked with making a recommendation to the Town Board based on whether the Central Park Development Plan described is consistent with the Comprehensive Plan and the Zoning ordinance, including the stringent development standards for a Planned Unit Development. The Board also needs to consider whether the Plan is compatible with uses allowable in the current RC (Recreation Conservation) zoning district and conforms to the character of surrounding neighborhoods, as well as determining if there are adequate services and utilities, etc. prior to formulating a recommendation to the Town Board. SEQRA requirements also needs to be fulfilled, as this is a Type I action, highly likely to produce negative environmental effects.

Unfortunately, the PUD application is incomplete, with only a vague visual concept plan included, and an even vaguer SGEIS to assist you in your task of review. The zoning code for PUD only mentions a requirement for the inclusion of a Conceptual Development Plan, but that is not the only required submittal. As I said earlier, this Park Plan has never been presented to the public at a prior hearing. If this Board was meant to review it at this stage, you would have a complete plan to compare to the PUD Development Standards in the code. The development standards, although allowing for flexibility in choice of how to meet the standards, still must be met. Nowhere in the standards does it give an opportunity to change or alter the Development Approval Process, set forth in Town Code, but that is what's being proposed here tonight.

What's missing:

1. **Variances Required:**
   The Central Park property is zoned **RC (Recreational Conservation)**. The following uses displayed on the concept plan are not allowed in this zoning district:
   -**Livestock is not permitted** (Livestock is noted on the site of a relocated museum)
   -**Chickens are not permitted** (Chickens may be included on the site of a relocated museum)

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

-**Commercial uses are <u>not permitted</u>** (Commercial use is indicated in the EAF, but not elaborated upon). It's not clear if "Winter Market" will include commercial uses. Food and Beverage solid waste in large numbers are also indicated. It's not clear if the BNHV is a commercial use and whether the public will have to pay admission, as well as the Theatre indicated.
-**Schools and daycares are <u>not permitted</u>** as a primary use (they are only permitted as an accessory to a place of worship).

The Town still needs to comply with use restrictions in this current zoning district. PUD application does not change this.

As you're aware, Variances are gained via another public process at the ZBA and not part of a PUD approval.

2. **Brownfield Remediation Plan:** Amherst Central Park is a contaminated Brownfield. Other than a couple of vague mentions in the EAF and SEIS, including the removal of 1000's of cf of soil, no detail is given on required remediation. What Standard of clean-up will be done? Will it be done piecemeal as portions of the Park are developed or all at once, prior to development? Will fencing remain up where clean-up has been postponed? It doesn't appear that the Town has initiated the steps required to assess or begin clean-up. No consultants have been identified other to say, "The Town is currently in negotiations with the NYSDEC." This is not adequate information to determine if there are adverse effects to neighboring residents, or if the Park will only be partially accessible for long periods of time.

3. **Internal and external pedestrian, bicycle and vehicular circulation plans**. PUD standards require safe passage and separation for all of these entities, yet no details were given. How will safe passage, for all of the users of the park, be maintained at entrances/exits or via adjacent neighborhoods? It's impossible to assess compliance with the PUD standards and adverse effects without this information.

4. **A more complete Traffic Study with real alternatives and mitigations**:
The flawed supplemental traffic study provided, shows traffic counts from days when Sheridan Drive, itself, was under extended construction. This caused various lanes on Sheridan and Harlem to be coned off at different times, altering traffic flow. As this construction was present for a while before and after the date counts were carried out, commuters may have found alternate paths to and from the area, altering traffic patterns. Even still Levels of Service at the southern entrance were unacceptable with LOS down to E and F.
The only "mitigations" suggested in the Traffic Study were to put up a light at the proposed Sheridan/Fenwick entrance with crosswalk or put in a Hawk signal that would be dangerous in the context of 5 lanes of Sheridan drive for pedestrians or bicyclists alike. It's required in PUD standards that people are not relying on crossing busy arterial

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

roads to access the site. It was noted that there is currently no safe passage for bicyclists at the site. A more comprehensive traffic study needs to be completed with more detail.

5. **Overall Conceptual Landscaping Plan**: PUDs rely heavily on landscaping for buffering of different portions of developments, from neighbors, roadways, paths, etc, within the unified development. Not enough detail has been given in order to review an actual plan with development standards.

6. **SWPPP/Drainage/Floodway/Floodplain plan, as related to Development**

7. **Overview Lighting Plan**
   No lighting plan is included. This will be a very important part of review required to assess potential negative effects of the development on the surrounding neighborhoods and public safety.

8. **No Dumpster/Utility Plan**
   Unreviewable

9. **No Fire and Emergency Vehicle Plan**
   Unreviewable

10. **Rationale for an alternate Development Approval Process**
    There is simply no rationale given to create a unique Development Approval Process for this Park development. Initiating projects on this Town owned property needs to be done in the daylight, in front of the Public. Initiating projects that require the use of town employee time or consultants result in expenditure of taxpayer dollars and the Director of Facilities has not been given that authority by the Town Board. Our Town Code is pretty specific that the power rests with our elected Town Board in a public process. Recently the CIP process has been bastardized to fund segmented aspects of this development process without proper disclosure to the public and SEQRA review of the whole development. It should not be used to initiate projects which will segment the review process, stealing from Peter to pay Paul.

    The Town Board is able right now to create an Amherst Central Park Task Force with entity made up of the Town employees listed in their proposed process. This is usual practice in the TOA, but it's not clear why they want to subvert public involvement as early in the project as possible and feel the need to hide behind an internal structure. Creating this one of kind development process, would set a dangerous precedent, and would be counter to SEQRA. A Planned Unit Development approval is not the way to accomplish changing the Development Approval Process. The Town Board tried to avoid having this development go through the time-tested Development approval process by exempting "certain public properties," but ended up withdrawing their resolution after residents rejected this proposed hidden process. This Town has a history of working

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

with town officials and residents together to create community amenities that suit everyone. No special approval process necessary. Why should this one be any different?

11. **Development Phasing Plan**
    It's impossible to know what to expect as there is no narrative or phasing plan available.

12. **ETC....**

I hope the Town will withdraw this proposal until such time as an Amherst Central Park Plan has been accepted by the Town Board or that this Board will remove it from your agenda until such time as the application is complete and able to be reviewed against PUD Development Standards and SEQRA completed.

Thank you, Mary Shapiro, 16 Royalwoods Ct

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

COMMENTS ON THE PROPOSED PLANNED UNIT DEVELOPMENT

AMHERST CENTRAL PARK (FILE NO. SP-2023-11)

Dear Amherst Town Board and Planning Board,

My name is Jennifer Snyder-Haas and I live at 185 Fairways Blvd. Here are my comments in opposition to aspects of the proposed Planned Unit Development (PUD) for Amherst Central Park and its Draft Environmental Impact Statement (DEIS).

(1) ZONING

First and foremost, this proposal is defective because it states that no change to the current recreation conservation (RC) is necessary. Section 1.2.1 states: "The Property envisioned for the Amherst Central Park is zoned as Recreation Conservation (RC), a district whose purpose is to provide for public, private, and civic uses related to recreation and conservation. Planning for the Amherst Central Park is specifically focused on supporting these uses. The Town's Bicentennial Comprehensive Plan also recommends the Property be used for recreation, open space and greenways. The Property is a component of the LWRP, given its location along Ellicott Creek. The Amherst Central Park is a featured project for recreation and waterfront enhancement in the Town". Section 4.2 states, under the heading "Consistency with Community Character", states that per the Town's Comprehensive Plan, Land Use and Development section 6 identifies the Property as Recreation, Open Space and Greenways"; "the Property is consistent with the Land Use in the Comprehensive Plan"; and "the Property is zoned Recreation Conservation [and] the Amherst Central Park will not be subject to a rezoning or Comprehensive Plan amendment.

The foregoing is patently false. The RC zoning district does not include the construction of an indoor theater in a residential neighborhood, let alone one over 30,000 square feet with extensive pavement for parking. Nor does it include the construction of a museum building of over 30,000 square feet and the displays of livestock and poultry that are slated for the proposed relocation of Buffalo Niagara Heritage Village. It certainly does not include the construction of a new addition for a universal prekindergarten program. While all potentially laudable goals, none fall within the RC zoning code or the identification of the property for "recreation, open space and greenways" as envisioned in the Comprehensive Plan. None of these is consistent with a true park. So, this application cannot go forward without addressing rezoning, which would not be consistent with the Comprehensive Plan in any event.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

(2) ALTERNATE SITES/USES

Section 3.4 for Alternative Sites states: “While some of the proposed improvements in the Amherst Central Park could be provided in other areas of the Town, there is no other parcel or combination of parcels owned by the Town that would offer a suitable combination of location, existing natural beauty, overall location, and potential for a cohesive, comprehensive park plan that would be comparable to the proposed Amherst Central Park. This Alternative is therefore not further evaluated in this DSGEIS”.

This is also patently false. The Town in fact alienated 90 acres parkland across Maple Road on Audubon and has already allowed the construction of a large medical office complex on Audubon. The 90 acres included only three holes of the current municipal golf course on Audubon, leaving other ample alienated land. In prior park proposals that were put before the Central Park Task Force, Audubon was considered as the “active” recreation portion of a park that spanned both the Audubon and Westwood properties, with extensive development of Audubon that included housing and commercial uses anticipated. Audubon fronts a major road on Maple that is not nearly as heavily trafficked as Sheridan Drive, is close to the State University at Buffalo North Campus, and is not surrounded by residential homes. The PUD application should include an extensive consideration of this alternate site, particular for the theater, universal and prekindergarten programs and relocation of Buffalo Niagara Heritage Village (if this is to be seriously entertained at all, considering the proposed cost in excess of $7 million with little chance of recouping any financial benefit).

Also, the Buffalo Niagara Heritage Village is located next to other Town-owned land. Its expansion in its current, much more appropriate setting should be considered.

Further, Section 3.5 for Alternative Uses states: “As set forth in the GEIS, the full development of the Property for mixed use commercial and/or residential purposes would result in significant impacts related to traffic, utility infrastructure, and community character. Industrial uses of the site would result in similar impacts. A significantly less intense residential development would reduce traffic and infrastructure impacts relative to the Mixed Use Alternative but would be inconsistent with existing zoning and the Town Comprehensive Plan. None of these alternative uses would meet the Purpose and Need identified in this SGEIS. This Alternative is therefore not further evaluated in this DSGEIS”.

The foregoing posits a false choice – the massive, totally inappropriate Mixed Use Alternative or the Park Concept Plan. How about a park that complies with the applicable zoning, with the elements that do not moved to an appropriate location? How about making Westwood the municipal golf course (which at least would be revenue-producing as opposed to the museum) as part of a larger public park with the other park elements on Audubon?

At the Central Park Task Force meetings, doing a cost/benefit analysis for the alternative was proposed but never followed, and meetings ceased abruptly with no follow through, the concept plan now pitched apparently hatched by the Town Board and developers. Members of the Task Force were asked to submit comments and did so, with Supervisor

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Kulpa telling those members that he “was not even going to pretend” that he shared those with the architectural firm of Dover Kohl. Although the DEIS purports to state that public engagement was robust, it only looks that way on paper. A review of the Task Force meetings would show that member ideas that did not comport with what had already been drawn up were dismissed (and the plans that were drawn up then differ markedly from what is now proposed, which had no input from the long-defunct Task Force).

(3) CONNECTIVITY/WATERFRONT REVITILIZATION

The project benefits extolled in Section 4.2 also include: “Develop new recreation amenities and opportunities for residents with a focus on expanding trails and opportunities for walking and biking; “pursue opportunities to create new sidewalks and pathways that connect the places people live, work, shop, and play in Amherst”; “seek to enhance opportunities for residents to safely walk and bike for exercise, leisure, and transportation purposes”.

Connectivity? The proposed pedestrian/bike paths on Westwood do not connect to anything. Despite trail connectivity being the top public desire per the recreation survey the Town did, the Town has been totally non-responsive to it. The benefits of extending the Ellicott Creek Path that currently dead-ends at the Audubon Golf Course across Maple and through Westwood, and then to Amherst State Park, Glen Park and the Village of Williamsville are numerous and obvious. Yet this plan focuses on vehicular traffic moving into unspoiled greenspace. While Buffalo has eliminated traffic on its “ring road” in the crown jewel of Delaware Park, the Town seeks to create a traffic circle in the middle of Westwood, intersecting with pedestrian paths. Safety? The potential pitfalls are again obvious. The slick, feel-good language in the PUD, while purporting to be about public needs and wants, is really about the need to satisfy developers. The inclusion of a pedestrian entrance off Frankhauser, where there is a blind curve, is tone-deaf to pedestrian/bicyclist safety. The preferred set-up for any park on Westwood is to limit vehicular access to the existing North Forest/Sheridan with plentiful parking available, and possibly a parking lot entrance on the Maple side, with no vehicles allowed into the interior of the site. Although the PUD is silent on the effects on wildlife, once traffic is allowed onto the site, it would never be the same, eliminating its natural character, which this PUD ostensibly seeks to protect.

The proposed benefits also tout the Town of Amherst Local Waterfront Revitalization Program, which “celebrates the beauty and uniqueness of the extensive waterfront along Tonawanda Creek/Erie Canal and Ellicott Creek, and the local history and the community’s desire to build upon existing strengths for the future”, with the Town identifying the following goals for its local waterfront revitalization plan: “increase public access to Town waterways, enhance amenities at existing public parks”.

Yet, for the construction of the non-zoning appropriate theater, the Town plans on disturbing the waterway running across the southern portion of the property, acknowledging that “the canal feature located in the southwestern portion of the Property and identified in the

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Amherst Central Park Plan for expansion into a larger pond may be subject to federal and state permitting if that water is connected to other waters" and "the outlet of the canal feature and discharge location of those waters would be identified to determine any regulatory requirements, which could include enhancement of other wetlands onsite, offsite mitigation, or other mitigation as required by the ACOE and/or NYSDEC". Furthermore, Westwood has no navigable sections of Ellicott Creek, but Audubon does – which one would think this would be a major consideration for considering Audubon as an alternate site.

(4) TRAFFIC

Per the DEIS, a collision analysis was conducted by C&S to evaluate the collision history of signalized intersections of Sheridan Drive at Frankhauser Road and Sheridan Drive at North Forest Road. Collision data was Amherst Central Park Affected Environmental Resources, Impacts, and Mitigation October 12, 2023 4.14 compiled, from January 2018 through December 2022. As detailed in the TIS, a total of 79 collisions were documented with 17 collisions at the Frankhauser Road intersection and 62 collisions at the North Forest Road intersection. Of these, 39% were reportable with injuries.

Despite the significant amount of accidents identified, this plan notes significant increased traffic, largely due to the non-zoning appropriate uses. "Table 6 Trip Generation Park Facility ITE Land Use Code PM Peak Trips Saturday Midday / Peak Trips Entering Exiting Total Entering Exiting Total Park 411 Public Park 18 15 33 33 34 61 Community Building 495 Recreational Community Center 40 46 86 36 31 67 Theater N/A 70 17 87 70 17 87 Ice Rink/Ribbon 465 Ice Skating Rink 31 26 57 60 53 113 Peak Hour Trips 159 104 263 200 128 328 Trip distribution was based on existing traffic patterns in the study area. The main entrance of the Park is proposed to be off of Sheridan Drive, across from Fenwick Road. It was assumed the majority of the trips (70%) will be entering and exiting from the main entrance, and 30% will use the entrance on N. Forest Road".

As previously noted, Maple Road is significantly less trafficked than Sheridan. Also, the proposal notes that a traffic signal should be considered at the proposed park entrance across from Fenwick "at the Amherst Central Park driveway on Sheridan Drive due to the long delays and vehicle queues expected at the site driveway and at Fenwick Road located across from the driveway." There are already long queues at Sheridan and Frankhauser where there is a traffic signal, which would be very close to any traffic signal at Fenwick – the plan does not indicate whether a signal at the park entrance would mean the removal of the signal at Frankhauser, which would of course have significant negative effects for the residents utilizing this existing light.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

(5) OVERALL IMPACTS AS TOO SIMILAR TO MIXED USE DEVELOPMENT

Section 3.3 of the GEIS identifies several of the problems found with the previous mixed use development for which a re-zone was denied, including insufficient sanitary sewer capacity and significant constraints on increasing that capacity; traffic impacts associated with new development in an area not previously planned for such development; extensive new roadway and signal construction to address traffic impacts; impacts associated with wetlands, hardwood swampland, floodplains, and Ellicott Creek; conversion of land zoned RC to higher-density uses; Incompatibility of the proposed uses with surrounding neighborhoods; loss of open space; and a protracted construction period.

The plan goes on to say how much better the current proposal is. However, per Section 2.4, Project Schedule: "The Town anticipates that the implementation of the Amherst Central Park will occur over the course of a 10-year period (June 2024-June 2034). Construction will begin with improvements within the southern portion of the Property, which will include the most intensive development of recreation, community, and civic facilities". **THIS IS THE SAME AMOUNT OF CONSTRUCTION TIME THAT WAS CITED FOR THE MASSIVE MIXED USE DEVELOPMENT. 10 YEARS.** This is an incredibly long period of time for a construction period in a heavy residential area with homes literally backing up to the construction site. Remember the "lighter, cheaper, faster" mantra that Buffalo so successfully employed at Canalside? This project is entirely too development-heavy, particularly on the Westwood site. It does not have to be this way. There are other land options available that would cause significantly less environmental impact for the items that do not belong in this RC-zoned property.

Additionally, per Section 4.3: "The Amherst Central Park improvements are estimated to generate up to 80,000 gallons/day of sanitary wastewater, primarily from recreational water features, i.e. splash pad spray and backwash water for swimming pool. Wastewater will be treated at the Town of Amherst Water Pollution Control Facility (WPCF), which has existing capacity to convey and treat these uses. In contrast, projected average usage for the Mixed Use Alternative in the GEIS, 245,000 gallons/day, was approximately three times greater than the Park average use, with peak hourly flow rates up to approximately 1,000,000 gallons/day. The projected sewer flow rates exceeded the sanitary system flow capacities and were a key basis for the denial of the Westwood Neighborhood (Mixed Use) application." Given that the mixed use alternative was so massive and incompatible with the surrounding neighborhood, one-third of its proposed water usage remains a very high amount.

The plan also notes: "As part of the design plan for the Amherst Central Park, it is proposed that the Buffalo Niagara Heritage Village Museum would relocate its outdoor living displays to the Amherst Central Park. These displays may include livestock and poultry which could produce odors and noise. The Town will place these displays approximately 150 feet from the nearest occupied structures to the west of the Park and will maintain them such that

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

potential impacts due to odors and noise are anticipated to be small." It should be obvious that agricultural displays should not be located behind residential homes. The museum currently has an appropriate location is a more agricultural setting, with plenty of nearby Town-owned land for its expansion.

(6) FUTURE DEVELOPMENT

Although the DEIS purports to preserve 115 acres of the mid- to northern section of the parcel as natural space, Section 6.2 reads: "The establishment of thresholds for the future environmental review of related improvements in the Amherst Central Park that are not set forth in Appendix A is an important component of this SGEIS. Examples of possible future related actions (aka improvements) may include development in the northern section of the Property in a manner that is not entirely consistent with the approved Conceptual Development Plan in Appendix A. This may occur given that the layout of the improvements as depicted on the Conceptual Development Plan is conceptual in nature. Instead, the layout as depicted on the Conceptual Development Plan is meant to depict the anticipated components of the Amherst Central Park and the maximum potential development that could occur without the need for additional environmental review(s) pursuant to SEQRA. The precise layout of improvements will be the subject of an ACP Application process for this Town-owned PUD. The future improvements will be reviewed in accordance with the process established in the PUD application." The following "process" that is outlined significantly limits environmental review of the Town's future actions. This makes one wonder about the Town's true intentions for the northern section of the property. If the Town is pledging to keep 115 acres undeveloped, why is this pledge not cemented in the document, with no future "improvements" of any kind banned in this area?

This plan should NOT be approved by the Planning Board due to the numerous illegalities and deficiencies outlined herein.

Thank you in advance for considering my comments.

Jennifer Snyder-Haas
185 Fairways Blvd

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST
BUILDING DEPARTMENT
ERIE COUNTY, NEW YORK
5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E.
Commissioner of Building

RECEIVED
NOV 01 2023
TOWN OF AMHERST
PLANNING DEPT.

DATE: October 24, 2023

TO: Planning Department

FROM: Doug Gesel Supervising Code Enforcement Officer

RE: Conceptual Plan SP-2023-11 for 772 N Forest Rd, 385 & 391 Maple Rd

☒ Site Plan is: ☐ Subdivision is: ☐ ODA is: ☐ CSP is:

☒ Approved as Submitted

☐ Approved with the following conditions or changes:

☐ Denied for the following reasons:

☐ Not reviewable at this stage because the following information is not provided:

☐ Not applicable to this department at this time.

NOTE:

☒ Floodplain Development Permit required.

☒ Wetlands on property.

☐

*This review was for site compliance only.
*Approval does not grant permission to start construction.

Douglas Gesel

Supervising Code Enforcement Officer
Town of Amherst Building Department

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

PUD

8.1.c

AMHERST FIRE CHIEFS' ASSOCIATION INC.

To: Dan Howard, Planning Director Date: 10/30/23

From: Krista Halt, Liaison to Amherst Fire Safety Committee

RE: Site Plan Review: PUD APPLICATION REVIEW SP-2023-11 PROPOSED CONCEPTUAL DEVELOPMENT PLAN FOR A NEW COMMUNITY PARK
Address: 772 NORTH FOREST RD. 385 & 391 MAPLE RD.

Petitioner: TOWN OF AMHERST

The above referenced ☐ Site Plan is ☐ Subdivision is ☐ Minor Modification is:

☒ Approved as Submitted

☐ Denied due to the following:

☐ Not reviewable at this time due to the following:

RECEIVED
OCT 30 2023
TOWN OF AMHERST
PLANNING DEPT.

☐ 1. Section 503 FCNYS 2020 – Fire Apparatus Access Road

- ☐ A. Section 503 Firelanes (fire apparatus access roads) be provided in accordance with the FCNYS 2020
- ☐ B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled.
- ☐ C. 503.1.2 – provide an additional fire apparatus access road
- ☐ D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7
  - ☐ 1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertical clearance of 13 feet 6 inches.
  - ☐ 2. 503.2.2 – increase width of fire apparatus access road to ____ feet to be adequate for fire or rescue operations.
  - ☐ 3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside.
  - ☐ 4. 503.2.5 – dead end fire apparatus access roads in excess of 150 feet, shall be provided with an approved area for turning around fire apparatus.
  - ☐ 5. 503.3 – fire apparatus access roads must be marked as firelanes per the signage specification established by Appendix D FCNYS 2020
  - ☐ 6. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads.
  - ☐ 7. Appendix D 103.2 Grade: Fire apparatus access rds. Shall not exceed 10 percent in grade.

☐ 2. Section 506 FCNYS 2020 – Key Boxes – A fire department Knox key box is required for access to building keys.

☐ 3. Section 507 FCNYS 2020 – Fire Protection Water Supplies

- ☐ A. Indicate all existing Fire Hydrants on plans.
- ☐ B. All waterlines with numerous hydrants should be looped or on a grid system.
- ☐ C. All fire hydrants must be within 500 feet of each other. (Subdivisions)
- ☐ D. Section 507.5.1 – provide an additional Fire Hydrant within 400 feet of the most remote point of the building (as the fire hose would be laid out) or within 600 feet if the building is equipped with a Fire Sprinkler system.
- ☐ E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building

COMMENTS:

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Szatkowski, Jeffrey
Sent: Wednesday, October 18, 2023 4:29 PM
To: Szatkowski, Jeffrey
Subject: LA Review SP-2023-11_10182023

There are no comments on the submitted proposed conceptual development plan for a new community park.

Thanks,
Jeff

Jeffrey Szatkowski, Landscape Architect
Town of Amherst Planning Department
5583 Main St.
Williamsville, NY 14221
P: (716) 631-7051

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST

BUILDING DEPARTMENT

ERIE COUNTY, NEW YORK

5583 MAIN STREET

WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080

FAX: (716) 631-7192

Mark S. Berke, P.E., CFM
Commissioner of Building

Date: October 31, 2023

To: Daniel Ulatowski, AICP- Asst. Planning Director

From: Alan D. Herberger, Sr. Plumbing Inspector

Re: SP-2023-11; Proposed Conceptual Development Plan; New Community Park; 772 North Forest Rd., 385 & 391 Maple Rd. Town of Amherst, Petitioner

The Proposed PUD Application Review is Approved as Submitted. – Plumbing Dept.

cc: Engineering Dept.
Building Dept.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7030
FAX (716) 631-7101
www.amherst.ny.us

Martin A. Polowy
Town Attorney

Elizabeth A. Burakowski
Director of Special Projects

Nicole M. Burroughs
Senior Paralegal

Samuel A. Alba
Sr. Deputy Town Attorney

Nora B. Robshaw
Sr. Deputy Town Attorney

Brittanylee Penberthy
Town Prosecutor

TO: **Scott Marshall, Planning Department**

FROM: **Nora B. Robshaw, Senior Deputy Town Attorney** NBR/rmj
Right-of-Way Review

DATE: **October 25, 2023**

RE: **Proposed PUD Application Review**
SP-2023-11; Proposed Conceptual Development Plan for a New Community Park
772 North Forest Road, 385 & 391 Maple Road
Town of Amherst, Petitioner

This office has reviewed the materials submitted by your correspondence dated October 17, 2023, and has no comments.

We are returning copies of the materials for your file.

NBR:hs

c: Douglas Gesel, Senior Code Enforcement Officer, *(w/o attachment)*
Brian J. Armstrong, EIT, Director of Engineering Services, *(w/o attachment)*
Jeffrey Burroughs, PE, Town Engineer, *(w/o attachment)*
Mary-Diana Pouli, Executive Director of Youth & Recreation *(w/o attachment)*

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TOWN OF AMHERST

TRAFFIC-SAFETY BOARD

ENGINEERING DEPARTMENT – 1100 NORTH FOREST ROAD, WILLIAMSVILLE, NEW YORK 14221
TRAFFIC SAFETY COORDINATOR - TELEPHONE 631-7154 - FAX 631-7222

MICHAEL SZUKALA
Councilmember & Liaison Officer

ERIC FRAAS
Chairman

GREGORY DIONNE
Vice Chairman

CHRISTOPHER P. SCHREGEL
Traffic Safety Coordinator

MEMBERS

DANIEL J. RIDER, P.E.
KENNETH A. SMITH
J. MICHNIEWICZ, P.E., P.T.O.E.
MARK STORCH
MAXWELL KAHN
KEVIN CANTWELL
KRISTIN GOSS
PATRICK WANAMAKER, P.E.

DEPT. LIAISONS

THOMAS VOIGT
Planning

CAPT. CHARLES PERSONS
Police

WILLIAM PRENEVAU
Building

AL SPOTH
Highway



November 2, 2023

TO: Scott Marshall – Principal Planner
Mark S. Berke – Commissioner of Buildings

FROM: Christopher P. Schregel – Traffic Safety Coordinator

SUBJECT: PUD Application Review, **SP-2023-11**
Proposed Conceptual Development plan for a New Community
TOA Job # 2023.16

ADDRESS: 772 North Forest Road, 385 & 391 Maple Road

PETITIONER: Town of Amherst

X PUD APPLICATION REVIEW IS

X APPROVED WITH CONDITIONS

1. Reconsider altering the location and geometry of the N. Forest Road curb-cut as proposed. The proximity of the bends along N. Forest Road at this curb-cut location present challenges given the number trips expected, particularly coming from the north as there is not a proposed access from either Maple Road or Frankhauser Road. Reconsideration of the roundabout configuration is suggested.
2. Provide a pedestrian connection between the public sidewalk along the south side of Maple Road and the internal walking paths that loop near Maple Road.
3. Similar to comment #2, it is expected that park users will utilize the internal pathway system from the north end. Suggested that the Audubon Par 3 parking lot be utilized as a location for park users to park and access the paths within Amherst Central Park (ACP). As such, provide a pedestrian connection between the existing Par 3 parking lot and the internal walking paths within ACP within the golf course. Consider expanding parking at the Par 3 to accommodate this new "trail head".
4. Provide additional internal parking near key park features. Consider utilizing parallel parking along areas where park users may want to access by vehicle, e.g. playgrounds, outdoor exercise area, etc.
5. Traffic Safety Board agrees with the Draft SGIES that while the signal warrants are not met, that a traffic signal still be considered for the ACP driveway on Sheridan Drive at Fenwick to address the projected long delays and queues out of both the site driveway and Fenwick Road. Further providing for an improved pedestrian crossing to the residential subdivision across Sheridan Drive.

CPS/ch
Cc: Jeff Burroughs, Town Engineer
Mary-Diana Pouli, Exec. Director of Youth and Recreation

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Szatkowski, Jeffrey

From: Ulatowski, Daniel
Sent: Thursday, November 16, 2023 1:10 PM
To: Wendy A. Marsh; Wagner, Barbara; Audino, Kate; Polowy, Martin; Burakowski, Elizabeth; Dafchik, Anne; Howard, Dan
Cc: Szatkowski, Jeffrey
Subject: FW: Amherst Central Park Concept Plan - Pedestrian and Bike Entrance at Frankhauser/Fairways

Importance: High

FYI,

See email below.

Dan U

From: Vaughan, William <wvaughan@chsbuffalo.org>
Sent: Thursday, November 16, 2023 1:00 PM
To: Marshall, Scott <SMarshall@amherst.ny.us>; Palumbo, Gary <gpalumbo@amherst.ny.us>; Voigt, Thomas J. <tvoigt@amherst.ny.us>; Ulatowski, Daniel <dulatowski@amherst.ny.us>
Cc: Toa Info <toainfo@amherst.ny.us>; Bucki, Debbie <dbucki@amherst.ny.us>; Berger, Jacqualine <jberger@amherst.ny.us>; Lavin, Shawn A. <slavin@amherst.ny.us>; Szukala, Michael <mszukala@amherst.ny.us>; Taggart, Martha <mtaggart@amherst.ny.us>; 'stephanie vaughan' <vaughan.stephanie81@yahoo.com>
Subject: Amherst Central Park Concept Plan - Pedestrian and Bike Entrance at Frankhauser/Fairways
Importance: High

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

My name is Bill Vaughan and I live at 11 Fairways Blvd. with my wife Stephanie and our two young children Sophie and Aidan. We have lived in Amherst since July of 2012 and our house is at the south end of Fairways, right at the Frankhauser/Fairways intersection.

I would like to state that I am supportive of the overall Westwood Concept as part of the Amherst Central Park but I have some concerns about the proposed ???Pedestrian and Bike Entrance??? to Frankhauser at the South West area of Westwood. A ???Pedestrian and Bike Entrance??? in that space does not make logical sense and also raises a number of traffic and safety concerns. I am writing to you today not only on behalf of my family but for many of our neighbors in the Frankhauser/Fairways neighborhood who have expressed similar concerns as well. Some of the biggest concerns being:

- Why is there a need for a Pedestrian and Bike Entrance? Why aren???t the main entrances adequate?
    - There are no other Pedestrian and Bike Entrances anywhere else on the Concept Plan so why put one there leading to/from Frankhauser?
    - It is important to note that where the Pedestrian and Bike Entrance would be, there are no sidewalks on that East side of Frankhauser from Sheridan leading up to the proposed Pedestrian and Bike Entrance, and then through the Frankhauser/Fairways intersection. The sidewalk does not begin until you are

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

directly in front of my house at 11 Fairways ??? that is a long stretch where pedestrians would be forced to walk in the road to get to a sidewalk.

- This means that pedestrians leaving the park and utilizing the proposed Pedestrian and Bike Entrance would be immediately put into an unsafe situation at the Frankhauser/Fairways intersection as there is nowhere for them to safely walk. The same safety concerns for pedestrians would also be true for people entering the park at that proposed location.
- On a personal note, because pedestrians leaving the park would want to avoid the unsafe intersection, they would utilize my yard (directly adjacent to the proposed Pedestrian and Bike Entrance) as a cut through to get to Fairways Blvd. As I mentioned, I have two young children and we play in our yard on a daily basis ??? having strangers cutting through my yard and being in close proximity to my children, I believe, is also problematic and presents additional safety issues.

- In June of 2020, the town reconfigured the intersection of Frankhauser and Fairways after recommendation from the Amherst Traffic and Safety Board due to traffic and safety issues and it being deemed an unsafe intersection - why would we include a design in the Concept Plan that would offset the work done to help mitigate the traffic/speeding/safety issues?
  - If the intersection was deemed unsafe for vehicles, why would we want pedestrians and bicyclists to utilize that same intersection? Wouldn???t it also be unsafe for them?
  - Even with the intersection redesign, it is still a difficult intersection with safety and speeding issues persisting. Vehicles continue to use Fairways/Frankhauser as a cut-through between Sheridan and Maple, speeding through the intersection causing unsafe traffic conditions ??? on a daily basis there are quite a few ???near miss??? car accidents, with vehicles speeding through the intersection/not stopping at the STOP sign on Fairways at Frankhauser.
  - Since the intersection was redesigned, we have also had multiple instances of vehicles speeding down Frankhauser, losing control of their vehicle, and driving right onto the new grassy area the town installed at the intersection, getting their vehicle stuck. This has happened most often at night and in inclement weather, but has also happened in ordinary driving conditions. Recently, the town removed the guide rail that paralleled the intersection (separating the road from my yard), so the next time this happens the vehicle that loses control and leaves the road will be in my yard. Again, with the additional traffic that will be seen from this, this puts my family at risk.
  - Adding the additional pedestrian and bike traffic, vehicle traffic, and cars parked on Frankhauser and Fairways, it will make an already unsafe intersection even more unsafe.

On behalf of my family and our neighbors, I respectfully ask you to reconsider and remove the Pedestrian and Bike Entrance at Frankhauser/Fairways from the Concept Plan. The questions raised here, and other safety concerns, should all be considered when looking at this possible Pedestrian and Bike Entrance at Frankhauser/Fairways. If the plan were to move forward as shown in the Concept Plan and a Pedestrian and Bike Entrance is placed where it is currently proposed, there will be far more burdens than benefits as a result of that Pedestrian and Bike Entrance, causing increased traffic and safety issues. Thank you for your time and I appreciate you considering this request. Have a great day.

Peace and all good things,

Bill Vaughan, MAT, BCC
Vice President, Mission Integration
Mercy Hospital of Buffalo
565 Abbott Road
Buffalo, New York 14220
Office: (716) 828-2190
Cell: (716) 868-1521
E-mail: wvaughan@chsbuffalo.org

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Catholic Health
Mercy Hospital of Buffalo

[redacted]

In a bind? Use *CredibleMind*
24/7 Online Well-being and Mental Health Help

CONFIDENTIALITY NOTICE: This message is confidential, intended only for the named recipient(s) and may contain information that is privileged, or exempt from disclosure under applicable law.
If you are not the intended recipient(s), you are notified that the dissemination, distribution or copying of this message is strictly prohibited.
If you receive this message in error, or are not the named recipient(s), please notify the sender by reply e-mail, delete this e-mail from your computer, and destroy any copies in any form immediately.
Receipt by anyone other than the named recipient(s) is not a waiver of any attorney-client, work product, or other applicable privilege.
This message and all contents may be reviewed by authorized parties of the Catholic Health System other than those named in the message header.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

A.2 Comment Summary

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

AMHERST CENTRAL PARK
772 North Forest Road and 385 & 391 Maple Road
COMMENTS

Appendix A.2: Comment Summary (Listed By Comment ID)

ID #	First Name	Last Name	Date	Agency (If applicable)	SEQR Process	PUD Process	Transportation	Historic and Archaeological Resources	Human Health	Biological Resources	Water Resources	Overall Project Statements	Zoning	Consistency with Community Plans	Cumulative Impacts	Sanitary Sewer	Noise, Odor and Light	Alternatives Analysis	Fire Protection / Access	Misc.
A-001	Mohammad	Albayed	11/22/2023	NYSDOT			x													
A-002			10/25/2023	USFWS						x										
A-003	R. Daniel	MacKay	11/22/2023	SHPO				x												
A-004	Mohammad	Albayed	11/22/2023	NYSDOT			x													
A-005	David	Denk	11/20/2023	NYSDEC								x								
A-006	David	Denk	11/20/2023	NYSDEC							x									
A-007	David	Denk	11/20/2023	NYSDEC							x									
A-008	David	Denk	11/20/2023	NYSDEC							x									
A-009	David	Denk	11/20/2023	NYSDEC							x									
A-010	David	Denk	11/20/2023	NYSDEC					x											
A-011	David	Denk	11/20/2023	NYSDEC								x								
A-012	David	Hall	11/20/2023	Planning								x								
A-013	Garrett	Hacker	11/22/2023	Erie County Department of Public Works			x													
A-014	Garrett	Hacker	11/22/2023	Erie County Department of Public Works			x													
A-015	Garrett	Hacker	11/22/2023	Erie County Department of Public Works			x													
A-016	Garrett	Hacker	11/22/2023	Erie County Department of Public Works			x													
P-001	Dwight	Kanyuck	10/12/2023	Knauf Shaw	x															
P-002	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023			x													
P-003	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023			x													
P-004	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023			x													
P-005	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023				x												
P-006	Mary	Boehm	11/8/2023	Public, resubmitted 11/27/2023					x											
P-007	Joan	Hudak	11/12/2023	Public						x										
P-008	Joan	Hudak	11/12/2023	Public						x										
P-009	Joan	Hudak	11/12/2023	Public							x									
P-010	Joan	Hudak	11/12/2023	Public						x										
P-011	Jennifer	Snyder-Haas	11/16/2023	Public																
P-012	Jennifer	Snyder-Haas	11/16/2023	Public									x							
P-013	Jennifer	Snyder-Haas	11/16/2023	Public									x							
P-014	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-015	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-016	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-017	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-018	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-019	Jennifer	Snyder-Haas	11/16/2023	Public														x		
P-020	Jennifer	Snyder-Haas	11/16/2023	Public										x						
P-021	Jennifer	Snyder-Haas	11/16/2023	Public			x													
P-022	Jennifer	Snyder-Haas	11/16/2023	Public							x									
P-023	Jennifer	Snyder-Haas	11/16/2023	Public							x									
P-024	Jennifer	Snyder-Haas	11/16/2023	Public			x													
P-025	Jennifer	Snyder-Haas	11/16/2023	Public			x													
P-026	Jennifer	Snyder-Haas	11/16/2023	Public											x					
P-027	Jennifer	Snyder-Haas	11/16/2023	Public											x					
P-028	Jennifer	Snyder-Haas	11/16/2023	Public											x					
P-029	Jennifer	Snyder-Haas	11/16/2023	Public												x				
P-030	Jennifer	Snyder-Haas	11/16/2023	Public													x			
P-031	Jennifer	Snyder-Haas	11/16/2023	Public		x														
P-032	Jennifer	Snyder-Haas	11/16/2023	Public								x								
P-033	Judith (Judy)	Ferraro	11/15/2023	Public								x								
P-034	Judith (Judy)	Ferraro	11/15/2023	Public		x														
P-035	Judith (Judy)	Ferraro	11/15/2023	Public		x														

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

AMHERST CENTRAL PARK
772 North Forest Road and 385 & 391 Maple Road
COMMENTS

Appendix A.2: Comment Summary (Listed By Comment ID)

ID #	First Name	Last Name	Date	Agency (If applicable)	SEQR Process	PUD Process	Transportation	Historic and Archaeological Resources	Human Health	Biological Resources	Water Resources	Overall Project Statements	Zoning	Consistency with Community Plans	Cumulative Impacts	Sanitary Sewer	Noise, Odor and Light	Alternatives Analysis	Fire Protection / Access	Misc.
P-036	Judith (Judy)	Ferraro	11/15/2023	Public		x														
P-037	Judith (Judy)	Ferraro	11/15/2023	Public		x														
P-038	Bill	Vaughan	11/16/2023	Public			x													
P-039	Bill	Vaughan	11/16/2023	Public			x													
P-040	Bill	Vaughan	11/16/2023	Public			x													
P-041	Bill	Vaughan	11/16/2023	Public			x													
P-042	Bill	Vaughan	11/16/2023	Public			x													
P-043	Bill	Vaughan	11/16/2023	Public			x													
P-044	Bill	Vaughan	11/16/2023	Public			x													
P-045	Bill	Vaughan	11/16/2023	Public			x													
P-046	Bill	Vaughan	11/16/2023	Public			x													
P-047	Bill	Vaughan	11/16/2023	Public			x													
P-048	Bill	Vaughan	11/16/2023	Public			x													
P-049	Bill	Vaughan	11/16/2023	Public			x													
P-050	Sandra	Koerber	11/16/2023	Public																x
P-051	Sandra	Koerber	11/16/2023	Public			x													
P-052	Mary	Shapiro	11/16/2023	Public		x														
P-053	Mary	Shapiro	11/16/2023	Public									x							
P-054	Mary	Shapiro	11/16/2023	Public					x											
P-055	Mary	Shapiro	11/16/2023	Public			x													
P-056	Mary	Shapiro	11/16/2023	Public			x													
P-057	Mary	Shapiro	11/16/2023	Public																x
P-058	Mary	Shapiro	11/16/2023	Public							x									
P-059	Mary	Shapiro	11/16/2023	Public																x
P-060	Mary	Shapiro	11/16/2023	Public																x
P-061	Mary	Shapiro	11/16/2023	Public															x	
P-062	Mary	Shapiro	11/16/2023	Public														x		
P-063	Mary	Shapiro	11/16/2023	Public		x														
P-064	Mary	Shapiro	11/16/2023	Public																x
P-065	Mary	Shapiro	11/16/2023	Public								x								
P-066	Maryann	Hochberg	11/16/2023	Public		x														
P-067	Maryann	Hochberg	11/16/2023	Public			x													
P-068	Maryann	Hochberg	11/16/2023	Public			x													
P-069	Maryann	Hochberg	11/16/2023	Public			x													
P-070	Maryann	Hochberg	11/16/2023	Public				x												
P-071	Maryann	Hochberg	11/16/2023	Public																x
P-072	Maureen	Schmitt	11/16/2023	Public																x
P-073	Maureen	Schmitt	11/16/2023	Public																x
P-074	Maureen	Schmitt	11/16/2023	Public			x													
P-075	Maureen	Schmitt	11/16/2023	Public			x													
P-076	Patricia	Fillipponi	11/20/2023	Public																x
P-077	James	Boje	11/18/2023	Public								x								
P-078	James	Boje	11/18/2023	Public								x								
P-079	James	Boje	11/18/2023	Public								x								
P-080	James	Boje	11/18/2023	Public			x													
P-081	James	Boje	11/18/2023	Public			x													
P-082	James	Boje	11/18/2023	Public													x			
T-001	Jeffrey	Szatkowski	10/18/2023	TOA Planning Department								x								
T-002	Douglas	Gesel	10/24/2023	TOA Building Department								x								
T-003	Nora	Robshaw	10/25/2023	TOA Attorney's Office								x								
T-004	Krista	Halt	10/30/2023	TOA Building Department - Fire Safety								x								
T-005	Alan	Herberger	10/31/2023	TOA Building Department - Plumbing								x								
T-006	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

AMHERST CENTRAL PARK
772 North Forest Road and 385 & 391 Maple Road
COMMENTS

Appendix A.2: Comment Summary (Listed By Comment ID)

ID #	First Name	Last Name	Date	Agency (If applicable)	SEQR Process	PUD Process	Transportation	Historic and Archaeological Resources	Human Health	Biological Resources	Water Resources	Overall Project Statements	Zoning	Consistency with Community Plans	Cumulative Impacts	Sanitary Sewer	Noise, Odor and Light	Alternatives Analysis	Fire Protection / Access	Misc.
T-007	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													
T-008	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													
T-009	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													
T-010	Chris	Schregel	11/2/2023	TOA Traffic Safety Board			x													
T-011	Chris	Schregel	11/3/2023	TOA Engineering Services Division												x				
T-012	Eric	Blocher	11/3/2023	TOA Highway Department																x
T-013			11/3/2023	TOA Traffic Safety Board			x													
T-014			11/3/2023	TOA Traffic Safety Board			x													
T-015			11/3/2023	TOA Traffic Safety Board			x													
T-016			11/3/2023	TOA Traffic Safety Board			x													
T-017			11/3/2023	TOA Traffic Safety Board			x													
T-018	Vaishali	Reberholt	11/6/2023	TOA Engineering Department												x				
T-019	Bonnie	Arnold	11/9/2023	TOA Assessor's Office								x								x
T-020	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-021	Erica	Rodman	11/6/2023	TOA Committee on Disabilities						x										
T-022	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-023	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-024	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-025	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-026	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-027	Erica	Rodman	11/6/2023	TOA Committee on Disabilities																x
T-028	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-029	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-030	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-031	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-032	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-033	Krista	Halt	11/7/2023	Amherst Fire Chiefs' Association															x	
T-034	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-035	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-036	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-037	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-038	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-039	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-040	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-041	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-042	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes			x													
T-043	Anne	Dafchik	11/14/2023	Diversity Committee Meeting Notes																x
T-044			11/16/2023	TOA Planning Board		x														
T-045			11/16/2023	TOA Planning Board		x														
T-046			11/16/2023	TOA Planning Board		x														
T-047			11/16/2023	TOA Planning Board		x														
T-048			11/16/2023	TOA Planning Board		x														
T-049	David	Mingoia	11/20/2023	TOA Industrial Development Agency								x								
T-050			11/20/2023	Engineering Department								x								

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

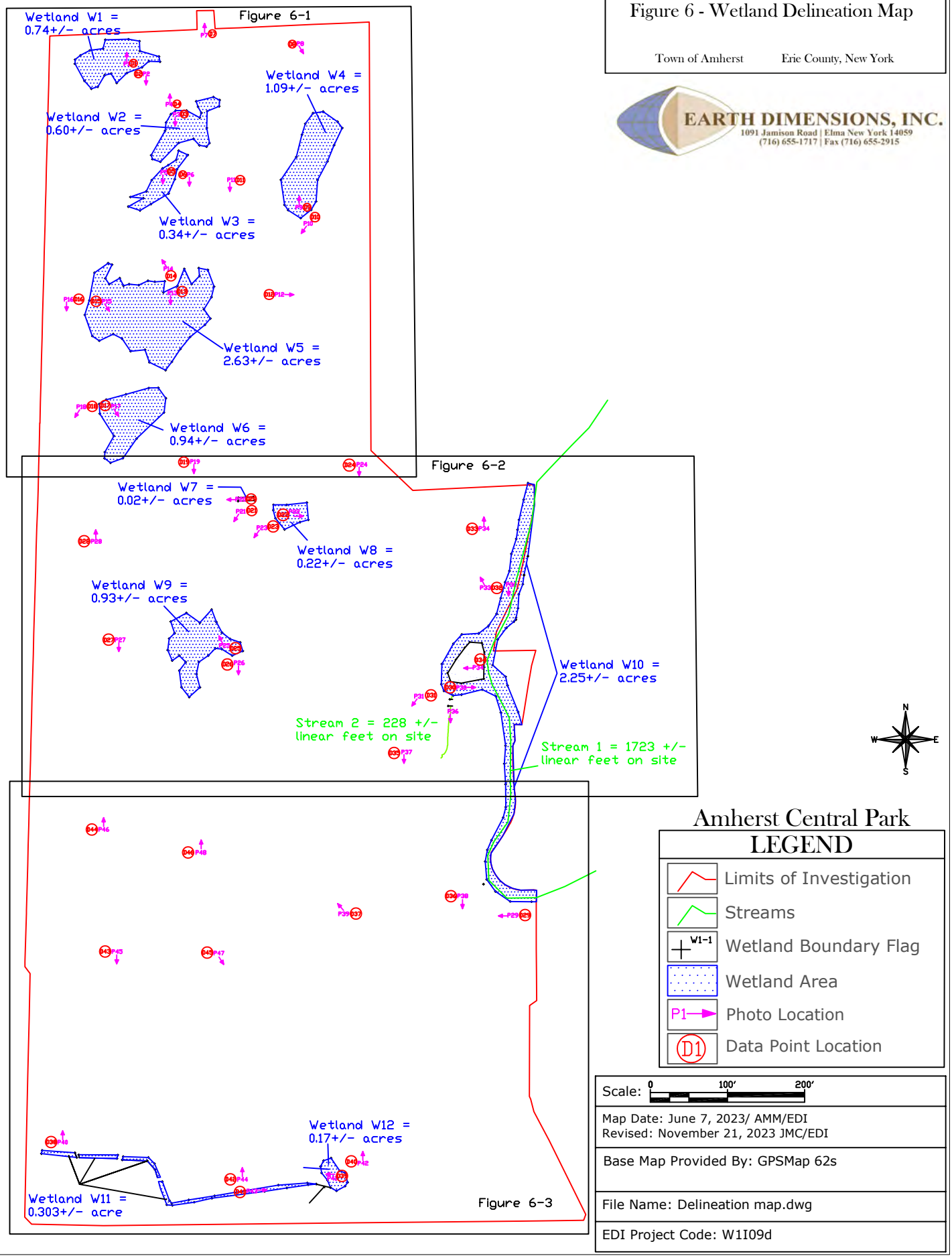
Appendix B Revised Wetland Mapping

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Figure 6 - Wetland Delineation Map

Town of Amherst Erie County, New York

EARTH DIMENSIONS, INC.
1091 Jamison Road | Elma New York 14059
(716) 655-1717 | Fax (716) 655-2915



Amherst Central Park

LEGEND

- Limits of Investigation
- Streams
- W1-1 Wetland Boundary Flag
- Wetland Area
- P1 Photo Location
- D1 Data Point Location

Scale: 0 100' 200'

Map Date: June 7, 2023/ AMM/EDI
Revised: November 21, 2023 JMC/EDI

Base Map Provided By: GPSMap 62s

File Name: Delineation map.dwg

EDI Project Code: W1I09d

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Wetland W6 =
0.94+/- acres

Wetland W7 =
0.02+/- acres

Wetland W8 =
0.22+/- acres

Wetland W9 =
0.93+/- acres

Wetland W10 =
2.25+/- acres

Stream 1 = 1723 +/-
linear feet on site

Stream 2 = 228 +/-
linear feet on site

Figure 6-2

Figure 6-3

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Appendix C Updated Traffic Impact Study

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

C&S Engineers, Inc.
141 Elm Street, Suite 100
Buffalo, New York 14203

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Traffic Impact Study

Amherst Central Park
Town of Amherst, Erie County, New York

Prepared for:
Town of Amherst
Municipal Building
5583 Main Road
Williamsville, New York 14221

October 2023

Table of Contents

Executive Summary 1
1.0 Introduction 2
Study Purpose 2
Study Area 2
Methodology 4
2.0 Existing Conditions 4
Roadway Network 4
Capacity Analysis 5
Pedestrian Conditions 7
Bicycle Conditions 7
Transit Conditions 7
Collision Analysis 8
3.0 No Build Condition 8
4.0 Build Condition 9
Site Information 9
Capacity Analysis 11
5.0 Mitigation 14
6.0 Conclusion 14

Appendices:

Appendix A – Figures

Appendix B – Collision Data

Appendix C – Traffic Data

Appendix D – Synchro Reports

Appendix E – Signal Warrant Analysis

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Executive Summary

The existing location of the Westwood Country Club in the Town of Amherst has been proposed to be redeveloped into a 171-acre Town park. The proposed Amherst Central Park will have a variety of amenities for the community, some of which include trails, a community building, pavilions, playgrounds, theaters, an ice skating rink, a winter market, a museum, and more. The proposed site is in the Town of Amherst, Erie County, New York, between Sheridan Drive and Maple Road and Frankhauser Road and N. Forest Road. There are two proposed site driveways at the southern end on Sheridan Drive and N. Forest Road. This Traffic Impact Study is part of a larger Environmental Impact Study for the proposed park.

Through an existing conditions inventory, collision analysis, and level of service analysis, the study area intersections were evaluated for potential improvements and mitigation. The analysis considered existing and build conditions during the afternoon weekday peak and the midday Saturday peak. The selected peak hours were chosen for analysis due to the expected recreational use of the site. The site generated trips were calculated using the ITE Trip Generation Manual and assumptions made based on seating capacity and expected attendance to events. Proposed site generated traffic volumes were distributed using existing traffic patterns.

The existing LOS at the study intersections is acceptable for a congested roadway network with the worst level of service at a LOS D. The proposed park-related generated traffic minimally impacts the LOS at the study intersections. A traffic signal is not warranted at the proposed site driveway on Sheridan Drive; however, a signal should be considered due to the long delays and queue expected at the site driveway.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

1.0 Introduction

Study Purpose

The Town of Amherst has requested a Traffic Impact Study for the proposed Amherst Central Park. This park is proposed to contain a variety of amenities for public use, some of which include pedestrian and bike trails, a community building, pavilions, playgrounds, theaters, an ice skating rink, a winter market, and more. This Traffic Impact Study is part of a larger Environmental Impact Study for the proposed park. The primary purposes of this study are to identify and assess traffic generated by the proposed park, compare existing conditions of the nearby roadways to the expected fully built conditions and recommend mitigation measures required due to the traffic generated by the park development.

Study Area

The proposed site location is in the Town of Amherst, Erie County, New York, at the old Westwood Country Club site. The northern and southern site limits are Sheridan Drive and Maple Road. The eastern limit of the proposed park is a combination of N. Forest Road, Ellicott Creek, and the existing Audubon Par 3 Golf Course. The western site limits are along Frankhauser Road and Fairways Boulevard homes. There are two proposed site driveways to access Amherst Central Park. The main entrance to the proposed park is planned to be off of Sheridan Drive, across from Fenwick Road. The other proposed site driveway is located on N. Forest Road at the existing Westwood Country Club entrance driveway. The study area includes intersections between Harlem Road and N. Forest Road along Sheridan Drive. See Figure 1 for the Study Area Map.

Study Roadways:

1) Sheridan Drive (NYS Route 324)
2) N. Forest Road

Study Intersections:

1) Sheridan Drive (NYS Route 324) at Harlem Road (NYS Route 240)
2) Sheridan Drive (NYS Route 324) at I-290 Ramps
3) Sheridan Drive (NYS Route 324) at Frankhauser Road
4) Sheridan Drive (NYS Route 324) at Fenwick Road
5) Sheridan Drive (NYS Route 324) at N. Forest Road

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Figure 1: Study Area Map

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Methodology

Intersections

The study intersections were analyzed using SYNCHRO 11[1], which is a computer program that implements the methods presented in the 6th Edition Highway Capacity Manual[2]. SYNCHRO determines the Level of Service (LOS), which is defined in terms of Delay.

> Delay is a measure of driver discomfort, frustration, fuel consumption and lost travel time. Level of Service criteria are stated in terms of the control delay per vehicle for a 15-minute analysis period and range from "A" to "F". Level of Service A is representative of a movement that is free flowing with minimal delay, while LOS F generally represents long delays. LOS D is generally considered acceptable in urban environments.

The ranges of delay for each level of service, as contained in the 6th Edition Highway Capacity Manual, are shown in Table 1.

Table 1: Intersection Level of Service Criteria

Level of Service (LOS)	Unsignalized Intersections	Signalized Intersections	
	Delay (sec)	Delay (sec)	v/c ratio*
A	0-10	0-10	<1.0
B	> 10-15	> 10-20	<1.0
C	> 15-25	> 20-35	<1.0
D	> 25-35	> 35-55	<1.0
E	> 35-50	> 55-80	<1.0
F	over 50	over 80	≥1.0

* If the volume to capacity ratio is 1.0 or greater, the LOS is an F

2.0 Existing Conditions

Roadway Network

The study area is along Sheridan Drive (NYS Route 324), which is an east/west roadway mainly with 2 travel lanes in each direction and a shared left turning lane with dedicated left turn lanes at intersections. Harlem Road (NYS Route 240) forms a T-junction with Sheridan Drive at the western end of the study area and N. Forest Road intersects Sheridan Drive at the eastern end of the study area. Interstate 290 contains an exit and entrance ramp onto Sheridan Drive. Additionally, there are

[1] Synchro Studio 11, Traffic Signal Optimization and Simulation Modeling Software, Version 10, Trafficware Corporation, Albany, California, 2020.
[2] Highway Capacity Manual, Transportation Research Board, National Research Council, Washington D.C., 2016.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

several minor intersections with Sheridan Drive such as: Sunrise Boulevard, Cranburne Lane, Frankhauser Road, and Fenwick Road. Apart from Frankhauser Road, these are all unsignalized intersections and primarily serve residential areas. Sheridan Drive primarily contains three travel lanes in each direction with a center turn lane from the western end of the study area to the area of the I-290 ramps. From the ramps, it runs with two travel lanes and a center turn lane to the eastern end of the study area. There are no existing bicycle accommodations along any road in the study area. Both Sheridan Drive and N. Forest Road have sidewalks along both sides of the street near the proposed site.

Table 2: Street Network Information

Street	Jurisdiction	Functional Classification	AADT	Speed Limit
Sheridan Drive (NYS Route 324)	NYSDOT	Urban Principal Arterial	36,681	45 mph
Harlem Road (NYS Route 240)	NYSDOT	Urban Minor Arterial	11,530	35 mph
Interstate 290 (WB entrance ramp)	NYSDOT	Urban Principal Arterial Interstate	8,301	-
Interstate 290 (WB exit ramp)	NYSDOT	Urban Principal Arterial Interstate	6,985	-
Sunrise Boulevard	Town of Amherst	Urban Local	-	30 mph
Cranburne Lane	Town of Amherst	Urban Local	-	30 mph
Frankhauser Road	Town of Amherst	Urban Local	-	30 mph
Fenwick Road	Town of Amherst	Urban Local	-	30 mph
North Forest Road	Erie County	Urban Principal Arterial & Urban Minor Arterial	9,583	35 mph

Capacity Analysis

Intersection Analysis

Turning movement counts (TMCs) were collected at the study area intersections through Tri-State Traffic Data. Data was collected on Thursday, September 21, 2023 from 3:00 PM to 6:00 PM and Saturday, September 23, 2023 from 11:00 AM to 2:00 PM. The study area weekday afternoon peak hour is 4:30 PM to 5:30 PM and the Saturday midday peak hour is 12:00 PM to 1:00 PM. Refer to Appendix A, Figure 4 for existing turning movement volumes. Table 3 below highlights the results of the level of service analysis for existing conditions.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Table 3: Intersection LOS Analysis - Existing Conditions

Approach		Weekday PM			Saturday Midday		
		LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS (Delay)	V/C	Queue
Sheridan Drive (NYS Route 324) at Harlem Road (NYS Route 240)							
Eastbound	*Thru*	D (37.9)	0.54	515	C (26.6)	0.35	314
	Right	A (2.7)	0.29	51	A (2.1)	0.31	46
Westbound	*Left*	D (40.0)	0.32	76	C (32.8)	0.39	85
	Thru	A (3.8)	0.34	169	B (10.7)	0.25	267
Northbound	*Left*	**E (69.1)**	**0.48**	**131**	**E (75.0)**	**0.54**	**129**
	Right	A (7.7)	0.67	96	A (4.6)	0.46	46
Intersection		C (20.7)	-	-	B (19.7)	-	-
Sheridan Drive (NYS Route 324) at I-290 Ramps							
Eastbound	*Left*	**E (63.1)**	**0.87**	**343**	C (26.6)	0.49	213
	Thru	C (26.1)	0.46	525	B (15.2)	0.26	305
Westbound	*Thru/Right*	C (21.0)	0.91	637	B (10.5)	0.37	176
Northbound	*Left*	D (42.3)	0.25	173	D (52.6)	0.40	197
	Left/Right	C (29.1)	0.34	174	B (10.3)	0.35	74
	Right	C (28.5)	0.33	162	A (7.7)	0.33	58
Intersection		C (27.3)	-	-	B (15.5)	-	-
Sheridan Drive (NYS Route 324) at Frankhauser Road							
Eastbound	*Left*	A (1.6)	0.09	m3	A (1.0)	0.04	3
	Thru	A (6.6)	0.55	217	A (2.7)	0.36	101
Westbound	*Thru/Right*	A (2.2)	0.54	116	A (1.7)	0.34	66
Southbound	*Left*	**F (85.3)**	**0.49**	**106**	**F (84.1)**	**0.42**	**89**
	Right	C (25.5)	0.21	34	C (28.8)	0.17	29
Intersection		A (5.9)	-	-	A (4.0)	-	-
Sheridan Drive (NYS Route 324) at Fenwick Road							
Westbound	*Left*	c (15.7)	0.04	0.1	b (11.3)	0.03	0.1
Northbound	*Left/Right*	**e (35.7)**	**0.23**	**0.9**	c (21.0)	0.16	0.6
Intersection		n/a			n/a		

*lowercase letters signify the HCM 6th edition Stop Control methodology was used

a: level-of-service

b: delay is measured in seconds

c: volume to capacity ratio

d: 95th queue length, measured in feet (queue length of stop controlled intersections measured in number of vehicles)

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Table 3 continued

Approach		Weekday PM			Saturday Midday		
		LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS (Delay)	V/C	Queue
Sheridan Drive (NYS Route 324) at N. Forest Road							
Eastbound	*Left*	**E (64.8)**	**0.87**	**#404**	A (9.7)	0.40	115
	Thru	D (36.1)	0.75	727	B (19.6)	0.43	419
	Right	B (17.5)	0.35	208	A (5.4)	0.11	75
Westbound	*Left*	D (39.6)	0.69	168	B (13.0)	0.32	84
	Thru/Right	D (50.1)	0.86	755	C (22.4)	0.40	352
Northbound	*Left*	D (52.3)	0.65	209	D (51.9)	0.38	131
	Thru	**E (73.7)**	**0.81**	**#485**	**E (74.9)**	**0.64**	**270**
	Right	A (8.1)	0.35	64	A (7.8)	0.31	40
Southbound	*Left*	D (40.1)	0.24	61	D (48.2)	0.22	70
	Thru	**E (68.8)**	**0.69**	**262**	**E (71.1)**	**0.51**	**147**
	Right	C (26.9)	0.54	148	B (14.1)	0.53	75
Intersection		D (45.6)	-	-	C (27.0)	-	-

Based on the level of service analysis, the study intersections are operating at an acceptable LOS (LOS D or better). There are some intersection movements that are experiencing poor levels of service (LOS E or F), these movements are on the minor streets and at left turn movements with high opposing volumes. It is common for minor streets and left turns to have poor levels of service to benefit the level of service on the mainline in high traffic volume areas.

Pedestrian Conditions

Sidewalks exist along both sides of Sheridan Drive for the entire length that is contained within the study area. Sidewalks are non-continuous along N. Forest Road. There are signalized crosswalks at the intersections of Sheridan Drive and Harlem Road, Sheridan Drive and Interstate 290 ramps, Sheridan Drive and Frankhauser Road, and Sheridan Drive and N. Forest Road. Marked crosswalks exist along Sheridan Drive at the intersections of Sunrise Boulevard, Cranburne Lane, and Fenwick Road. See **Figure 3** in **Appendix A** for the Pedestrian, Bicycle and Transit Map.

Bicycle Conditions

There is no existing infrastructure for bicycling in the study area.

Transit Conditions

There is an existing operating bus line of the Niagara Frontier Transportation Authority (NFTA) present along Sheridan Drive, the 49 East Amherst line. There are 4 Bus stops in the study area. They are located at the intersections of Frankhauser Road and N. Forest Road.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Collision Analysis

A collision analysis was completed for the study area at signalized intersections along Sheridan Drive at Frankhauser Road and at N. Forest Road. There was a total of 79 collisions over a five-year period from January 2018 through December 2022 with 17 collisions at the Frankhauser Road intersection and 62 collisions at the N. Forest Road intersection. The most common type of collision was a rear end type, representing roughly half of all collisions. The listed cause for most of these collisions was following too closely. 39% of all collisions resulted in injuries. Detailed collision analyses are provided in Appendix B. Table 4 contains a summary of the predominant collision types at each intersection.

Table 4: Collision Analysis

Type of Collision	Number	Percentage
Sheridan Drive at Frankhauser Road		
Rear End	12	70%
Overtaking	0	0%
Right Angle	2	12%
Left Turn	2	12%
Other	1 (fixed object)	6%
Sheridan Drive at Fenwick Road		
Rear End	3	33%
Right Angle	4	44%
Other	2 (fixed object)	22%
Sheridan Drive at North Forest Road		
Rear End	29	47%
Overtaking	4	6%
Right Angle	10	16%
Left Turn	13	21%
Sideswipe	3	5%
Other	3 (fixed object)	5%

3.0 No Build Condition

Historical traffic data was reviewed within the study area; there was an overall decrease in traffic volumes from 2011 to 2019. Based on the GBNRTC's regional Travel Demand Model (TDM), projections of future trip production and attraction for the no build condition anticipates a status quo condition with a small reduction in traffic of 1% - 2% in the future. Any growth in the area is due to other proposed developments; no background growth rate is proposed to analyze the future no build condition.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

4.0 Build Condition

Site Information

The site is proposed to contain a variety of amenities for public use, some of which include pedestrian and bike trails, a community building, pavilions, playgrounds, theaters, an ice skating rink, a winter market, a historic village, and more. The project site is bounded by Maple Road to the north, Sheridan Drive to the south and residential neighborhoods to the east and west. There are two proposed access points to the park, one at the existing Westwood Country Club driveway from N. Forest Road, and the other on Sheridan Drive at the intersection with Fenwick Road. Appendix A, Figure 2 contains the Amherst Central Park Planned Unit Development Conceptual Plan . The construction of this site is estimated to be a phased buildout with a phase one completion within the next 5 years and a phase 2 completion in the next 10 years.

Trip Generation

The proposed Amherst Central Park will consist of:

- 171-acre Park
- 44,500 SF Community Building
- 3,300 SF Amphitheater
- 31,600 SF Music Theater
- 25,000 SF Ice Skating Rink/Ribbon
- 5,000 SF Winter Market
- 52,200 SF Buffalo Niagara Heritage Village and Museum (relocated from northern Amherst)

A combination of the ITE's Trip Generation Manual, seating capacity assumptions based on architectural standards, and historic attendance data were used to determine trips for Amherst Central Park. It is unlikely that all facilities will be peaking and running events that coincide with one another. To not overestimate the trip generation, but also use a conservative approach, the major generators of the park were used to estimate the trip generation. Assumptions for the trip generation are as follows:

- Not all facilities will be at capacity or running programs and events at the same time on the same day
- The facilities that are expected to be the major generators were used for the trip generation (community building and music theater)
- The community building is expected to have a Universal Pre-Kindergarten (UPK) program. This program is expected to peak slightly earlier in the day from the PM peak of the street network, along with the music theater. Some trips were accounted for during the PM peak, to account for other community activities in the center, and late pick up/teacher departure for the UPK program.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

- It is assumed that the music theater will offer evening performances. Seat capacity for the music theater was estimated using architecture standards based on the square footage of the facility. Vehicle occupancy rate was assumed 2.3 attendees/vehicle based on ITE Standards.
- It is assumed that there will still be some background trips using other facilities in the park such as the playground, splashpad, trails, etc. These background trips are accounted for in the trip generation.
- It is assumed that the park will create the most trips during the PM Peak (4:30-5:30pm) and Saturday Midday Peak (12:00-1:00pm).

Trip generation for the PM Peak and Saturday Peak was calculated, and is outlined in Table 5 below.

Table 5: Trip Generation

Park Facility	ITE Land Use Code	PM Peak Trips			Saturday Midday/Peak Trips		
		Entering	Exiting	Total	Entering	Exiting	Total
Park	411 Public Park	18	15	33	33	34	61
Community Building	495 Recreational Community Center	31	35	66	26	22	48
Theater	N/A	70	17	87	70	17	87
Ice Rink/Ribbon	465 Ice Skating Rink	18	15	33	35	31	66
	Peak Hour Trips	137	82	219	165	97	262

Trip Distribution

Trip distribution was based on existing traffic patterns in the study area. The main entrance of the park is proposed to be off of Sheridan Drive, across from Fenwick Road. It was assumed the majority of the trips (70%) will be entering and exiting from the main entrance, and 30% will use the entrance on N. Forest Road.

Sheridan Drive has an approximate 50% split of traffic distributed between eastbound and westbound for both peak hours. Therefore, the overall study area distribution is 50% coming to and from the east, and 50% coming to and from the west. The more localized distribution is traffic distributed between the I-290 ramps, Harlem Road, and N. Forest Road. See Appendix A, Figure 5 for the trip distribution in the study area.

Westwood Mix-Use Neighborhood TIS

The Westwood Mix-Use Neighborhood TIS was completed in 2017 by SRF Associates. The proposed site for this traffic study is the same site as Amherst Central Park. The proposed site development in the Westwood Mixed-Use Neighborhood included a variety of residential (single-family and multi-family) homes, office spaces, mixed-use commercial and residential buildings, a hotel, a senior living facility, a community center, and a public park. Trip generation competed for this study used ITE Trip Generation Manual, 9th Edition and the generation trips are shown in the following table.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

The estimated trips generated by the proposed Amherst Central Park is less than the estimated trips generated by the previously proposed Westwood Mixed-Use Neighborhood. The impact to the nearby neighborhood and roadways by Amherst Central Park will be less than a proposed mixed-use development.

Table 6: Westwood Mixed-Use Neighborhood TIS Trip Generation

PARCEL	DESCRIPTION	SIZE	AM PEAK		PM PEAK	
			ENTER	EXIT	ENTER	EXIT
VII	Senior Housing	104 Units	7	14	14	12
VII	Assisted Living	200 Beds	18	10	19	25
I	Smaller Patio Homes	57 Units	6	13	12	12
IV	Multifamily Community Apartments	180 Units	18	74	76	41
II & III	Large Patio Homes (26) and Single Family Detached Housing (41)	67 Units	14	43	46	27
VI	Multi-family Building Apartments	89 Units	9	38	44	23
VI	Condominium Townhomes along Frankhauser Road	40 Units	4	21	19	9
VI	Hotel	130 Rooms	41	28	40	38
VI	Apartments	221 Units	22	90	90	49
VI	Commercial/Retail	166,000 SF	131	81	404	437
VI	Professional Office	264,800 SF	367	50	64	311
V	City Park	33 Acres of Land (6 Acres pond)	83	66	66	50
	Sub-total		***720***	***528***	***894***	***1034***
	Internal Trips		*-113*	*-101*	*-206*	*-238*
	Pass-by Trips		*0*	*0*	*-102*	*-98*
	Total New Trips		**607**	**427**	**586**	**698**

Capacity Analysis

Intersection Analysis

Refer to Appendix A Figure 7 for build turning movement volumes. Table 7 below highlights the results of the level of service analysis for build conditions compared to the existing conditions.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Table 7: Intersection LOS Analysis Existing versus Build Condition

Approach		Weekday PM						Saturday Midday					
		Existing			Build			Existing			Build		
		LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS (Delay)	V/C	Queue	LOS[a] (Delay)[b]	V/C[c]	Queue[d]
Sheridan Drive (NYS Route 324) at Harlem Road (NYS Route 240)													
Eastbound	*Thru*	D (37.9)	0.54	515	D (37.8)	0.55	532	C (26.6)	0.35	314	C (28.2)	0.38	342
	Right	A (2.7)	0.29	51	A (2.6)	0.29	50	A (2.1)	0.31	46	A (2.4)	0.31	50
Westbound	*Left*	D (40.0)	0.32	76	D (39.8)	0.33	m77	C (32.8)	0.39	85	C (30.7)	0.38	89
	Thru	A (3.8)	0.34	169	A (3.9)	0.34	169	B (10.7)	0.25	267	A (7.6)	0.26	214
Northbound	*Left*	**E (69.1)**	**0.48**	**131**	**E (68.9)**	**0.48**	**131**	**E (75.0)**	**0.54**	**129**	**E (74.4)**	**0.54**	**129**
	Right	A (7.7)	0.67	96	A (7.9)	0.68	100	A (4.6)	0.46	46	A (4.5)	0.48	46
	Intersection	C (20.7)	-	-	C (20.7)	-	-	B (19.7)	-	-	B (19.0)	-	-
Sheridan Drive (NYS Route 324) at I-290 Ramps													
Eastbound	*Left*	**E (63.1)**	**0.87**	**343**	**E (62.9)**	**0.87**	**343**	C (26.6)	0.49	213	C (31.1)	0.54	210
	Thru	C (26.1)	0.46	525	C (26.6)	0.48	547	B (15.2)	0.26	305	B (20.0)	0.29	360
Westbound	*Thru/Right*	C (21.0)	0.91	637	C (21.8)	0.93	654	B (10.5)	0.37	176	B (12.2)	0.42	129
Northbound	*Left*	D (42.3)	0.25	173	D (42.3)	0.25	173	D (52.6)	0.40	197	D (47.0)	0.34	197
	Left/Right	C (29.1)	0.34	174	C (29.8)	0.35	182	B (10.3)	0.35	74	B (12.1)	0.33	93
	Right	C (28.5)	0.33	162	C (29.5)	0.34	172	A (7.7)	0.33	58	B (11.4)	0.32	83
	Intersection	C (27.3)	-	-	C (27.8)	-	-	B (15.5)	-	-	B (18.0)	-	-
Sheridan Drive (NYS Route 324) at Frankhauser Road													
Eastbound	*Left*	A (1.6)	0.09	m3	A (1.7)	0.09	m2	A (1.0)	0.04	3	A (1.0)	0.04	3
	Thru	A (6.6)	0.55	217	A (7.4)	0.58	232	A (2.7)	0.36	101	A (3.0)	0.38	123
Westbound	*Thru/Right*	A (2.2)	0.54	116	A (2.0)	0.55	124	A (1.7)	0.34	66	A (1.7)	0.35	73
Southbound	*Left*	**F (85.3)**	**0.49**	**106**	**F (85.3)**	**0.49**	**106**	**F (84.1)**	**0.42**	**89**	**F (84.1)**	**0.42**	**89**
	Right	C (25.5)	0.21	34	C (25.5)	0.21	34	C (28.8)	0.17	29	C (28.8)	0.17	29
	Intersection	A (5.9)	-	-	A (6.2)	-	-	A (4.0)	-	-	A (4.1)	-	-

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

Table 7 continued

Approach		Weekday PM						Saturday Midday					
		Existing			Build			Existing			Build		
		LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS[a] (Delay)[b]	V/C[c]	Queue[d]	LOS (Delay)	V/C	Queue	LOS[a] (Delay)[b]	V/C[c]	Queue[d]
Sheridan Drive (NYS Route 324) at Fenwick Road and Site Driveway 1													
Eastbound	*Left*	n/a			c (16.7)	0.20	0.7	n/a			B (11.5)	0.14	0.5
Westbound	*Left*	c (15.7)	0.04	0.1	c (15.7)	0.04	0.1	b (11.3)	0.03	0.1	B (11.3)	0.03	0.1
Northbound	*Left/Right*	**e (35.7)**	**0.23**	**0.9**	**f (1247.6)**	**2.53**	**5.2**	c (21.0)	0.16	0.6	**f (148.7)**	**0.70**	**3**
Southbound	*Left/Right*	n/a			**f (901.4)**	**2.30**	**7.5**	n/a			**f (86.2)**	**0.66**	**3.4**
	Intersection	n/a			n/a			n/a			n/a		
Sheridan Drive (NYS Route 324) at N. Forest Road													
Eastbound	*Left*	**E (64.8)**	**0.87**	**#404**	**E (68.2)**	**0.89**	**#402**	A (9.7)	0.40	115	A (9.8)	0.43	123
	Thru	D (36.1)	0.75	727	D (36.3)	0.77	733	B (19.6)	0.43	419	C (20.4)	0.45	454
	Right	B (17.5)	0.35	208	B (17.1)	0.36	201	A (5.4)	0.11	75	A (6.2)	0.12	83
Westbound	*Left*	D (39.6)	0.69	168	D (44.1)	0.71	177	B (13.0)	0.32	84	B (14.1)	0.34	88
	Thru/Right	D (50.1)	0.86	755	D (53.1)	0.89	#825	C (22.4)	0.40	352	C (24.3)	0.43	385
Northbound	*Left*	D (52.3)	0.65	209	D (52.9)	0.68	219	D (51.9)	0.38	131	D (50.5)	0.39	137
	Thru	**E (73.7)**	**0.81**	**#485**	**E (75.3)**	**0.84**	**#539**	**E (74.9)**	**0.64**	**270**	**E (74.7)**	**0.67**	**288**
	Right	A (8.1)	0.35	64	A (8.1)	0.35	65	A (7.8)	0.31	40	A (7.5)	0.30	40
Southbound	*Left*	D (40.1)	0.24	61	D (40.9)	0.28	69	D (48.2)	0.22	70	D (47.6)	0.26	80
	Thru	**E (68.8)**	**0.69**	**262**	**E (67.8)**	**0.68**	**267**	**E (71.1)**	**0.51**	**147**	**E (69.1)**	**0.50**	**151**
	Right	C (26.9)	0.54	148	C (26.4)	0.53	148	B (14.1)	0.53	75	B (15.6)	0.52	83
	Intersection	D (45.6)	-	-	D (47.0)	-	-	C (27.0)	-	-	C (28.1)	-	-

*lowercase letters signify the HCM 6th edition Stop Control methodology was used

a: level-of-service

b: delay is measured in seconds

c: volume to capacity ratio

d: 95th queue length, measured in feet (queue length of stop controlled intersections measured in number of vehicles)

Based on the capacity analysis for the build condition, the proposed site has minor impacts on the level of service experienced at the study area intersections. Levels of service have remained the same at all the signalized intersections (LOS D or better). The intersection of Sheridan Drive and Fenwick Road is the location of a proposed site driveway. The addition of the site driveway and the added volume from the site have impacted the level of service for the movements at the intersection. The minor approaches at this intersection are operating at a LOS F for both the PM peak hour and the Saturday midday peak hour with long delays and queues.

5.0 Mitigation

Mitigation is not necessary for the existing signalized intersections in the study area; the proposed site has little impact on the levels of service at those intersections. Mitigation at the proposed site driveway on Sheridan Drive is recommended. A signal warrant analysis was conducted at the site driveway. Based on the analysis, the expected volumes at the intersection did not warrant a new traffic signal. It is recommended that a traffic signal still be considered at the Amherst Central Park driveway on Sheridan Drive due to the long delays and vehicle queues expected at the site driveway and at Fenwick Road located across from the driveway. Refer to Appendix E for the signal warrant analysis.

Providing multi-modal access to Amherst Central Park should also be considered given the residential nature of the area and proposed amenities at the park. Of particular concern is providing a safe crossing of Sheridan Drive from the neighborhood immediately south of the park. If the traffic signal is installed at the Amherst Central Park driveway on Sheridan Drive, pedestrian signals should be included across all four legs. If the signal is not installed, consideration should be given to a High Intensity Activated CrossWalK (HAWK) signal or Rectangular Rapid Flashing Beacon (RRFB) with a center refuge median.

Transit access can be improved to Amherst Central Park as well. Working with NFTA, a dedicated bus stop could be provided along Sheridan Drive at the (proposed) signalized intersection with the site driveway. If the traffic signal is not installed, a dedicated bus stop could be added within the Park.

6.0 Conclusion

The following are findings from this traffic impact study:

Existing:

- Intersections are operating at acceptable levels of service (LOS D or better) within the study area.
- The majority of collisions at intersections are rear ends.
- There are some multi-modal accommodations along Sheridan Drive in the study area. Bicycle accommodations are not present.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Build:

- The proposed Amherst Central Park on the 171-acre lot is expected to generate 219 new trips during the Weekday PM Peak, and 262 new trips during the Saturday Midday Peak.
- The trips generated by the proposed park are less than trip generated by the formerly proposed Westwood Mixed-Use Neighborhood development based on the TIS completed in 2017.
- The proposed park development is expected to have minimal impact on operations within the study area.
- The proposed site driveway on Sheridan Drive is expected to experience a poor level of service (LOS F).

Mitigation:

- Warrant was not met for a new traffic signal at the proposed driveway on Sheridan Drive.
- It is recommended that a traffic signal still be considered at the proposed site driveway due to long delays and queues on the minor approaches.
- Multi-modal and Transit access to Amherst Central Park should be improved.

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Appendix A – Figures

AMHERST
New York

CENTRAL PARK
Concept Plan

October 2, 2023

COMMISSIONED BY
THE TOWN OF AMHERST, N.Y.

Prepared By
DOVER, KOHL & PARTNERS

Modified By
The Town of Amherst

LEGEND

UNIQUE FEATURES
1) Community Building (Former Club House)
2) Music Fare Theater
3) The Winter Market
4) Ice Ribbon + Ice Rink
5) Splash Pad + Inclusive Playground
6) Amphitheater
7) Lake Front Pavilion
8) Outdoor Exercise Equipment (10 Stations)
9) Community Gardens (can be any size)
10) Greenhouse
11) Maintenance Area
12) Low Ropes Course or suspended bridges
13) Sheltered Bus Stop (at South Entrance)
14) Buffalo Niagara Heritage Village (Relocated)
15) Multi-use Pavilion

Multiple Features
- (PC) Playground (Conventional Equipment)
- (PN) Playground (Natural)
- (RR) Restrooms
- (SH) Roofed Open Air Shelters
- (OC) Outdoor Classrooms
- (ART) Public Art / Sculpture Sites
- (BT) Off-road Bike Trails, 4-feet wide, dirt
- (AR) Accentuated Rise (mounded hills)
- (MG) Minor Entrance Gates.
- (Bikes) Bicycle Parking Racks (size to be determined)

Existing Deciduous

Existing Tree Canopy

Existing Water

Proposed Marsh / Water

MAPLE ROAD
FAIRWAYS BLVD
Little Hardwood Swamp (exist.)
Pond (existing)
Exist. Wetland
Big Hardwood Swamp (existing)
Natural Preserve Area
Existing Cart Path >>>>
Pond (Existing)
Existing Property Line
DRIVE
Summer Forest
Emergent Marsh (restore)
<<< Existing Path
Playground (New)
Autumn Forest
Founders' Tree (to be planted at groundbreaking ceremony)
(flower) garden
Spring Forest -flowering trees-
CENTRAL MEADOW
Sm Prkg
Natural Playground (New)
Low Ropes or Small Elevated Bridges (New)
Successional Northern Hardwood Forest
Natural Regeneration Area
Outdoor Exerc. Equip't (New)
Winter Forest
Playground (New)
DRIVE — one way →
Reconstructed Bridge
Existing Property Line
Future Community Garden
Greenhouse (New)
Proposed Stormwater Retention
Pavilion (New)
Off-road Bike Trails (One-Way)
Pedestrian & Bike Entrance
Gate
FRANKHAUSER RD
Pavilion (Existing)
Amphitheater (New)
Maintenance (New)
100'-7"
NORTH FOREST ROAD
South Entrance Garden
Hoover House
Brewer's Cottage
Blacksmith Shop
School
Fiber Arts
Village Store
Elliott House
Trinity Church
Bandstand
THE BIG MEADOW
UPK Playground
Outdoor Pool (Existing)
Club House (Existing)
Playground
BNHV (New)
202'-4"
BNHV Relocated Small Structures
Field 2 44062 SF 1.01 Acres
Field 1 56792 SF 1.30 Acres
Bigelow Home
Schmitt Log House
Barn
Garden
477'-4"
Enlarge exist. Canal into pond
356'-6"
Theater (New)
Winter Market (New)
Splash Pad
Accessible Playground
Ice Ribbon & Rink
Restroom & Skate Rental (New)
86'-8"
118'-1"
186'-11"
146'-9"
ACP Entrance Signage
Existing Berm
SHERIDAN DRIVE

Figure 2

Attachment: ACP-FSGEIS.text.20231129 (RES:2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

C&S COMPANIES®

Pedestrian, Bicycle, and Transit Map

Amherst Central Park Traffic Impact Study

Town of Amherst, Erie County, New York

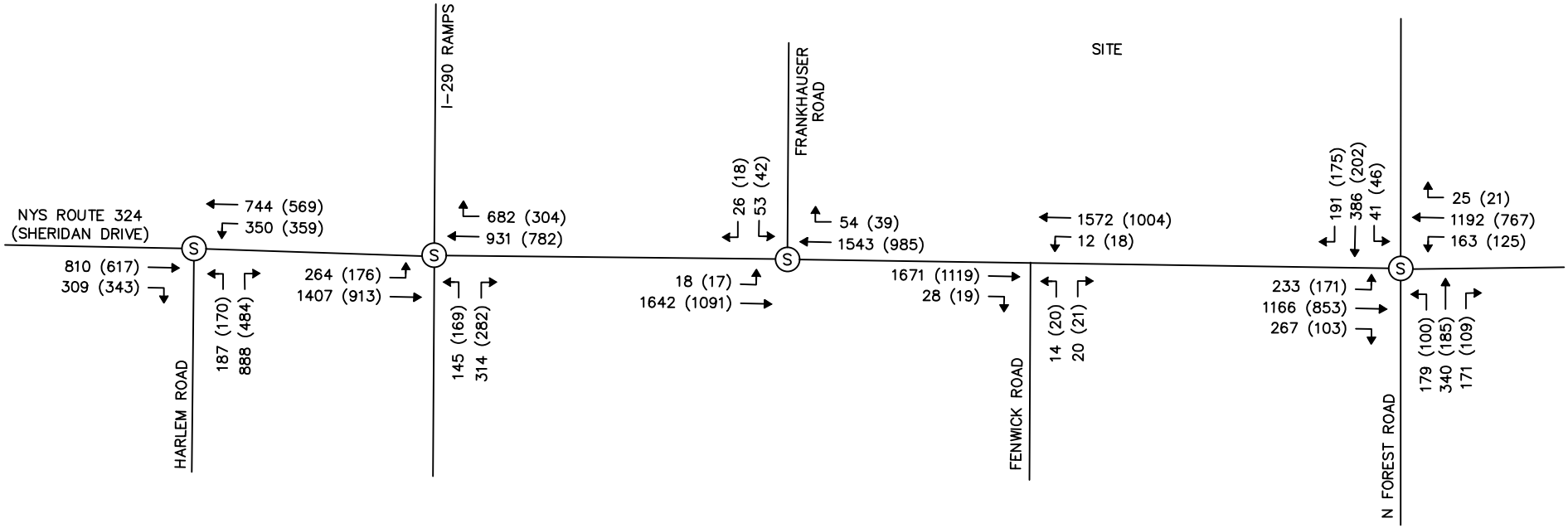
Figure 3

KEY

XX – WEEKDAY PM PEAK
(4:30 – 5:30 PM)

(XX) – SATURDAY MIDDAY PEAK
(12:00 – 1:00 PM)

N



Sep 29, 2023 – 10:36am
\\cscos.com\csfile\Eng\Project\H22 – Town of Amherst\H22.007 – 2021 Professional Svcs Term\H22.007.002 – Amherst Central Park TIS\Planning-Study\Technical Information\Turning Movement Diagrams\TMD Existing.dwg

NOT TO SCALE

C&S COMPANIES

C&S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, New York 13212
Phone: 315-455-2000
Fax: 315-455-9667
www.cscos.com

PROJECT NO:	H22007002
DATE:	SEPTEMBER 2023
DRAWN BY:	S. GALLAGHER
DESIGNED BY:	K. WESSEL
CHECKED BY:	K. WESSEL

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK EDUCATION LAW

EXISTING (2023)
TURNING MOVEMENT DIAGRAM

AMHERST CENTRAL PARK
TRAFFIC IMPACT STUDY

TOWN OF AMHERST,
ERIE COUNTY

Figure 4

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

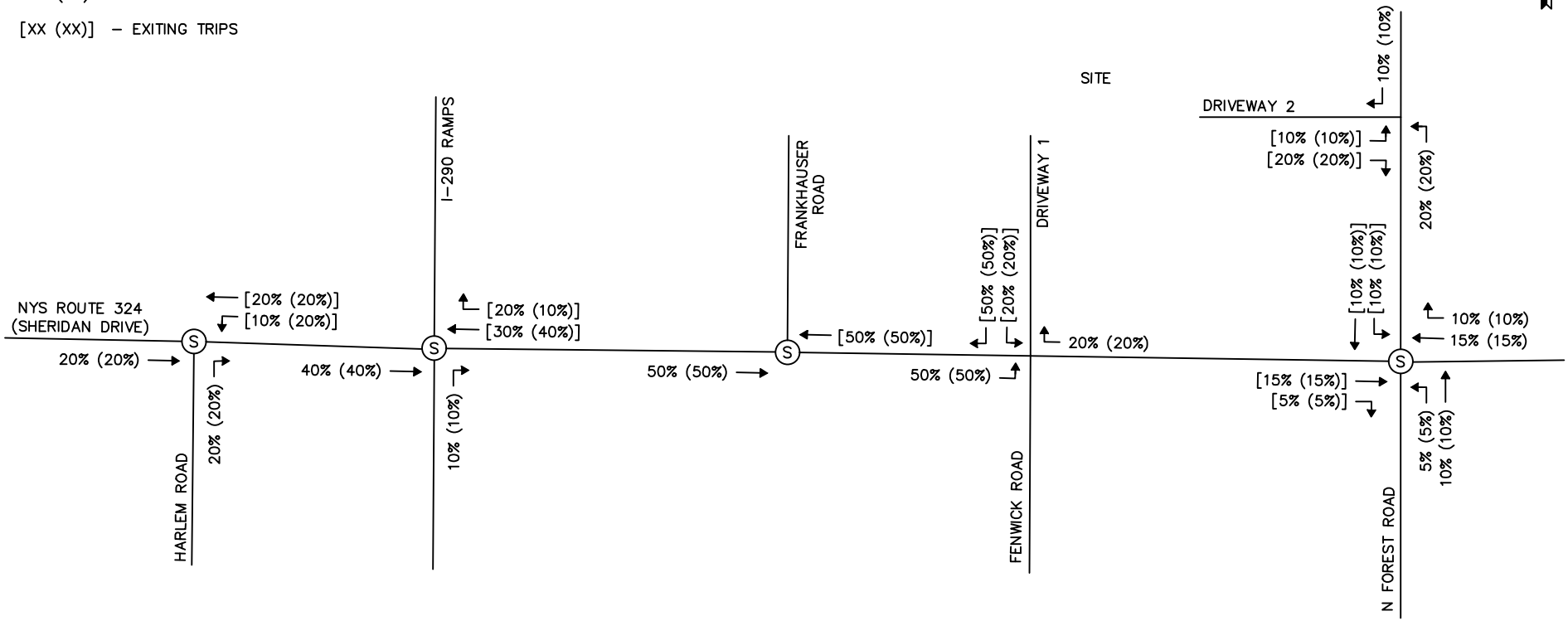
KEY

XX – WEEKDAY PM PEAK
(4:30 – 5:30 PM)

(XX) – SATURDAY MIDDAY PEAK
(12:00 – 1:00 PM)

XX (XX) – ENTERING TRIPS

[XX (XX)] – EXITING TRIPS



Oct 06, 2023 – 12:19pm
\\cscos.com\csfile\Eng\Project\H22 – Town of Amherst\H22.007 – 2021 Professional Svcs Term\H22.007.002 – Amherst Central Park TIS\Planning-Study\Technical Information\Turning Movement Diagrams\Trip Distribution.dwg

NOT TO SCALE

C&S COMPANIES
C&S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, New York 13212
Phone: 315-455-2000
Fax: 315-455-9667
www.cscos.com

PROJECT NO:	H22007002
DATE:	SEPTEMBER 2023
DRAWN BY:	S. GALLAGHER
DESIGNED BY:	K. WESSEL
CHECKED BY:	K. WESSEL

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK EDUCATION LAW

TRIP DISTRIBUTION
TURNING MOVEMENT DIAGRAM

AMHERST CENTRAL PARK
TRAFFIC IMPACT STUDY

TOWN OF AMHERST,
ERIE COUNTY

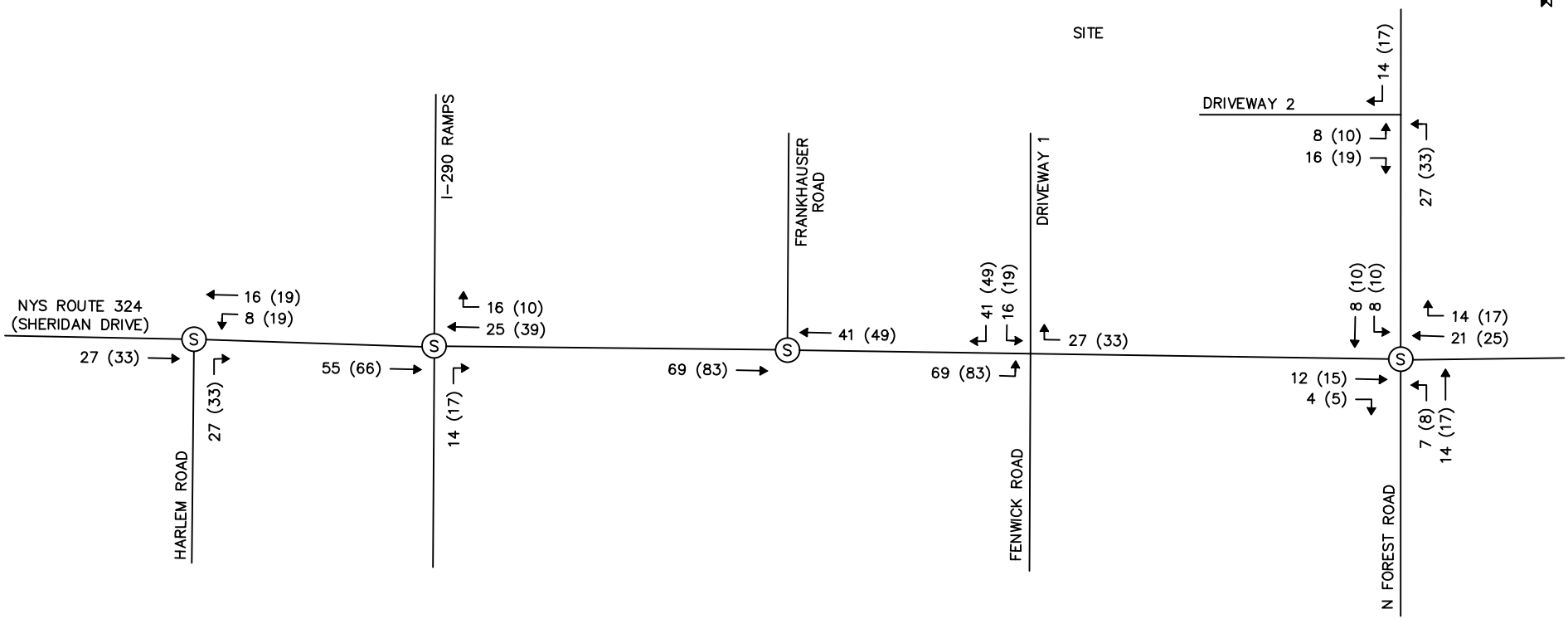
Figure 5

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

KEY

XX – WEEKDAY PM PEAK
(4:30 – 5:30 PM)

(XX) – SATURDAY MIDDAY PEAK
(12:00 – 1:00 PM)



Oct 11, 2023 – 11:24am
\\cscos.com\csfile\Eng\Project\H22 – Town of Amherst\H22.007 – 2021 Professional Svcs Term\H22.007.002 – Amherst Central Park TIS\Planning-Study\Technical Information\Turning Movement Diagrams\Trip generation.dwg

NOT TO SCALE

C&S COMPANIES
C&S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, New York 13212
Phone: 315-455-2000
Fax: 315-455-9667
www.cscos.com

PROJECT NO:	H22007002
DATE:	SEPTEMBER 2023
DRAWN BY:	S. GALLAGHER
DESIGNED BY:	K. WESSEL
CHECKED BY:	K. WESSEL

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK EDUCATION LAW

TRIP GENERATION
TURNING MOVEMENT DIAGRAM

AMHERST CENTRAL PARK
TRAFFIC IMPACT STUDY

TOWN OF AMHERST,
ERIE COUNTY

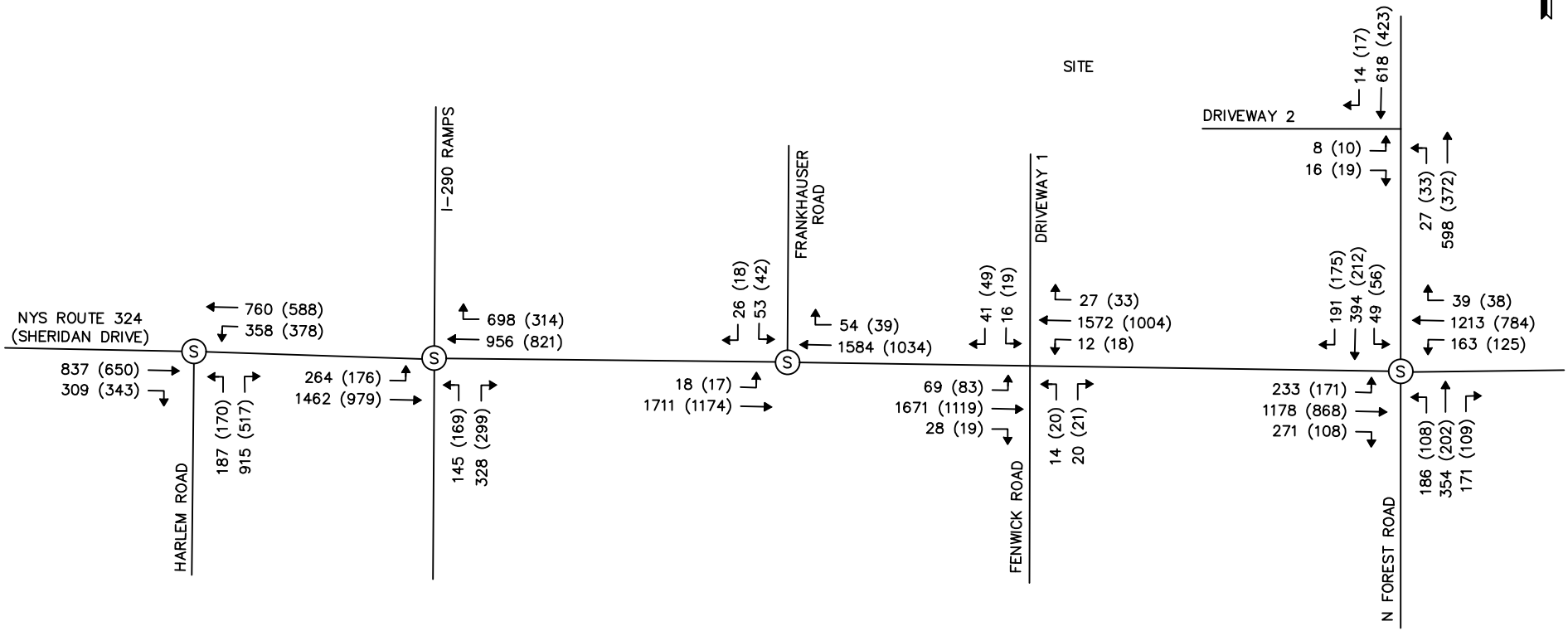
Figure 6

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

KEY

XX – WEEKDAY PM PEAK
(4:30 – 5:30 PM)

(XX) – SATURDAY MIDDAY PEAK
(12:00 – 1:00 PM)



Oct 12, 2023 – 10:48am
\\cscos.com\csfile\Eng\Project\H22 – Town of Amherst\H22.007 – 2021 Professional Svcs Term\H22.007.002 – Amherst Central Park TIS\Planning-Study\Technical Information\Turning Movement Diagrams\TMD Build.dwg

NOT TO SCALE

C&S COMPANIES
C&S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, New York 13212
Phone: 315-455-2000
Fax: 315-455-9667
www.cscos.com

PROJECT NO:	H22007002
DATE:	SEPTEMBER 2023
DRAWN BY:	S. GALLAGHER
DESIGNED BY:	K. WESSEL
CHECKED BY:	K. WESSEL

NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK EDUCATION LAW

BUILD (2028)
TURNING MOVEMENT DIAGRAM

AMHERST CENTRAL PARK
TRAFFIC IMPACT STUDY

TOWN OF AMHERST,
ERIE COUNTY

Figure 7

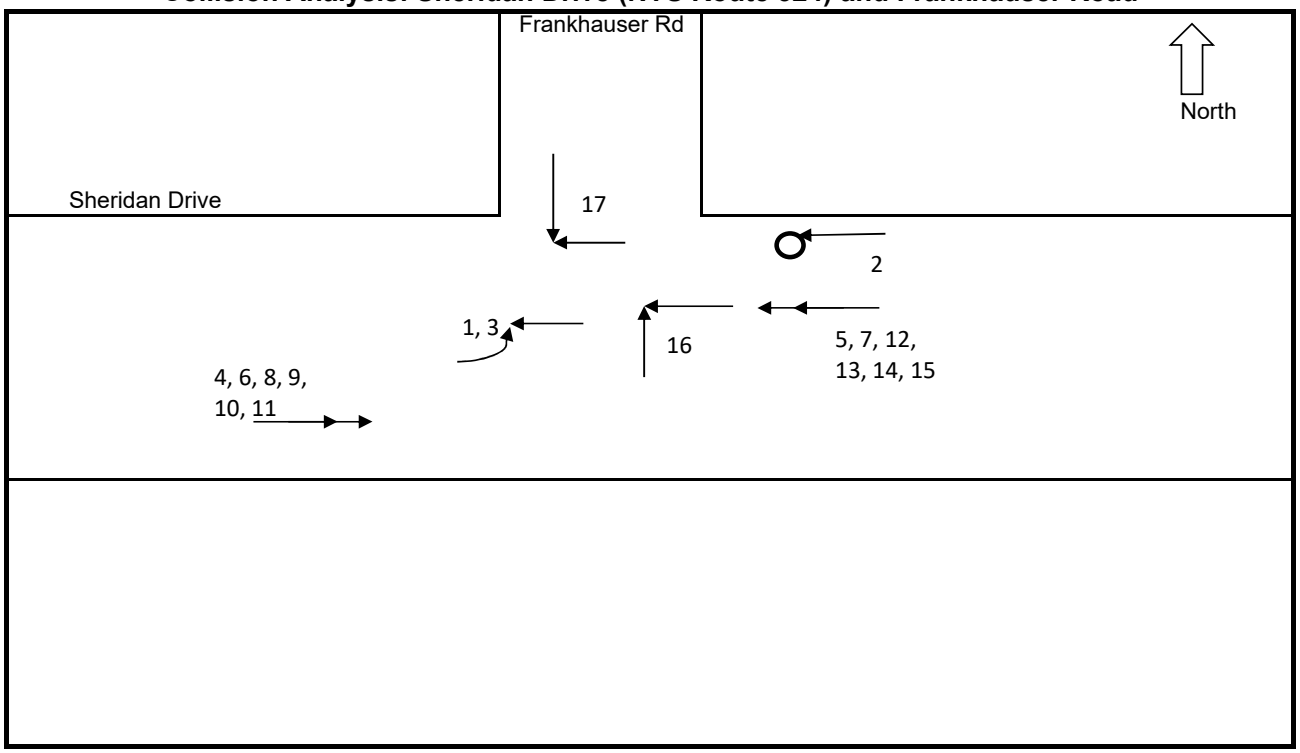
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

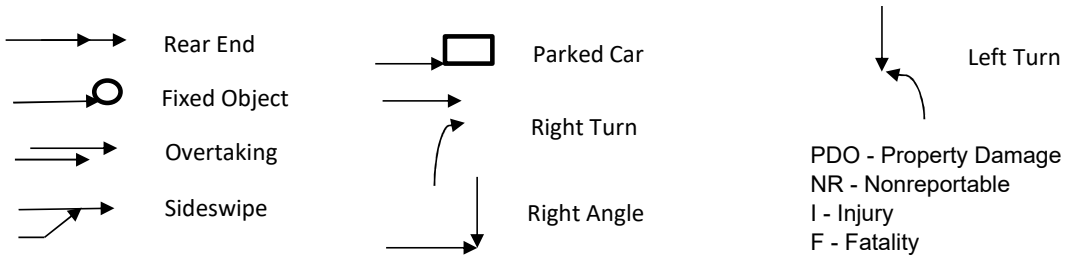
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Appendix B – Collision Data

Project	Amherst Central Park TIS	Sheet	1 of 1
	Crash Analysis	File #	H22.007.002
Prepared by	A. Turner	Date	08/07/2023
Checked by	K. Wessel	Date	08/07/2023

Collision Analysis: Sheridan Drive (NYS Route 324) and Frankhauser Road



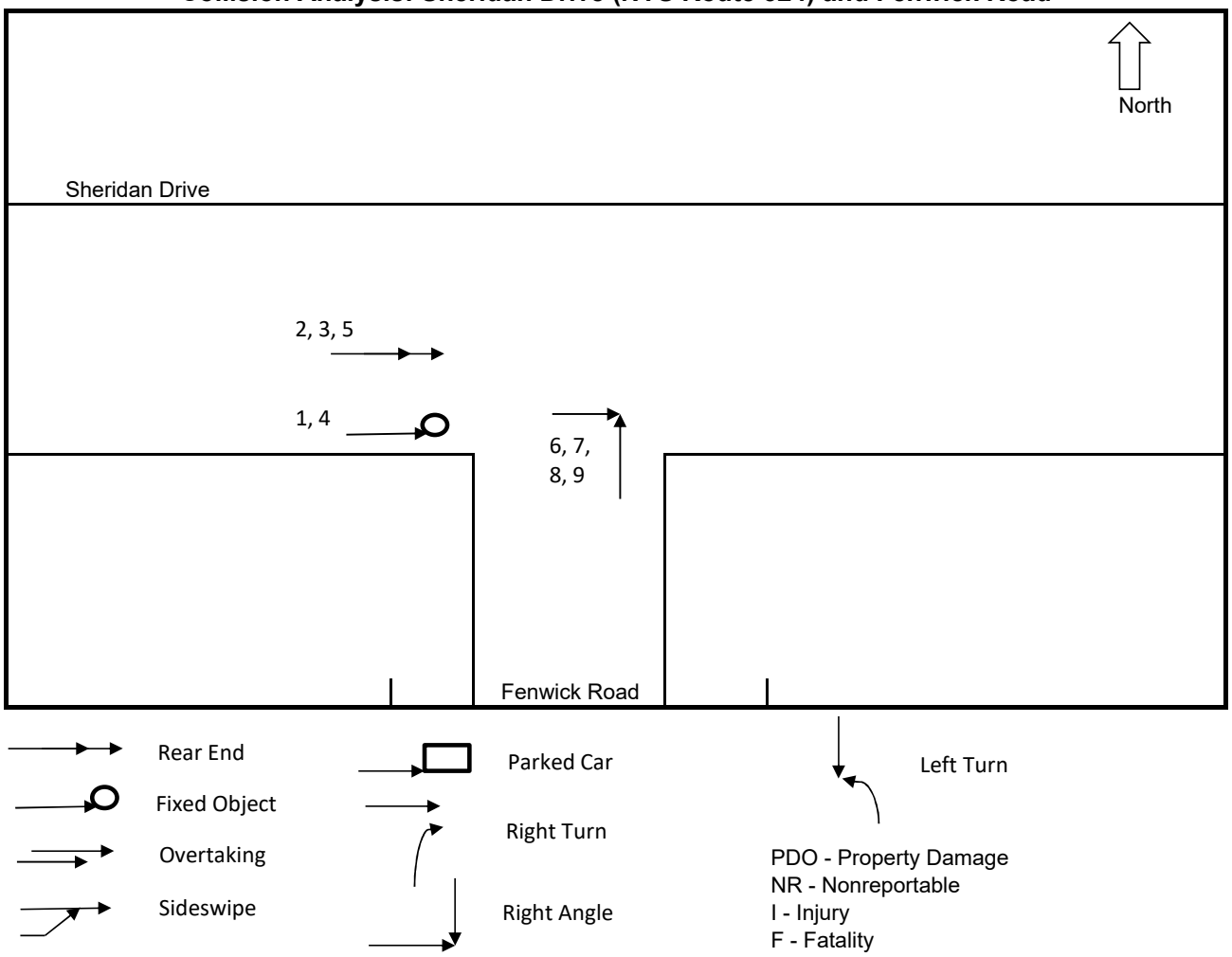


No.	Date	Time	Collision Type	Road Condition	Severity	Comment
1	3/29/2021	4:32 PM	Left Turn	Dry, Light	PDO	Traffic control devices disregarded
2	9/13/2020	11:05 AM	Fixed Object	Wet, Light	I	Driver inattention
3	9/17/2021	10:09 AM	Left Turn	Dry, Light	I	Traffic control devices disregarded
4	03/25/2022	11:51 AM	Rear End	Dry, Light	I	Following too closely
5	10/26/2021	3:32 PM	Rear End	Wet, Light	PDO	Cell phone (hand held), driver inattention
6	09/05/2019	11:47 AM	Rear End	Dry, Light	PDO	Following too closely
7	09/01/2019	1:01 PM	Rear End	Dry, Light	PDO	Unsafe speed
8	07/18/2019	5:32 PM	Rear End	Dry, Light	I	Following too closely
9	07/16/2019	5:28 PM	Rear End	Dry, Light	PDO	Following too closely, driver inattention
10	07/13/2019	8:57 AM	Rear End	Dry, Light	PDO	Unsafe lane change
11	03/22/2019	9:25 PM	Rear End	Wet, Dark	PDO	Following too closely
12	10/02/2018	12:02 PM	Rear End	Wet, Light	PDO	Following too closely
13	07/10/2018	8:37 PM	Rear End	Dry, Dark	I	Alcohol involvement, unsafe speed
14	04/05/2018	5:22 PM	Rear End	Wet, Light	PDO	Following too closely, unsafe speed
15	02/02/2018	12:35 PM	Rear End	Dry, Light	PDO	Unsafe speed, driver inattention
16	04/07/2022	2:36 PM	Right Angle	Dry, Light	PDO	Unsafe lane change, passing or lane usage
17	09/26/2020	5:35 PM	Right Angle	Dry, Light	I	Traffic control devices disregarded, driver

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park TIS	Sheet	1 of 1
	Crash Analysis	File #	H22.007.002
Prepared by	A. Turner	Date	08/07/2023
Checked by	K. Wessel	Date	08/07/2023

Collision Analysis: Sheridan Drive (NYS Route 324) and Fenwick Road

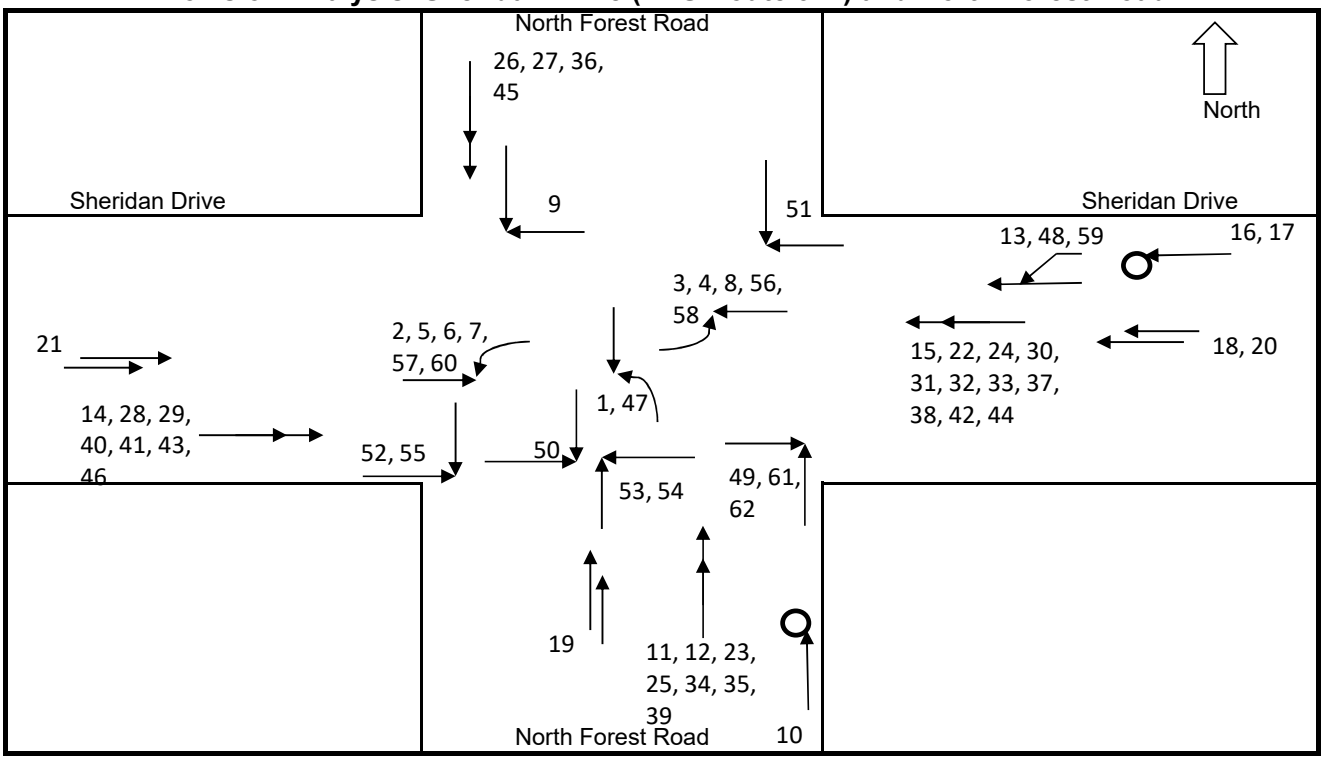


No.	Date	Time	Collision Type	Road Condition	Severity	Comment
1	01/13/2018	6:44 PM	Fixed Object	Wet, Dark	PDO	Unsafe speed
2	12/08/2022	7:47 AM	Rear End	Dry, Dark	I	Driver inattention, following too closely
3	08/14/2019	3:30 PM	Rear End	Dry, Light	I	Following too closely
4	03/01/2018	9:12 PM	Fixed Object	Wet, Dark	PDO	unsafe speed, pavement slippery
5	01/27/2020	8:18 AM	Rear End	Wet, Light	PDO	unsafe speed
6	12/20/2022	2:26 PM	Right Angle	Slush, Light	I	driver inattention, failure to yield right of way
7	01/27/2020	7:55 AM	Right Angle	Snow, Light	PDO	passing or lane usage improperly, failure to yie
8	03/27/2019	8:02 AM	Right Angle	Dry, Light	PDO	failure to yield right of way
9	02/04/2018	4:55 PM	Right Angle	Wet, Dark	I	failure to yield right of way

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park TIS	Sheet	1 of 2
	Crash Analysis	File #	H22.007.002
Prepared by	A. Turner	Date	08/07/2023
Checked by	K. Wessel	Date	08/07/2023

Collision Analysis: Sheridan Drive (NYS Route 324) and North Forest Road



Rear End
Fixed Object
Overtaking
Sideswipe
Parked Car
Right Turn
Right Angle
Left Turn

PDO - Property Damage
NR - Nonreportable
I - Injury
F - Fatality

No.	Date	Time	Collision Type	Road Condition	Severity	Comment
1	01/09/2020	7:29 AM	Left Turn	Wet, Light	PDO	Failure to yield right of way
2	11/28/2022	8:01 AM	Left Turn	Dry, Light	I	Failure to yield right of way, driver inattention, t
3	10/19/2022	12:10 PM	Left Turn	Wet, Light	I	Traffic control devices disregarded
4	07/07/2022	4:28 PM	Left Turn	Dry, Light	I	Traffic control devices disregarded
5	10/13/2021	3:46 PM	Left Turn	Dry, Light	I	Driver inattention, failure to yield right of way
6	12/11/2018	6:12 PM	Left Turn	Wet, Dark	I	Traffic control devices disregarded, failure to
7	10/15/2018	7:12 AM	Left Turn	Wet, Dark	PDO	Failure to yield right of way
8	5/18/2018	1:22 PM	Left Turn	Dry, Light	I	Failure to yield right of way
9	04/04/2021	9:40 PM	Right Angle	Dry, Dark	PDO	Traffic control devices disregarded
10	02/19/2022	5:30 AM	Fixed Object	Snow, Dark	PDO	N/A
11	09/08/2022	2:28 PM	Rear End	Dry, Light	I	Following too closely
12	05/21/2021	8:50 AM	Rear End	Dry, Light	PDO	N/A
13	12/21/2018	6:06 PM	Sideswipe	Wet, Dark	PDO	Unsafe lane change
14	03/23/2018	9:10 AM	Rear End	Dry, Light	PDO	Driver inattention, glare
15	01/15/2018	5:55 PM	Rear End	Wet, Dark	I	Following too closely
16	07/04/2022	10:49 PM	Fixed Object	Dry, Dark	I	Unsafe speed, driver inattention
17	04/08/2018	12:39 PM	Fixed Object	Dry, Light	PDO	Unsafe lane change, driver inattention

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

H22.007.002

C&S COMPANIES

Project **Amherst Central Park TIS** Sheet **2** of **2**

Crash Analysis File # **H22.007.002**

Prepared by **A. Turner** Date **08/07/2023**

Checked by **K. Wessel** Date **08/07/2023**

No.	Date	Time	Collision Type	Road Condition	Severity	Comment
18	09/17/2022	8:00 AM	Overtaking	Dry, Light	PDO	Unsafe speed
19	03/17/2022	6:34 AM	Overtaking	Dry, Dark	PDO	Unsafe lane change
20	08/04/2019	12:15 PM	Overtaking	Dry, Light	PDO	Unsafe lane change
21	07/25/2019	11:54 AM	Overtaking	Dry, Light	PDO	Unsafe lane change
22	12/22/2022	11:00 AM	Rear End	Unknown	PDO	Unsafe lane change
23	09/13/2022	5:55 PM	Rear End	Dry, Light	PDO	Following too closely, driver inattention
24	6/13/2022	1:03 PM	Rear End	Dry, Light	PDO	Driver inattention
25	05/10/2022	1:45 PM	Rear End	Dry, Light	PDO	Alcohol involvement, unsafe speed
26	11/05/2021	1:15 PM	Rear End	Dry, Light	I	N/A
27	05/06/2021	2:45 PM	Rear End	Dry, Light	PDO	Following too closely, driver inattention
28	11/03/2020	5:25 PM	Rear End	Dry, Dark	I	Driver inattention, following too closely
29	06/10/2020	7:40 PM	Rear End	Dry, Light	I	Following too closely, driver inattention
30	04/23/2020	8:24 AM	Rear End	Dry, Light	I	Driver inattention
31	03/09/2020	1:42 PM	Rear End	Dry, Light	I	Following too closely
32	11/10/2019	11:28 AM	Rear End	Dry, Light	PDO	Driver inattention
33	10/01/2019	7:20 PM	Rear End	Wet, Dark	PDO	Unsafe speed
34	09/16/2019	8:17 AM	Rear End	Dry, Light	PDO	Following too closely
35	08/02/2019	1:29 PM	Rear End	Dry, Light	I	Unsafe speed
36	12/25/2018	3:27 PM	Rear End	Wet, Light	PDO	Unsafe speed
37	11/01/2018	5:15 PM	Rear End	Wet, Dark	I	N/A
38	11/10/2018	11:56 PM	Rear End	Dry, Dark	I	Unsafe speed, driver inattention
39	10/04/2018	2:58 PM	Rear End	Dry, Light	PDO	Following too closely
40	10/02/2018	7:56 AM	Rear End	Wet, Light	PDO	Driver inattention, unsafe speed
41	06/22/2018	1:10 PM	Rear End	Dry, Light	I	Unsafe speed
42	04/08/2018	12:34 PM	Rear End	Dry, Light	PDO	Following too closely
43	03/07/2018	11:41 AM	Rear End	Wet, Light	I	Driver inattention, cell phone (hands free)
44	03/02/2018	11:51 AM	Rear End	Wet, Light	I	Driver inattention, following too closely
45	01/18/2018	9:02 AM	Rear End	Slush, Light	PDO	Following too closely, driver inattention
46	01/10/2018	3:10 PM	Rear End	Wet, Light	PDO	Following too closely
47	04/16/2022	12:48 PM	Left Turn	Dry, Light	PDO	Failure to yield right of way
48	01/31/2022	2:30 PM	Sideswipe	Dry, Light	PDO	Failure to yield right of way
49	10/07/2021	12:35 PM	Right Angle	Dry, Light	PDO	Failure to yield right of way
50	08/15/2021	8:34 PM	Right Angle	Dry, Light	I	Failure to yield right of way, traffic control devic
51	5/18/2021	4:49 PM	Right Angle	Dry, Light	PDO	Traffic control devices disregarded, failure to yi
52	04/21/2021	11:43 AM	Right Angle	Wet, Light	I	Fraffic control devices disregarded
53	01/29/2021	3:35 PM	Right Angle	Dry, Light	PDO	Failure to yield right of way
54	11/15/2020	5:20 PM	Right Angle	Wet, Dark	I	Traffic control device improper/non-working
55	10/19/2020	7:18 PM	Right Angle	Wet, Dark	I	Failure to yield right of way, traffic control devic
56	10/09/2020	5:20 PM	Left Turn	Dry, Light	PDO	Failure to yield right of way, unsafe speed
57	11/10/2019	11:39 AM	Left Turn	Dry, Light	PDO	Failure to yield right of way
58	10/01/2019	7:13 PM	Left Turn	Wet, Dark	I	Failure to yield right of way
59	08/26/2019	12:00 PM	Sideswipe	Dry, Light	PDO	Turning improper
60	12/15/2018	2:26 PM	Left Turn	Wet, Light	PDO	Failure to yield right of way
61	10/30/2018	2:00 PM	Right Angle	Dry, Light	PDO	Failure to yield right of way
62	04/01/2019	12:15 PM	Right Angle	Dry, Light	PDO	Failure to yield right of way

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Appendix C – Traffic Data

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Frankhauser
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & Frankhauser
Latitude and Longitude	42.97821,-78.7765

	Start	End	PHF
PM Peak	2023-09-21 16:30:00	2023-09-21 17:30:00	0.947

Turning Movement Data

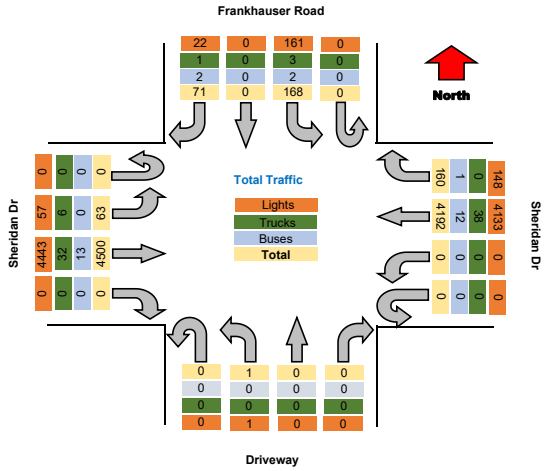
Leg	Frankhauser Road							Sheridan Dr							Driveway							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
3:00:00 PM	3	0	17	0	**20**	1	0	13	336	0	0	**349**	0	0	0	0	0	0	**0**	0	0	0	315	9	0	**324**	0	0	**693**
3:15:00 PM	5	0	17	0	**22**	0	0	14	346	0	0	**360**	0	0	0	0	0	0	**0**	1	0	0	379	5	0	**384**	0	0	**766**
3:30:00 PM	8	0	12	0	**20**	1	0	14	316	0	0	**330**	0	0	0	0	0	0	**0**	0	0	0	327	7	0	**334**	0	0	**684**
3:45:00 PM	9	0	10	0	**19**	0	0	9	322	0	0	**331**	0	0	0	0	0	0	**0**	0	0	0	368	4	0	**372**	0	0	**722**
Hourly Total	25	0	56	0	**81**	2	0	50	1320	0	0	**1370**	0	0	0	0	0	0	**0**	1	0	0	1389	25	0	**1414**	0	0	**2865**
4:00:00 PM	6	0	17	0	**23**	0	0	14	384	0	0	**398**	0	0	0	0	0	0	**0**	0	0	0	382	8	0	**390**	0	0	**811**
4:15:00 PM	4	0	18	0	**22**	0	0	21	300	0	0	**321**	0	0	0	0	0	0	**0**	0	0	0	381	5	0	**386**	0	0	**729**
4:30:00 PM	9	0	18	0	**27**	0	0	15	355	0	0	**370**	0	0	0	0	0	0	**0**	0	0	0	426	6	0	**432**	0	0	**829**
4:45:00 PM	6	0	6	0	**12**	0	0	15	400	0	0	**415**	0	0	0	0	1	0	**1**	1	0	0	422	1	0	**423**	0	0	**851**
Hourly Total	25	0	59	0	**84**	0	0	65	1439	0	0	**1504**	0	0	0	0	1	0	**1**	1	0	0	1611	20	0	**1631**	0	0	**3220**
5:00:00 PM	5	0	20	0	**25**	0	0	10	368	0	0	**378**	0	0	0	0	0	0	**0**	0	0	0	370	3	0	**373**	0	0	**776**
5:15:00 PM	6	0	9	0	**15**	0	0	14	420	0	0	**434**	0	0	0	0	0	0	**0**	0	0	0	424	8	0	**432**	0	0	**881**
5:30:00 PM	5	0	11	0	**16**	0	0	11	341	0	0	**352**	0	0	0	0	0	0	**0**	0	0	0	367	6	0	**373**	0	0	**741**
5:45:00 PM	5	0	13	0	**18**	0	0	10	304	0	0	**314**	0	0	0	0	0	0	**0**	1	0	0	339	1	0	**340**	0	0	**672**
Hourly Total	21	0	53	0	**74**	0	0	45	1433	0	0	**1478**	0	0	0	0	0	0	**0**	1	0	0	1500	18	0	**1518**	0	0	**3070**
Grand Total	71	0	168	0	**239**	2	0	160	4192	0	0	**4352**	0	0	0	0	1	0	**1**	3	0	0	4500	63	0	**4563**	0	0	**9155**
% Approach	29.7%	0.0%	70.3%	0.0%	**0.0%**	0.0%	0.0%	3.7%	96.3%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	98.6%	1.4%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	0.8%	0.0%	1.8%	0.0%	**2.6%**	0.0%	0.0%	1.7%	45.8%	0.0%	0.0%	**47.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	49.2%	0.7%	0.0%	**49.8%**	0.0%	0.0%	**0.0%**
Lights	22	0	161	0	**183**	0	0	148	4133	0	0	**4281**	0	0	0	0	1	0	**1**	0	0	0	4443	57	0	**4500**	0	0	**8965**
% Lights	31.0%	0.0%	95.8%	0.0%	**76.6%**	0.0%	0.0%	92.5%	98.6%	0.0%	0.0%	**98.4%**	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	**100.0%**	0.0%	0.0%	0.0%	98.7%	90.5%	0.0%	**98.6%**	0.0%	0.0%	**97.9%**
Trucks	1	0	3	0	**4**	0	0	0	38	0	0	**38**	0	0	0	0	0	0	**0**	0	0	0	32	6	0	**38**	0	0	**80**
% Trucks	1.4%	0.0%	1.8%	0.0%	**1.7%**	0.0%	0.0%	0.0%	0.9%	0.0%	0.0%	**0.9%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.7%	9.5%	0.0%	**0.8%**	0.0%	0.0%	**0.9%**
Buses	2	0	2	0	**4**	0	0	1	12	0	0	**13**	0	0	0	0	0	0	**0**	0	0	0	13	0	0	**13**	0	0	**30**
% Buses	2.8%	0.0%	1.2%	0.0%	**1.7%**	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	**0.3%**
Pedestrians	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	2	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	66.7%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	33.3%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

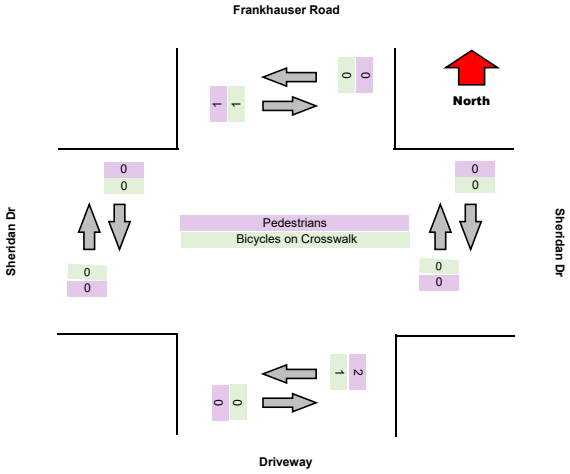
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TSTData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA

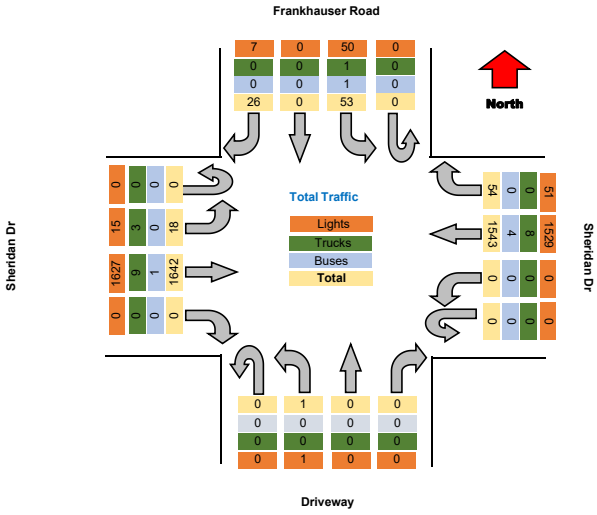
TSTData.com

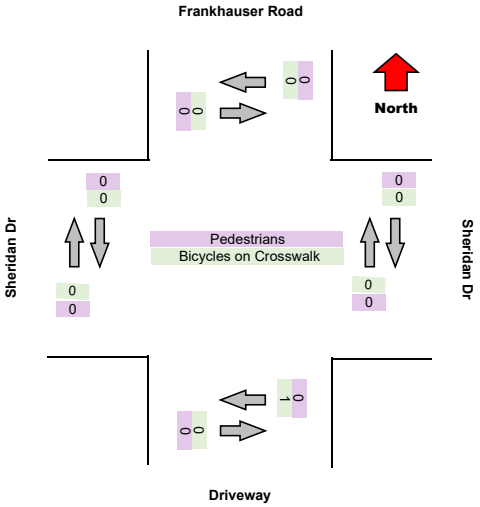
Summary

Turning Movement Peak Hour Data (PM)

4:30:00 PM

Leg	Frankhauser Road							Sheridan Dr							Driveway							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
4:30:00 PM	9	0	18	0	**27**	0	0	15	355	0	0	**370**	0	0	0	0	0	0	**0**	0	0	0	426	6	0	**432**	0	0	**829**
4:45:00 PM	6	0	6	0	**12**	0	0	15	400	0	0	**415**	0	0	0	0	1	0	**1**	1	0	0	422	1	0	**423**	0	0	**851**
5:00:00 PM	5	0	20	0	**25**	0	0	10	368	0	0	**378**	0	0	0	0	0	0	**0**	0	0	0	370	3	0	**373**	0	0	**776**
5:15:00 PM	8	0	9	0	**15**	0	0	14	420	0	0	**434**	0	0	0	0	0	0	**0**	0	0	0	424	8	0	**432**	0	0	**881**
Grand Total	26	0	53	0	**79**	0	0	54	1543	0	0	**1597**	0	0	0	0	1	0	**1**	1	0	0	1642	18	0	**1660**	0	0	**3337**
% Approach	32.9%	0.0%	67.1%	0.0%	**0.0%**	0.0%	0.0%	3.4%	96.6%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	98.9%	1.1%	0.0%	**0.0%**	0.0%	0.0%	
% Total	0.8%	0.0%	1.6%	0.0%	**2.4%**	0.0%	0.0%	1.6%	46.2%	0.0%	0.0%	**47.9%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	49.2%	0.5%	0.0%	**49.7%**	0.0%	0.0%	
PHF	0.722	0.000	0.663	0.000	**0.731**	0.000	0.000	0.900	0.918	0.000	0.000	**0.920**	0.000	0.000	0.000	0.000	0.250	0.000	**0.250**	0.000	0.000	0.000	0.964	0.563	0.000	**0.961**	0.000	0.000	**0.947**
Lights	7	0	50	0	**57**	0	0	51	1529	0	0	**1580**	0	0	0	0	1	0	**1**	0	0	0	1627	15	0	**1642**	0	0	**3280**
% Lights	26.9%	0.0%	94.3%	0.0%	**72.2%**	0.0%	0.0%	94.4%	99.1%	0.0%	0.0%	**98.9%**	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	**100.0%**	0.0%	0.0%	0.0%	99.1%	83.3%	0.0%	**98.9%**	0.0%	0.0%	**98.3%**
Trucks	0	0	1	0	**1**	0	0	0	8	0	0	**8**	0	0	0	0	0	0	**0**	0	0	0	9	3	0	**12**	0	0	**21**
% Trucks	0.0%	0.0%	1.9%	0.0%	**1.3%**	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.5%	16.7%	0.0%	**0.7%**	0.0%	0.0%	**0.6%**
Buses	0	0	1	0	**1**	0	0	0	4	0	0	**4**	0	0	0	0	0	0	**0**	0	0	0	1	0	0	**1**	0	0	**6**
% Buses	0.0%	0.0%	1.9%	0.0%	**1.3%**	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.2%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Frankhauser
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & Frankhauser
Latitude and Longitude	42.97821,-78.7765

	Start	End	PHF
PM Peak	2023-09-23 12:45:00	2023-09-23 13:45:00	0.922

Turning Movement Data

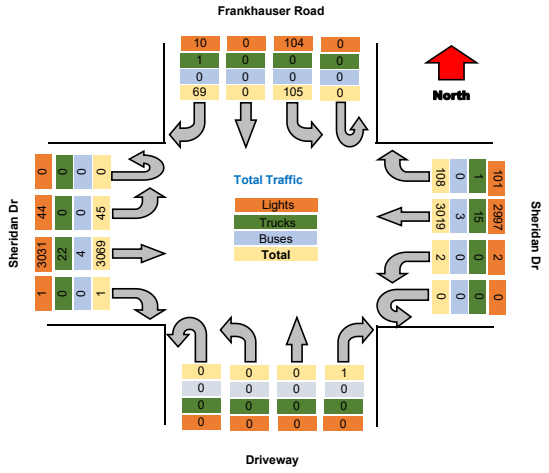
Leg	Frankhauser Road							Sheridan Dr							Driveway							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
11:00:00 AM	7	0	10	0	**17**	0	0	11	233	0	0	**244**	0	0	0	0	0	0	**0**	0	0	0	225	3	0	**228**	0	0	**489**
11:15:00 AM	5	0	11	0	**16**	0	0	12	267	0	0	**279**	0	0	0	0	0	0	**0**	0	1	0	245	4	0	**249**	0	1	**544**
11:30:00 AM	9	0	6	0	**15**	0	0	11	243	1	0	**255**	0	0	0	0	0	0	**0**	0	0	0	257	5	0	**262**	0	0	**532**
11:45:00 AM	8	0	7	0	**15**	0	0	10	239	0	0	**249**	0	0	1	0	0	0	**1**	0	0	0	250	4	0	**254**	0	0	**519**
Hourly Total	29	0	34	0	**63**	0	0	44	982	1	0	**1027**	0	0	1	0	0	0	**1**	0	1	0	977	16	0	**993**	0	1	**2084**
12:00:00 PM	4	0	6	0	**10**	0	0	10	236	1	0	**247**	0	0	0	0	0	0	**0**	1	1	0	274	3	0	**277**	0	0	**534**
12:15:00 PM	2	0	9	0	**11**	0	0	10	248	0	0	**258**	0	0	0	0	0	0	**0**	0	0	0	292	2	0	**294**	0	0	**563**
12:30:00 PM	6	0	11	0	**17**	0	0	11	243	0	0	**254**	0	0	0	0	0	0	**0**	2	1	0	249	6	0	**255**	0	0	**526**
12:45:00 PM	6	0	16	0	**22**	0	0	8	258	0	0	**266**	0	0	0	0	0	0	**0**	0	0	1	276	6	0	**283**	0	1	**571**
Hourly Total	18	0	42	0	**60**	0	0	39	985	1	0	**1025**	0	0	0	0	0	0	**0**	3	2	1	1091	17	0	**1109**	0	1	**2194**
1:00:00 PM	6	0	8	0	**14**	0	0	10	281	0	0	**291**	0	0	0	0	0	0	**0**	0	0	0	239	6	0	**245**	0	0	**550**
1:15:00 PM	4	0	6	0	**10**	0	0	5	235	0	0	**240**	0	0	0	0	0	0	**0**	0	0	0	240	1	0	**241**	0	0	**491**
1:30:00 PM	7	0	8	0	**15**	0	0	7	290	0	0	**297**	0	0	0	0	0	0	**0**	0	0	0	283	5	0	**288**	0	0	**600**
1:45:00 PM	5	0	7	0	**12**	0	0	3	246	0	0	**249**	0	0	0	0	0	0	**0**	0	0	0	239	0	0	**239**	0	0	**500**
Hourly Total	22	0	29	0	**51**	0	0	25	1052	0	0	**1077**	0	0	0	0	0	0	**0**	0	0	0	1001	12	0	**1013**	0	0	**2141**
Grand Total	69	0	105	0	**174**	0	0	108	3019	2	0	**3129**	0	0	1	0	0	0	**1**	3	3	1	3069	45	0	**3115**	0	2	**6419**
% Approach	39.7%	0.0%	60.3%	0.0%	**0.0%**	0.0%	0.0%	3.5%	96.5%	0.1%	0.0%	**0.0%**	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	98.5%	1.4%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	1.1%	0.0%	1.6%	0.0%	**2.7%**	0.0%	0.0%	1.7%	47.0%	0.0%	0.0%	**48.7%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	47.8%	0.7%	0.0%	**48.5%**	0.0%	0.0%	**0.0%**
Lights	10	0	104	0	**114**	0	0	101	2997	2	0	**3100**	0	0	0	0	0	0	**0**	0	0	1	3031	44	0	**3076**	0	0	**6290**
% Lights	14.5%	0.0%	99.0%	0.0%	**65.5%**	0.0%	0.0%	93.5%	99.3%	100.0%	0.0%	**99.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	100.0%	98.8%	97.8%	0.0%	**98.7%**	0.0%	0.0%	**98.0%**
Trucks	1	0	0	0	**1**	0	0	1	15	0	0	**16**	0	0	0	0	0	0	**0**	0	0	0	22	0	0	**22**	0	0	**39**
% Trucks	1.4%	0.0%	0.0%	0.0%	**0.6%**	0.0%	0.0%	0.9%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.7%	0.0%	0.0%	**0.7%**	0.0%	0.0%	**0.6%**
Buses	0	0	0	0	**0**	0	0	0	3	0	0	**3**	0	0	0	0	0	0	**0**	0	0	0	4	0	0	**4**	0	0	**7**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	1	0	0	0	0	**0**	0	1	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	33.3%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	3	2	0	0	0	0	**0**	0	1	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	66.7%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	**0.0%**

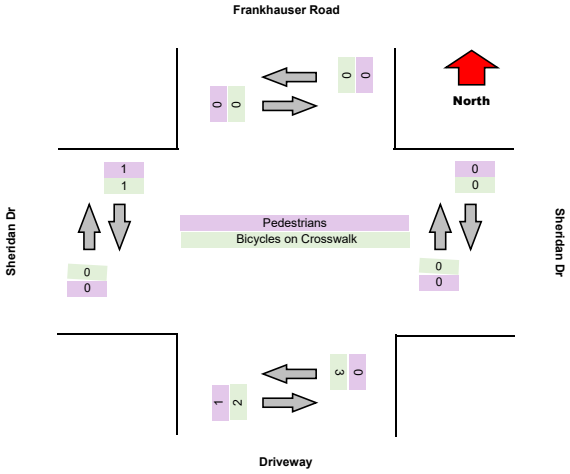
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TSTData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA

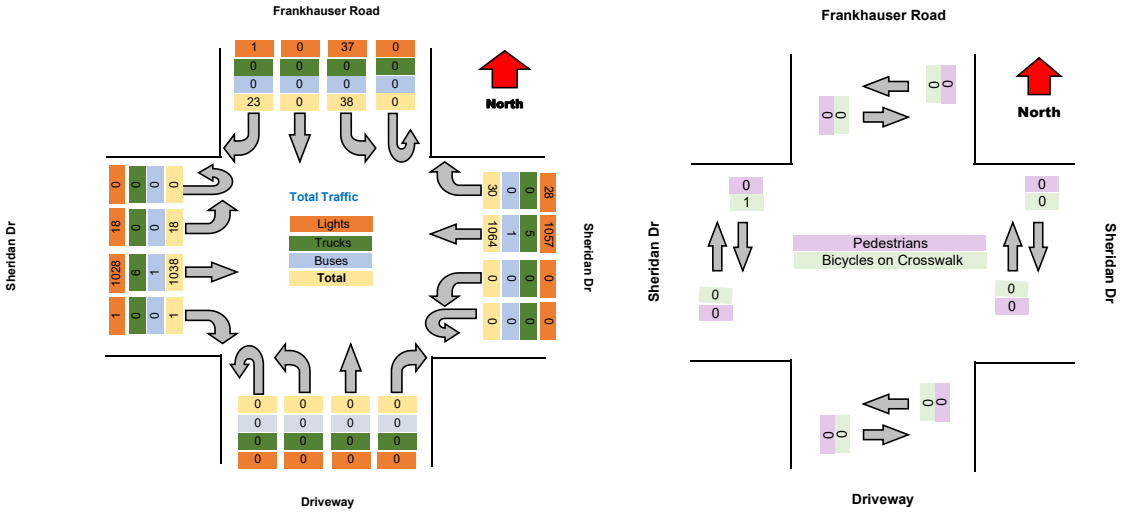
TSTData.com

Summary

Turning Movement Peak Hour Data (PM)

12:45:00 PM

Leg	Frankhauser Road							Sheridan Dr							Driveway							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
12:45:00 PM	6	0	16	0	**22**	0	0	8	258	0	0	**266**	0	0	0	0	0	0	**0**	0	0	1	276	6	0	**283**	0	1	**571**
1:00:00 PM	6	0	8	0	**14**	0	0	10	281	0	0	**291**	0	0	0	0	0	0	**0**	0	0	0	239	6	0	**245**	0	0	**550**
1:15:00 PM	4	0	6	0	**10**	0	0	5	235	0	0	**240**	0	0	0	0	0	0	**0**	0	0	0	240	1	0	**241**	0	0	**491**
1:30:00 PM	7	0	8	0	**15**	0	0	7	290	0	0	**297**	0	0	0	0	0	0	**0**	0	0	0	283	5	0	**288**	0	0	**600**
Grand Total	23	0	38	0	**61**	0	0	30	1064	0	0	**1094**	0	0	0	0	0	0	**0**	0	0	1	1038	18	0	**1057**	0	1	**2212**
% Approach	37.7%	0.0%	62.3%	0.0%	**0.0%**	0.0%	0.0%	2.7%	97.3%	0.0%	0.0%	**0.0%**	0.0%	0.0%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	**0.0%**	0.0%	0.0%	0.1%	98.2%	1.7%	0.0%	**0.0%**	0.0%	0.0%	
% Total	1.0%	0.0%	1.7%	0.0%	**2.8%**	0.0%	0.0%	1.4%	48.1%	0.0%	0.0%	**49.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	46.9%	0.8%	0.0%	**47.8%**	0.0%	0.0%	
PHF	0.821	0.000	0.594	0.000	**0.693**	0.000	0.000	0.750	0.917	0.000	0.000	**0.921**	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**	0.000	0.000	0.250	0.917	0.750	0.000	**0.918**	0.000	0.000	**0.922**
Lights	1	0	37	0	**38**	0	0	28	1057	0	0	**1085**	0	0	0	0	0	0	**0**	0	0	1	1028	18	0	**1047**	0	0	**2170**
% Lights	4.3%	0.0%	97.4%	0.0%	**62.3%**	0.0%	0.0%	93.3%	99.3%	0.0%	0.0%	**99.2%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	100.0%	99.0%	100.0%	0.0%	**99.1%**	0.0%	0.0%	**98.1%**
Trucks	0	0	0	0	**0**	0	0	0	5	0	0	**5**	0	0	0	0	0	0	**0**	0	0	0	6	0	0	**6**	0	0	**11**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.6%	0.0%	0.0%	**0.6%**	0.0%	0.0%	**0.5%**
Buses	0	0	0	0	**0**	0	0	0	1	0	0	**1**	0	0	0	0	0	0	**0**	0	0	0	1	0	0	**1**	0	0	**2**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	**0**
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	1	**0**
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA STData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Fenwick Rd
Legs and Movements	All Processed Legs & Movements
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & Fenwick Rd
Latitude and Longitude	42.97813, -78.77413

	Start	End	PHF
PM Peak	2023-09-21 16:30:00	2023-09-21 17:30:00	0.9576

Turning Movement Data

Leg	Sheridan Dr						Fenwick Road						Sheridan Dr						
Direction	**Westbound**						**Northbound**						**Eastbound**						
Start Time	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	U-Turn	**App Total**	Peds CW	Peds CCW	**Total**
3:00:00 PM	358	2	0	**360**	0	0	3	6	0	**9**	0	0	4	328	0	**332**	0	0	**701**
3:15:00 PM	340	4	0	**344**	0	0	4	5	0	**9**	0	0	4	389	0	**393**	0	0	**746**
3:30:00 PM	336	4	0	**340**	0	0	1	3	0	**4**	0	1	5	331	0	**336**	0	0	**680**
3:45:00 PM	336	3	0	**339**	0	0	2	3	0	**5**	0	0	1	376	0	**377**	0	0	**721**
Hourly Total	1370	13	0	**1383**	0	0	10	17	0	**27**	0	1	14	1424	0	**1438**	0	0	**2848**
4:00:00 PM	390	1	0	**391**	0	0	3	0	0	**3**	0	0	7	392	0	**399**	0	0	**793**
4:15:00 PM	325	3	0	**328**	0	0	4	4	0	**8**	0	0	4	398	0	**402**	0	0	**738**
4:30:00 PM	356	4	0	**360**	0	0	8	2	0	**10**	0	0	4	444	0	**448**	0	0	**818**
4:45:00 PM	413	4	0	**417**	0	0	3	3	0	**6**	1	0	6	419	0	**425**	0	0	**848**
Hourly Total	1484	12	0	**1496**	0	0	18	9	0	**27**	1	0	21	1653	0	**1674**	0	0	**3197**
5:00:00 PM	386	3	0	**389**	0	0	3	3	0	**6**	0	0	8	382	0	**390**	0	0	**785**
5:15:00 PM	417	1	0	**418**	0	0	6	6	0	**12**	0	0	10	426	0	**436**	0	0	**866**
5:30:00 PM	345	4	0	**349**	0	0	2	6	0	**8**	0	0	4	377	0	**381**	0	0	**738**
5:45:00 PM	312	2	0	**314**	0	0	2	2	0	**4**	0	0	7	342	0	**349**	0	0	**667**
Hourly Total	1460	10	0	**1470**	0	0	13	17	0	**30**	0	0	29	1527	0	**1556**	0	0	**3056**
Grand Total	4314	35	0	**4349**	0	0	41	43	0	**84**	1	1	64	4604	0	**4668**	0	0	**9101**
% Approach	99.2%	0.8%	0.0%	**0.0%**	0.0%	0.0%	48.8%	51.2%	0.0%	**0.0%**	0.0%	0.0%	1.4%	98.6%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	47.4%	0.4%	0.0%	**47.8%**	0.0%	0.0%	0.5%	0.5%	0.0%	**0.9%**	0.0%	0.0%	0.7%	50.6%	0.0%	**51.3%**	0.0%	0.0%	**0.0%**
Lights	4256	35	0	**4291**	0	0	40	40	0	**80**	0	0	60	4544	0	**4604**	0	0	**8975**
% Lights	98.7%	100.0%	0.0%	**98.7%**	0.0%	0.0%	97.6%	93.0%	0.0%	**95.2%**	0.0%	0.0%	93.8%	98.7%	0.0%	**98.6%**	0.0%	0.0%	**98.6%**
Trucks	36	0	0	**36**	0	0	0	2	0	**2**	0	0	0	35	0	**35**	0	0	**73**
% Trucks	0.8%	0.0%	0.0%	**0.8%**	0.0%	0.0%	0.0%	4.7%	0.0%	**2.4%**	0.0%	0.0%	0.0%	0.8%	0.0%	**0.7%**	0.0%	0.0%	**0.8%**
Buses	12	0	0	**12**	0	0	1	1	0	**2**	0	0	1	14	0	**15**	0	0	**29**
% Buses	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	2.3%	0.0%	**2.4%**	0.0%	0.0%	1.6%	0.3%	0.0%	**0.3%**	0.0%	0.0%	**0.3%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	1	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	1	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

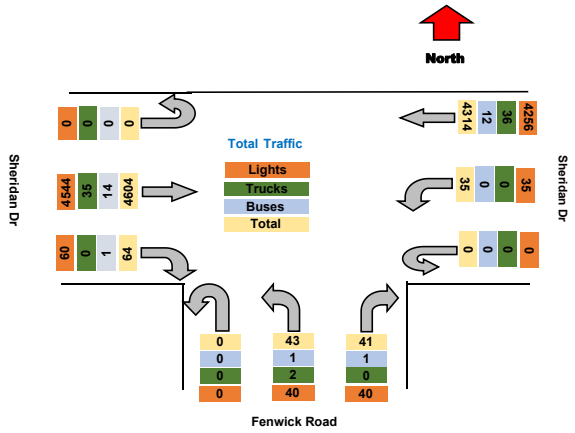
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

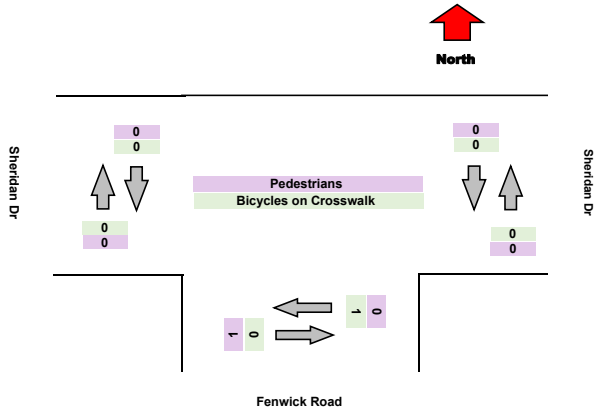
8.1.c

TRI-STATE TRAFFIC DATA STData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

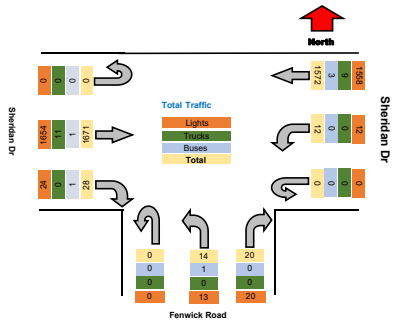
TRI-STATE TRAFFIC DATA STData.com

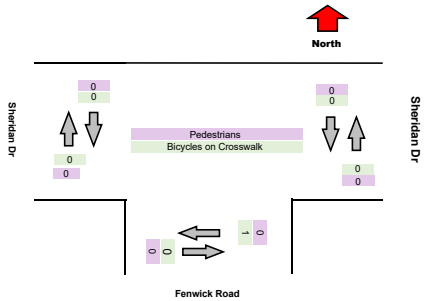
Summary

Turning Movement Peak Hour Data (PM)

4:30:00 PM

Leg	Sheridan Dr						Fenwick Road						Sheridan Dr						
Direction	Westbound						Northbound						Eastbound						
Start Time	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	U-Turn	App Total	Peds CW	Peds CCW	Total
4:30:00 PM	356	4	0	**360**	0	0	8	2	0	**10**	0	0	4	444	0	**448**	0	0	**818**
4:45:00 PM	413	4	0	**417**	0	0	3	3	0	**6**	1	0	6	419	0	**425**	0	0	**848**
5:00:00 PM	386	3	0	**389**	0	0	3	3	0	**6**	0	0	8	382	0	**390**	0	0	**785**
5:15:00 PM	417	1	0	**418**	0	0	6	6	0	**12**	0	0	10	426	0	**436**	0	0	**866**
Grand Total	1572	12	0	**1584**	0	0	20	14	0	**34**	1	0	28	1671	0	**1699**	0	0	**3317**
% Approach	99.2%	0.8%	0.0%	**0.0%**	0.0%	0.0%	58.8%	41.2%	0.0%	**0.0%**	0.0%	0.0%	1.6%	98.4%	0.0%	**0.0%**	0.0%	0.0%	
% Total	47.4%	0.4%	0.0%	**47.8%**	0.0%	0.0%	0.6%	0.4%	0.0%	**1.0%**	0.0%	0.0%	0.8%	50.4%	0.0%	**51.2%**	0.0%	0.0%	
PHF	0.942	0.750	0.000	**0.947**	0.000	0.000	0.625	0.583	0.000	**0.708**	0.000	0.000	0.700	0.941	0.000	**0.948**	0.000	0.000	**0.958**
Lights	1558	12	0	**1570**	0	0	20	13	0	**33**	0	0	24	1654	0	**1678**	0	0	**3281**
% Lights	99.1%	100.0%	0.0%	**99.1%**	0.0%	0.0%	100.0%	92.9%	0.0%	**97.1%**	0.0%	0.0%	85.7%	99.0%	0.0%	**98.8%**	0.0%	0.0%	**98.9%**
Trucks	9	0	0	**9**	0	0	0	0	0	**0**	0	0	0	11	0	**11**	0	0	**20**
% Trucks	0.6%	0.0%	0.0%	**0.6%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.7%	0.0%	**0.6%**	0.0%	0.0%	**0.6%**
Buses	3	0	0	**3**	0	0	0	1	0	**1**	0	0	1	1	0	**2**	0	0	**6**
% Buses	0.2%	0.0%	0.0%	**0.2%**	0.0%	0.0%	0.0%	7.1%	0.0%	**2.9%**	0.0%	0.0%	3.6%	0.1%	0.0%	**0.1%**	0.0%	0.0%	**0.2%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	1	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA STData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Fenwick Rd
Legs and Movements	All Processed Legs & Movements
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & Fenwick Rd
Latitude and Longitude	42.97813, -78.77413

	Start	End	PHF
PM Peak	2023-09-23 12:00:00	2023-09-23 13:00:00	0.9553

Turning Movement Data

Leg	Sheridan Dr						Fenwick Road						Sheridan Dr						
Direction	**Westbound**						**Northbound**						**Eastbound**						
Start Time	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	U-Turn	**App Total**	Peds CW	Peds CCW	**Total**
11:00:00 AM	233	4	0	**237**	0	0	2	4	0	**6**	0	0	4	232	0	**236**	0	0	**479**
11:15:00 AM	273	3	0	**276**	0	0	5	5	0	**10**	0	1	4	248	0	**252**	0	0	**538**
11:30:00 AM	260	3	0	**263**	0	0	2	6	0	**8**	0	0	4	260	0	**264**	0	0	**535**
11:45:00 AM	236	1	0	**237**	0	0	5	5	0	**10**	0	0	4	251	0	**255**	0	0	**502**
Hourly Total	1002	11	0	**1013**	0	0	14	20	0	**34**	0	1	16	991	0	**1007**	0	0	**2054**
12:00:00 PM	254	4	0	**258**	0	0	5	4	0	**9**	0	1	8	273	0	**281**	0	0	**548**
12:15:00 PM	240	6	0	**246**	0	0	7	6	0	**13**	0	0	1	301	0	**302**	0	0	**561**
12:30:00 PM	242	6	0	**248**	0	0	6	6	0	**12**	1	0	5	251	0	**256**	0	0	**516**
12:45:00 PM	268	2	0	**270**	0	0	3	4	0	**7**	0	0	5	294	0	**299**	0	0	**576**
Hourly Total	1004	18	0	**1022**	0	0	21	20	0	**41**	1	1	19	1119	0	**1138**	0	0	**2201**
1:00:00 PM	284	1	0	**285**	0	0	3	2	0	**5**	0	0	6	241	0	**247**	0	0	**537**
1:15:00 PM	246	2	0	**248**	0	0	5	4	0	**9**	0	0	3	239	0	**242**	0	0	**499**
1:30:00 PM	283	4	0	**287**	0	0	3	3	0	**6**	0	0	8	285	0	**293**	0	0	**586**
1:45:00 PM	245	0	0	**245**	0	0	2	6	0	**8**	0	0	1	243	0	**244**	0	0	**497**
Hourly Total	1058	7	0	**1065**	0	0	13	15	0	**28**	0	0	18	1008	0	**1026**	0	0	**2119**
Grand Total	3064	36	0	**3100**	0	0	48	55	0	**103**	1	2	53	3118	0	**3171**	0	0	**6374**
% Approach	98.8%	1.2%	0.0%	**0.0%**	0.0%	0.0%	46.6%	53.4%	0.0%	**0.0%**	0.0%	0.0%	1.7%	98.3%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	48.1%	0.6%	0.0%	**48.6%**	0.0%	0.0%	0.8%	0.9%	0.0%	**1.6%**	0.0%	0.0%	0.8%	48.9%	0.0%	**49.7%**	0.0%	0.0%	**0.0%**
Lights	3040	36	0	**3076**	0	0	45	55	0	**100**	0	0	51	3081	0	**3132**	0	0	**6308**
% Lights	99.2%	100.0%	0.0%	**99.2%**	0.0%	0.0%	93.8%	100.0%	0.0%	**97.1%**	0.0%	0.0%	96.2%	98.8%	0.0%	**98.8%**	0.0%	0.0%	**99.0%**
Trucks	16	0	0	**16**	0	0	3	0	0	**3**	0	0	1	21	0	**22**	0	0	**41**
% Trucks	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	6.3%	0.0%	0.0%	**2.9%**	0.0%	0.0%	1.9%	0.7%	0.0%	**0.7%**	0.0%	0.0%	**0.6%**
Buses	3	0	0	**3**	0	0	0	0	0	**0**	0	0	0	4	0	**4**	0	0	**7**
% Buses	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	1	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	1	1	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	50.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

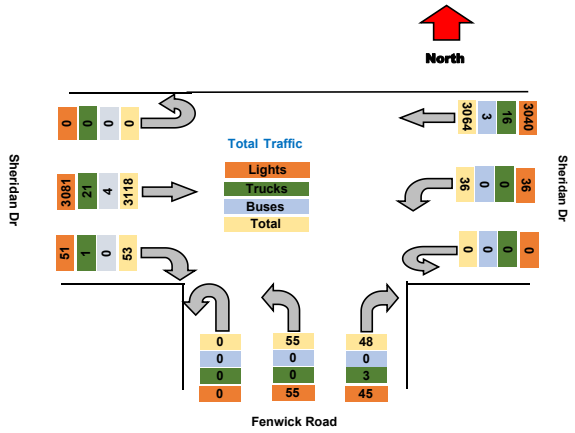
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

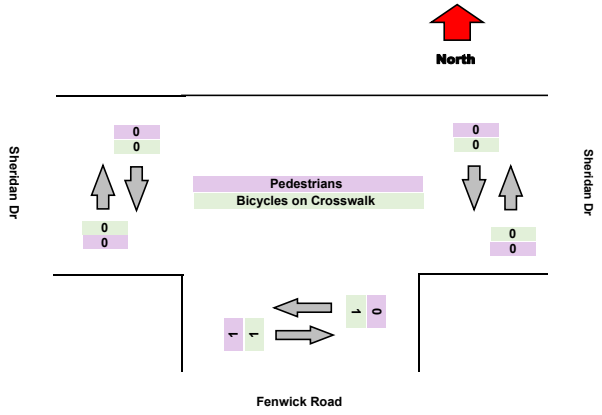
8.1.c

TRI-STATE TRAFFIC DATA STData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

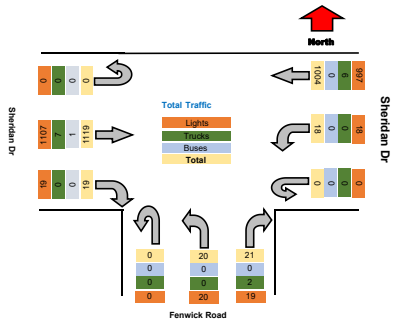
TRI-STATE TRAFFIC DATA STData.com

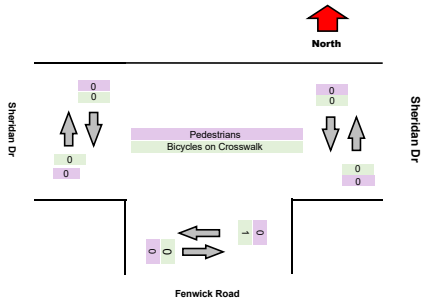
Summary

Turning Movement Peak Hour Data (PM)

12:00:00 PM

Leg	Sheridan Dr						Fenwick Road						Sheridan Dr						
Direction	Westbound						Northbound						Eastbound						
Start Time	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	U-Turn	App Total	Peds CW	Peds CCW	Total
12:00:00 PM	254	4	0	**258**	0	0	5	4	0	**9**	0	1	8	273	0	**281**	0	0	**548**
12:15:00 PM	240	6	0	**246**	0	0	7	6	0	**13**	0	0	1	301	0	**302**	0	0	**561**
12:30:00 PM	242	6	0	**248**	0	0	6	6	0	**12**	1	0	5	251	0	**256**	0	0	**516**
12:45:00 PM	268	2	0	**270**	0	0	3	4	0	**7**	0	0	5	294	0	**299**	0	0	**576**
Grand Total	1004	18	0	**1022**	0	0	21	20	0	**41**	1	1	19	1119	0	**1138**	0	0	**2201**
% Approach	98.2%	1.8%	0.0%	**0.0%**	0.0%	0.0%	51.2%	48.8%	0.0%	**0.0%**	0.0%	0.0%	1.7%	98.3%	0.0%	**0.0%**	0.0%	0.0%	
% Total	45.6%	0.8%	0.0%	**46.4%**	0.0%	0.0%	1.0%	0.9%	0.0%	**1.9%**	0.0%	0.0%	0.9%	50.8%	0.0%	**51.7%**	0.0%	0.0%	
PHF	0.937	0.750	0.000	**0.946**	0.000	0.000	0.750	0.833	0.000	**0.788**	0.000	0.000	0.594	0.929	0.000	**0.942**	0.000	0.000	**0.955**
Lights	997	18	0	**1015**	0	0	19	20	0	**39**	0	0	19	1107	0	**1126**	0	0	**2180**
% Lights	99.3%	100.0%	0.0%	**99.3%**	0.0%	0.0%	90.5%	100.0%	0.0%	**95.1%**	0.0%	0.0%	100.0%	98.9%	0.0%	**98.9%**	0.0%	0.0%	**99.0%**
Trucks	6	0	0	**6**	0	0	2	0	0	**2**	0	0	0	7	0	**7**	0	0	**15**
% Trucks	0.6%	0.0%	0.0%	**0.6%**	0.0%	0.0%	9.5%	0.0%	0.0%	**4.9%**	0.0%	0.0%	0.0%	0.6%	0.0%	**0.6%**	0.0%	0.0%	**0.7%**
Buses	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	1	0	**1**	0	0	**1**
% Buses	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.1%	0.0%	**0.1%**	0.0%	0.0%	**0.0%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	1	1	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & North Forest
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & North Forest
Latitude and Longitude	42.97808,-78.76788

	Start	End	PHF
PM Peak	2023-09-21 16:30:00	2023-09-21 17:30:00	0.962

Turning Movement Data

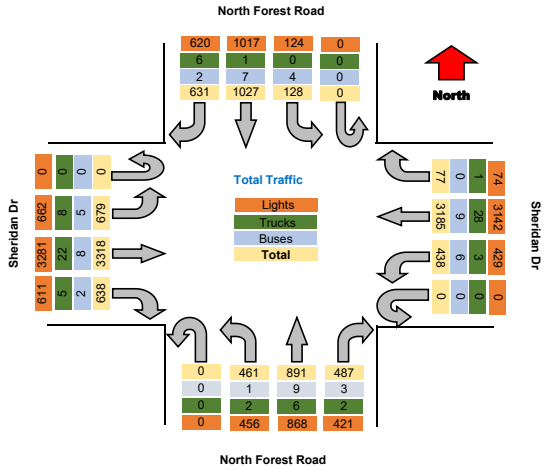
Leg	North Forest Road							Sheridan Dr							North Forest Road							Sheridan Dr							
Direction	**Southbound**							**Westbound**							**Northbound**							**Eastbound**							
Start Time	Right	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	**Total**
3:00:00 PM	77	67	11	0	**155**	1	0	4	249	28	0	**281**	0	0	29	68	28	0	**125**	0	0	34	246	47	0	**327**	0	0	**888**
3:15:00 PM	65	87	13	0	**165**	1	0	5	220	47	0	**272**	0	0	46	67	39	0	**152**	0	0	39	274	60	0	**373**	0	0	**962**
3:30:00 PM	44	66	12	0	**122**	0	0	9	252	26	0	**287**	0	0	38	70	43	0	**151**	0	1	43	249	58	0	**350**	0	0	**910**
3:45:00 PM	61	101	9	0	**171**	0	0	9	240	34	0	**283**	0	0	32	49	35	0	**116**	0	0	55	264	61	0	**380**	0	0	**950**
Hourly Total	247	321	45	0	**613**	2	0	27	961	135	0	**1123**	0	0	145	254	145	0	**544**	0	1	171	1033	226	0	**1430**	0	0	**3710**
4:00:00 PM	60	92	13	0	**165**	0	0	7	286	30	0	**323**	0	0	47	95	36	0	**178**	0	0	56	258	51	0	**365**	0	0	**1031**
4:15:00 PM	31	77	11	0	**119**	0	0	10	280	43	0	**333**	0	0	42	61	31	0	**134**	0	0	77	295	60	0	**432**	0	0	**1018**
4:30:00 PM	46	113	8	0	**167**	0	0	8	265	42	0	**315**	0	1	49	93	38	0	**180**	0	1	81	268	67	0	**416**	0	0	**1078**
4:45:00 PM	51	94	10	0	**155**	0	0	4	308	32	0	**344**	0	0	51	92	52	0	**195**	0	0	67	322	49	0	**438**	0	1	**1132**
Hourly Total	188	376	42	0	**606**	0	0	29	1139	147	0	**1315**	0	1	189	341	157	0	**687**	0	1	281	1143	227	0	**1651**	0	1	**4259**
5:00:00 PM	42	83	12	0	**137**	0	0	7	321	44	0	**372**	0	0	35	71	40	0	**146**	0	0	52	286	64	0	**402**	0	0	**1057**
5:15:00 PM	52	96	11	0	**159**	0	0	6	298	45	0	**349**	1	0	36	84	49	0	**169**	1	0	67	290	53	0	**410**	0	0	**1087**
5:30:00 PM	53	77	11	0	**141**	0	0	3	245	28	0	**276**	0	0	55	69	41	0	**165**	0	0	30	301	53	0	**384**	0	0	**966**
5:45:00 PM	49	74	7	0	**130**	0	0	5	221	39	0	**265**	0	0	27	72	29	0	**128**	0	0	37	265	56	0	**358**	0	0	**881**
Hourly Total	196	330	41	0	**567**	0	0	21	1085	156	0	**1262**	1	0	153	296	159	0	**608**	1	0	186	1142	226	0	**1554**	0	0	**3991**
Grand Total	631	1027	128	0	**1786**	2	0	77	3185	438	0	**3700**	1	1	487	891	461	0	**1839**	1	2	638	3318	679	0	**4635**	0	1	**11960**
% Approach	35.3%	57.5%	7.2%	0.0%	**0.0%**	0.0%	0.0%	2.1%	86.1%	11.8%	0.0%	**0.0%**	0.0%	0.0%	26.5%	48.5%	25.1%	0.0%	**0.0%**	0.0%	0.0%	13.8%	71.6%	14.6%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	5.3%	8.6%	1.1%	0.0%	**14.9%**	0.0%	0.0%	0.6%	26.6%	3.7%	0.0%	**30.9%**	0.0%	0.0%	4.1%	7.4%	3.9%	0.0%	**15.4%**	0.0%	0.0%	5.3%	27.7%	5.7%	0.0%	**38.8%**	0.0%	0.0%	**0.0%**
Lights	620	1017	124	0	**1761**	0	0	74	3142	429	0	**3645**	0	0	421	868	456	0	**1745**	0	0	611	3281	662	0	**4554**	0	0	**11705**
% Lights	98.3%	99.0%	96.9%	0.0%	**98.6%**	0.0%	0.0%	96.1%	98.6%	97.9%	0.0%	**98.5%**	0.0%	0.0%	86.4%	97.4%	98.9%	0.0%	**94.9%**	0.0%	0.0%	95.8%	98.9%	97.5%	0.0%	**98.3%**	0.0%	0.0%	**97.9%**
Trucks	6	1	0	0	**7**	0	0	1	28	3	0	**32**	0	0	2	6	2	0	**10**	0	0	5	22	8	0	**35**	0	0	**84**
% Trucks	1.0%	0.1%	0.0%	0.0%	**0.4%**	0.0%	0.0%	1.3%	0.9%	0.7%	0.0%	**0.9%**	0.0%	0.0%	0.4%	0.7%	0.4%	0.0%	**0.5%**	0.0%	0.0%	0.8%	0.7%	1.2%	0.0%	**0.8%**	0.0%	0.0%	**0.7%**
Buses	2	7	4	0	**13**	0	0	0	9	6	0	**15**	0	0	3	9	1	0	**13**	0	0	2	8	5	0	**15**	0	0	**56**
% Buses	0.3%	0.7%	3.1%	0.0%	**0.7%**	0.0%	0.0%	0.0%	0.3%	1.4%	0.0%	**0.4%**	0.0%	0.0%	0.6%	1.0%	0.2%	0.0%	**0.7%**	0.0%	0.0%	0.3%	0.2%	0.7%	0.0%	**0.3%**	0.0%	0.0%	**0.5%**
Pedestrians	0	0	0	0	**0**	2	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	1	2	0	0	0	0	**0**	0	1	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	1	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

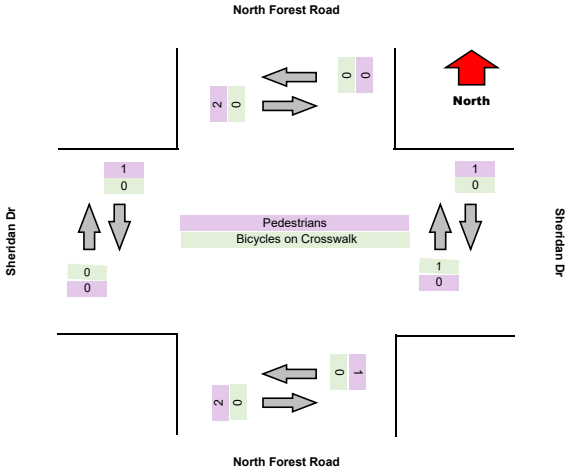
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TSTData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA

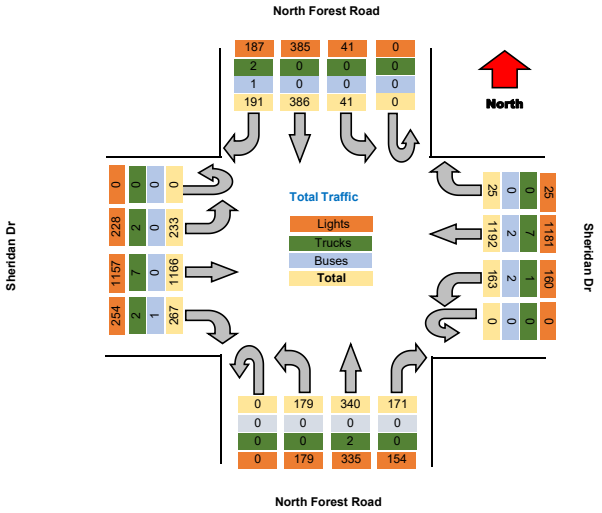
TSTData.com

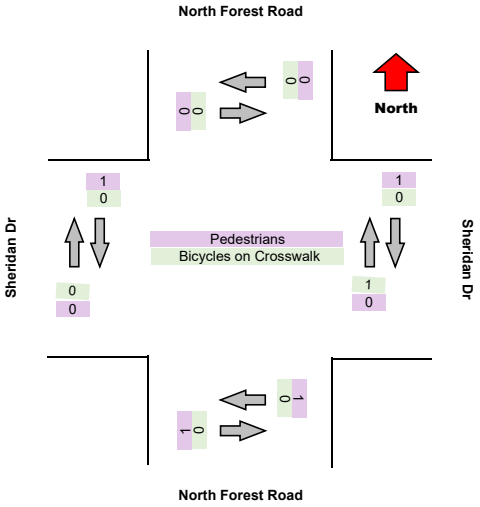
Summary

Turning Movement Peak Hour Data (PM)

4:30:00 PM

Leg	North Forest Road							Sheridan Dr							North Forest Road							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
4:30:00 PM	46	113	8	0	**167**	0	0	8	265	42	0	**315**	0	1	49	93	38	0	**180**	0	1	81	268	67	0	**416**	0	0	**1078**
4:45:00 PM	51	94	10	0	**155**	0	0	4	308	32	0	**344**	0	0	51	92	52	0	**195**	0	0	67	322	49	0	**438**	0	1	**1132**
5:00:00 PM	42	83	12	0	**137**	0	0	7	321	44	0	**372**	0	0	35	71	40	0	**146**	0	0	52	286	64	0	**402**	0	0	**1057**
5:15:00 PM	52	96	11	0	**159**	0	0	6	298	45	0	**349**	1	0	36	84	49	0	**169**	1	0	67	290	53	0	**410**	0	0	**1087**
Grand Total	191	386	41	0	**618**	0	0	25	1192	163	0	**1380**	1	1	171	340	179	0	**690**	1	1	267	1166	233	0	**1666**	0	1	**4354**
% Approach	30.9%	62.5%	6.6%	0.0%	**0.0%**	0.0%	0.0%	1.8%	86.4%	11.8%	0.0%	**0.0%**	0.0%	0.0%	24.8%	49.3%	25.9%	0.0%	**0.0%**	0.0%	0.0%	16.0%	70.0%	14.0%	0.0%	**0.0%**	0.0%	0.0%	
% Total	4.4%	8.9%	0.9%	0.0%	**14.2%**	0.0%	0.0%	0.6%	27.4%	3.7%	0.0%	**31.7%**	0.0%	0.0%	3.9%	7.8%	4.1%	0.0%	**15.8%**	0.0%	0.0%	6.1%	26.8%	5.4%	0.0%	**38.3%**	0.0%	0.0%	
PHF	0.918	0.854	0.854	0.000	**0.925**	0.000	0.000	0.781	0.928	0.906	0.000	**0.927**	0.000	0.000	0.838	0.914	0.861	0.000	**0.885**	0.000	0.000	0.824	0.905	0.869	0.000	**0.951**	0.000	0.000	**0.962**
Lights	187	385	41	0	**613**	0	0	25	1181	160	0	**1366**	0	0	154	335	179	0	**668**	0	0	254	1157	228	0	**1639**	0	0	**4286**
% Lights	97.9%	99.7%	100.0%	0.0%	**99.2%**	0.0%	0.0%	100.0%	99.1%	98.2%	0.0%	**99.0%**	0.0%	0.0%	90.1%	98.5%	100.0%	0.0%	**96.8%**	0.0%	0.0%	95.1%	99.2%	97.9%	0.0%	**98.4%**	0.0%	0.0%	**98.4%**
Trucks	2	0	0	0	**2**	0	0	0	7	1	0	**8**	0	0	0	2	0	0	**2**	0	0	2	7	2	0	**11**	0	0	**23**
% Trucks	1.0%	0.0%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.6%	0.6%	0.0%	**0.6%**	0.0%	0.0%	0.0%	0.6%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.7%	0.6%	0.9%	0.0%	**0.7%**	0.0%	0.0%	**0.5%**
Buses	1	0	0	0	**1**	0	0	0	2	2	0	**4**	0	0	0	0	0	0	**0**	0	0	1	0	0	0	**1**	0	0	**6**
% Buses	0.5%	0.0%	0.0%	0.0%	**0.2%**	0.0%	0.0%	0.0%	0.2%	1.2%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.4%	0.0%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	1	1	0	0	0	0	**0**	0	1	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	1	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & North Forest
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & North Forest
Latitude and Longitude	42.97808, -78.76788

	Start	End	PHF
PM Peak	2023-09-23 12:00:00	2023-09-23 13:00:00	0.987

Turning Movement Data

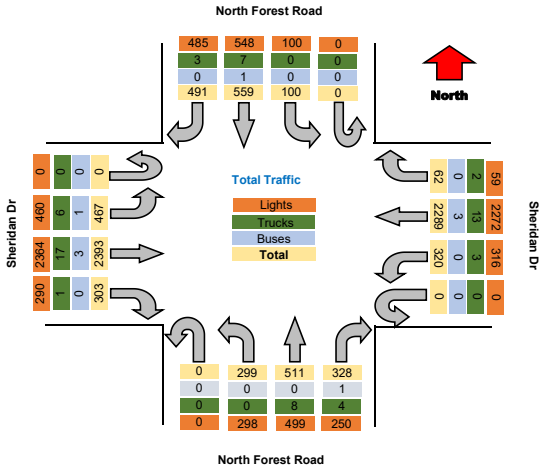
Leg	North Forest Road							Sheridan Dr							North Forest Road							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
11:00:00 AM	39	39	8	0	**86**	0	0	9	168	24	0	**201**	0	0	25	37	27	0	**89**	0	0	15	192	25	0	**232**	1	0	**608**
11:15:00 AM	41	34	8	0	**83**	0	0	6	209	23	0	**238**	0	0	33	32	20	0	**85**	0	0	26	188	36	0	**250**	0	0	**656**
11:30:00 AM	41	58	7	0	**106**	0	0	4	191	20	0	**215**	0	0	29	48	25	0	**102**	0	0	20	192	32	0	**244**	0	1	**667**
11:45:00 AM	43	40	12	0	**95**	0	0	6	169	24	0	**199**	0	0	33	47	22	0	**102**	0	0	23	207	46	0	**276**	0	0	**672**
Hourly Total	164	171	35	0	**370**	0	0	25	737	91	0	**853**	0	0	120	164	94	0	**378**	0	0	84	779	139	0	**1002**	1	1	**2603**
12:00:00 PM	45	53	14	0	**112**	0	0	3	188	31	0	**222**	0	0	30	44	25	0	**99**	0	1	21	212	36	0	**269**	0	0	**702**
12:15:00 PM	43	42	14	0	**99**	0	0	4	177	32	0	**213**	0	1	38	45	25	0	**108**	1	0	29	221	53	0	**303**	0	0	**723**
12:30:00 PM	44	54	12	0	**110**	0	0	7	195	34	0	**236**	0	0	22	49	23	0	**94**	1	0	29	201	38	0	**268**	0	0	**708**
12:45:00 PM	43	53	6	0	**102**	0	0	7	207	28	0	**242**	1	0	19	47	27	0	**93**	0	0	24	219	44	0	**287**	0	0	**724**
Hourly Total	175	202	46	0	**423**	0	0	21	767	125	0	**913**	1	1	109	185	100	0	**394**	2	1	103	853	171	0	**1127**	0	0	**2857**
1:00:00 PM	42	53	5	0	**100**	0	0	3	205	25	0	**233**	0	0	23	39	26	0	**88**	0	0	29	187	42	0	**258**	0	0	**679**
1:15:00 PM	34	38	2	0	**74**	0	0	7	178	22	0	**207**	0	0	22	43	27	0	**92**	0	0	35	172	36	0	**243**	0	0	**616**
1:30:00 PM	43	47	6	0	**96**	0	0	2	214	34	0	**250**	0	0	23	44	29	0	**96**	0	0	30	193	37	0	**260**	0	0	**702**
1:45:00 PM	33	48	6	0	**87**	0	0	4	188	23	0	**215**	0	0	31	36	23	0	**90**	0	0	22	209	42	0	**273**	0	0	**665**
Hourly Total	152	186	19	0	**357**	0	0	16	785	104	0	**905**	0	0	99	162	105	0	**366**	0	0	116	761	157	0	**1034**	0	0	**2662**
Grand Total	491	559	100	0	**1150**	0	0	62	2289	320	0	**2671**	1	1	328	511	299	0	**1138**	2	1	303	2393	467	0	**3163**	1	1	**8122**
% Approach	42.7%	48.6%	8.7%	0.0%	**0.0%**	0.0%	0.0%	2.3%	85.7%	12.0%	0.0%	**0.0%**	0.0%	0.0%	28.8%	44.9%	26.3%	0.0%	**0.0%**	0.0%	0.0%	9.6%	75.7%	14.8%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	6.0%	6.9%	1.2%	0.0%	**14.2%**	0.0%	0.0%	0.8%	28.2%	3.9%	0.0%	**32.9%**	0.0%	0.0%	4.0%	6.3%	3.7%	0.0%	**14.0%**	0.0%	0.0%	3.7%	29.5%	5.7%	0.0%	**38.9%**	0.0%	0.0%	**0.0%**
Lights	485	548	100	0	**1133**	0	0	59	2272	316	0	**2647**	0	0	250	499	298	0	**1047**	0	0	290	2364	460	0	**3114**	0	0	**7941**
% Lights	98.8%	98.0%	100.0%	0.0%	**98.5%**	0.0%	0.0%	95.2%	99.3%	98.8%	0.0%	**99.1%**	0.0%	0.0%	76.2%	97.7%	99.7%	0.0%	**92.0%**	0.0%	0.0%	95.7%	98.8%	98.5%	0.0%	**98.5%**	0.0%	0.0%	**97.8%**
Trucks	3	7	0	0	**10**	0	0	2	13	3	0	**18**	0	0	4	8	0	0	**12**	0	0	1	17	6	0	**24**	0	0	**64**
% Trucks	0.6%	1.3%	0.0%	0.0%	**0.9%**	0.0%	0.0%	3.2%	0.6%	0.9%	0.0%	**0.7%**	0.0%	0.0%	1.2%	1.6%	0.0%	0.0%	**1.1%**	0.0%	0.0%	0.3%	0.7%	1.3%	0.0%	**0.8%**	0.0%	0.0%	**0.8%**
Buses	0	1	0	0	**1**	0	0	0	3	0	0	**3**	0	0	1	0	0	0	**1**	0	0	0	3	1	0	**4**	0	0	**9**
% Buses	0.0%	0.2%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.1%	0.2%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	1	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	1	0	0	0	0	**0**	1	1	0	0	0	0	**0**	0	1	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**

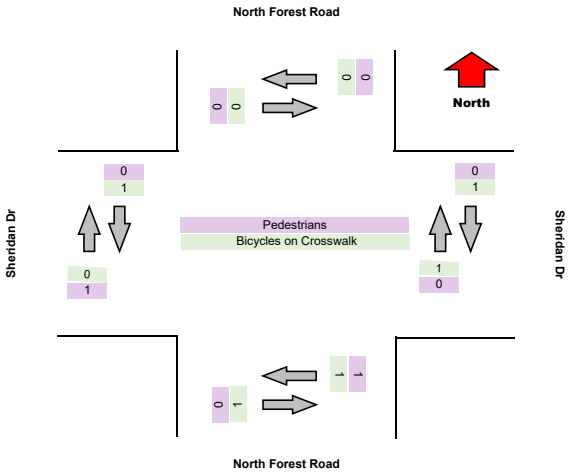
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TSTData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA

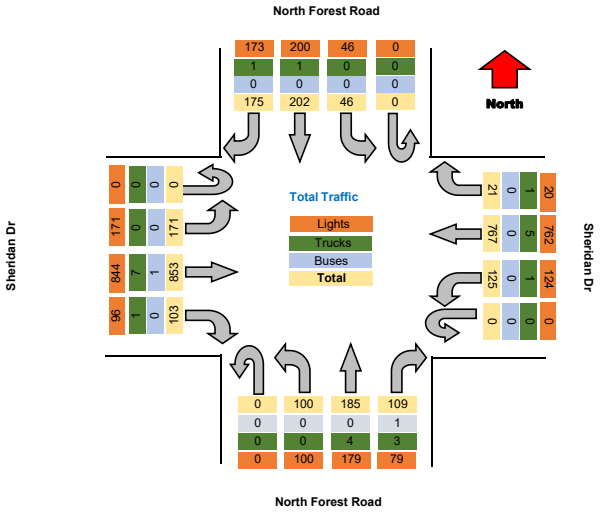
TSTData.com

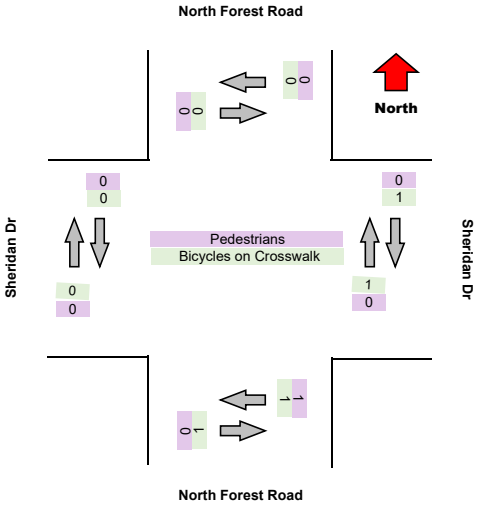
Summary

Turning Movement Peak Hour Data (PM)

12:00:00 PM

Leg	North Forest Road							Sheridan Dr							North Forest Road							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
12:00:00 PM	45	53	14	0	**112**	0	0	3	188	31	0	**222**	0	0	30	44	25	0	**99**	0	1	21	212	36	0	**269**	0	0	**702**
12:15:00 PM	43	42	14	0	**99**	0	0	4	177	32	0	**213**	0	1	38	45	25	0	**108**	1	0	29	221	53	0	**303**	0	0	**723**
12:30:00 PM	44	54	12	0	**110**	0	0	7	195	34	0	**236**	0	0	22	49	23	0	**94**	1	0	29	201	38	0	**268**	0	0	**708**
12:45:00 PM	43	53	6	0	**102**	0	0	7	207	28	0	**242**	1	0	19	47	27	0	**93**	0	0	24	219	44	0	**287**	0	0	**724**
Grand Total	175	202	46	0	**423**	0	0	21	767	125	0	**913**	1	1	109	185	100	0	**394**	2	1	103	853	171	0	**1127**	0	0	**2857**
% Approach	41.4%	47.8%	10.9%	0.0%	**0.0%**	0.0%	0.0%	2.3%	84.0%	13.7%	0.0%	**0.0%**	0.0%	0.0%	27.7%	47.0%	25.4%	0.0%	**0.0%**	0.0%	0.0%	9.1%	75.7%	15.2%	0.0%	**0.0%**	0.0%	0.0%	
% Total	6.1%	7.1%	1.6%	0.0%	**14.8%**	0.0%	0.0%	0.7%	26.8%	4.4%	0.0%	**32.0%**	0.0%	0.0%	3.8%	6.5%	3.5%	0.0%	**13.8%**	0.0%	0.0%	3.6%	29.9%	6.0%	0.0%	**39.4%**	0.0%	0.0%	
PHF	0.972	0.935	0.821	0.000	**0.944**	0.000	0.000	0.750	0.926	0.919	0.000	**0.943**	0.000	0.000	0.717	0.944	0.926	0.000	**0.912**	0.000	0.000	0.888	0.965	0.807	0.000	**0.930**	0.000	0.000	**0.987**
Lights	173	200	46	0	**419**	0	0	20	762	124	0	**906**	0	0	79	179	100	0	**358**	0	0	96	844	171	0	**1111**	0	0	**2794**
% Lights	98.9%	99.0%	100.0%	0.0%	**99.1%**	0.0%	0.0%	95.2%	99.3%	99.2%	0.0%	**99.2%**	0.0%	0.0%	72.5%	96.8%	100.0%	0.0%	**90.9%**	0.0%	0.0%	93.2%	98.9%	100.0%	0.0%	**98.6%**	0.0%	0.0%	**97.8%**
Trucks	1	1	0	0	**2**	0	0	1	5	1	0	**7**	0	0	3	4	0	0	**7**	0	0	1	7	0	0	**8**	0	0	**24**
% Trucks	0.6%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	4.8%	0.7%	0.8%	0.0%	**0.8%**	0.0%	0.0%	2.8%	2.2%	0.0%	0.0%	**1.8%**	0.0%	0.0%	1.0%	0.8%	0.0%	0.0%	**0.7%**	0.0%	0.0%	**0.8%**
Buses	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	1	0	0	0	**1**	0	0	0	1	0	0	**1**	0	0	**2**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.9%	0.0%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	1	0	0	0	0	**0**	1	1	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	50.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA STData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Harlem Rd
Legs and Movements	All Processed Legs & Movements
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & Harlem Rd
Latitude and Longitude	42.97858, -78.78386

	Start	End	PHF
PM Peak	2023-09-21 16:30:00	2023-09-21 17:30:00	0.9815

Turning Movement Data

Leg	Sheridan Dr						Harlem Road						Sheridan Dr						
Direction	**Westbound**						**Northbound**						**Eastbound**						
Start Time	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	U-Turn	**App Total**	Peds CW	Peds CCW	**Total**
3:00:00 PM	188	106	0	**294**	0	0	170	59	0	**229**	1	0	101	165	0	**266**	0	0	**789**
3:15:00 PM	159	118	0	**277**	1	0	199	62	0	**261**	0	1	92	158	0	**250**	1	0	**788**
3:30:00 PM	169	77	1	**247**	0	0	164	58	0	**222**	0	1	102	177	0	**279**	0	0	**748**
3:45:00 PM	173	108	0	**281**	0	0	188	48	0	**236**	0	0	86	184	0	**270**	0	0	**787**
Hourly Total	689	409	1	**1099**	1	0	721	227	0	**948**	1	2	381	684	0	**1065**	1	0	**3112**
4:00:00 PM	182	95	1	**278**	0	1	200	54	0	**254**	0	0	76	184	0	**260**	0	1	**792**
4:15:00 PM	185	72	0	**257**	0	0	194	51	0	**245**	0	0	86	207	1	**294**	0	0	**796**
4:30:00 PM	182	79	1	**262**	0	0	248	43	0	**291**	0	16	76	209	0	**285**	0	2	**838**
4:45:00 PM	175	87	0	**262**	0	2	227	56	0	**283**	2	0	79	205	0	**284**	0	2	**829**
Hourly Total	724	333	2	**1059**	0	3	869	204	0	**1073**	2	16	317	805	1	**1123**	0	5	**3255**
5:00:00 PM	183	90	0	**273**	0	0	194	38	0	**232**	13	0	81	206	1	**288**	0	0	**793**
5:15:00 PM	204	94	0	**298**	0	0	219	50	0	**269**	0	3	73	190	0	**263**	0	0	**830**
5:30:00 PM	166	87	0	**253**	0	0	189	51	0	**240**	0	0	76	177	0	**253**	0	0	**746**
5:45:00 PM	172	106	0	**278**	0	1	177	36	0	**213**	0	0	46	132	0	**178**	0	0	**669**
Hourly Total	725	377	0	**1102**	0	1	779	175	0	**954**	13	3	276	705	1	**982**	0	0	**3038**
Grand Total	2138	1119	3	**3260**	1	4	2369	606	0	**2975**	16	21	974	2194	2	**3170**	1	5	**9405**
% Approach	65.6%	34.3%	0.1%	**0.0%**	0.0%	0.0%	79.6%	20.4%	0.0%	**0.0%**	0.0%	0.0%	30.7%	69.2%	0.1%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	22.7%	11.9%	0.0%	**34.7%**	0.0%	0.0%	25.2%	6.4%	0.0%	**31.6%**	0.0%	0.0%	10.4%	23.3%	0.0%	**33.7%**	0.0%	0.0%	**0.0%**
Lights	2104	1099	3	**3206**	0	0	2159	597	0	**2756**	0	0	955	2157	2	**3114**	0	0	**9076**
% Lights	98.4%	98.2%	100.0%	**98.3%**	0.0%	0.0%	91.1%	98.5%	0.0%	**92.6%**	0.0%	0.0%	98.0%	98.3%	100.0%	**98.2%**	0.0%	0.0%	**96.5%**
Trucks	16	13	0	**29**	0	0	19	5	0	**24**	0	0	7	25	0	**32**	0	0	**85**
% Trucks	0.7%	1.2%	0.0%	**0.9%**	0.0%	0.0%	0.8%	0.8%	0.0%	**0.8%**	0.0%	0.0%	0.7%	1.1%	0.0%	**1.0%**	0.0%	0.0%	**0.9%**
Buses	11	4	0	**15**	0	0	11	4	0	**15**	0	0	3	6	0	**9**	0	0	**39**
% Buses	0.5%	0.4%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.7%	0.0%	**0.5%**	0.0%	0.0%	0.3%	0.3%	0.0%	**0.3%**	0.0%	0.0%	**0.4%**
Pedestrians	0	0	0	**0**	1	4	0	0	0	**0**	13	19	0	0	0	**0**	1	3	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	81.3%	90.5%	0.0%	0.0%	0.0%	**0.0%**	100.0%	60.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	3	2	0	0	0	**0**	0	2	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	18.8%	9.5%	0.0%	0.0%	0.0%	**0.0%**	0.0%	40.0%	**0.0%**

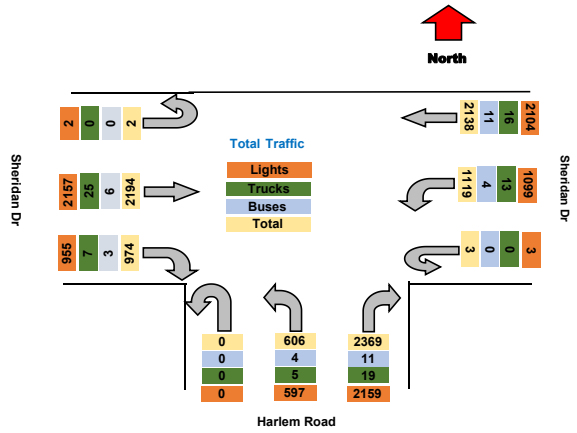
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

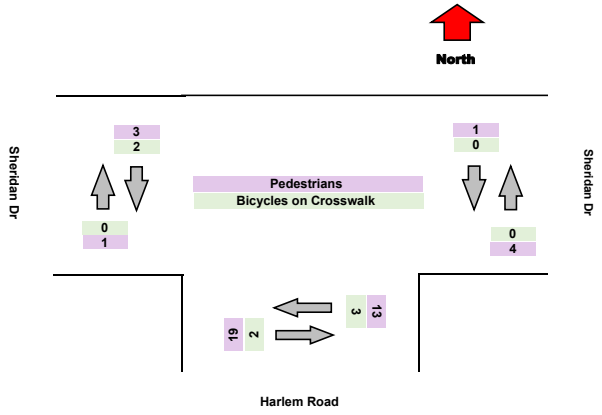
8.1.c

TRI-STATE TRAFFIC DATA STData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

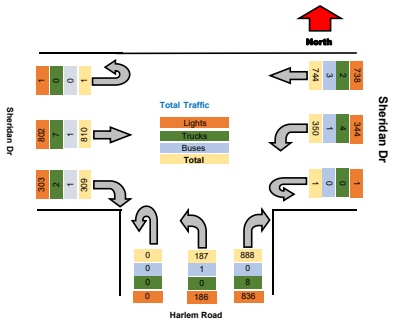
TRI-STATE TRAFFIC DATA STData.com

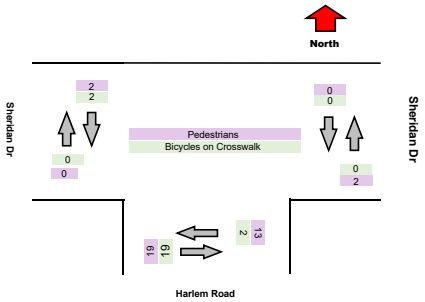
Summary

Turning Movement Peak Hour Data (PM)

4:30:00 PM

Leg	Sheridan Dr						Harlem Road						Sheridan Dr						
Direction	Westbound						Northbound						Eastbound						
Start Time	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	U-Turn	App Total	Peds CW	Peds CCW	Total
4:30:00 PM	182	79	1	**262**	0	0	248	43	0	**291**	0	16	76	209	0	**285**	0	2	**838**
4:45:00 PM	175	87	0	**262**	0	2	227	56	0	**283**	2	0	79	205	0	**284**	0	2	**829**
5:00:00 PM	183	90	0	**273**	0	0	194	38	0	**232**	13	0	81	206	1	**288**	0	0	**793**
5:15:00 PM	204	94	0	**298**	0	0	219	50	0	**269**	0	3	73	190	0	**263**	0	0	**830**
Grand Total	744	350	1	**1095**	0	2	888	187	0	**1075**	15	19	309	810	1	**1120**	0	4	**3290**
% Approach	67.9%	32.0%	0.1%	**0.0%**	0.0%	0.0%	82.6%	17.4%	0.0%	**0.0%**	0.0%	0.0%	27.6%	72.3%	0.1%	**0.0%**	0.0%	0.0%	
% Total	22.6%	10.6%	0.0%	**33.3%**	0.0%	0.0%	27.0%	5.7%	0.0%	**32.7%**	0.0%	0.0%	9.4%	24.6%	0.0%	**34.0%**	0.0%	0.0%	
PHF	0.912	0.931	0.250	**0.919**	0.000	0.000	0.895	0.835	0.000	**0.924**	0.000	0.000	0.954	0.969	0.250	**0.972**	0.000	0.000	**0.982**
Lights	738	344	1	**1083**	0	0	836	186	0	**1022**	0	0	303	802	1	**1106**	0	0	**3211**
% Lights	99.2%	98.3%	100.0%	**98.9%**	0.0%	0.0%	94.1%	99.5%	0.0%	**95.1%**	0.0%	0.0%	98.1%	99.0%	100.0%	**98.8%**	0.0%	0.0%	**97.6%**
Trucks	2	4	0	**6**	0	0	8	0	0	**8**	0	0	2	7	0	**9**	0	0	**23**
% Trucks	0.3%	1.1%	0.0%	**0.5%**	0.0%	0.0%	0.9%	0.0%	0.0%	**0.7%**	0.0%	0.0%	0.6%	0.9%	0.0%	**0.8%**	0.0%	0.0%	**0.7%**
Buses	3	1	0	**4**	0	0	0	1	0	**1**	0	0	1	1	0	**2**	0	0	**7**
% Buses	0.4%	0.3%	0.0%	**0.4%**	0.0%	0.0%	0.0%	0.5%	0.0%	**0.1%**	0.0%	0.0%	0.3%	0.1%	0.0%	**0.2%**	0.0%	0.0%	**0.2%**
Pedestrians	0	0	0	**0**	0	2	0	0	0	**0**	13	19	0	0	0	**0**	0	2	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	**0.0%**	86.7%	100.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	2	0	0	0	0	**0**	0	2	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	13.3%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	**0.0%**







Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA STData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & Harlem Rd
Legs and Movements	All Processed Legs & Movements
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & Harlem Rd
Latitude and Longitude	42.97858, -78.78386

	Start	End	PHF
PM Peak	2023-09-23 12:00:00	2023-09-23 13:00:00	0.9702

Turning Movement Data

Leg	Sheridan Dr						Harlem Road						Sheridan Dr						
Direction	**Westbound**						**Northbound**						**Eastbound**						
Start Time	Thru	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Left	U-Turn	**App Total**	Peds CW	Peds CCW	Right	Thru	U-Turn	**App Total**	Peds CW	Peds CCW	**Total**
11:00:00 AM	137	75	1	**213**	0	0	110	15	0	**125**	0	0	80	137	0	**217**	0	0	**555**
11:15:00 AM	157	99	0	**256**	0	0	117	53	0	**170**	0	0	95	142	0	**237**	0	0	**663**
11:30:00 AM	105	89	0	**194**	0	0	119	51	0	**170**	0	0	66	150	0	**216**	0	0	**580**
11:45:00 AM	157	81	0	**238**	0	0	111	33	0	**144**	0	0	78	136	0	**214**	0	0	**596**
Hourly Total	556	344	1	**901**	0	0	457	152	0	**609**	0	0	319	565	0	**884**	0	0	**2394**
12:00:00 PM	141	94	0	**235**	0	0	126	32	0	**158**	0	0	99	163	0	**262**	0	0	**655**
12:15:00 PM	144	78	0	**222**	0	0	134	44	0	**178**	0	0	80	166	0	**246**	0	0	**646**
12:30:00 PM	157	94	0	**251**	0	0	111	45	0	**156**	0	0	79	135	0	**214**	0	0	**621**
12:45:00 PM	127	93	0	**220**	0	0	113	49	0	**162**	0	0	85	153	0	**238**	0	2	**620**
Hourly Total	569	359	0	**928**	0	0	484	170	0	**654**	0	0	343	617	0	**960**	0	2	**2542**
1:00:00 PM	168	90	0	**258**	0	0	81	30	0	**111**	0	0	83	169	0	**252**	0	0	**621**
1:15:00 PM	131	88	0	**219**	0	0	77	38	0	**115**	0	0	69	141	0	**210**	0	0	**544**
1:30:00 PM	148	87	0	**235**	0	0	107	44	0	**151**	0	0	91	162	0	**253**	0	0	**639**
1:45:00 PM	155	82	0	**237**	0	0	72	38	0	**110**	0	0	78	125	0	**203**	0	0	**550**
Hourly Total	602	347	0	**949**	0	0	337	150	0	**487**	0	0	321	597	0	**918**	0	0	**2354**
Grand Total	1727	1050	1	**2778**	0	0	1278	472	0	**1750**	0	0	983	1779	0	**2762**	0	2	**7290**
% Approach	62.2%	37.8%	0.0%	**0.0%**	0.0%	0.0%	73.0%	27.0%	0.0%	**0.0%**	0.0%	0.0%	35.6%	64.4%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	23.7%	14.4%	0.0%	**38.1%**	0.0%	0.0%	17.5%	6.5%	0.0%	**24.0%**	0.0%	0.0%	13.5%	24.4%	0.0%	**37.9%**	0.0%	0.0%	**0.0%**
Lights	1721	1039	1	**2761**	0	0	1049	469	0	**1518**	0	0	969	1764	0	**2733**	0	0	**7012**
% Lights	99.7%	99.0%	100.0%	**99.4%**	0.0%	0.0%	82.1%	99.4%	0.0%	**86.7%**	0.0%	0.0%	98.6%	99.2%	0.0%	**99.0%**	0.0%	0.0%	**96.2%**
Trucks	5	7	0	**12**	0	0	5	0	0	**5**	0	0	8	10	0	**18**	0	0	**35**
% Trucks	0.3%	0.7%	0.0%	**0.4%**	0.0%	0.0%	0.4%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.8%	0.6%	0.0%	**0.7%**	0.0%	0.0%	**0.5%**
Buses	0	1	0	**1**	0	0	4	1	0	**5**	0	0	0	0	0	**0**	0	0	**6**
% Buses	0.0%	0.1%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.2%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	2	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

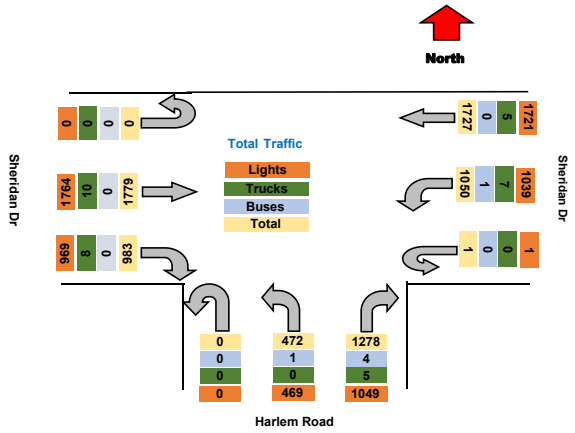
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

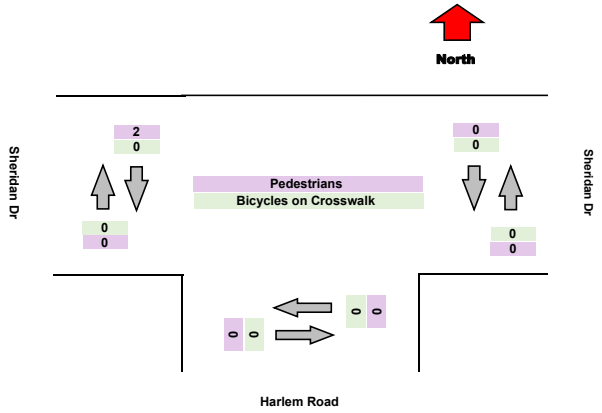
8.1.c

TRI-STATE TRAFFIC DATA STData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

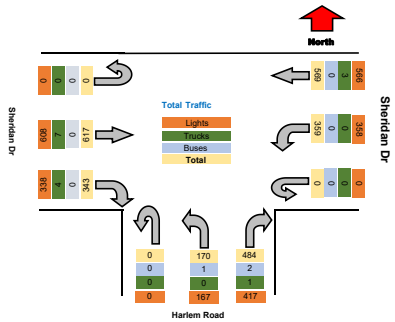
TRI-STATE TRAFFIC DATA STData.com

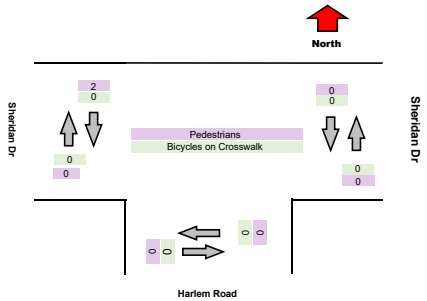
Summary

Turning Movement Peak Hour Data (PM)

12:00:00 PM

Leg	Sheridan Dr						Harlem Road						Sheridan Dr						
Direction	Westbound						Northbound						Eastbound						
Start Time	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	U-Turn	App Total	Peds CW	Peds CCW	Total
12:00:00 PM	141	94	0	**235**	0	0	126	32	0	**158**	0	0	99	163	0	**262**	0	0	**655**
12:15:00 PM	144	78	0	**222**	0	0	134	44	0	**178**	0	0	80	166	0	**246**	0	0	**646**
12:30:00 PM	157	94	0	**251**	0	0	111	45	0	**156**	0	0	79	135	0	**214**	0	0	**621**
12:45:00 PM	127	93	0	**220**	0	0	113	49	0	**162**	0	0	85	153	0	**238**	0	2	**620**
Grand Total	569	359	0	**928**	0	0	484	170	0	**654**	0	0	343	617	0	**960**	0	2	**2542**
% Approach	61.3%	38.7%	0.0%	**0.0%**	0.0%	0.0%	74.0%	26.0%	0.0%	**0.0%**	0.0%	0.0%	35.7%	64.3%	0.0%	**0.0%**	0.0%	0.0%	
% Total	22.4%	14.1%	0.0%	**36.5%**	0.0%	0.0%	19.0%	6.7%	0.0%	**25.7%**	0.0%	0.0%	13.5%	24.3%	0.0%	**37.8%**	0.0%	0.0%	
PHF	0.906	0.955	0.000	**0.924**	0.000	0.000	0.903	0.867	0.000	**0.919**	0.000	0.000	0.866	0.929	0.000	**0.916**	0.000	0.000	**0.970**
Lights	566	358	0	**924**	0	0	417	167	0	**584**	0	0	338	608	0	**946**	0	0	**2454**
% Lights	99.5%	99.7%	0.0%	**99.6%**	0.0%	0.0%	86.2%	98.2%	0.0%	**89.3%**	0.0%	0.0%	98.5%	98.5%	0.0%	**98.5%**	0.0%	0.0%	**96.5%**
Trucks	3	0	0	**3**	0	0	1	0	0	**1**	0	0	4	7	0	**11**	0	0	**15**
% Trucks	0.5%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.2%	0.0%	0.0%	**0.2%**	0.0%	0.0%	1.2%	1.1%	0.0%	**1.1%**	0.0%	0.0%	**0.6%**
Buses	0	0	0	**0**	0	0	2	1	0	**3**	0	0	0	0	0	**0**	0	0	**3**
% Buses	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.4%	0.6%	0.0%	**0.5%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	2	0
% Pedestrians	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & I 290 Ramps
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-21, Thursday
Location	Sheridan Dr & I 290 Ramps
Latitude and Longitude	42.97846,-78.78165

	Start	End	PHF
PM Peak	2023-09-21 16:15:00	2023-09-21 17:15:00	0.974

Turning Movement Data

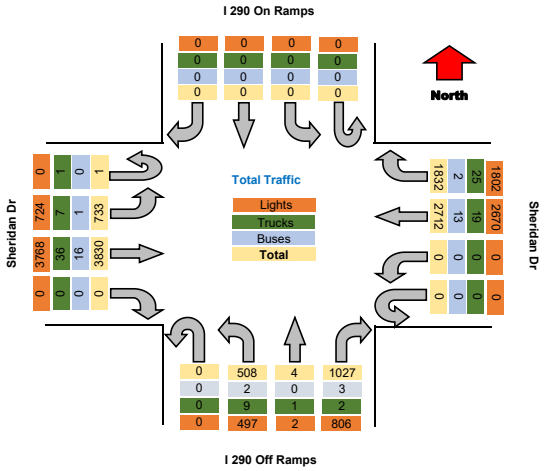
Leg	I 290 On Ramps							Sheridan Dr							I 290 Off Ramps							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
3:00:00 PM	0	0	0	0	**0**	1	1	145	240	0	0	**385**	0	0	86	0	50	0	**136**	0	0	0	283	57	0	**340**	0	0	**861**
3:15:00 PM	0	0	0	0	**0**	0	0	158	217	0	0	**375**	0	0	97	0	53	0	**150**	0	0	0	288	49	0	**337**	0	0	**862**
3:30:00 PM	0	0	0	0	**0**	1	1	142	209	0	0	**351**	0	0	81	0	47	0	**128**	0	0	0	297	69	0	**366**	0	0	**845**
3:45:00 PM	0	0	0	0	**0**	0	0	140	227	0	0	**367**	0	0	94	0	41	0	**135**	0	0	0	325	57	1	**383**	0	0	**885**
Hourly Total	0	0	0	0	**0**	2	2	585	893	0	0	**1478**	0	0	358	0	191	0	**549**	0	0	0	1193	232	1	**1426**	0	0	**3453**
4:00:00 PM	0	0	0	0	**0**	0	0	156	227	0	0	**383**	0	0	88	2	44	0	**134**	0	0	0	310	76	0	**386**	0	0	**903**
4:15:00 PM	0	0	0	0	**0**	0	0	146	225	0	0	**371**	0	0	91	0	39	0	**130**	0	0	0	362	59	0	**421**	0	0	**922**
4:30:00 PM	0	0	0	0	**0**	0	1	165	210	0	0	**375**	0	0	62	0	32	0	**94**	0	1	0	374	84	0	**458**	0	0	**927**
4:45:00 PM	0	0	0	0	**0**	0	2	166	257	0	0	**423**	0	0	76	0	40	0	**116**	3	0	0	353	47	0	**400**	0	0	**939**
Hourly Total	0	0	0	0	**0**	0	3	633	919	0	0	**1552**	0	0	317	2	155	0	**474**	3	1	0	1399	266	0	**1665**	0	0	**3691**
5:00:00 PM	0	0	0	0	**0**	0	0	197	227	0	0	**424**	0	0	87	0	33	0	**120**	8	0	0	348	71	0	**419**	0	0	**963**
5:15:00 PM	0	0	0	0	**0**	2	0	154	237	0	0	**391**	0	0	89	0	40	0	**129**	0	1	0	332	62	0	**394**	0	0	**914**
5:30:00 PM	0	0	0	0	**0**	0	0	160	242	0	0	**402**	0	0	85	0	38	0	**123**	0	0	0	305	49	0	**354**	0	0	**879**
5:45:00 PM	0	0	0	0	**0**	0	1	103	194	0	0	**297**	0	0	91	2	51	0	**144**	0	0	0	253	53	0	**306**	0	0	**747**
Hourly Total	0	0	0	0	**0**	2	1	614	900	0	0	**1514**	0	0	352	2	162	0	**516**	8	1	0	1238	235	0	**1473**	0	0	**3503**
Grand Total	0	0	0	0	**0**	4	6	1832	2712	0	0	**4544**	0	0	1027	4	508	0	**1539**	11	2	0	3830	733	1	**4564**	0	0	**10647**
% Approach	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	40.3%	59.7%	0.0%	0.0%	**0.0%**	0.0%	0.0%	66.7%	0.3%	33.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	83.9%	16.1%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	17.2%	25.5%	0.0%	0.0%	**42.7%**	0.0%	0.0%	9.6%	0.0%	4.8%	0.0%	**14.5%**	0.0%	0.0%	0.0%	36.0%	6.9%	0.0%	**42.9%**	0.0%	0.0%	**0.0%**
Lights	0	0	0	0	**0**	0	0	1802	2670	0	0	**4472**	0	0	806	2	497	0	**1305**	0	0	0	3768	724	0	**4492**	0	0	**10269**
% Lights	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	98.4%	98.5%	0.0%	0.0%	**98.4%**	0.0%	0.0%	78.5%	50.0%	97.8%	0.0%	**84.8%**	0.0%	0.0%	0.0%	98.4%	98.8%	0.0%	**98.4%**	0.0%	0.0%	**96.4%**
Trucks	0	0	0	0	**0**	0	0	25	19	0	0	**44**	0	0	2	1	9	0	**12**	0	0	0	36	7	1	**44**	0	0	**100**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	1.4%	0.7%	0.0%	0.0%	**1.0%**	0.0%	0.0%	0.2%	25.0%	1.8%	0.0%	**0.8%**	0.0%	0.0%	0.0%	0.9%	1.0%	100.0%	**1.0%**	0.0%	0.0%	**0.9%**
Buses	0	0	0	0	**0**	0	0	2	13	0	0	**15**	0	0	3	0	2	0	**5**	0	0	0	16	1	0	**17**	0	0	**37**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.3%	0.0%	0.4%	0.0%	**0.3%**	0.0%	0.0%	0.0%	0.4%	0.1%	0.0%	**0.4%**	0.0%	0.0%	**0.3%**
Pedestrians	0	0	0	0	**0**	4	3	0	0	0	0	**0**	0	0	0	0	0	0	**0**	10	2	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	50.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	90.9%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	3	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	50.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	9.1%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

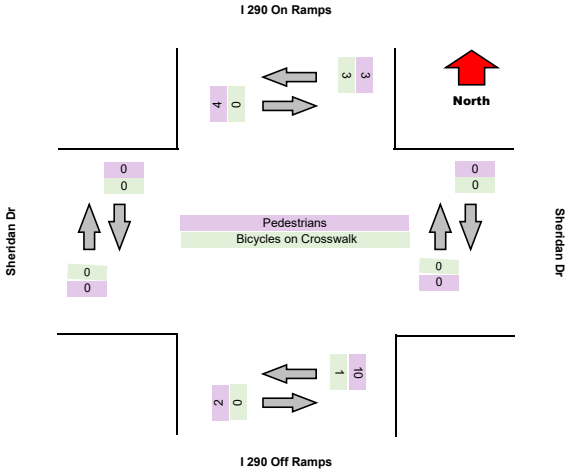
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TSTData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA

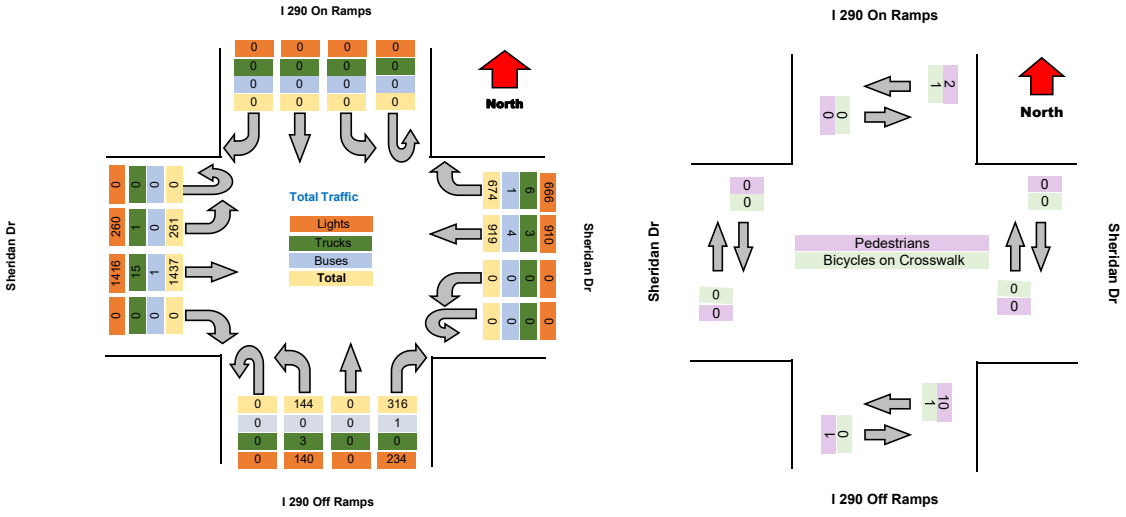
TSTData.com

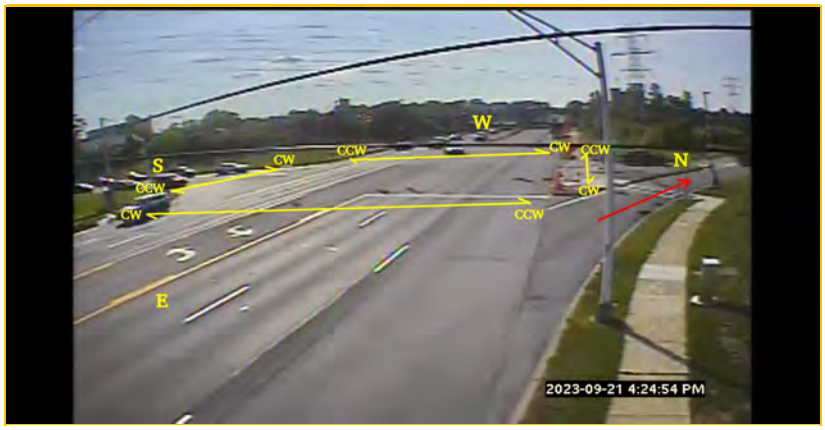
Summary

Turning Movement Peak Hour Data (PM)

4:15:00 PM

Leg	I 290 On Ramps							Sheridan Dr							I 290 Off Ramps							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
4:15:00 PM	0	0	0	0	**0**	0	0	146	225	0	0	**371**	0	0	91	0	39	0	**130**	0	0	0	362	59	0	**421**	0	0	**922**
4:30:00 PM	0	0	0	0	**0**	0	1	165	210	0	0	**375**	0	0	62	0	32	0	**94**	0	1	0	374	84	0	**458**	0	0	**927**
4:45:00 PM	0	0	0	0	**0**	0	2	166	257	0	0	**423**	0	0	76	0	40	0	**116**	3	0	0	353	47	0	**400**	0	0	**939**
5:00:00 PM	0	0	0	0	**0**	0	0	197	227	0	0	**424**	0	0	87	0	33	0	**120**	8	0	0	348	71	0	**419**	0	0	**963**
Grand Total	0	0	0	0	**0**	0	3	674	919	0	0	**1593**	0	0	316	0	144	0	**460**	11	1	0	1437	261	0	**1698**	0	0	**3751**
% Approach	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	**0.0%**	0.0%	0.0%	42.3%	57.7%	0.0%	0.0%	**0.0%**	0.0%	0.0%	68.7%	0.0%	31.3%	0.0%	**0.0%**	0.0%	0.0%	0.0%	84.6%	15.4%	0.0%	**0.0%**	0.0%	0.0%	
% Total	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	18.0%	24.5%	0.0%	0.0%	**42.5%**	0.0%	0.0%	8.4%	0.0%	3.8%	0.0%	**12.3%**	0.0%	0.0%	0.0%	38.3%	7.0%	0.0%	**45.3%**	0.0%	0.0%	
PHF	0.000	0.000	0.000	0.000	**0.000**	0.000	0.000	0.855	0.894	0.000	0.000	**0.939**	0.000	0.000	0.868	0.000	0.900	0.000	**0.885**	0.000	0.000	0.000	0.961	0.777	0.000	**0.927**	0.000	0.000	**0.974**
Lights	0	0	0	0	**0**	0	0	666	910	0	0	**1576**	0	0	234	0	140	0	**374**	0	0	0	1416	260	0	**1676**	0	0	**3626**
% Lights	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	98.8%	99.0%	0.0%	0.0%	**98.9%**	0.0%	0.0%	74.1%	0.0%	97.2%	0.0%	**81.3%**	0.0%	0.0%	0.0%	98.5%	99.6%	0.0%	**98.7%**	0.0%	0.0%	**96.7%**
Trucks	0	0	0	0	**0**	0	0	6	3	0	0	**9**	0	0	0	0	3	0	**3**	0	0	0	15	1	0	**16**	0	0	**28**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.9%	0.3%	0.0%	0.0%	**0.6%**	0.0%	0.0%	0.0%	0.0%	2.1%	0.0%	**0.7%**	0.0%	0.0%	0.0%	1.0%	0.4%	0.0%	**0.9%**	0.0%	0.0%	**0.7%**
Buses	0	0	0	0	**0**	0	0	1	4	0	0	**5**	0	0	1	0	1	0	**2**	0	0	0	1	0	0	**1**	0	0	**8**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.1%	0.4%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.3%	0.0%	0.7%	0.0%	**0.4%**	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	**0.1%**	0.0%	0.0%	**0.2%**
Pedestrians	0	0	0	0	**0**	0	2	0	0	0	0	**0**	0	0	0	0	0	0	**0**	10	1	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	66.7%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	90.9%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	1	0	0	0	0	**0**	0	0	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	33.3%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	9.1%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA

TSTData.com

Summary

Project	C&S
Project Code	11448
Site Name	Sheridan Dr & I 290 Ramps
Legs and Movements	All Processed Legs & Mover
Bin Size	15 minutes
Survey Date	2023-09-23, Saturday
Location	Sheridan Dr & I 290 Ramps
Latitude and Longitude	42.97846,-78.78165

	Start	End	PHF
PM Peak	2023-09-23 12:00:00	2023-09-23 13:00:00	0.984

Turning Movement Data

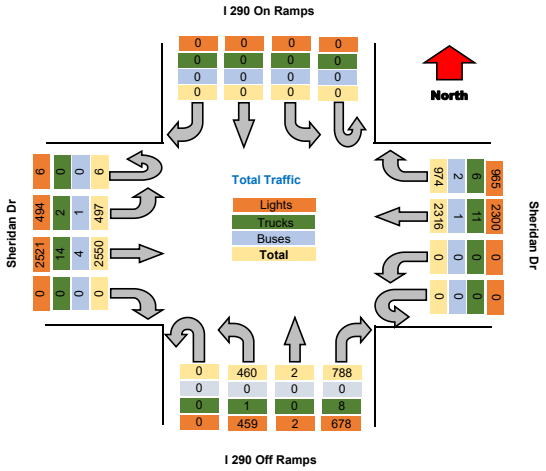
Leg	I 290 On Ramps							Sheridan Dr							I 290 Off Ramps							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
11:00:00 AM	0	0	0	0	**0**	0	0	72	188	0	0	**260**	0	0	38	0	33	0	**71**	0	0	0	203	40	0	**243**	0	0	**574**
11:15:00 AM	0	0	0	0	**0**	0	0	103	212	0	0	**315**	0	0	54	0	42	0	**96**	0	0	0	198	45	0	**243**	0	0	**654**
11:30:00 AM	0	0	0	0	**0**	0	1	75	180	0	0	**255**	0	0	57	0	32	0	**89**	0	0	0	231	47	2	**280**	0	0	**624**
11:45:00 AM	0	0	0	0	**0**	0	0	77	186	0	0	**263**	0	0	74	0	29	0	**103**	0	1	0	209	54	0	**263**	0	0	**629**
Hourly Total	0	0	0	0	**0**	0	1	327	766	0	0	**1093**	0	0	223	0	136	0	**359**	0	1	0	841	186	2	**1029**	0	0	**2481**
12:00:00 PM	0	0	0	0	**0**	0	0	64	186	0	0	**250**	0	0	74	1	45	0	**120**	0	0	0	220	68	1	**289**	0	0	**659**
12:15:00 PM	0	0	0	0	**0**	0	0	70	207	0	0	**277**	0	0	61	0	43	0	**104**	1	0	0	224	39	0	**263**	0	0	**644**
12:30:00 PM	0	0	0	0	**0**	1	0	80	193	0	0	**273**	0	0	70	0	44	0	**114**	1	1	0	228	42	2	**272**	0	0	**659**
12:45:00 PM	0	0	0	0	**0**	0	2	90	196	0	0	**286**	0	0	77	0	37	0	**114**	0	0	0	241	27	0	**268**	0	0	**668**
Hourly Total	0	0	0	0	**0**	1	2	304	782	0	0	**1086**	0	0	282	1	169	0	**452**	2	1	0	913	176	3	**1092**	0	0	**2630**
1:00:00 PM	0	0	0	0	**0**	0	0	84	197	0	0	**281**	0	0	65	1	30	0	**96**	0	0	0	190	41	1	**232**	0	0	**609**
1:15:00 PM	0	0	0	0	**0**	0	1	87	195	0	0	**282**	0	0	62	0	41	0	**103**	0	0	0	196	24	0	**220**	0	0	**605**
1:30:00 PM	0	0	0	0	**0**	0	0	86	202	0	0	**288**	0	0	81	0	36	0	**117**	0	0	0	230	48	0	**278**	0	0	**683**
1:45:00 PM	0	0	0	0	**0**	0	0	86	174	0	0	**260**	0	0	75	0	48	0	**123**	0	0	0	180	22	0	**202**	0	0	**585**
Hourly Total	0	0	0	0	**0**	0	1	343	768	0	0	**1111**	0	0	283	1	155	0	**439**	0	0	0	796	135	1	**932**	0	0	**2482**
Grand Total	0	0	0	0	**0**	1	4	974	2316	0	0	**3290**	0	0	788	2	460	0	**1250**	2	2	0	2550	497	6	**3053**	0	0	**7593**
% Approach	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	29.6%	70.4%	0.0%	0.0%	**0.0%**	0.0%	0.0%	63.0%	0.2%	36.8%	0.0%	**0.0%**	0.0%	0.0%	0.0%	83.5%	16.3%	0.2%	**0.0%**	0.0%	0.0%	**0.0%**
% Total	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	12.8%	30.5%	0.0%	0.0%	**43.3%**	0.0%	0.0%	10.4%	0.0%	6.1%	0.0%	**16.5%**	0.0%	0.0%	0.0%	33.6%	6.5%	0.1%	**40.2%**	0.0%	0.0%	**0.0%**
Lights	0	0	0	0	**0**	0	0	965	2300	0	0	**3265**	0	0	678	2	459	0	**1139**	0	0	0	2521	494	6	**3021**	0	0	**7425**
% Lights	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	99.1%	99.3%	0.0%	0.0%	**99.2%**	0.0%	0.0%	86.0%	100.0%	99.8%	0.0%	**91.1%**	0.0%	0.0%	0.0%	98.9%	99.4%	100.0%	**99.0%**	0.0%	0.0%	**97.8%**
Trucks	0	0	0	0	**0**	0	0	6	11	0	0	**17**	0	0	8	0	1	0	**9**	0	0	0	14	2	0	**16**	0	0	**42**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.6%	0.5%	0.0%	0.0%	**0.5%**	0.0%	0.0%	1.0%	0.0%	0.2%	0.0%	**0.7%**	0.0%	0.0%	0.0%	0.5%	0.4%	0.0%	**0.5%**	0.0%	0.0%	**0.6%**
Buses	0	0	0	0	**0**	0	0	2	1	0	0	**3**	0	0	0	0	0	0	**0**	0	0	0	4	1	0	**5**	0	0	**8**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.1%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.2%	0.2%	0.0%	**0.2%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	1	1	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	25.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	3	0	0	0	0	**0**	0	0	0	0	0	0	**0**	2	2	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	75.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**

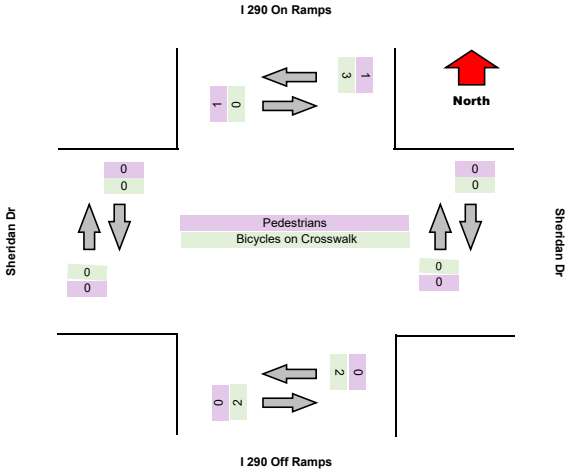
Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TSTData.com

Summary

Turning Movement Data Plot





Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

TRI-STATE TRAFFIC DATA

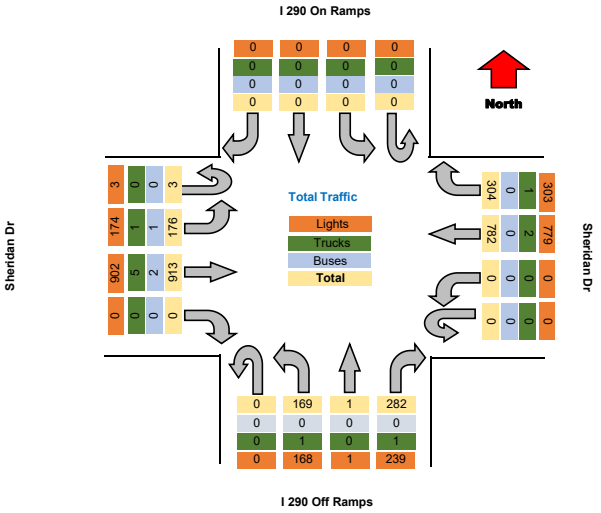
TSTData.com

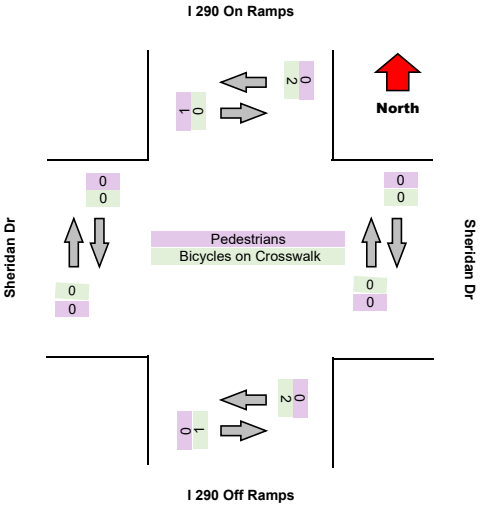
Summary

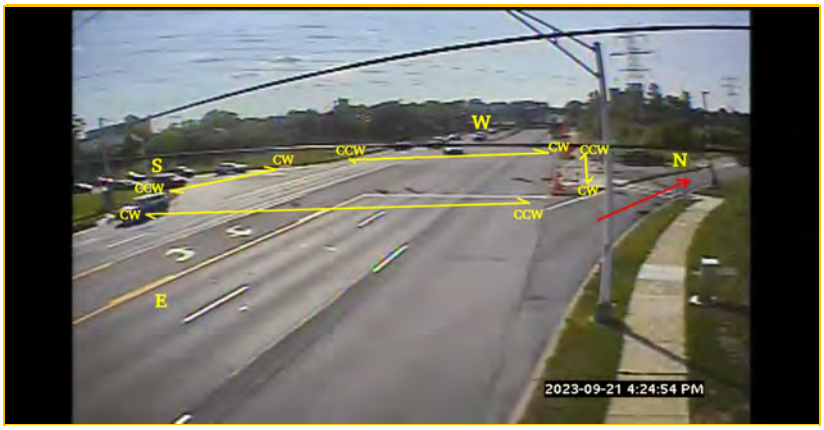
Turning Movement Peak Hour Data (PM)

12:00:00 PM

Leg	I 290 On Ramps							Sheridan Dr							I 290 Off Ramps							Sheridan Dr							
Direction	Southbound							Westbound							Northbound							Eastbound							
Start Time	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Right	Thru	Left	U-Turn	App Total	Peds CW	Peds CCW	Total
12:00:00 PM	0	0	0	0	**0**	0	0	64	186	0	0	**250**	0	0	74	1	45	0	**120**	0	0	0	220	68	1	**289**	0	0	**659**
12:15:00 PM	0	0	0	0	**0**	0	0	70	207	0	0	**277**	0	0	61	0	43	0	**104**	1	0	0	224	39	0	**263**	0	0	**644**
12:30:00 PM	0	0	0	0	**0**	1	0	80	193	0	0	**273**	0	0	70	0	44	0	**114**	1	1	0	228	42	2	**272**	0	0	**659**
12:45:00 PM	0	0	0	0	**0**	0	2	90	196	0	0	**286**	0	0	77	0	37	0	**114**	0	0	0	241	27	0	**268**	0	0	**668**
Grand Total	0	0	0	0	**0**	1	2	304	782	0	0	**1086**	0	0	282	1	169	0	**452**	2	1	0	913	176	3	**1092**	0	0	**2630**
% Approach	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	**0.0%**	0.0%	0.0%	28.0%	72.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	62.4%	0.2%	37.4%	0.0%	**0.0%**	0.0%	0.0%	0.0%	83.6%	16.1%	0.3%	**0.0%**	0.0%	0.0%	
% Total	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	11.6%	29.7%	0.0%	0.0%	**41.3%**	0.0%	0.0%	10.7%	0.0%	6.4%	0.0%	**17.2%**	0.0%	0.0%	0.0%	34.7%	6.7%	0.1%	**41.5%**	0.0%	0.0%	
PHF	0.000	0.000	0.000	0.000	**0.000**	0.000	0.000	0.844	0.944	0.000	0.000	**0.949**	0.000	0.000	0.916	0.250	0.939	0.000	**0.942**	0.000	0.000	0.000	0.947	0.647	0.375	**0.945**	0.000	0.000	**0.984**
Lights	0	0	0	0	**0**	0	0	303	779	0	0	**1082**	0	0	239	1	168	0	**408**	0	0	0	902	174	3	**1079**	0	0	**2569**
% Lights	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	99.7%	99.6%	0.0%	0.0%	**99.6%**	0.0%	0.0%	84.8%	100.0%	99.4%	0.0%	**90.3%**	0.0%	0.0%	0.0%	98.8%	98.9%	100.0%	**98.8%**	0.0%	0.0%	**97.7%**
Trucks	0	0	0	0	**0**	0	0	1	2	0	0	**3**	0	0	1	0	1	0	**2**	0	0	0	5	1	0	**6**	0	0	**11**
% Trucks	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.3%	0.3%	0.0%	0.0%	**0.3%**	0.0%	0.0%	0.4%	0.0%	0.6%	0.0%	**0.4%**	0.0%	0.0%	0.0%	0.5%	0.6%	0.0%	**0.5%**	0.0%	0.0%	**0.4%**
Buses	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	2	1	0	**3**	0	0	**3**
% Buses	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.2%	0.6%	0.0%	**0.3%**	0.0%	0.0%	**0.1%**
Pedestrians	0	0	0	0	**0**	1	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0	0	0	0	**0**	0	0	0
% Pedestrians	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**
Bicycles on Crosswalk	0	0	0	0	**0**	0	2	0	0	0	0	**0**	0	0	0	0	0	0	**0**	2	1	0	0	0	0	**0**	0	0	0
% Bicycles on Crosswalk	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	**0.0%**	0.0%	0.0%	**0.0%**







Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

NB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/21/23	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	1	6	81	89	16	1	0	0	0	0	0	0	0	0	0	194
07:00	4	22	145	115	10	1	0	0	0	0	0	0	0	0	0	297
08:00	1	62	228	142	11	1	0	0	0	0	0	0	0	0	0	445
09:00	1	38	187	110	11	0	0	0	0	0	0	0	0	0	0	347
10:00	3	45	230	113	6	0	0	0	0	0	0	0	0	0	0	397
11:00	2	39	230	110	5	2	0	0	0	0	0	0	0	0	0	388
12 PM	30	39	191	123	6	1	0	0	0	0	0	0	0	0	0	390
13:00	4	68	239	104	4	0	0	0	0	0	0	0	0	0	0	419
14:00	21	133	259	88	5	0	0	0	0	0	0	0	0	0	0	506
15:00	8	108	265	111	7	0	0	0	0	0	0	0	0	0	0	499
16:00	78	128	261	96	2	0	0	0	0	0	0	0	0	0	0	565
17:00	5	59	324	146	14	1	0	0	0	0	0	0	0	0	0	549
18:00	0	50	202	93	14	2	0	0	0	0	0	0	0	0	0	361
19:00	0	18	170	115	16	0	0	0	0	0	0	0	0	0	0	319
20:00	4	22	106	84	12	1	0	0	0	0	0	0	0	0	0	229
21:00	0	12	62	83	6	1	0	0	0	0	0	0	0	0	0	164
22:00	0	6	39	43	9	1	0	0	0	0	0	0	0	0	0	98
23:00	1	1	17	17	6	0	0	0	0	0	0	0	0	0	0	42
Total	163	856	3236	1782	160	12	0	0	0	0	0	0	0	0	0	6209

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

NB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/22/23	0	2	13	14	5	0	0	0	0	0	0	0	0	0	0	34
01:00	0	1	2	4	0	1	0	0	0	0	0	0	0	0	0	8
02:00	0	0	4	5	0	0	0	0	0	0	0	0	0	0	0	9
03:00	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
04:00	0	1	2	4	2	0	0	0	0	0	0	0	0	0	0	9
05:00	0	4	18	26	5	0	0	0	0	0	0	0	0	0	0	53
06:00	4	13	77	71	15	0	0	0	0	0	0	0	0	0	0	180
07:00	8	20	121	109	13	3	0	0	0	0	0	0	0	0	0	274
08:00	3	66	193	157	12	0	0	0	0	0	0	0	0	0	0	431
09:00	7	41	210	112	13	0	0	0	0	0	0	0	0	0	0	383
10:00	2	34	164	108	11	0	1	0	0	0	0	0	0	0	0	320
11:00	4	47	184	103	13	0	0	0	0	0	0	0	0	0	0	351
12 PM	10	45	194	131	14	0	0	0	0	0	0	0	0	0	0	394
13:00	12	68	234	128	13	0	0	0	0	0	0	0	0	0	0	455
14:00	13	82	277	103	7	0	0	0	0	0	0	0	0	0	0	482
15:00	24	134	244	112	13	1	0	0	0	0	0	0	0	0	0	528
16:00	31	115	227	121	11	0	0	0	0	0	0	0	0	0	0	505
17:00	11	65	240	135	9	1	0	0	0	0	0	0	0	0	0	461
18:00	2	35	201	111	12	0	0	0	0	0	0	0	0	0	0	361
19:00	0	24	145	110	9	1	0	0	0	0	0	0	0	0	0	289
20:00	0	13	102	59	12	0	0	0	0	0	0	0	0	0	0	186
21:00	8	4	78	66	5	1	0	0	0	0	0	0	0	0	0	162
22:00	0	3	61	37	7	0	0	0	0	0	0	0	0	0	0	108
23:00	0	2	46	50	7	1	0	0	0	0	0	0	0	0	0	106
Total	139	819	3040	1876	208	9	1	0	0	0	0	0	0	0	0	6092

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

NB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/23/23	0	5	28	22	7	0	0	0	0	0	0	0	0	0	0	62
01:00	0	2	10	15	1	0	0	0	0	0	0	0	0	0	0	28
02:00	0	1	4	4	1	0	0	0	0	0	0	0	0	0	0	10
03:00	0	1	3	3	0	0	0	0	0	0	0	0	0	0	0	7
04:00	0	0	4	11	0	0	0	0	0	0	0	0	0	0	0	15
05:00	1	1	6	11	2	0	0	0	0	0	0	0	0	0	0	21
06:00	0	4	20	22	8	1	0	0	0	0	0	0	0	0	0	55
07:00	0	5	44	48	6	0	0	0	0	0	0	0	0	0	0	103
08:00	1	12	80	80	16	1	0	0	0	0	0	0	0	0	0	190
09:00	0	12	112	90	9	2	0	0	0	0	0	0	0	0	0	225
10:00	3	25	126	126	8	0	0	0	0	0	0	0	0	0	0	288
11:00	5	31	172	98	11	1	0	0	0	0	0	0	0	0	0	318
12 PM	3	39	191	134	12	1	0	0	0	0	0	0	0	0	0	380
13:00	1	23	161	126	17	0	0	0	0	0	0	0	0	0	0	328
14:00	3	58	179	108	14	0	0	0	0	0	0	0	0	0	0	362
15:00	4	20	159	148	10	2	0	0	0	0	0	0	0	0	0	343
16:00	2	15	165	128	11	0	0	0	0	0	0	0	0	0	0	321
17:00	1	18	126	121	18	0	0	0	0	0	0	0	0	0	0	284
18:00	0	21	137	97	12	1	1	0	0	0	0	0	0	0	0	269
19:00	1	21	119	66	5	1	0	0	0	0	0	0	0	0	0	213
20:00	0	9	84	57	6	2	0	0	0	0	0	0	0	0	0	158
21:00	0	14	78	66	7	1	0	0	0	0	0	0	0	0	0	166
22:00	1	5	53	52	9	1	0	0	0	0	0	0	0	0	0	121
23:00	0	5	27	33	4	0	1	0	0	0	0	0	0	0	0	70
Total	26	347	2088	1666	194	14	2	0	0	0	0	0	0	0	0	4337

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

NB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/24/23	0	3	22	13	4	0	1	0	0	0	0	0	0	0	0	43
01:00	0	1	7	10	6	1	0	0	0	0	0	0	0	0	0	25
02:00	0	0	4	5	2	0	0	0	0	0	0	0	0	0	0	11
03:00	0	0	7	5	1	0	0	0	0	0	0	0	0	0	0	13
04:00	0	3	6	5	1	0	0	0	0	0	0	0	0	0	0	15
05:00	0	1	3	10	0	0	0	0	0	0	0	0	0	0	0	14
06:00	1	1	15	18	4	0	0	0	0	0	0	0	0	0	0	39
07:00	0	2	25	30	7	0	0	0	0	0	0	0	0	0	0	64
08:00	0	4	45	64	11	2	0	0	0	0	0	0	0	0	0	126
09:00	4	21	120	122	14	0	0	0	0	0	0	0	0	0	0	281
10:00	1	5	102	110	14	1	0	0	0	0	0	0	0	0	0	233
11:00	5	25	133	108	8	1	0	0	0	0	0	0	0	0	0	280
12 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
20:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
21:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
22:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total	11	66	489	500	72	5	1	0	0	0	0	0	0	0	0	1144
Grand Total	339	2088	8853	5824	634	40	4	0	0	0	0	0	0	0	0	17782

Stats

15th Percentile :	25 MPH
50th Percentile :	28 MPH
85th Percentile :	33 MPH
95th Percentile :	34 MPH
Mean Speed(Average) :	29 MPH
10 MPH Pace Speed :	26-35 MPH
Number in Pace :	14690
Percent in Pace :	82.6%
Number of Vehicles > 35 MPH :	678
Percent of Vehicles > 35 MPH :	3.8%

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

SB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/21/23	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	4	11	55	144	21	0	0	0	0	0	0	0	0	0	0	235
07:00	33	46	278	234	22	0	0	0	0	0	0	0	0	0	0	613
08:00	50	53	196	238	23	0	0	0	0	0	0	0	0	0	0	560
09:00	1	23	248	171	17	0	0	0	0	0	0	0	0	0	0	460
10:00	7	30	194	154	10	0	0	0	0	0	0	0	0	0	0	395
11:00	3	20	230	174	8	0	0	0	0	0	0	0	0	0	0	435
12 PM	4	29	233	171	12	0	1	0	0	0	0	0	0	0	0	450
13:00	3	23	226	187	11	0	0	0	0	0	0	0	0	0	0	450
14:00	5	45	269	186	15	0	0	0	0	0	0	0	0	0	0	520
15:00	26	48	291	239	11	0	0	0	0	0	0	0	0	0	0	615
16:00	169	132	191	105	5	0	0	0	0	0	0	0	0	0	0	602
17:00	5	37	230	257	32	0	0	0	0	0	0	0	0	0	0	561
18:00	0	2	184	199	14	0	0	0	0	0	0	0	0	0	0	399
19:00	2	15	161	118	13	0	1	0	0	0	0	0	0	0	0	310
20:00	2	10	80	63	21	0	0	0	0	0	0	0	0	0	0	176
21:00	1	5	59	62	11	0	0	0	0	0	0	0	0	0	0	138
22:00	0	5	23	37	2	0	0	0	0	0	0	0	0	0	0	67
23:00	0	1	20	24	3	1	1	0	0	0	0	0	0	0	0	50
Total	315	535	3168	2763	251	1	3	0	0	0	0	0	0	0	0	7036

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

SB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/22/23	0	1	3	10	3	0	0	0	0	0	0	0	0	0	0	17
01:00	0	0	1	3	0	0	0	0	0	0	0	0	0	0	0	4
02:00	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	4
03:00	0	0	2	6	1	0	0	0	0	0	0	0	0	0	0	9
04:00	0	1	5	2	2	0	0	0	0	0	0	0	0	0	0	10
05:00	0	2	16	32	14	1	0	0	0	0	0	0	0	0	0	65
06:00	4	6	60	121	16	0	0	0	0	0	0	0	0	0	0	207
07:00	19	44	196	242	28	0	0	0	0	0	0	0	0	0	0	529
08:00	54	51	216	222	12	1	0	0	0	0	0	0	0	0	0	556
09:00	2	14	180	183	17	0	0	0	0	0	0	0	0	0	0	396
10:00	10	25	176	157	15	0	0	0	0	0	0	0	0	0	0	383
11:00	13	38	184	197	15	0	0	0	0	0	0	0	0	0	0	447
12 PM	2	21	206	180	12	1	0	0	0	0	0	0	0	0	0	422
13:00	2	30	253	205	8	0	0	0	0	0	0	0	0	0	0	498
14:00	9	43	284	174	9	0	0	0	0	0	0	0	0	0	0	519
15:00	57	62	294	187	12	0	0	0	0	0	0	0	0	0	0	612
16:00	96	105	209	156	15	0	0	0	0	0	0	0	0	0	0	581
17:00	5	20	277	207	16	0	0	0	0	0	0	0	0	0	0	525
18:00	0	5	127	180	30	0	0	0	0	0	0	0	0	0	0	342
19:00	0	11	142	136	12	0	0	0	0	0	0	0	0	0	0	301
20:00	1	13	89	75	8	1	0	0	0	0	0	0	0	0	0	187
21:00	3	8	62	59	8	0	0	0	0	0	0	0	0	0	0	140
22:00	0	7	32	46	13	1	0	0	0	0	0	0	0	0	0	99
23:00	0	2	21	30	4	1	0	0	0	0	0	0	0	0	0	58
Total	277	509	3037	2812	270	6	0	0	0	0	0	0	0	0	0	6911

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

SB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/23/23	0	1	9	20	2	0	0	0	0	0	0	0	0	0	0	32
01:00	0	2	3	10	1	0	0	0	0	0	0	0	0	0	0	16
02:00	0	0	2	2	1	0	0	0	0	0	0	0	0	0	0	5
03:00	0	1	2	3	3	0	0	0	0	0	0	0	0	0	0	9
04:00	0	0	1	5	3	1	0	0	0	0	0	0	0	0	0	10
05:00	0	0	7	10	3	0	0	0	0	0	0	0	0	0	0	20
06:00	0	1	25	34	9	1	0	0	0	0	0	0	0	0	0	70
07:00	0	2	50	78	16	1	0	0	0	0	0	0	0	0	0	147
08:00	1	5	53	145	27	3	0	0	0	0	0	0	0	0	0	234
09:00	2	4	110	163	26	0	0	0	0	0	0	0	0	0	0	305
10:00	5	15	131	210	18	2	0	0	0	0	0	0	0	0	0	381
11:00	1	14	177	154	19	1	0	0	0	0	0	0	0	0	0	366
12 PM	3	26	186	189	15	1	0	0	0	0	0	0	0	0	0	420
13:00	1	9	134	173	18	2	0	0	0	0	0	0	0	0	0	337
14:00	2	21	181	177	18	0	0	0	0	0	0	0	0	0	0	399
15:00	0	14	169	177	21	0	0	0	0	0	0	0	0	0	0	381
16:00	1	8	124	175	22	0	1	0	0	0	0	0	0	0	0	331
17:00	2	17	121	167	19	0	0	0	0	0	0	0	0	0	0	326
18:00	1	8	133	124	21	0	0	0	0	0	0	0	0	0	0	287
19:00	4	15	112	92	9	0	0	0	0	0	0	0	0	0	0	232
20:00	0	11	89	73	8	1	0	0	0	0	0	0	0	0	0	182
21:00	0	5	54	58	5	0	0	0	0	0	0	0	0	0	0	122
22:00	0	6	29	42	5	0	0	0	0	0	0	0	0	0	0	82
23:00	1	4	25	32	5	2	0	0	0	0	0	0	0	0	0	69
Total	24	189	1927	2313	294	15	1	0	0	0	0	0	0	0	0	4763

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: N Forest Dr
Segment: 305' N of Morgan Pkwy
Date: 09/21/2023

GPS: 42.980024, -78.769195

SB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/24/23	0	4	4	9	1	1	0	0	0	0	0	0	0	0	0	19
01:00	0	1	9	1	1	0	0	0	0	0	0	0	0	0	0	12
02:00	1	1	4	4	3	0	0	0	0	0	0	0	0	0	0	13
03:00	0	0	1	5	2	0	0	0	0	0	0	0	0	0	0	8
04:00	0	0	1	7	0	0	0	0	0	0	0	0	0	0	0	8
05:00	0	0	6	7	2	0	0	0	0	0	0	0	0	0	0	15
06:00	0	3	10	27	8	0	0	0	0	0	0	0	0	0	0	48
07:00	0	3	28	42	5	0	0	0	0	0	0	0	0	0	0	78
08:00	1	6	35	87	8	1	0	0	0	0	0	0	0	0	0	138
09:00	0	15	91	115	16	0	0	0	0	0	0	0	0	0	0	237
10:00	1	8	123	152	16	0	0	0	0	0	0	0	0	0	0	300
11:00	1	7	126	153	18	0	0	0	0	0	0	0	0	0	0	305
12 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
20:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
21:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
22:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total	4	48	438	609	80	2	0	0	0	0	0	0	0	0	0	1181
Grand Total	620	1281	8570	8497	895	24	4	0	0	0	0	0	0	0	0	19891

Stats

15th Percentile :	25 MPH
50th Percentile :	29 MPH
85th Percentile :	33 MPH
95th Percentile :	34 MPH
Mean Speed(Average) :	30 MPH
10 MPH Pace Speed :	26-35 MPH
Number in Pace :	17092
Percent in Pace :	85.9%
Number of Vehicles > 35 MPH :	923
Percent of Vehicles > 35 MPH :	4.6%

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: North Forest Rd
Segment: 305' N of Morgan Pkwy
Date: 09/20/2023

GPS: 42.980024, -78.769195

Start	18-Sep-23		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB
12:00 AM	*	*	*	*	*	*	*	*	34	17	62	32	43	19	46	23
01:00	*	*	*	*	*	*	*	*	8	4	28	16	25	12	20	11
02:00	*	*	*	*	*	*	*	*	9	4	10	5	11	13	10	7
03:00	*	*	*	*	*	*	*	*	3	9	7	9	13	8	8	9
04:00	*	*	*	*	*	*	*	*	9	10	15	10	15	8	13	9
05:00	*	*	*	*	*	*	*	*	53	65	21	20	14	15	29	33
06:00	*	*	*	*	*	*	194	235	180	207	55	70	39	48	117	140
07:00	*	*	*	*	*	*	297	**613**	274	529	103	147	64	78	184	342
08:00	*	*	*	*	*	*	**445**	560	**431**	**556**	190	234	126	138	298	372
09:00	*	*	*	*	*	*	347	460	383	396	225	305	**281**	237	309	350
10:00	*	*	*	*	*	*	397	395	320	383	288	**381**	233	300	310	365
11:00	*	*	*	*	*	*	388	435	351	447	**318**	366	280	**305**	**334**	**388**
12:00 PM	*	*	*	*	*	*	390	450	394	422	**380**	**420**	*	*	388	431
01:00	*	*	*	*	*	*	419	450	455	498	328	337	*	*	401	428
02:00	*	*	*	*	*	*	506	520	482	519	362	399	*	*	450	479
03:00	*	*	*	*	*	*	499	**615**	**528**	**612**	343	381	*	*	457	**536**
04:00	*	*	*	*	*	*	**565**	602	505	581	321	331	*	*	**464**	505
05:00	*	*	*	*	*	*	549	561	461	525	284	326	*	*	431	471
06:00	*	*	*	*	*	*	361	399	361	342	269	287	*	*	330	343
07:00	*	*	*	*	*	*	319	310	289	301	213	232	*	*	274	281
08:00	*	*	*	*	*	*	229	176	186	187	158	182	*	*	191	182
09:00	*	*	*	*	*	*	164	138	162	140	166	122	*	*	164	133
10:00	*	*	*	*	*	*	98	67	108	99	121	82	*	*	109	83
11:00	*	*	*	*	*	*	42	50	106	58	70	69	*	*	73	59
Lane	0	0	0	0	0	0	6209	7036	6092	6911	4337	4763	1144	1181	5410	5980
Day	0		0		0		13245		13003		9100		2325		11390	
AM Peak	-	-	-	-	-	-	08:00	07:00	08:00	08:00	11:00	10:00	09:00	11:00	11:00	11:00
Vol.	-	-	-	-	-	-	445	613	431	556	318	381	281	305	334	388
PM Peak	-	-	-	-	-	-	16:00	15:00	15:00	15:00	12:00	12:00	-	-	16:00	15:00
Vol.	-	-	-	-	-	-	565	615	528	612	380	420	-	-	464	536

Comb. Total	0	0	0	13245	13003	9100	2325	11390

ADT ADT 11,319 AADT 11,319

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 775' E of Fenwick, Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

EB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/21/23	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	3	0	2	18	64	150	191	97	22	9	0	0	0	0	0	556
07:00	77	77	78	110	183	285	238	117	20	0	1	0	0	0	0	1186
08:00	74	78	87	129	261	345	223	78	3	3	0	0	0	0	0	1281
09:00	0	0	5	36	145	377	350	134	29	4	0	0	0	0	0	1080
10:00	0	3	10	49	213	404	288	86	15	3	0	0	0	0	0	1071
11:00	2	4	6	72	221	368	235	84	11	2	0	0	0	0	0	1005
12 PM	1	4	19	56	275	370	265	78	16	2	0	0	1	0	0	1087
13:00	1	6	31	80	189	377	274	91	14	1	0	0	0	0	0	1064
14:00	1	2	35	128	326	402	248	57	3	0	0	0	0	0	0	1202
15:00	19	25	43	155	322	398	255	118	13	1	0	0	0	0	0	1349
16:00	139	123	186	297	362	279	121	50	3	2	1	0	0	0	0	1563
17:00	106	75	144	195	292	341	208	79	11	2	0	0	0	0	0	1453
18:00	0	0	9	23	143	325	288	152	26	2	1	0	0	0	0	969
19:00	0	0	1	30	116	237	252	98	13	4	0	0	0	0	0	751
20:00	0	1	2	26	112	164	152	65	20	1	0	0	0	0	0	543
21:00	0	0	1	11	53	150	127	65	11	1	1	0	0	0	0	420
22:00	0	0	0	3	13	82	84	46	7	2	0	1	0	0	0	238
23:00	0	0	0	2	10	28	48	39	10	0	1	0	0	0	0	138
Total	423	398	659	1420	3300	5082	3847	1534	247	39	5	1	1	0	0	16956

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 775' E of Fenwick, Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

EB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/22/23	0	0	0	0	1	8	22	20	4	0	1	0	0	0	0	56
01:00	0	0	0	1	1	7	14	9	2	1	0	1	0	0	0	36
02:00	0	0	0	0	1	2	7	9	2	2	0	0	0	0	0	23
03:00	0	0	0	0	2	8	8	8	0	0	0	0	0	0	0	26
04:00	0	0	0	0	0	10	19	14	2	0	0	0	0	0	0	45
05:00	0	0	0	2	11	31	69	54	13	1	0	0	0	0	0	181
06:00	0	0	1	12	51	169	193	90	24	4	0	0	0	0	0	544
07:00	33	38	64	108	195	301	219	130	31	4	0	0	0	0	0	1123
08:00	13	13	38	78	207	381	321	139	18	3	0	0	0	0	0	1211
09:00	0	1	2	35	182	310	333	128	15	1	0	0	0	0	1	1008
10:00	0	0	3	23	163	305	282	130	19	5	0	0	0	0	0	930
11:00	0	1	5	35	173	358	294	95	14	2	1	0	0	0	0	978
12 PM	0	0	0	42	185	389	311	118	16	4	0	0	0	0	0	1065
13:00	0	0	5	73	234	397	276	93	11	1	0	0	0	0	0	1090
14:00	4	6	23	77	266	436	277	73	7	2	0	0	0	0	0	1171
15:00	20	50	77	158	367	437	205	81	9	0	0	0	0	0	0	1404
16:00	25	36	105	199	379	323	205	80	6	6	0	0	0	0	0	1364
17:00	0	14	27	100	287	392	269	95	20	3	0	0	0	0	0	1207
18:00	0	0	8	49	169	295	273	121	27	2	0	1	0	0	0	945
19:00	1	0	4	21	112	233	210	95	17	2	0	0	0	0	0	695
20:00	0	0	4	17	73	193	145	73	9	3	1	0	0	0	0	518
21:00	1	0	1	9	63	168	145	53	5	1	0	0	0	0	0	446
22:00	0	0	0	7	23	104	113	51	13	3	0	0	0	1	0	315
23:00	0	0	0	1	11	77	95	62	6	0	0	0	0	0	0	252
Total	97	159	367	1047	3156	5334	4305	1821	290	50	3	2	0	1	1	16633

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 775' E of Fenwick, Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

EB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/23/23	0	0	0	2	13	25	48	29	7	2	0	0	0	0	0	126
01:00	0	0	1	0	4	11	16	18	2	0	0	0	1	0	0	53
02:00	0	0	0	0	2	7	18	1	0	0	0	0	0	0	0	28
03:00	0	0	0	0	3	7	10	7	0	0	0	0	0	0	0	27
04:00	0	0	0	0	0	10	14	10	4	0	0	0	0	0	0	38
05:00	0	0	0	1	7	16	29	24	5	3	0	0	0	0	0	85
06:00	0	0	0	3	15	52	78	50	13	2	0	0	0	0	0	213
07:00	0	0	0	7	17	98	121	75	20	3	1	1	0	0	0	343
08:00	0	0	0	21	86	193	182	132	24	2	0	0	0	0	0	640
09:00	0	0	0	12	79	252	249	109	21	3	1	0	0	0	0	726
10:00	0	0	2	37	163	300	289	93	16	1	0	0	0	0	0	901
11:00	0	0	1	22	153	377	273	127	14	1	0	0	0	0	0	968
12 PM	2	0	10	62	191	390	294	120	11	3	0	0	0	0	0	1083
13:00	0	0	2	29	166	352	308	115	15	4	0	1	0	0	0	992
14:00	0	0	11	47	202	392	268	110	14	0	0	0	0	0	0	1044
15:00	0	0	2	22	105	329	282	139	21	4	0	0	0	0	0	904
16:00	0	0	4	34	120	279	315	113	24	2	0	0	1	0	0	892
17:00	0	0	2	26	99	274	276	134	19	2	0	0	0	0	0	832
18:00	1	0	2	21	101	208	236	125	24	4	1	0	0	0	0	723
19:00	0	0	4	30	99	211	170	77	15	3	0	0	0	0	0	609
20:00	0	0	2	12	60	215	138	62	23	0	1	0	0	0	0	513
21:00	0	0	0	7	35	141	117	59	3	1	0	0	0	0	0	363
22:00	0	0	2	4	25	110	105	55	6	1	0	0	0	0	0	308
23:00	0	0	0	0	28	44	89	57	9	0	0	0	0	0	0	227
Total	3	0	45	399	1773	4293	3925	1841	310	41	4	2	2	0	0	12638

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 775' E of Fenwick, Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

EB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/24/23	0	0	0	0	10	26	41	25	9	1	0	0	0	0	0	112
01:00	0	0	0	0	7	16	26	16	2	0	0	0	0	0	0	67
02:00	0	0	0	0	1	4	13	17	2	1	0	0	0	0	0	38
03:00	0	0	0	0	0	9	14	5	0	1	0	1	0	0	0	30
04:00	0	0	0	0	1	7	12	9	1	1	0	0	0	0	0	31
05:00	0	0	0	0	4	16	25	31	6	0	1	0	0	0	0	83
06:00	0	0	0	1	8	27	47	37	6	3	1	0	0	0	0	130
07:00	0	0	0	1	12	61	87	39	9	4	1	0	0	0	0	214
08:00	0	0	0	4	20	101	155	61	14	6	0	0	0	0	0	361
09:00	2	0	0	4	59	206	218	101	17	6	1	1	0	0	0	615
10:00	0	0	0	10	103	223	196	106	21	2	0	0	0	0	0	661
11:00	0	0	4	8	79	235	266	146	19	4	0	0	0	0	0	761
12 PM	0	0	12	65	210	340	289	160	19	1	0	0	1	0	0	1097
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
20:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
21:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
22:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total	2	0	16	93	514	1271	1389	753	125	30	4	2	1	0	0	4200
Grand Total	525	557	1087	2959	8743	15980	13466	5949	972	160	16	7	4	1	1	50427

Stats

15th Percentile :	36 MPH
50th Percentile :	43 MPH
85th Percentile :	49 MPH
95th Percentile :	53 MPH
Mean Speed(Average) :	44 MPH
10 MPH Pace Speed :	41-50 MPH
Number in Pace :	29461
Percent in Pace :	58.4%
Number of Vehicles > 45 MPH :	20576
Percent of Vehicles > 45 MPH :	40.8%

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Location: Amherst, NY
Road Name: Sheridan Dr
Segment: 775' E of Fenwick Rd
Date: 09/21/2023

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

GPS: 42.978048, -78.771207

Start Time	Mon 18-Sep-23	Tue 19-Sep-23	Wed 20-Sep-23	Thu 21-Sep-23	Fri 22-Sep-23	Average Day	Sat 23-Sep-23	Sun 24-Sep-23	Week Average
12:00 AM	*	*	*	*	56	56	126	112	98
01:00	*	*	*	*	36	36	53	67	52
02:00	*	*	*	*	23	23	28	38	30
03:00	*	*	*	*	26	26	27	30	28
04:00	*	*	*	*	45	45	38	31	38
05:00	*	*	*	*	181	181	85	83	116
06:00	*	*	*	555	541	548	213	130	360
07:00	*	*	*	1186	1121	1154	343	214	716
08:00	*	*	*	**1279**	**1211**	**1245**	640	361	873
09:00	*	*	*	1078	1006	1042	724	615	856
10:00	*	*	*	1070	929	1000	900	661	890
11:00	*	*	*	1005	975	990	**968**	**758**	**926**
12:00 PM	*	*	*	1086	1065	1076	**1081**	**1097**	1082
01:00	*	*	*	1062	1088	1075	991	*	1047
02:00	*	*	*	1201	1169	1185	1043	*	1138
03:00	*	*	*	1347	**1404**	1376	902	*	1218
04:00	*	*	*	**1562**	1364	**1463**	892	*	**1273**
05:00	*	*	*	1452	1206	1329	831	*	1163
06:00	*	*	*	969	945	957	723	*	879
07:00	*	*	*	750	695	722	609	*	685
08:00	*	*	*	542	518	530	513	*	524
09:00	*	*	*	420	446	433	363	*	410
10:00	*	*	*	238	315	276	308	*	287
11:00	*	*	*	138	252	195	227	*	206
Day Total	0	0	0	16940	16617	16963	12628	4197	14895
% Avg. WkDay	0.0%	0.0%	0.0%	99.9%	98.0%				
% Avg. Week	0.0%	0.0%	0.0%	113.7%	111.6%	113.9%	84.8%	28.2%	
AM Peak	-	-	-	08:00	08:00	- 08:00	- 11:00	11:00	- 11:00	-	-
Vol.	-	-	-	1279	1211	- 1245	- 968	758	- 926	-	-
PM Peak	-	-	-	16:00	15:00	- 16:00	- 12:00	12:00	- 16:00	-	-
Vol.	-	-	-	1562	1404	- 1463	- 1081	1097	- 1273	-	-
Grand Total	0	0	0	16940	16617	16963	12628	4197	14895		

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

ADT ADT 14,794 AADT 14,794

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/21/2023

GPS: 42.978249, -78.77159

WB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/21/23	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
06:00	0	1	0	1	23	133	208	128	23	4	0	1	0	0	0	522
07:00	0	0	0	9	88	371	427	190	28	8	4	1	0	0	0	1126
08:00	0	0	2	17	118	456	327	110	13	4	2	0	0	0	0	1049
09:00	0	0	0	10	84	384	384	113	20	2	1	0	0	0	0	998
10:00	0	0	0	4	133	356	320	98	24	2	1	0	0	0	0	938
11:00	1	0	3	27	141	387	317	100	16	3	0	0	0	0	0	995
12 PM	0	0	0	5	115	465	355	108	16	3	0	0	0	0	0	1067
13:00	1	0	0	20	125	446	326	101	13	1	0	0	0	0	0	1033
14:00	0	0	1	16	178	495	346	128	14	4	0	0	0	0	0	1182
15:00	0	2	6	18	168	500	390	151	19	5	3	0	0	0	0	1262
16:00	0	0	0	7	159	533	478	160	27	6	3	1	0	0	0	1374
17:00	0	0	10	25	115	484	504	200	24	4	0	1	0	0	0	1367
18:00	0	0	0	4	70	315	386	178	36	8	1	0	0	0	0	998
19:00	0	0	0	5	75	309	285	95	15	1	0	0	0	0	0	785
20:00	0	0	0	0	32	195	237	103	16	2	0	0	0	0	0	585
21:00	0	0	0	3	33	134	171	83	13	3	0	0	0	0	0	440
22:00	0	0	1	1	11	53	97	68	11	5	0	0	0	0	0	247
23:00	0	0	0	1	7	37	61	33	7	2	0	0	0	0	0	148
Total	2	3	23	173	1675	6053	5619	2147	335	67	15	4	0	0	0	16116

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/21/2023

GPS: 42.978249, -78.77159

WB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/22/23	0	0	0	1	4	7	32	16	5	0	0	0	0	0	0	65
01:00	0	0	0	1	0	7	14	7	3	0	0	0	0	0	0	32
02:00	0	0	0	0	1	3	6	3	0	0	0	0	0	0	0	13
03:00	0	0	0	0	0	3	8	7	1	1	2	0	0	0	0	22
04:00	0	0	0	1	2	7	18	8	6	0	0	0	0	0	0	42
05:00	0	0	1	1	9	24	77	52	13	2	1	0	0	0	0	180
06:00	0	0	0	1	23	109	200	138	27	5	0	1	0	0	0	504
07:00	1	0	0	4	56	319	439	190	41	5	3	0	0	0	0	1058
08:00	0	0	1	23	85	356	385	166	29	0	0	0	0	0	0	1045
09:00	0	0	1	0	89	327	369	149	26	3	1	0	0	0	0	965
10:00	0	0	3	22	118	346	287	141	18	5	0	0	0	0	0	940
11:00	0	1	1	20	128	350	329	146	12	5	0	0	0	0	0	992
12 PM	0	0	0	8	119	428	354	127	22	1	0	0	0	0	0	1059
13:00	0	0	0	3	104	391	364	147	23	2	0	0	0	0	0	1034
14:00	0	0	0	12	164	464	417	138	19	6	0	0	0	0	0	1220
15:00	0	0	1	22	110	436	397	157	26	7	1	0	0	0	0	1157
16:00	0	0	0	16	142	485	456	164	42	7	0	0	0	0	0	1312
17:00	0	0	3	28	137	449	423	162	29	6	1	0	0	0	0	1238
18:00	0	0	0	16	86	291	387	177	30	3	1	0	0	0	0	991
19:00	0	0	0	7	95	240	285	92	14	6	1	1	0	0	0	741
20:00	0	0	0	17	90	181	176	61	10	2	2	0	0	0	0	539
21:00	1	0	2	13	71	181	141	45	4	0	0	0	0	0	0	458
22:00	0	0	0	4	12	85	111	92	24	5	0	0	0	0	0	333
23:00	0	0	0	1	8	56	80	44	15	0	0	0	0	0	0	204
Total	2	1	13	221	1653	5545	5755	2429	439	71	13	2	0	0	0	16144

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/21/2023

GPS: 42.978249, -78.77159

WB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/23/23	0	0	0	0	5	21	48	24	4	1	0	0	0	0	0	103
01:00	0	0	0	1	1	16	21	24	4	0	0	0	0	0	0	67
02:00	0	0	0	0	1	1	8	8	0	0	0	0	1	0	0	19
03:00	0	0	0	0	1	3	12	4	0	1	0	1	0	0	0	22
04:00	0	0	0	0	2	5	11	5	1	2	0	0	0	0	0	26
05:00	0	0	0	1	5	19	19	14	4	0	0	0	0	0	0	62
06:00	0	0	0	0	9	44	50	49	10	3	0	0	0	0	0	165
07:00	0	0	0	1	14	63	153	88	25	5	1	0	0	0	0	350
08:00	0	0	0	2	18	130	213	142	37	5	6	0	0	0	0	553
09:00	0	0	0	2	70	262	273	115	16	3	0	0	0	0	1	742
10:00	0	0	0	4	52	321	374	143	20	1	0	0	0	0	0	915
11:00	0	1	0	2	79	351	355	134	23	1	0	0	0	0	0	946
12 PM	0	0	1	3	84	348	372	134	13	4	1	0	0	0	0	960
13:00	0	0	0	0	60	344	394	170	27	2	1	0	0	0	1	999
14:00	0	0	0	3	73	326	378	165	31	3	1	0	0	0	0	980
15:00	1	0	0	5	56	318	359	173	32	5	0	0	0	0	1	950
16:00	0	0	0	5	41	284	371	143	27	3	1	0	0	0	0	875
17:00	0	0	0	0	53	279	355	158	31	2	2	0	0	0	0	880
18:00	0	0	0	0	37	246	302	134	30	7	1	2	0	0	0	759
19:00	0	0	0	7	53	206	228	124	14	2	0	0	0	0	0	634
20:00	0	0	0	2	48	150	202	92	15	2	2	0	0	0	0	513
21:00	0	0	0	4	33	128	176	64	6	1	0	0	0	0	0	412
22:00	0	0	0	2	10	86	106	62	17	1	1	0	0	0	0	285
23:00	0	1	0	2	13	53	85	51	12	2	0	0	0	0	0	219
Total	1	2	1	46	818	4004	4865	2220	399	56	17	3	1	0	3	12436

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/21/2023

GPS: 42.978249, -78.77159

WB

Start Time	0 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 80	81 85	86 250	Total
09/24/23	0	0	0	0	4	18	42	42	6	2	0	2	0	0	0	116
01:00	0	0	0	1	1	7	19	15	3	0	0	0	0	0	0	46
02:00	0	1	0	1	0	9	13	6	2	0	0	0	0	0	0	32
03:00	0	0	0	0	0	4	5	6	1	0	0	0	0	0	0	16
04:00	0	0	0	0	0	2	9	1	3	0	1	0	0	1	0	17
05:00	0	0	0	1	0	7	14	9	2	1	0	0	0	0	0	34
06:00	0	0	0	1	5	22	49	30	15	0	0	0	1	0	0	123
07:00	0	0	0	0	12	34	60	58	9	4	0	0	0	0	0	177
08:00	0	0	0	1	13	56	172	92	13	4	1	1	1	0	0	354
09:00	0	0	0	2	24	153	230	121	20	3	0	0	0	1	0	554
10:00	0	0	0	2	26	213	236	147	32	7	0	0	0	0	0	663
11:00	0	0	0	1	35	230	283	168	27	5	0	1	0	0	0	750
12 PM	20	23	17	37	72	268	264	141	12	3	0	1	0	0	0	858
13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
16:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
17:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
18:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
19:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
20:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
21:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
22:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
23:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total	20	24	17	47	192	1023	1396	836	145	29	2	5	2	2	0	3740
Grand Total	25	30	54	487	4338	16625	17635	7632	1318	223	47	14	3	2	3	48436

Stats

15th Percentile :	40 MPH
50th Percentile :	45 MPH
85th Percentile :	51 MPH
95th Percentile :	54 MPH
Mean Speed(Average) :	46 MPH
10 MPH Pace Speed :	41-50 MPH
Number in Pace :	34261
Percent in Pace :	70.7%
Number of Vehicles > 45 MPH :	26877
Percent of Vehicles > 45 MPH :	55.5%

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Tri-State Traffic Data Inc

184 Baker Rd
Coatesville PA 19320

"Serving Transportation Professionls Since 1995"

Location: Amherst, New York
Road Name: Sheridan Dr
Segment: 670' E of Fenwick Rd
Date: 09/20/2023

GPS: 42.978249, -78.77159

Start Time	Mon 18-Sep-23	Tue 19-Sep-23	Wed 20-Sep-23	Thu 21-Sep-23	Fri 22-Sep-23	Average Day	Sat 23-Sep-23	Sun 24-Sep-23	Week Average
12:00 AM	*	*	*	*	65	65	103	116	95
01:00	*	*	*	*	32	32	67	46	48
02:00	*	*	*	*	13	13	19	32	21
03:00	*	*	*	*	22	22	22	16	20
04:00	*	*	*	*	42	42	26	17	28
05:00	*	*	*	*	180	180	62	34	92
06:00	*	*	*	520	504	512	165	123	328
07:00	*	*	*	**1125**	**1057**	**1091**	350	177	677
08:00	*	*	*	1049	1043	1046	553	354	750
09:00	*	*	*	998	963	980	741	554	814
10:00	*	*	*	937	939	938	914	663	863
11:00	*	*	*	994	991	992	**946**	**750**	**920**
12:00 PM	*	*	*	1067	1059	1063	958	**857**	985
01:00	*	*	*	1033	1034	1034	**998**	*	1022
02:00	*	*	*	1182	1218	1200	980	*	1127
03:00	*	*	*	1259	1156	1208	949	*	1121
04:00	*	*	*	**1373**	**1310**	**1342**	875	*	**1186**
05:00	*	*	*	1367	1237	1302	879	*	1161
06:00	*	*	*	997	990	994	758	*	915
07:00	*	*	*	784	741	762	634	*	720
08:00	*	*	*	585	539	562	513	*	546
09:00	*	*	*	440	458	449	412	*	437
10:00	*	*	*	247	333	290	285	*	288
11:00	*	*	*	148	204	176	219	*	190
Day Total	0	0	0	16105	16130	16295	12428	3739	14354
% Avg. WkDay	0.0%	0.0%	0.0%	98.8%	99.0%				
% Avg. Week	0.0%	0.0%	0.0%	112.2%	112.4%	113.5%	86.6%	26.0%	
AM Peak	-	-	-	07:00	07:00	- 07:00	- 11:00	11:00	- 11:00	-	-
Vol.	-	-	-	1125	1057	- 1091	- 946	750	- 920	-	-
PM Peak	-	-	-	16:00	16:00	- 16:00	- 13:00	12:00	- 16:00	-	-
Vol.	-	-	-	1373	1310	- 1342	- 998	857	- 1186	-	-
Grand Total	0	0	0	16105	16130	16295	12428	3739	14354		

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

ADT ADT 14,226 AADT 14,226

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391

Sheridan Drive - Harlem Road to N Forest Road

Year	Combined Volume	% Growth
2011	39724	
2019	36681	-0.99%

Niagara Falls Boulevard from Rt 290 to Maple Road

2011		2019
39724		36681
	-0.99%	

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Appendix D – Synchro Reports

Existing PM
1: Harlem Road & Sheridan Drive

Amherst Central Park
10/12/2023



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Lane Configurations								
Traffic Volume (vph)	810	309	350	744	187	888		
Future Volume (vph)	810	309	350	744	187	888		
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900		
Storage Length (ft)		0	230		0	0		
Storage Lanes		1	1		2	2		
Taper Length (ft)			25		25			
Lane Util. Factor	0.95	1.00	0.97	0.95	0.97	0.88		
Frt		0.850				0.850		
Flt Protected			0.950		0.950			
Satd. Flow (prot)	3539	1583	3433	3539	3433	2787		
Flt Permitted			0.950		0.950			
Satd. Flow (perm)	3539	1583	3433	3539	3433	2787		
Right Turn on Red		Yes				Yes		
Satd. Flow (RTOR)		315				817		
Link Speed (mph)	45			45	35			
Link Distance (ft)	570			576	995			
Travel Time (s)	8.6			8.7	19.4			
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98		
Adj. Flow (vph)	827	315	357	759	191	906		
Shared Lane Traffic (%)								
Lane Group Flow (vph)	827	315	357	759	191	906		
Turn Type	NA	pt+ov	Prot	NA	Prot	custom		
Protected Phases	2	2 3	1 4	2 1	3	3 4	1	4
Permitted Phases								
Detector Phase	2	2 3	1 4	2 1	3	3 4		
Switch Phase								
Minimum Initial (s)	5.0				5.0		5.0	5.0
Minimum Split (s)	24.7				24.9		24.7	22.5
Total Split (s)	49.0				35.0		37.0	39.0
Total Split (%)	30.6%				21.9%		23%	24%
Maximum Green (s)	42.3				28.1		30.3	34.7
Yellow Time (s)	4.0				3.6		4.0	3.2
All-Red Time (s)	2.7				3.3		2.7	1.1
Lost Time Adjust (s)	0.0				0.0			
Total Lost Time (s)	6.7				6.9			
Lead/Lag	Lag				Lead		Lead	Lag
Lead-Lag Optimize?								
Vehicle Extension (s)	3.0				3.0		3.0	3.0
Recall Mode	C-Max				Min		None	None
Walk Time (s)	7.0				7.0		7.0	7.0
Flash Dont Walk (s)	11.0				11.0		11.0	11.0
Pedestrian Calls (#/hr)	0				0		0	0
Act Effct Green (s)	69.7	95.3	51.3	102.4	18.6	44.0		
Actuated g/C Ratio	0.44	0.60	0.32	0.64	0.12	0.28		
v/c Ratio	0.54	0.29	0.32	0.34	0.48	0.67		
Control Delay	37.9	2.7	40.0	3.4	69.1	7.5		
Queue Delay	0.0	0.0	0.0	0.5	0.0	0.2		
Total Delay	37.9	2.7	40.0	3.8	69.1	7.7		

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
LOS	D	A	D	A	E	A		
Approach Delay	28.2			15.4	18.4			
Approach LOS	C			B	B			
90th %ile Green (s)	44.7				28.1		37.6	25.0
90th %ile Term Code	Coord				Max		Gap	Gap
70th %ile Green (s)	63.1				20.1		29.1	23.1
70th %ile Term Code	Coord				Gap		Gap	Gap
50th %ile Green (s)	71.5				17.1		25.0	21.8
50th %ile Term Code	Coord				Gap		Gap	Gap
30th %ile Green (s)	79.1				15.5		21.3	19.5
30th %ile Term Code	Coord				Gap		Gap	Gap
10th %ile Green (s)	90.3				12.3		16.7	16.1
10th %ile Term Code	Coord				Gap		Gap	Gap
Queue Length 50th (ft)	325	0	106	30	98	40		
Queue Length 95th (ft)	515	51	76	169	131	96		
Internal Link Dist (ft)	490			496	915			
Turn Bay Length (ft)			230					
Base Capacity (vph)	1542	1145	1226	2233	602	1526		
Starvation Cap Reductn	0	0	0	947	0	0		
Spillback Cap Reductn	0	0	0	0	0	125		
Storage Cap Reductn	0	0	0	0	0	0		
Reduced v/c Ratio	0.54	0.28	0.29	0.59	0.32	0.65		

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 157 (98%), Referenced to phase 2:EBWB, Start of Yellow			
Natural Cycle: 100			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.67			
Intersection Signal Delay: 20.7		Intersection LOS: C	
Intersection Capacity Utilization 64.8%		ICU Level of Service C	
Analysis Period (min) 15			

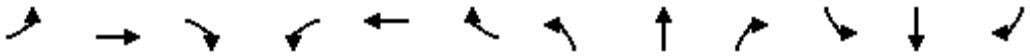
Splits and Phases: 1: Harlem Road & Sheridan Drive



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Existing PM
2: I-290 Ramps & Sheridan Drive

Amherst Central Park
10/12/2023



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	264	1407	0	0	931	682	145	0	314	0	0	0
Future Volume (vph)	264	1407	0	0	931	682	145	0	314	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	0		0	0		0
Storage Lanes	1		0	0		0	1		1	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	0.91	0.95	0.91	0.95	1.00	1.00	1.00
Frt					0.937			0.863	0.850			
Flt Protected	0.950						0.950	0.996				
Satd. Flow (prot)	1770	5085	0	0	4765	0	1681	1457	1504	0	0	0
Flt Permitted	0.053						0.950	0.996				
Satd. Flow (perm)	99	5085	0	0	4765	0	1681	1457	1504	0	0	0
Right Turn on Red			Yes			Yes			Yes			No
Satd. Flow (RTOR)					136			59	59			
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		576			428			842			263	
Travel Time (s)		8.7			6.5			19.1			6.0	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	272	1451	0	0	960	703	149	0	324	0	0	0
Shared Lane Traffic (%)							10%		48%			
Lane Group Flow (vph)	272	1451	0	0	1663	0	134	171	168	0	0	0
Turn Type	pm+pt	NA			NA		Prot	NA	Prot			
Protected Phases	1	6			2		7	3	3			
Permitted Phases	6											
Detector Phase	1	6			2		7	3	3			
Switch Phase												
Minimum Initial (s)	5.0	5.0			5.0		5.0	5.0	5.0			
Minimum Split (s)	10.8	23.8			23.8		9.5	22.5	22.5			
Total Split (s)	36.0	105.0			69.0		55.0	55.0	55.0			
Total Split (%)	22.5%	65.6%			43.1%		34.4%	34.4%	34.4%			
Maximum Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
Yellow Time (s)	4.3	4.3			4.3		3.5	3.5	3.5			
All-Red Time (s)	1.5	1.5			1.5		1.0	1.0	1.0			
Lost Time Adjust (s)	0.0	0.0			0.0		0.0	0.0	0.0			
Total Lost Time (s)	5.8	5.8			5.8		4.5	4.5	4.5			
Lead/Lag	Lead				Lag							
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0			3.0		3.0	3.0	3.0			
Recall Mode	None	C-Max			C-Max		None	None	None			
Walk Time (s)		7.0			7.0			7.0	7.0			
Flash Dont Walk (s)		11.0			11.0			11.0	11.0			
Pedestrian Calls (#/hr)		0			0			0	0			
Act Effct Green (s)	99.2	99.2			69.3		50.5	50.5	50.5			
Actuated g/C Ratio	0.62	0.62			0.43		0.32	0.32	0.32			
v/c Ratio	0.87	0.46			0.91dr		0.25	0.34	0.33			
Control Delay	63.1	25.1			21.0		42.3	29.1	28.5			
Queue Delay	0.0	1.0			0.0		0.0	0.0	0.0			
Total Delay	63.1	26.1			21.0		42.3	29.1	28.5			

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	E	C			C		D	C	C			
Approach Delay		32.0			21.0			32.7				
Approach LOS		C			C			C				
90th %ile Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
90th %ile Term Code	Max	Coord			Coord		Hold	Max	Max			
70th %ile Green (s)	28.8	99.2			64.6		50.5	50.5	50.5			
70th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
50th %ile Green (s)	25.0	99.2			68.4		50.5	50.5	50.5			
50th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
30th %ile Green (s)	21.1	99.2			72.3		50.5	50.5	50.5			
30th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
10th %ile Green (s)	15.5	99.2			77.9		50.5	50.5	50.5			
10th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
Queue Length 50th (ft)	240	345			560		110	96	90			
Queue Length 95th (ft)	343	525			637		173	174	162			
Internal Link Dist (ft)		496			348			762			183	
Turn Bay Length (ft)	150											
Base Capacity (vph)	376	3152			2140		530	500	515			
Starvation Cap Reductn	0	1337			0		0	0	0			
Spillback Cap Reductn	0	0			0		0	0	0			
Storage Cap Reductn	0	0			0		0	0	0			
Reduced v/c Ratio	0.72	0.80			0.78		0.25	0.34	0.33			

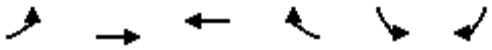
Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 108 (68%), Referenced to phase 2:WBT and 6:EBTL, Start of Yellow
Natural Cycle: 70
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.87
Intersection Signal Delay: 27.3 Intersection LOS: C
Intersection Capacity Utilization 68.5% ICU Level of Service C
Analysis Period (min) 15
dr Defacto Right Lane. Recode with 1 though lane as a right lane.

Splits and Phases: 2: I-290 Ramps & Sheridan Drive

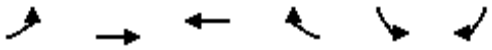


Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	18	1642	1543	54	53	26
Future Volume (vph)	18	1642	1543	54	53	26
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150			0	0	60
Storage Lanes	1			0	1	1
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	0.95	0.95	0.95	1.00	1.00
Frt			0.995			0.850
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1770	3539	3522	0	1770	1583
Flt Permitted	0.129				0.950	
Satd. Flow (perm)	240	3539	3522	0	1770	1583
Right Turn on Red				Yes		Yes
Satd. Flow (RTOR)			4			27
Link Speed (mph)		45	45		30	
Link Distance (ft)		958	640		988	
Travel Time (s)		14.5	9.7		22.5	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	19	1728	1624	57	56	27
Shared Lane Traffic (%)						
Lane Group Flow (vph)	19	1728	1681	0	56	27
Turn Type	Perm	NA	NA		Prot	Prot
Protected Phases		1	1		3	3
Permitted Phases	1					
Detector Phase	1	1	1		3	3
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	23.9	23.9	23.9		23.7	23.7
Total Split (s)	110.0	110.0	110.0		50.0	50.0
Total Split (%)	68.8%	68.8%	68.8%		31.3%	31.3%
Maximum Green (s)	104.1	104.1	104.1		44.3	44.3
Yellow Time (s)	4.3	4.3	4.3		3.2	3.2
All-Red Time (s)	1.6	1.6	1.6		2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)	5.9	5.9	5.9		5.7	5.7
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	C-Max	C-Max	C-Max		None	None
Walk Time (s)	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0
Act Effct Green (s)	141.5	141.5	141.5		10.5	10.5
Actuated g/C Ratio	0.88	0.88	0.88		0.07	0.07
v/c Ratio	0.09	0.55	0.54		0.49	0.21
Control Delay	1.6	6.6	2.2		85.3	25.5
Queue Delay	0.0	0.0	0.0		0.0	0.0
Total Delay	1.6	6.6	2.2		85.3	25.5

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
LOS	A	A	A		F	C
Approach Delay		6.6	2.2		65.8	
Approach LOS		A	A		E	
90th %ile Green (s)	133.8	133.8	133.8		14.6	14.6
90th %ile Term Code	Coord	Coord	Coord		Gap	Gap
70th %ile Green (s)	136.2	136.2	136.2		12.2	12.2
70th %ile Term Code	Coord	Coord	Coord		Gap	Gap
50th %ile Green (s)	137.9	137.9	137.9		10.5	10.5
50th %ile Term Code	Coord	Coord	Coord		Gap	Gap
30th %ile Green (s)	139.7	139.7	139.7		8.7	8.7
30th %ile Term Code	Coord	Coord	Coord		Gap	Gap
10th %ile Green (s)	154.1	154.1	154.1		0.0	0.0
10th %ile Term Code	Coord	Coord	Coord		Skip	Skip
Queue Length 50th (ft)	1	178	66		58	0
Queue Length 95th (ft)	m3	217	116		106	34
Internal Link Dist (ft)		878	560		908	
Turn Bay Length (ft)	150					60
Base Capacity (vph)	212	3130	3115		490	457
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.09	0.55	0.54		0.11	0.06

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 87 (54%), Referenced to phase 1:EBWB, Start of Yellow			
Natural Cycle: 65			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.55			
Intersection Signal Delay: 5.9		Intersection LOS: A	
Intersection Capacity Utilization 59.2%		ICU Level of Service B	
Analysis Period (min) 15			

m Volume for 95th percentile queue is metered by upstream signal.

Splits and Phases: 3: Sheridan Drive & Frankhauser Road



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Intersection	
Int Delay, s/veh	0.4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1671	28	12	1572	14	20
Future Vol, veh/h	1671	28	12	1572	14	20
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	150	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1741	29	13	1638	15	21

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1770	0	2601	885
Stage 1	-	-	-	-	1756	-
Stage 2	-	-	-	-	845	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	348	-	20	288
Stage 1	-	-	-	-	124	-
Stage 2	-	-	-	-	382	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	348	-	19	288
Mov Cap-2 Maneuver	-	-	-	-	91	-
Stage 1	-	-	-	-	124	-
Stage 2	-	-	-	-	368	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	35.7
HCM LOS			E

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	152	-	-	348	-
HCM Lane V/C Ratio	0.233	-	-	0.036	-
HCM Control Delay (s)	35.7	-	-	15.7	-
HCM Lane LOS	E	-	-	C	-
HCM 95th %tile Q(veh)	0.9	-	-	0.1	-

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	233	1166	267	163	1192	25	179	340	171	41	386	191
Future Volume (vph)	233	1166	267	163	1192	25	179	340	171	41	386	191
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	350		170	175		0	190		440	350		70
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	25			25			25			200		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	0.95	1.00	1.00	1.00	1.00	0.95	1.00
Frt			0.850		0.997				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	3539	1583	1770	3529	0	1770	1863	1583	1770	3539	1583
Flt Permitted	0.056			0.105			0.261			0.294		
Satd. Flow (perm)	104	3539	1583	196	3529	0	486	1863	1583	548	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			132		2				178			128
Link Speed (mph)		45			45			40			35	
Link Distance (ft)		1664			992			903			941	
Travel Time (s)		25.2			15.0			15.4			18.3	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	243	1215	278	170	1242	26	186	354	178	43	402	199
Shared Lane Traffic (%)												
Lane Group Flow (vph)	243	1215	278	170	1268	0	186	354	178	43	402	199
Turn Type	pm+pt	NA	Prot	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6	6	5	2		7	4		3	8	
Permitted Phases	6			2			4		4	8		8
Detector Phase	1	6	6	5	2		7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	6.0	28.0	28.0	6.0	6.0		6.0	6.0	6.0	6.0	15.0	15.0
Minimum Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (%)	15.6%	44.4%	44.4%	15.6%	44.4%		15.6%	27.5%	27.5%	12.5%	24.4%	24.4%
Maximum Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	36.4	36.4	12.4	31.4	31.4
Yellow Time (s)	4.3	4.3	4.3	4.3	4.3		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.8	2.8	2.8	2.8	2.8		3.6	3.6	3.6	3.6	3.6	3.6
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.1	7.1	7.1	7.1	7.1		7.6	7.6	7.6	7.6	7.6	7.6
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	C-Max	C-Max	None	C-Max		None	None	None	None	None	None
Walk Time (s)		7.0	7.0					7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0					11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0					0	0		0	0
Act Effct Green (s)	91.7	73.0	73.0	81.5	66.8		50.3	37.4	37.4	34.6	26.4	26.4
Actuated g/C Ratio	0.57	0.46	0.46	0.51	0.42		0.31	0.23	0.23	0.22	0.16	0.16
v/c Ratio	0.87	0.75	0.35	0.69	0.86		0.65	0.81	0.35	0.24	0.69	0.54
Control Delay	64.8	36.1	17.5	39.6	50.1		52.3	73.7	8.1	40.1	68.8	26.9
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	64.8	36.1	17.5	39.6	50.1		52.3	73.7	8.1	40.1	68.8	26.9

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	E	D	B	D	D		D	E	A	D	E	C
Approach Delay		37.1			48.8			51.9			53.9	
Approach LOS		D			D			D			D	
90th %ile Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	38.3	38.3	10.5	31.4	31.4
90th %ile Term Code	Max	Coord	Coord	Max	Coord		Max	Max	Max	Gap	Hold	Hold
70th %ile Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	39.8	39.8	9.0	31.4	31.4
70th %ile Term Code	Max	Coord	Coord	Max	Coord		Max	Max	Max	Gap	Hold	Hold
50th %ile Green (s)	21.6	69.3	69.3	16.2	63.9		17.4	37.0	37.0	8.1	27.7	27.7
50th %ile Term Code	Max	Coord	Coord	Gap	Coord		Max	Gap	Gap	Gap	Hold	Hold
30th %ile Green (s)	25.1	77.6	77.6	13.3	65.8		16.0	32.5	32.5	7.2	23.7	23.7
30th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
10th %ile Green (s)	22.5	90.3	90.3	8.5	76.3		13.8	39.4	39.4	0.0	18.0	18.0
10th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Skip	Gap	Gap
Queue Length 50th (ft)	218	621	130	83	651		146	355	0	31	209	65
Queue Length 95th (ft)	#404	727	208	168	755		209	#485	64	61	262	148
Internal Link Dist (ft)		1584			912			823			861	
Turn Bay Length (ft)	350		170	175			190		440	350		70
Base Capacity (vph)	278	1614	793	279	1473		292	444	513	227	694	413
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.87	0.75	0.35	0.61	0.86		0.64	0.80	0.35	0.19	0.58	0.48

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 30 (19%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
Natural Cycle: 160
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.87
Intersection Signal Delay: 45.6 Intersection LOS: D
Intersection Capacity Utilization 94.0% ICU Level of Service F
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 5: North Forest Road & Sheridan Drive



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Exisitng SAT Midday
1: Harlem Road & Sheridan Drive

Amherst Central Park
10/12/2023

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Lane Configurations								
Traffic Volume (vph)	617	343	359	569	170	484		
Future Volume (vph)	617	343	359	569	170	484		
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900		
Storage Length (ft)		0	230		0	0		
Storage Lanes		1	1		2	2		
Taper Length (ft)			25		25			
Lane Util. Factor	0.95	1.00	0.97	0.95	0.97	0.88		
Frt		0.850				0.850		
Flt Protected			0.950		0.950			
Satd. Flow (prot)	3574	1599	3467	3574	3467	2814		
Flt Permitted			0.950		0.950			
Satd. Flow (perm)	3574	1599	3467	3574	3467	2814		
Right Turn on Red		Yes				Yes		
Satd. Flow (RTOR)		354				499		
Link Speed (mph)	45			45	35			
Link Distance (ft)	570			576	995			
Travel Time (s)	8.6			8.7	19.4			
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97		
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%		
Adj. Flow (vph)	636	354	370	587	175	499		
Shared Lane Traffic (%)								
Lane Group Flow (vph)	636	354	370	587	175	499		
Turn Type	NA	pt+ov	Prot	NA	Prot	custom		
Protected Phases	2	2 3	1 4	2 1	3	3 4	1	4
Permitted Phases								
Detector Phase	2	2 3	1 4	2 1	3	3 4		
Switch Phase								
Minimum Initial (s)	5.0				5.0		5.0	5.0
Minimum Split (s)	24.7				24.9		24.7	22.5
Total Split (s)	49.0				35.0		37.0	39.0
Total Split (%)	30.6%				21.9%		23%	24%
Maximum Green (s)	42.3				28.1		30.3	34.7
Yellow Time (s)	4.0				3.6		4.0	3.2
All-Red Time (s)	2.7				3.3		2.7	1.1
Lost Time Adjust (s)	0.0				0.0			
Total Lost Time (s)	6.7				6.9			
Lead/Lag	Lag				Lead		Lead	Lag
Lead-Lag Optimize?								
Vehicle Extension (s)	3.0				3.0		3.0	3.0
Recall Mode	C-Max				Min		None	None
Walk Time (s)	7.0				7.0		7.0	7.0
Flash Dont Walk (s)	11.0				11.0		11.0	11.0
Pedestrian Calls (#/hr)	0				0		0	0
Act Effct Green (s)	80.5	102.3	44.3	106.3	14.9	40.1		
Actuated g/C Ratio	0.50	0.64	0.28	0.66	0.09	0.25		
v/c Ratio	0.35	0.31	0.39	0.25	0.54	0.46		
Control Delay	26.6	2.1	32.8	10.7	75.0	4.6		
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0		

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Total Delay	26.6	2.1	32.8	10.7	75.0	4.6		
LOS	C	A	C	B	E	A		
Approach Delay	17.9			19.2	22.9			
Approach LOS	B			B	C			
90th %ile Green (s)	63.3				19.8		26.8	25.5
90th %ile Term Code	Coord				Gap		Gap	Gap
70th %ile Green (s)	74.6				16.8		21.2	22.8
70th %ile Term Code	Coord				Gap		Gap	Gap
50th %ile Green (s)	79.9				15.3		19.1	21.1
50th %ile Term Code	Coord				Gap		Gap	Gap
30th %ile Green (s)	87.2				12.9		16.1	19.2
30th %ile Term Code	Coord				Gap		Gap	Gap
10th %ile Green (s)	97.5				9.8		12.5	15.6
10th %ile Term Code	Coord				Gap		Gap	Gap
Queue Length 50th (ft)	209	0	86	196	91	0		
Queue Length 95th (ft)	314	46	85	267	129	46		
Internal Link Dist (ft)	490			496	915			
Turn Bay Length (ft)			230					
Base Capacity (vph)	1797	1252	1201	2361	608	1279		
Starvation Cap Reductn	0	0	0	0	0	0		
Spillback Cap Reductn	0	0	0	0	0	0		
Storage Cap Reductn	0	0	0	0	0	0		
Reduced v/c Ratio	0.35	0.28	0.31	0.25	0.29	0.39		

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 157 (98%), Referenced to phase 2:EBWB, Start of Yellow			
Natural Cycle: 100			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.54			
Intersection Signal Delay: 19.7		Intersection LOS: B	
Intersection Capacity Utilization 49.1%		ICU Level of Service A	
Analysis Period (min) 15			

Splits and Phases: 1: Harlem Road & Sheridan Drive



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Exisitng SAT Midday
2: I-290 Ramps & Sheridan Drive

Amherst Central Park
10/12/2023

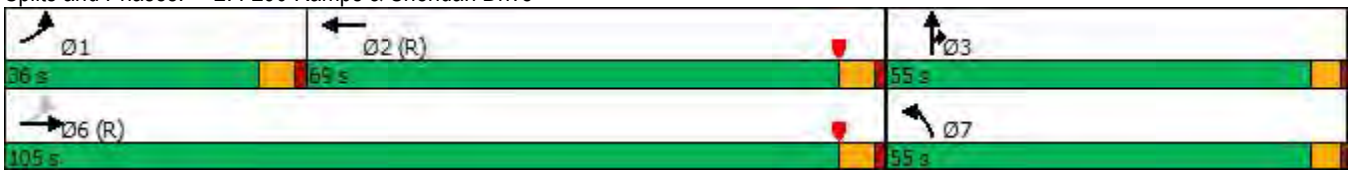
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	176	913	0	0	782	304	169	0	282	0	0	0
Future Volume (vph)	176	913	0	0	782	304	169	0	282	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	0		0	0		0
Storage Lanes	1		0	0		0	1		1	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	0.91	0.95	0.91	0.95	1.00	1.00	1.00
Frt					0.958			0.867	0.850			
Flt Protected	0.950						0.950	0.994				
Satd. Flow (prot)	1787	5136	0	0	4920	0	1698	1475	1519	0	0	0
Flt Permitted	0.201						0.950	0.994				
Satd. Flow (perm)	378	5136	0	0	4920	0	1698	1475	1519	0	0	0
Right Turn on Red			Yes			Yes			Yes			No
Satd. Flow (RTOR)					73			135	151			
Link Speed (mph)		45			45			35			30	
Link Distance (ft)		576			428			842			263	
Travel Time (s)		8.7			6.5			16.4			6.0	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	180	932	0	0	798	310	172	0	288	0	0	0
Shared Lane Traffic (%)							10%		47%			
Lane Group Flow (vph)	180	932	0	0	1108	0	155	152	153	0	0	0
Turn Type	pm+pt	NA			NA		Prot	NA	Prot			
Protected Phases	1	6			2		7	3	3			
Permitted Phases	6											
Detector Phase	1	6			2		7	3	3			
Switch Phase												
Minimum Initial (s)	5.0	5.0			5.0		5.0	5.0	5.0			
Minimum Split (s)	10.8	23.8			23.8		9.5	22.5	22.5			
Total Split (s)	36.0	105.0			69.0		55.0	55.0	55.0			
Total Split (%)	22.5%	65.6%			43.1%		34.4%	34.4%	34.4%			
Maximum Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
Yellow Time (s)	4.3	4.3			4.3		3.5	3.5	3.5			
All-Red Time (s)	1.5	1.5			1.5		1.0	1.0	1.0			
Lost Time Adjust (s)	0.0	0.0			0.0		0.0	0.0	0.0			
Total Lost Time (s)	5.8	5.8			5.8		4.5	4.5	4.5			
Lead/Lag	Lead				Lag							
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0			3.0		3.0	3.0	3.0			
Recall Mode	None	C-Max			C-Max		None	None	None			
Walk Time (s)		7.0			7.0			7.0	7.0			
Flash Dont Walk (s)		11.0			11.0			11.0	11.0			
Pedestrian Calls (#/hr)		0			0			0	0			
Act Effct Green (s)	113.4	113.4			96.3		36.3	36.3	36.3			
Actuated g/C Ratio	0.71	0.71			0.60		0.23	0.23	0.23			
v/c Ratio	0.49	0.26			0.37		0.40	0.35	0.33			
Control Delay	26.6	15.2			10.5		52.6	10.3	7.7			
Queue Delay	0.0	0.0			0.0		0.0	0.0	0.0			

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	26.6	15.2			10.5		52.6	10.3	7.7			
LOS	C	B			B		D	B	A			
Approach Delay		17.0			10.5			23.7				
Approach LOS		B			B			C				
90th %ile Green (s)	15.9	99.2			77.5		50.5	50.5	50.5			
90th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
70th %ile Green (s)	13.7	99.2			79.7		50.5	50.5	50.5			
70th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
50th %ile Green (s)	12.3	99.2			81.1		50.5	50.5	50.5			
50th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
30th %ile Green (s)	7.9	132.6			118.9		17.1	17.1	17.1			
30th %ile Term Code	Gap	Coord			Coord		Gap	Hold	Hold			
10th %ile Green (s)	6.8	136.9			124.3		12.8	12.8	12.8			
10th %ile Term Code	Gap	Coord			Coord		Gap	Hold	Hold			
Queue Length 50th (ft)	101	145			272		129	13	1			
Queue Length 95th (ft)	213	305			176		197	74	58			
Internal Link Dist (ft)		496			348			762			183	
Turn Bay Length (ft)	150											
Base Capacity (vph)	534	3640			2990		535	438	582			
Starvation Cap Reductn	0	0			0		0	0	0			
Spillback Cap Reductn	0	0			0		0	0	0			
Storage Cap Reductn	0	0			0		0	0	0			
Reduced v/c Ratio	0.34	0.26			0.37		0.29	0.35	0.26			

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 108 (68%), Referenced to phase 2:WBT and 6:EBTL, Start of Yellow			
Natural Cycle: 60			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.49			
Intersection Signal Delay: 15.5		Intersection LOS: B	
Intersection Capacity Utilization 52.6%		ICU Level of Service A	
Analysis Period (min) 15			

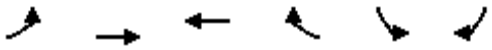
Splits and Phases: 2: I-290 Ramps & Sheridan Drive



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

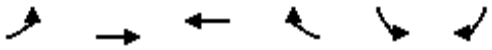
Exisitng SAT Midday
3: Sheridan Drive & Frankhauser Road

Amherst Central Park
10/12/2023



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	17	1091	985	39	42	18
Future Volume (vph)	17	1091	985	39	42	18
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150			0	0	60
Storage Lanes	1			0	1	1
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	0.95	0.95	0.95	1.00	1.00
Frt			0.994			0.850
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1787	3574	3553	0	1787	1599
Flt Permitted	0.262				0.950	
Satd. Flow (perm)	493	3574	3553	0	1787	1599
Right Turn on Red				Yes		Yes
Satd. Flow (RTOR)			5			19
Link Speed (mph)		45	45		30	
Link Distance (ft)		958	640		988	
Travel Time (s)		14.5	9.7		22.5	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	18	1136	1026	41	44	19
Shared Lane Traffic (%)						
Lane Group Flow (vph)	18	1136	1067	0	44	19
Turn Type	Perm	NA	NA		Prot	Prot
Protected Phases		1	1		3	3
Permitted Phases	1					
Detector Phase	1	1	1		3	3
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	23.9	23.9	23.9		23.7	23.7
Total Split (s)	110.0	110.0	110.0		50.0	50.0
Total Split (%)	68.8%	68.8%	68.8%		31.3%	31.3%
Maximum Green (s)	104.1	104.1	104.1		44.3	44.3
Yellow Time (s)	4.3	4.3	4.3		3.2	3.2
All-Red Time (s)	1.6	1.6	1.6		2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)	5.9	5.9	5.9		5.7	5.7
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	C-Max	C-Max	C-Max		None	None
Walk Time (s)	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0
Act Effct Green (s)	142.5	142.5	142.5		9.3	9.3
Actuated g/C Ratio	0.89	0.89	0.89		0.06	0.06
v/c Ratio	0.04	0.36	0.34		0.42	0.17
Control Delay	1.0	2.7	1.7		84.1	28.8
Queue Delay	0.0	0.0	0.0		0.0	0.0

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Total Delay	1.0	2.7	1.7		84.1	28.8
LOS	A	A	A		F	C
Approach Delay		2.6	1.7		67.4	
Approach LOS		A	A		E	
90th %ile Green (s)	135.5	135.5	135.5		12.9	12.9
90th %ile Term Code	Coord	Coord	Coord		Gap	Gap
70th %ile Green (s)	137.5	137.5	137.5		10.9	10.9
70th %ile Term Code	Coord	Coord	Coord		Gap	Gap
50th %ile Green (s)	139.1	139.1	139.1		9.3	9.3
50th %ile Term Code	Coord	Coord	Coord		Gap	Gap
30th %ile Green (s)	140.6	140.6	140.6		7.8	7.8
30th %ile Term Code	Coord	Coord	Coord		Gap	Gap
10th %ile Green (s)	154.1	154.1	154.1		0.0	0.0
10th %ile Term Code	Coord	Coord	Coord		Skip	Skip
Queue Length 50th (ft)	1	52	51		45	0
Queue Length 95th (ft)	3	101	66		89	29
Internal Link Dist (ft)		878	560		908	
Turn Bay Length (ft)	150					60
Base Capacity (vph)	439	3184	3165		494	456
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.04	0.36	0.34		0.09	0.04

Intersection Summary	
Area Type:	Other
Cycle Length: 160	
Actuated Cycle Length: 160	
Offset: 87 (54%), Referenced to phase 1:EBWB, Start of Yellow	
Natural Cycle: 50	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 0.42	
Intersection Signal Delay: 4.0	Intersection LOS: A
Intersection Capacity Utilization 44.0%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 3: Sheridan Drive & Frankhauser Road



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Intersection	
Int Delay, s/veh	0.5

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	1119	19	18	1004	20	21
Future Vol, veh/h	1119	19	18	1004	20	21
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	150	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	96	96	96	96	96	96
Heavy Vehicles, %	1	1	1	1	1	1
Mvmt Flow	1166	20	19	1046	21	22

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1186	0	1737	593
Stage 1	-	-	-	-	1176	-
Stage 2	-	-	-	-	561	-
Critical Hdwy	-	-	4.12	-	6.82	6.92
Critical Hdwy Stg 1	-	-	-	-	5.82	-
Critical Hdwy Stg 2	-	-	-	-	5.82	-
Follow-up Hdwy	-	-	2.21	-	3.51	3.31
Pot Cap-1 Maneuver	-	-	590	-	79	451
Stage 1	-	-	-	-	257	-
Stage 2	-	-	-	-	538	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	590	-	76	451
Mov Cap-2 Maneuver	-	-	-	-	187	-
Stage 1	-	-	-	-	257	-
Stage 2	-	-	-	-	521	-

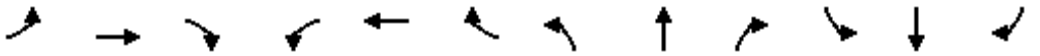
Approach	EB	WB	NB
HCM Control Delay, s	0	0.2	21
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	267	-	-	590	-
HCM Lane V/C Ratio	0.16	-	-	0.032	-
HCM Control Delay (s)	21	-	-	11.3	-
HCM Lane LOS	C	-	-	B	-
HCM 95th %tile Q(veh)	0.6	-	-	0.1	-

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Exisitng SAT Midday
5: North Forest Road & Sheridan Drive

Amherst Central Park
10/12/2023



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	171	853	103	125	767	21	100	185	109	46	202	175
Future Volume (vph)	171	853	103	125	767	21	100	185	109	46	202	175
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	350		170	175		0	190		440	350		70
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	25			25			25			200		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	0.95	1.00	1.00	1.00	1.00	0.95	1.00
Frt			0.850		0.996				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1787	3574	1599	1787	3560	0	1787	1881	1599	1787	3574	1599
Flt Permitted	0.285			0.271			0.457			0.548		
Satd. Flow (perm)	536	3574	1599	510	3560	0	860	1881	1599	1031	3574	1599
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			132		2				128			176
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1664			992			903			941	
Travel Time (s)		25.2			15.0			20.5			21.4	
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	173	862	104	126	775	21	101	187	110	46	204	177
Shared Lane Traffic (%)												
Lane Group Flow (vph)	173	862	104	126	796	0	101	187	110	46	204	177
Turn Type	pm+pt	NA	Prot	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6	6	5	2		7	4		3	8	
Permitted Phases	6			2			4		4	8		8
Detector Phase	1	6	6	5	2		7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	6.0	28.0	28.0	6.0	6.0		6.0	6.0	6.0	6.0	15.0	15.0
Minimum Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (%)	15.6%	44.4%	44.4%	15.6%	44.4%		15.6%	27.5%	27.5%	12.5%	24.4%	24.4%
Maximum Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	36.4	36.4	12.4	31.4	31.4
Yellow Time (s)	4.3	4.3	4.3	4.3	4.3		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.8	2.8	2.8	2.8	2.8		3.6	3.6	3.6	3.6	3.6	3.6
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.1	7.1	7.1	7.1	7.1		7.6	7.6	7.6	7.6	7.6	7.6
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	C-Max	C-Max	None	C-Max		None	None	None	None	None	None
Walk Time (s)		7.0	7.0					7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0					11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0					0	0		0	0
Act Effct Green (s)	101.6	90.2	90.2	98.2	88.5		35.7	24.7	24.7	26.6	17.9	17.9
Actuated g/C Ratio	0.64	0.56	0.56	0.61	0.55		0.22	0.15	0.15	0.17	0.11	0.11
v/c Ratio	0.40	0.43	0.11	0.32	0.40		0.38	0.64	0.31	0.22	0.51	0.53
Control Delay	9.7	19.6	5.4	13.0	22.4		51.9	74.9	7.8	48.2	71.1	14.1
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	9.7	19.6	5.4	13.0	22.4		51.9	74.9	7.8	48.2	71.1	14.1
LOS	A	B	A	B	C		D	E	A	D	E	B
Approach Delay		16.8			21.2			50.5			45.0	
Approach LOS		B			C			D			D	
90th %ile Green (s)	15.6	78.1	78.1	13.0	75.5		16.7	28.2	28.2	11.3	22.8	22.8
90th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
70th %ile Green (s)	12.8	85.8	85.8	10.8	83.8		14.4	24.1	24.1	9.9	19.6	19.6
70th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
50th %ile Green (s)	11.0	91.3	91.3	9.4	89.7		12.8	21.2	21.2	8.7	17.1	17.1
50th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
30th %ile Green (s)	9.6	96.2	96.2	8.3	94.9		11.1	18.6	18.6	7.5	15.0	15.0
30th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Gap	Min	Min
10th %ile Green (s)	8.0	99.8	99.8	7.0	98.8		8.8	31.4	31.4	0.0	15.0	15.0
10th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Skip	Min	Min
Queue Length 50th (ft)	35	231	16	44	240		87	192	0	38	108	1
Queue Length 95th (ft)	115	419	75	84	352		131	270	40	70	147	75
Internal Link Dist (ft)		1584			912			823			861	
Turn Bay Length (ft)	350		170	175			190		440	350		70
Base Capacity (vph)	497	2015	959	479	1970		304	427	462	253	701	455
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.35	0.43	0.11	0.26	0.40		0.33	0.44	0.24	0.18	0.29	0.39

Intersection Summary	
Area Type:	Other
Cycle Length: 160	
Actuated Cycle Length: 160	
Offset: 30 (19%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow	
Natural Cycle: 160	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 0.64	
Intersection Signal Delay: 27.0	Intersection LOS: C
Intersection Capacity Utilization 73.9%	ICU Level of Service D
Analysis Period (min) 15	

Splits and Phases: 5: North Forest Road & Sheridan Drive



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Build PM
1: Harlem Road & Sheridan Drive

Amherst Central Park
10/12/2023

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Lane Configurations								
Traffic Volume (vph)	837	309	358	760	187	915		
Future Volume (vph)	837	309	358	760	187	915		
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900		
Storage Length (ft)		0	230		0	0		
Storage Lanes		1	1		2	2		
Taper Length (ft)			25		25			
Lane Util. Factor	0.95	1.00	0.97	0.95	0.97	0.88		
Frt		0.850				0.850		
Flt Protected			0.950		0.950			
Satd. Flow (prot)	3539	1583	3433	3539	3433	2787		
Flt Permitted			0.950		0.950			
Satd. Flow (perm)	3539	1583	3433	3539	3433	2787		
Right Turn on Red		Yes				Yes		
Satd. Flow (RTOR)		315				839		
Link Speed (mph)	45			45	35			
Link Distance (ft)	570			576	995			
Travel Time (s)	8.6			8.7	19.4			
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98		
Adj. Flow (vph)	854	315	365	776	191	934		
Shared Lane Traffic (%)								
Lane Group Flow (vph)	854	315	365	776	191	934		
Turn Type	NA	pt+ov	Prot	NA	Prot	custom		
Protected Phases	2	2 3	1 4	2 1	3	3 4	1	4
Permitted Phases								
Detector Phase	2	2 3	1 4	2 1	3	3 4		
Switch Phase								
Minimum Initial (s)	5.0				5.0		5.0	5.0
Minimum Split (s)	24.7				24.9		24.7	22.5
Total Split (s)	49.0				35.0		37.0	39.0
Total Split (%)	30.6%				21.9%		23%	24%
Maximum Green (s)	42.3				28.1		31.9	34.7
Yellow Time (s)	4.0				3.6		4.0	3.2
All-Red Time (s)	2.7				3.3		1.1	1.1
Lost Time Adjust (s)	0.0				0.0			
Total Lost Time (s)	6.7				6.9			
Lead/Lag	Lag				Lead		Lead	Lag
Lead-Lag Optimize?								
Vehicle Extension (s)	3.0				3.0		3.0	3.0
Recall Mode	C-Max				Min		None	None
Walk Time (s)	7.0				7.0		7.0	7.0
Flash Dont Walk (s)	11.0				11.0		11.0	11.0
Pedestrian Calls (#/hr)	0				0		0	0
Act Effct Green (s)	70.4	96.1	52.1	102.0	18.7	44.4		
Actuated g/C Ratio	0.44	0.60	0.33	0.64	0.12	0.28		
v/c Ratio	0.55	0.29	0.33	0.34	0.48	0.68		
Control Delay	37.8	2.6	39.8	3.4	68.9	7.7		
Queue Delay	0.0	0.0	0.0	0.5	0.0	0.2		
Total Delay	37.8	2.6	39.8	3.9	68.9	7.9		

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
LOS	D	A	D	A	E	A		
Approach Delay	28.3			15.4	18.3			
Approach LOS	C			B	B			
90th %ile Green (s)	45.6				28.1		38.3	25.0
90th %ile Term Code	Coord				Max		Gap	Gap
70th %ile Green (s)	62.9				20.7		29.9	23.5
70th %ile Term Code	Coord				Gap		Gap	Gap
50th %ile Green (s)	72.3				17.1		25.5	22.1
50th %ile Term Code	Coord				Gap		Gap	Gap
30th %ile Green (s)	80.1				15.5		21.7	19.7
30th %ile Term Code	Coord				Gap		Gap	Gap
10th %ile Green (s)	91.2				12.3		17.1	16.4
10th %ile Term Code	Coord				Gap		Gap	Gap
Queue Length 50th (ft)	335	0	108	33	98	43		
Queue Length 95th (ft)	532	50	m77	169	131	100		
Internal Link Dist (ft)	490			496	915			
Turn Bay Length (ft)			230					
Base Capacity (vph)	1557	1150	1261	2234	602	1541		
Starvation Cap Reductn	0	0	0	946	0	0		
Spillback Cap Reductn	0	0	0	0	0	141		
Storage Cap Reductn	0	0	0	0	0	0		
Reduced v/c Ratio	0.55	0.27	0.29	0.60	0.32	0.67		

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 157 (98%), Referenced to phase 2:EBWB, Start of Yellow
Natural Cycle: 100
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.68
Intersection Signal Delay: 20.7 Intersection LOS: C
Intersection Capacity Utilization 66.5% ICU Level of Service C
Analysis Period (min) 15
m Volume for 95th percentile queue is metered by upstream signal.

Splits and Phases: 1: Harlem Road & Sheridan Drive



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Build PM
2: I-290 Ramps

Amherst Central Park
10/12/2023

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	264	1462	0	0	956	698	145	0	328	0	0	0
Future Volume (vph)	264	1462	0	0	956	698	145	0	328	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	0		0	0		0
Storage Lanes	1		0	0		0	1		1	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	0.91	0.95	0.91	0.95	1.00	1.00	1.00
Frt					0.937			0.863	0.850			
Flt Protected	0.950						0.950	0.996				
Satd. Flow (prot)	1770	5085	0	0	4765	0	1681	1457	1504	0	0	0
Flt Permitted	0.053						0.950	0.996				
Satd. Flow (perm)	99	5085	0	0	4765	0	1681	1457	1504	0	0	0
Right Turn on Red			Yes			Yes			Yes			No
Satd. Flow (RTOR)					136			59	59			
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		576			428			842			263	
Travel Time (s)		8.7			6.5			19.1			6.0	
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	272	1507	0	0	986	720	149	0	338	0	0	0
Shared Lane Traffic (%)							10%		48%			
Lane Group Flow (vph)	272	1507	0	0	1706	0	134	177	176	0	0	0
Turn Type	pm+pt	NA			NA		Prot	NA	Prot			
Protected Phases	1	6			2		7	3	3			
Permitted Phases	6											
Detector Phase	1	6			2		7	3	3			
Switch Phase												
Minimum Initial (s)	5.0	5.0			5.0		5.0	5.0	5.0			
Minimum Split (s)	10.8	23.8			23.8		9.5	22.5	22.5			
Total Split (s)	36.0	105.0			69.0		55.0	55.0	55.0			
Total Split (%)	22.5%	65.6%			43.1%		34.4%	34.4%	34.4%			
Maximum Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
Yellow Time (s)	4.3	4.3			4.3		3.5	3.5	3.5			
All-Red Time (s)	1.5	1.5			1.5		1.0	1.0	1.0			
Lost Time Adjust (s)	0.0	0.0			0.0		0.0	0.0	0.0			
Total Lost Time (s)	5.8	5.8			5.8		4.5	4.5	4.5			
Lead/Lag	Lead				Lag							
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0			3.0		3.0	3.0	3.0			
Recall Mode	None	C-Max			C-Max		None	None	None			
Walk Time (s)		7.0			7.0			7.0	7.0			
Flash Dont Walk (s)		11.0			11.0			11.0	11.0			
Pedestrian Calls (#/hr)		0			0			0	0			
Act Effct Green (s)	99.2	99.2			69.3		50.5	50.5	50.5			
Actuated g/C Ratio	0.62	0.62			0.43		0.32	0.32	0.32			
v/c Ratio	0.87	0.48			0.93dr		0.25	0.35	0.34			
Control Delay	62.9	25.4			21.8		42.3	29.8	29.5			
Queue Delay	0.0	1.2			0.0		0.0	0.0	0.0			
Total Delay	62.9	26.6			21.8		42.3	29.8	29.5			

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	E	C			C		D	C	C			
Approach Delay		32.2			21.8			33.1				
Approach LOS		C			C			C				
90th %ile Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
90th %ile Term Code	Max	Coord			Coord		Hold	Max	Max			
70th %ile Green (s)	28.8	99.2			64.6		50.5	50.5	50.5			
70th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
50th %ile Green (s)	25.0	99.2			68.4		50.5	50.5	50.5			
50th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
30th %ile Green (s)	21.1	99.2			72.3		50.5	50.5	50.5			
30th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
10th %ile Green (s)	15.5	99.2			77.9		50.5	50.5	50.5			
10th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
Queue Length 50th (ft)	240	357			580		110	103	96			
Queue Length 95th (ft)	343	547			654		173	182	172			
Internal Link Dist (ft)		496			348			762			183	
Turn Bay Length (ft)	150											
Base Capacity (vph)	376	3152			2140		530	500	515			
Starvation Cap Reductn	0	1316			0		0	0	0			
Spillback Cap Reductn	0	0			0		0	0	0			
Storage Cap Reductn	0	0			0		0	0	0			
Reduced v/c Ratio	0.72	0.82			0.80		0.25	0.35	0.34			

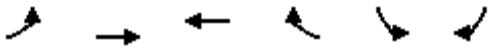
Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 108 (68%), Referenced to phase 2:WBT and 6:EBTL, Start of Yellow
Natural Cycle: 70
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.87
Intersection Signal Delay: 27.8 Intersection LOS: C
Intersection Capacity Utilization 69.5% ICU Level of Service C
Analysis Period (min) 15
dr Defacto Right Lane. Recode with 1 though lane as a right lane.

Splits and Phases: 2: I-290 Ramps

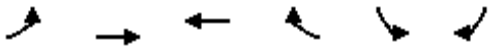


Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	18	1711	1584	54	53	26
Future Volume (vph)	18	1711	1584	54	53	26
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150			0	0	60
Storage Lanes	1			0	1	1
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	0.95	0.95	0.95	1.00	1.00
Frt			0.995			0.850
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1770	3539	3522	0	1770	1583
Flt Permitted	0.123				0.950	
Satd. Flow (perm)	229	3539	3522	0	1770	1583
Right Turn on Red				Yes		Yes
Satd. Flow (RTOR)			4			27
Link Speed (mph)		45	45		30	
Link Distance (ft)		958	640		988	
Travel Time (s)		14.5	9.7		22.5	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	19	1801	1667	57	56	27
Shared Lane Traffic (%)						
Lane Group Flow (vph)	19	1801	1724	0	56	27
Turn Type	Perm	NA	NA		Prot	Prot
Protected Phases		1	1		3	3
Permitted Phases	1					
Detector Phase	1	1	1		3	3
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	23.9	23.9	23.9		23.7	23.7
Total Split (s)	110.0	110.0	110.0		50.0	50.0
Total Split (%)	68.8%	68.8%	68.8%		31.3%	31.3%
Maximum Green (s)	104.1	104.1	104.1		44.3	44.3
Yellow Time (s)	4.3	4.3	4.3		3.2	3.2
All-Red Time (s)	1.6	1.6	1.6		2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)	5.9	5.9	5.9		5.7	5.7
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	C-Max	C-Max	C-Max		None	None
Walk Time (s)	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0
Act Effct Green (s)	141.5	141.5	141.5		10.5	10.5
Actuated g/C Ratio	0.88	0.88	0.88		0.07	0.07
v/c Ratio	0.09	0.58	0.55		0.49	0.21
Control Delay	1.7	7.4	2.0		85.3	25.5
Queue Delay	0.0	0.0	0.0		0.0	0.0
Total Delay	1.7	7.4	2.0		85.3	25.5

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
LOS	A	A	A		F	C
Approach Delay		7.4	2.0		65.8	
Approach LOS		A	A		E	
90th %ile Green (s)	133.8	133.8	133.8		14.6	14.6
90th %ile Term Code	Coord	Coord	Coord		Gap	Gap
70th %ile Green (s)	136.2	136.2	136.2		12.2	12.2
70th %ile Term Code	Coord	Coord	Coord		Gap	Gap
50th %ile Green (s)	137.9	137.9	137.9		10.5	10.5
50th %ile Term Code	Coord	Coord	Coord		Gap	Gap
30th %ile Green (s)	139.7	139.7	139.7		8.7	8.7
30th %ile Term Code	Coord	Coord	Coord		Gap	Gap
10th %ile Green (s)	154.1	154.1	154.1		0.0	0.0
10th %ile Term Code	Coord	Coord	Coord		Skip	Skip
Queue Length 50th (ft)	1	189	68		58	0
Queue Length 95th (ft)	m2	232	124		106	34
Internal Link Dist (ft)		878	560		908	
Turn Bay Length (ft)	150					60
Base Capacity (vph)	202	3130	3115		490	457
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.09	0.58	0.55		0.11	0.06

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 87 (54%), Referenced to phase 1:EBWB, Start of Yellow			
Natural Cycle: 65			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.58			
Intersection Signal Delay: 6.2		Intersection LOS: A	
Intersection Capacity Utilization 61.1%		ICU Level of Service B	
Analysis Period (min) 15			

m Volume for 95th percentile queue is metered by upstream signal.

Splits and Phases: 3: Sheridan Drive & Frankhauser Road



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Intersection	
Int Delay, s/veh	28

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	69	1671	28	12	1572	27	14	0	20	16	0	41
Future Vol, veh/h	69	1671	28	12	1572	27	14	0	20	16	0	41
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	125	-	-	150	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	96	96	96	96	92	96	92	96	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	75	1741	29	13	1638	29	15	0	21	17	0	45

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1667	0	0	1770	0	0	2751	3599	885	2700	3599	834
Stage 1	-	-	-	-	-	-	1906	1906	-	1679	1679	-
Stage 2	-	-	-	-	-	-	845	1693	-	1021	1920	-
Critical Hdwy	4.14	-	-	4.14	-	-	7.54	6.54	6.94	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.54	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.22	-	-	3.52	4.02	3.32	3.52	4.02	3.32
Pot Cap-1 Maneuver	382	-	-	348	-	-	~ 9	5	288	~ 10	5	311
Stage 1	-	-	-	-	-	-	71	115	-	99	150	-
Stage 2	-	-	-	-	-	-	324	147	-	253	113	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	382	-	-	348	-	-	~ 6	4	288	~ 8	4	311
Mov Cap-2 Maneuver	-	-	-	-	-	-	~ 6	4	-	~ 8	4	-
Stage 1	-	-	-	-	-	-	57	92	-	80	144	-
Stage 2	-	-	-	-	-	-	267	142	-	189	91	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.7	0.1	$ 1247.6	$ 901.4
HCM LOS			F	F

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	14	382	-	-	348	-	-	27
HCM Lane V/C Ratio	2.53	0.196	-	-	0.036	-	-	2.295
HCM Control Delay (s)	$ 1247.6	16.7	-	-	15.7	-	-	$ 901.4
HCM Lane LOS	F	C	-	-	C	-	-	F
HCM 95th %tile Q(veh)	5.2	0.7	-	-	0.1	-	-	7.5

Notes			
~: Volume exceeds capacity	$: Delay exceeds 300s	+: Computation Not Defined	*: All major volume in platoon

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Build PM
5: North Forest Road & Sheridan Drive

Amherst Central Park
10/12/2023

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	233	1178	271	163	1213	39	186	354	171	49	394	191
Future Volume (vph)	233	1178	271	163	1213	39	186	354	171	49	394	191
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	350		170	175		0	190		440	350		70
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	25			25			25			200		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	0.95	1.00	1.00	1.00	1.00	0.95	1.00
Frt			0.850		0.995				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	3539	1583	1770	3522	0	1770	1863	1583	1770	3539	1583
Flt Permitted	0.057			0.096			0.259			0.265		
Satd. Flow (perm)	106	3539	1583	179	3522	0	482	1863	1583	494	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			132		2				178			128
Link Speed (mph)		45			45			40			35	
Link Distance (ft)		1664			992			903			690	
Travel Time (s)		25.2			15.0			15.4			13.4	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	243	1227	282	170	1264	41	194	369	178	51	410	199
Shared Lane Traffic (%)												
Lane Group Flow (vph)	243	1227	282	170	1305	0	194	369	178	51	410	199
Turn Type	pm+pt	NA	Prot	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6	6	5	2		7	4		3	8	
Permitted Phases	6			2			4		4	8		8
Detector Phase	1	6	6	5	2		7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	6.0	28.0	28.0	6.0	6.0		6.0	6.0	6.0	6.0	15.0	15.0
Minimum Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (%)	15.6%	44.4%	44.4%	15.6%	44.4%		15.6%	27.5%	27.5%	12.5%	24.4%	24.4%
Maximum Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	36.4	36.4	12.4	31.4	31.4
Yellow Time (s)	4.3	4.3	4.3	4.3	4.3		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.8	2.8	2.8	2.8	2.8		3.6	3.6	3.6	3.6	3.6	3.6
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.1	7.1	7.1	7.1	7.1		7.6	7.6	7.6	7.6	7.6	7.6
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	C-Max	C-Max	None	C-Max		None	None	None	None	None	None
Walk Time (s)		7.0	7.0					7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0					11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0					0	0		0	0
Act Effct Green (s)	90.2	71.9	71.9	81.1	66.2		51.1	37.9	37.9	35.9	27.3	27.3
Actuated g/C Ratio	0.56	0.45	0.45	0.51	0.41		0.32	0.24	0.24	0.22	0.17	0.17
v/c Ratio	0.89	0.77	0.36	0.71	0.89		0.68	0.84	0.35	0.28	0.68	0.53
Control Delay	68.2	36.3	17.1	44.1	53.1		52.9	75.3	8.1	40.9	67.8	26.4
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	68.2	36.3	17.1	44.1	53.1		52.9	75.3	8.1	40.9	67.8	26.4

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	E	D	B	D	D		D	E	A	D	E	C
Approach Delay		37.6			52.1			53.3			53.3	
Approach LOS		D			D			D			D	
90th %ile Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	37.5	37.5	11.3	31.4	31.4
90th %ile Term Code	Max	Coord	Coord	Max	Coord		Max	Max	Max	Gap	Hold	Hold
70th %ile Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	39.1	39.1	9.7	31.4	31.4
70th %ile Term Code	Max	Coord	Coord	Max	Coord		Max	Max	Max	Gap	Hold	Hold
50th %ile Green (s)	19.4	66.9	66.9	16.4	63.9		17.4	38.8	38.8	8.5	29.9	29.9
50th %ile Term Code	Max	Coord	Coord	Gap	Coord		Max	Gap	Gap	Gap	Hold	Hold
30th %ile Green (s)	24.9	75.2	75.2	13.6	63.9		16.4	34.2	34.2	7.6	25.4	25.4
30th %ile Term Code	Max	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
10th %ile Green (s)	22.5	89.5	89.5	8.6	75.6		14.2	40.1	40.1	0.0	18.3	18.3
10th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Skip	Gap	Gap
Queue Length 50th (ft)	219	641	131	91	681		150	368	0	36	210	64
Queue Length 95th (ft)	#402	733	201	177	#825		219	#539	65	69	267	148
Internal Link Dist (ft)		1584			912			823			610	
Turn Bay Length (ft)	350		170	175			190		440	350		70
Base Capacity (vph)	273	1589	783	272	1459		293	446	515	221	694	413
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.89	0.77	0.36	0.63	0.89		0.66	0.83	0.35	0.23	0.59	0.48

Intersection Summary

Area Type: Other
Cycle Length: 160
Actuated Cycle Length: 160
Offset: 30 (19%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow
Natural Cycle: 160
Control Type: Actuated-Coordinated
Maximum v/c Ratio: 0.89
Intersection Signal Delay: 47.0 Intersection LOS: D
Intersection Capacity Utilization 95.8% ICU Level of Service F
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 5: North Forest Road & Sheridan Drive



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Build SAT Midday
1: Harlem Road & Sheridan Drive

Amherst Central Park
10/12/2023

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Lane Configurations								
Traffic Volume (vph)	650	343	378	588	170	517		
Future Volume (vph)	650	343	378	588	170	517		
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900		
Storage Length (ft)		0	230		0	0		
Storage Lanes		1	1		2	2		
Taper Length (ft)			25		25			
Lane Util. Factor	0.95	1.00	0.97	0.95	0.97	0.88		
Frt		0.850				0.850		
Flt Protected			0.950		0.950			
Satd. Flow (prot)	3574	1599	3467	3574	3467	2814		
Flt Permitted			0.950		0.950			
Satd. Flow (perm)	3574	1599	3467	3574	3467	2814		
Right Turn on Red		Yes				Yes		
Satd. Flow (RTOR)		349				533		
Link Speed (mph)	45			45	30			
Link Distance (ft)	570			576	995			
Travel Time (s)	8.6			8.7	22.6			
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97		
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%		
Adj. Flow (vph)	670	354	390	606	175	533		
Shared Lane Traffic (%)								
Lane Group Flow (vph)	670	354	390	606	175	533		
Turn Type	NA	pt+ov	Prot	NA	Prot	custom		
Protected Phases	2	2 3	1 4	2 1	3	3 4	1	4
Permitted Phases								
Detector Phase	2	2 3	1 4	2 1	3	3 4		
Switch Phase								
Minimum Initial (s)	5.0				5.0		5.0	5.0
Minimum Split (s)	24.7				24.9		24.7	22.5
Total Split (s)	49.0				35.0		37.0	39.0
Total Split (%)	30.6%				21.9%		23%	24%
Maximum Green (s)	42.3				28.1		31.9	34.7
Yellow Time (s)	4.0				3.6		4.0	3.2
All-Red Time (s)	2.7				3.3		1.1	1.1
Lost Time Adjust (s)	0.0				0.0			
Total Lost Time (s)	6.7				6.9			
Lead/Lag	Lag				Lead		Lead	Lag
Lead-Lag Optimize?								
Vehicle Extension (s)	3.0				3.0		3.0	3.0
Recall Mode	C-Max				Min		None	None
Walk Time (s)	7.0				7.0		7.0	7.0
Flash Dont Walk (s)	11.0				11.0		11.0	11.0
Pedestrian Calls (#/hr)	0				0		0	0
Act Effct Green (s)	80.2	102.2	46.0	105.3	15.1	41.1		
Actuated g/C Ratio	0.50	0.64	0.29	0.66	0.09	0.26		
v/c Ratio	0.37	0.31	0.39	0.26	0.54	0.48		
Control Delay	27.2	2.2	31.0	9.0	74.7	4.5		
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0		

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø1	Ø4
Total Delay	27.2	2.2	31.0	9.0	74.7	4.5		
LOS	C	A	C	A	E	A		
Approach Delay	18.6			17.6	21.8			
Approach LOS	B			B	C			
90th %ile Green (s)	63.4				19.8		27.6	26.2
90th %ile Term Code	Coord				Gap		Gap	Gap
70th %ile Green (s)	72.9				16.8		23.0	24.3
70th %ile Term Code	Coord				Gap		Gap	Gap
50th %ile Green (s)	80.1				15.3		19.7	21.9
50th %ile Term Code	Coord				Gap		Gap	Gap
30th %ile Green (s)	87.6				12.9		16.6	19.9
30th %ile Term Code	Coord				Gap		Gap	Gap
10th %ile Green (s)	97.1				10.7		13.0	16.2
10th %ile Term Code	Coord				Gap		Gap	Gap
Queue Length 50th (ft)	222	2	89	205	91	0		
Queue Length 95th (ft)	333	48	87	254	129	46		
Internal Link Dist (ft)	490			496	915			
Turn Bay Length (ft)			230					
Base Capacity (vph)	1791	1249	1254	2341	608	1304		
Starvation Cap Reductn	0	0	0	0	0	0		
Spillback Cap Reductn	0	0	0	0	0	0		
Storage Cap Reductn	0	0	0	0	0	0		
Reduced v/c Ratio	0.37	0.28	0.31	0.26	0.29	0.41		

Intersection Summary	
Area Type:	Other
Cycle Length: 160	
Actuated Cycle Length: 160	
Offset: 157 (98%), Referenced to phase 2:EBWB, Start of Yellow	
Natural Cycle: 100	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 0.54	
Intersection Signal Delay: 19.1	Intersection LOS: B
Intersection Capacity Utilization 49.2%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 1: Harlem Road & Sheridan Drive



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	176	979	0	0	821	314	169	0	299	0	0	0
Future Volume (vph)	176	979	0	0	821	314	169	0	299	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	0		0	0		0
Storage Lanes	1		0	0		0	1		1	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	0.91	1.00	1.00	0.91	0.91	0.95	0.91	0.95	1.00	1.00	1.00
Frt					0.959			0.866	0.850			
Flt Protected	0.950						0.950	0.995				
Satd. Flow (prot)	1787	5136	0	0	4925	0	1698	1475	1519	0	0	0
Flt Permitted	0.179						0.950	0.995				
Satd. Flow (perm)	337	5136	0	0	4925	0	1698	1475	1519	0	0	0
Right Turn on Red			Yes			Yes			Yes			No
Satd. Flow (RTOR)					71			130	130			
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		576			428			842			263	
Travel Time (s)		13.1			9.7			19.1			6.0	
Peak Hour Factor	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	180	999	0	0	838	320	172	0	305	0	0	0
Shared Lane Traffic (%)							10%		48%			
Lane Group Flow (vph)	180	999	0	0	1158	0	155	163	159	0	0	0
Turn Type	pm+pt	NA			NA		Prot	NA	Prot			
Protected Phases	1	6			2		7	3	3			
Permitted Phases	6											
Detector Phase	1	6			2		7	3	3			
Switch Phase												
Minimum Initial (s)	5.0	5.0			5.0		5.0	5.0	5.0			
Minimum Split (s)	10.8	23.8			23.8		9.5	22.5	22.5			
Total Split (s)	36.0	105.0			69.0		55.0	55.0	55.0			
Total Split (%)	22.5%	65.6%			43.1%		34.4%	34.4%	34.4%			
Maximum Green (s)	30.2	99.2			63.2		50.5	50.5	50.5			
Yellow Time (s)	4.3	4.3			4.3		3.5	3.5	3.5			
All-Red Time (s)	1.5	1.5			1.5		1.0	1.0	1.0			
Lost Time Adjust (s)	0.0	0.0			0.0		0.0	0.0	0.0			
Total Lost Time (s)	5.8	5.8			5.8		4.5	4.5	4.5			
Lead/Lag	Lead				Lag							
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0			3.0		3.0	3.0	3.0			
Recall Mode	None	C-Max			C-Max		None	None	None			
Walk Time (s)		7.0			7.0			7.0	7.0			
Flash Dont Walk (s)		11.0			11.0			11.0	11.0			
Pedestrian Calls (#/hr)		0			0			0	0			
Act Effct Green (s)	106.7	106.7			88.9		43.0	43.0	43.0			
Actuated g/C Ratio	0.67	0.67			0.56		0.27	0.27	0.27			
v/c Ratio	0.54	0.29			0.42		0.34	0.33	0.32			
Control Delay	31.1	20.0			12.2		47.0	12.1	11.4			
Queue Delay	0.0	0.0			0.0		0.0	0.0	0.0			

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

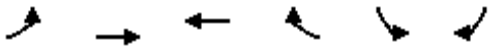
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	31.1	20.0			12.2		47.0	12.1	11.4			
LOS	C	B			B		D	B	B			
Approach Delay		21.7			12.2			23.2				
Approach LOS		C			B			C				
90th %ile Green (s)	16.7	99.2			76.7		50.5	50.5	50.5			
90th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
70th %ile Green (s)	13.7	99.2			79.7		50.5	50.5	50.5			
70th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
50th %ile Green (s)	12.3	99.2			81.1		50.5	50.5	50.5			
50th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
30th %ile Green (s)	10.9	99.2			82.5		50.5	50.5	50.5			
30th %ile Term Code	Gap	Coord			Coord		Hold	Max	Max			
10th %ile Green (s)	6.8	136.9			124.3		12.8	12.8	12.8			
10th %ile Term Code	Gap	Coord			Coord		Gap	Hold	Hold			
Queue Length 50th (ft)	115	166			281		129	26	22			
Queue Length 95th (ft)	210	360			129		197	93	83			
Internal Link Dist (ft)		496			348			762			183	
Turn Bay Length (ft)	150											
Base Capacity (vph)	498	3426			2766		535	491	568			
Starvation Cap Reductn	0	0			0		0	0	0			
Spillback Cap Reductn	0	0			0		0	0	0			
Storage Cap Reductn	0	0			0		0	0	0			
Reduced v/c Ratio	0.36	0.29			0.42		0.29	0.33	0.28			

Intersection Summary	
Area Type:	Other
Cycle Length: 160	
Actuated Cycle Length: 160	
Offset: 108 (68%), Referenced to phase 2:WBT and 6:EBTL, Start of Yellow	
Natural Cycle: 60	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 0.54	
Intersection Signal Delay: 18.0	Intersection LOS: B
Intersection Capacity Utilization 53.8%	ICU Level of Service A
Analysis Period (min) 15	

Splits and Phases: 2: I-290 Ramps

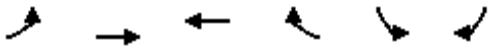


Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	17	1174	1034	39	42	18
Future Volume (vph)	17	1174	1034	39	42	18
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150			0	0	60
Storage Lanes	1			0	1	1
Taper Length (ft)	25				25	
Lane Util. Factor	1.00	0.95	0.95	0.95	1.00	1.00
Frt			0.994			0.850
Flt Protected	0.950				0.950	
Satd. Flow (prot)	1787	3574	3553	0	1787	1599
Flt Permitted	0.248				0.950	
Satd. Flow (perm)	467	3574	3553	0	1787	1599
Right Turn on Red				Yes		Yes
Satd. Flow (RTOR)			5			19
Link Speed (mph)		45	45		30	
Link Distance (ft)		958	640		988	
Travel Time (s)		14.5	9.7		22.5	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	18	1223	1077	41	44	19
Shared Lane Traffic (%)						
Lane Group Flow (vph)	18	1223	1118	0	44	19
Turn Type	Perm	NA	NA		Prot	Prot
Protected Phases		1	1		3	3
Permitted Phases	1					
Detector Phase	1	1	1		3	3
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	23.9	23.9	23.9		23.7	23.7
Total Split (s)	110.0	110.0	110.0		50.0	50.0
Total Split (%)	68.8%	68.8%	68.8%		31.3%	31.3%
Maximum Green (s)	104.1	104.1	104.1		44.3	44.3
Yellow Time (s)	4.3	4.3	4.3		3.2	3.2
All-Red Time (s)	1.6	1.6	1.6		2.5	2.5
Lost Time Adjust (s)	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)	5.9	5.9	5.9		5.7	5.7
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0	3.0	3.0		3.0	3.0
Recall Mode	C-Max	C-Max	C-Max		None	None
Walk Time (s)	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)	0	0	0		0	0
Act Effct Green (s)	142.5	142.5	142.5		9.3	9.3
Actuated g/C Ratio	0.89	0.89	0.89		0.06	0.06
v/c Ratio	0.04	0.38	0.35		0.42	0.17
Control Delay	1.0	3.0	1.7		84.1	28.8
Queue Delay	0.0	0.0	0.0		0.0	0.0

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)



Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Total Delay	1.0	3.0	1.7		84.1	28.8
LOS	A	A	A		F	C
Approach Delay		3.0	1.7		67.4	
Approach LOS		A	A		E	
90th %ile Green (s)	135.5	135.5	135.5		12.9	12.9
90th %ile Term Code	Coord	Coord	Coord		Gap	Gap
70th %ile Green (s)	137.5	137.5	137.5		10.9	10.9
70th %ile Term Code	Coord	Coord	Coord		Gap	Gap
50th %ile Green (s)	139.1	139.1	139.1		9.3	9.3
50th %ile Term Code	Coord	Coord	Coord		Gap	Gap
30th %ile Green (s)	140.6	140.6	140.6		7.8	7.8
30th %ile Term Code	Coord	Coord	Coord		Gap	Gap
10th %ile Green (s)	154.1	154.1	154.1		0.0	0.0
10th %ile Term Code	Coord	Coord	Coord		Skip	Skip
Queue Length 50th (ft)	1	67	61		45	0
Queue Length 95th (ft)	3	123	73		89	29
Internal Link Dist (ft)		878	560		908	
Turn Bay Length (ft)	150					60
Base Capacity (vph)	416	3184	3165		494	456
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.04	0.38	0.35		0.09	0.04

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 87 (54%), Referenced to phase 1:EBWB, Start of Yellow			
Natural Cycle: 55			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.42			
Intersection Signal Delay: 4.1		Intersection LOS: A	
Intersection Capacity Utilization 46.3%		ICU Level of Service A	
Analysis Period (min) 15			

Splits and Phases: 3: Sheridan Drive & Frankhauser Road



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Intersection	
Int Delay, s/veh	5.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	83	1119	19	18	1004	33	20	0	21	19	0	49
Future Vol, veh/h	83	1119	19	18	1004	33	20	0	21	19	0	49
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	125	-	-	150	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	96	96	96	96	92	96	92	96	92	92	92
Heavy Vehicles, %	2	1	1	1	1	2	1	2	1	2	2	2
Mvmt Flow	90	1166	20	19	1046	36	21	0	22	21	0	53

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1082	0	0	1186	0	0	1917	2476	593	1865	2468	541
Stage 1	-	-	-	-	-	-	1356	1356	-	1102	1102	-
Stage 2	-	-	-	-	-	-	561	1120	-	763	1366	-
Critical Hdwy	4.14	-	-	4.12	-	-	7.52	6.54	6.92	7.54	6.54	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	6.52	5.54	-	6.54	5.54	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.52	5.54	-	6.54	5.54	-
Follow-up Hdwy	2.22	-	-	2.21	-	-	3.51	4.02	3.31	3.52	4.02	3.32
Pot Cap-1 Maneuver	640	-	-	590	-	-	41	29	451	45	30	485
Stage 1	-	-	-	-	-	-	159	216	-	226	286	-
Stage 2	-	-	-	-	-	-	482	280	-	363	213	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	640	-	-	590	-	-	32	24	451	37	25	485
Mov Cap-2 Maneuver	-	-	-	-	-	-	32	24	-	37	25	-
Stage 1	-	-	-	-	-	-	137	186	-	194	277	-
Stage 2	-	-	-	-	-	-	415	271	-	297	183	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.8	0.2	148.7	86.2
HCM LOS			F	F

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	61	640	-	-	590	-	-	111
HCM Lane V/C Ratio	0.7	0.141	-	-	0.032	-	-	0.666
HCM Control Delay (s)	148.7	11.5	-	-	11.3	-	-	86.2
HCM Lane LOS	F	B	-	-	B	-	-	F
HCM 95th %tile Q(veh)	3	0.5	-	-	0.1	-	-	3.4

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	171	868	108	125	784	38	108	202	109	56	212	175
Future Volume (vph)	171	868	108	125	784	38	108	202	109	56	212	175
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	350		170	175		0	190		440	350		70
Storage Lanes	1		1	1		0	1		1	1		1
Taper Length (ft)	25			25			25			200		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	0.95	1.00	1.00	1.00	1.00	0.95	1.00
Frt			0.850		0.993				0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1787	3574	1599	1787	3549	0	1787	1881	1599	1787	3574	1599
Flt Permitted	0.266			0.261			0.457			0.496		
Satd. Flow (perm)	500	3574	1599	491	3549	0	860	1881	1599	933	3574	1599
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			132		4				128			167
Link Speed (mph)		45			45			30			30	
Link Distance (ft)		1664			992			903			690	
Travel Time (s)		25.2			15.0			20.5			15.7	
Peak Hour Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Adj. Flow (vph)	173	877	109	126	792	38	109	204	110	57	214	177
Shared Lane Traffic (%)												
Lane Group Flow (vph)	173	877	109	126	830	0	109	204	110	57	214	177
Turn Type	pm+pt	NA	Prot	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	1	6	6	5	2		7	4		3	8	
Permitted Phases	6			2			4		4	8		8
Detector Phase	1	6	6	5	2		7	4	4	3	8	8
Switch Phase												
Minimum Initial (s)	6.0	28.0	28.0	6.0	6.0		6.0	6.0	6.0	6.0	15.0	15.0
Minimum Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (s)	25.0	71.0	71.0	25.0	71.0		25.0	44.0	44.0	20.0	39.0	39.0
Total Split (%)	15.6%	44.4%	44.4%	15.6%	44.4%		15.6%	27.5%	27.5%	12.5%	24.4%	24.4%
Maximum Green (s)	17.9	63.9	63.9	17.9	63.9		17.4	36.4	36.4	12.4	31.4	31.4
Yellow Time (s)	4.3	4.3	4.3	4.3	4.3		4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.8	2.8	2.8	2.8	2.8		3.6	3.6	3.6	3.6	3.6	3.6
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	7.1	7.1	7.1	7.1	7.1		7.6	7.6	7.6	7.6	7.6	7.6
Lead/Lag	Lead	Lag	Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	C-Max	C-Max	None	C-Max		None	None	None	None	None	None
Walk Time (s)		7.0	7.0					7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0	11.0					11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0	0					0	0		0	0
Act Effct Green (s)	99.8	88.1	88.1	96.2	86.4		37.4	26.0	26.0	28.8	19.4	19.4
Actuated g/C Ratio	0.62	0.55	0.55	0.60	0.54		0.23	0.16	0.16	0.18	0.12	0.12
v/c Ratio	0.43	0.45	0.12	0.34	0.43		0.39	0.67	0.30	0.26	0.50	0.52
Control Delay	9.8	20.4	6.2	14.1	24.3		50.5	74.7	7.5	47.6	69.1	15.6
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay	9.8	20.4	6.2	14.1	24.3		50.5	74.7	7.5	47.6	69.1	15.6
LOS	A	C	A	B	C		D	E	A	D	E	B
Approach Delay		17.5			22.9			51.0			45.2	
Approach LOS		B			C			D			D	
90th %ile Green (s)	16.1	75.0	75.0	13.3	72.2		17.2	30.0	30.0	12.3	25.1	25.1
90th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
70th %ile Green (s)	13.1	83.2	83.2	11.0	81.1		14.9	25.7	25.7	10.7	21.5	21.5
70th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
50th %ile Green (s)	11.3	88.8	88.8	9.6	87.1		13.3	22.7	22.7	9.5	18.9	18.9
50th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
30th %ile Green (s)	9.7	94.4	94.4	8.4	93.1		11.5	19.6	19.6	8.2	16.3	16.3
30th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Gap	Gap	Gap	Hold	Hold
10th %ile Green (s)	8.0	99.3	99.3	7.0	98.3		9.3	31.9	31.9	0.0	15.0	15.0
10th %ile Term Code	Gap	Coord	Coord	Gap	Coord		Gap	Hold	Hold	Skip	Min	Min
Queue Length 50th (ft)	44	247	18	46	263		92	209	0	47	112	9
Queue Length 95th (ft)	123	454	83	88	385		137	288	40	80	151	83
Internal Link Dist (ft)		1584			912			823			610	
Turn Bay Length (ft)	350		170	175			190		440	350		70
Base Capacity (vph)	470	1968	940	462	1917		313	427	462	251	701	448
Starvation Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0		0	0	0	0	0	0
Reduced v/c Ratio	0.37	0.45	0.12	0.27	0.43		0.35	0.48	0.24	0.23	0.31	0.40

Intersection Summary			
Area Type:	Other		
Cycle Length: 160			
Actuated Cycle Length: 160			
Offset: 30 (19%), Referenced to phase 2:WBTL and 6:EBTL, Start of Yellow			
Natural Cycle: 160			
Control Type: Actuated-Coordinated			
Maximum v/c Ratio: 0.67			
Intersection Signal Delay: 28.1		Intersection LOS: C	
Intersection Capacity Utilization 75.3%		ICU Level of Service D	
Analysis Period (min) 15			

Splits and Phases: 5: North Forest Road & Sheridan Drive



Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Appendix E – Signal Warrant Analysis

Project	Amherst Central Park	Sheet	1 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Sheridan Drive at Fenwick Road Signal Warrant Analysis

Reference: FHWA Manual on Uniform Traffic Control Devices 2009 Edition, Chapter 4C Warrants
NYS Supplement MUTCD, 2009 Edition, Chapter 4C Warrants

Background Data:

Artery: Sheridan Drive (NYS Route 324)
Side Road: Fenwick road

Traffic Volumes:	Saturday Peak Hour	8th Highest Hour
Artery (Total of Both Approaches, incl aux lns):	2276	1366
Side Road (Highest of either approach, 1 dir only, incl aux lns):	68	41

* If 8th highest hour is not known, use 0.6 x peak hour

Number of Approach Lanes excluding Auxiliary Lanes
Artery: 2
Side Road: 1

Warrant 1 - Eight-Hour Vehicular Volume

85th percentile speed exceed 40 mph? Yes
OR
Is intersection within built up area of an isolated community having population less than 10,000? No
If answer is yes to either question, then 70% or 56% of condition can be applicable No

Condition A - Min Vehicular Volume

Number of lanes		VPH on Major				VPH on Higher Volume			
Each Approach		Total Both Approaches				Minor Approach			
Major	Minor	Incl Aux Lanes				Incl Aux Lanes			
		100%	80%	70%	56%	100%	80%	70%	56%
1	1	500	400	350	280	150	120	105	84
2 or more	1	600	480	420	336	150	120	105	84
2 or more	2 or more	600	480	420	336	200	160	140	112
1	2 or more	500	400	350	280	200	160	140	112

Condition B - Interruption of Continous Traffic

Number of lanes		VPH on Major				VPH on Higher Volume			
Each Approach		Total Both Approaches				Minor Approach			
Major	Minor	Incl Aux Lanes				Incl Aux Lanes			
		100%	80%	70%	56%	100%	80%	70%	56%
1	1	750	600	525	420	75	60	53	42
2 or more	1	900	720	630	504	75	60	53	42
2 or more	2 or more	900	720	630	504	100	80	70	56
1	2 or more	750	600	525	420	100	80	70	56

Major # Lanes 2 VPH on Artery 1366
Minor # Lanes 1 VPH on Side Road 41

Warrant Satisfied:

No

If 100% of A or B is met, then yes (same 8 hours for major/minor)
If 80% of A and B is met, then yes (same major/minor 8 hours, but not same for A&B)
If speed is > 40MPH and 70% of A or B is met, then yes
If speed is > 40MPH and 56% of A and B is met, then yes

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

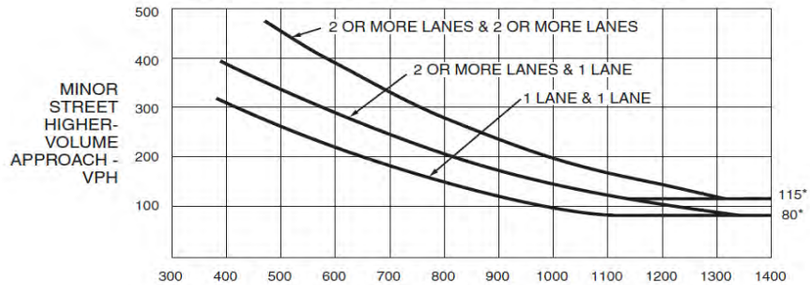
Project	Amherst Central Park	Sheet	2 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 2 - Four Hour Volumes

Four Highest Hourly Volumes (any four hrs, same for side rd and artery, not necessarily consectutive)

Major	1914	Minor	68
(Both Approaches)	2039	(1 direction)	
	1989		57
	2023		

Figure 4C-1. Warrant 2, Four-Hour Vehicular Volume



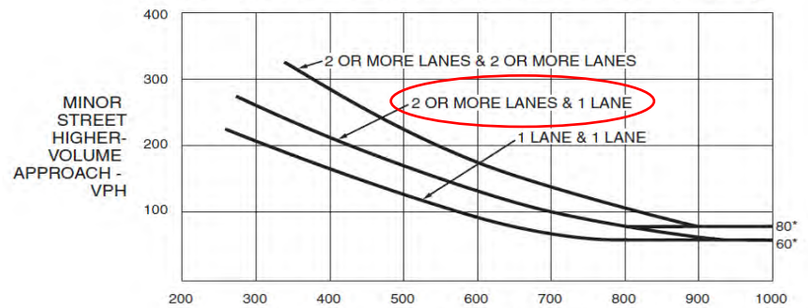
*Note: 115 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 80 vph applies as the lower threshold volume for a minor-street approach with one lane.

If 4 volumes when plotted fall above curve shown for given approach lane configuration, warrant is satisfied

Does the 85th percentile speed exceed 40 mph? Yes
OR
Is intersection within built up area of an isolated community having population less than 10,000? No

If Yes to either, then the following graph should be used:

Figure 4C-2. Warrant 2, Four-Hour Vehicular Volume (70% Factor)
(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



*Note: 80 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 60 vph applies as the lower threshold volume for a minor-street approach with one lane.

If 4 volumes when plotted fall above curve shown for given approach lane configuration, warrant is satisfied

Warrant Satisfied: **No**

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park	Sheet	3 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 3 - Peak Hour

(used in unusual cases that attract or discharge a lot of vehicles in a short amount of time)

Criteria A or B need to be met for warrant to be met

Criteria A: need all three (3) conditions to be met

1) stopped time delay for minor (1 dir) equals or exceeds 4 veh/hrs (1 appr) or 5 veh/hr (2 appr) and Yes
2) volume on the same minor appr equals or exceeds 100 veh/hr (1 lane) or 150 veh/hr (2 lanes) and No
3) total entering volume equals or exceeds 650 veh/hr (3 appr) or 800 veh/hr (4 + appr) Yes

Criteria A met? No

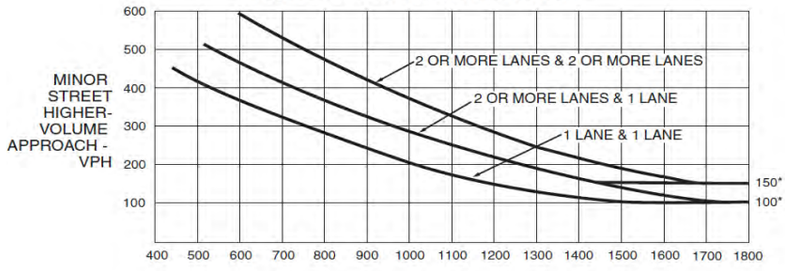
Criteria B

Peak Hour Volume (any 4 consecutive 15 minute intervals)

Major 2276 Minor 68

(Both Approaches) (1 direction)

Figure 4C-3. Warrant 3, Peak Hour



*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

If Peak Hour volume when plotted falls above curve shown for given approach lane configuration, Criteria B is satisfied

Does the 85th percentile speed exceed 40 mph? Yes

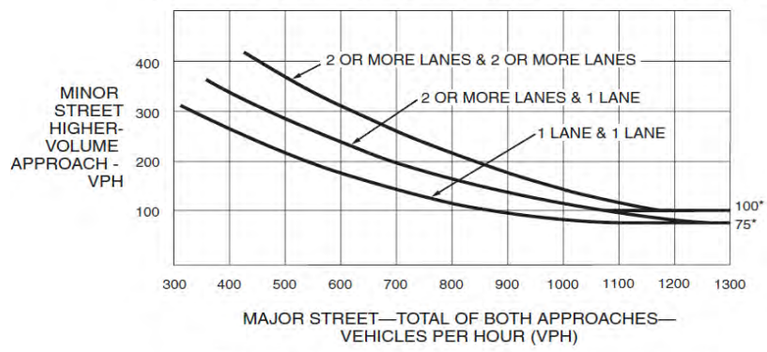
OR

Is intersection within built up area of an isolated community having population less than 10,000? No

If Yes to either, then the following graph should be used:

Figure 4C-4. Warrant 3, Peak Hour (70% Factor)

(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

If Peak Hour volume when plotted falls above curve shown for given approach lane configuration, criteria B is satisfied

Criteria B met? No

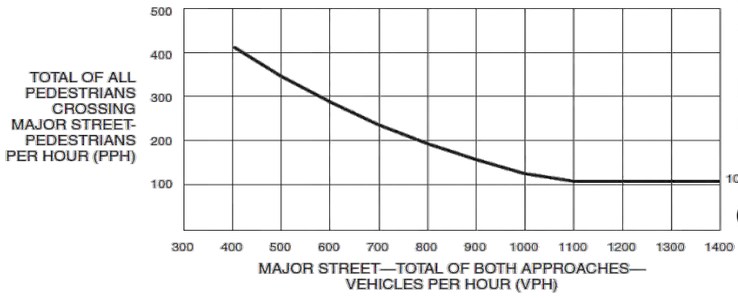
Warrant Satisfied: **No**

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park	Sheet	4 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 4 - Minimum Pedestrian Volume

Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume



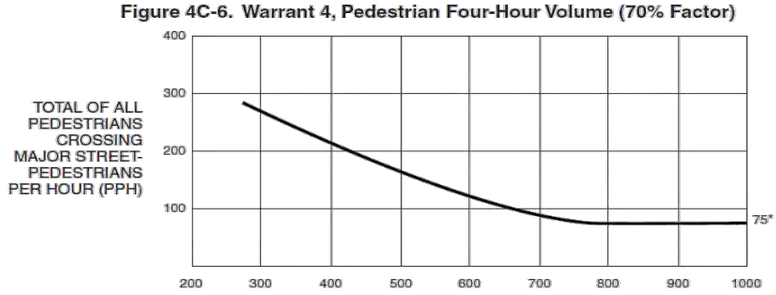
*Note: 107 pph applies as the lower threshold volume.

Use Figure 4C-5 for any 4 hours of an average day

Four-hour Volumes
(any 4 hours of an average day)

Major 2276 (Both Approaches) Peds 0 (Crossing Major)

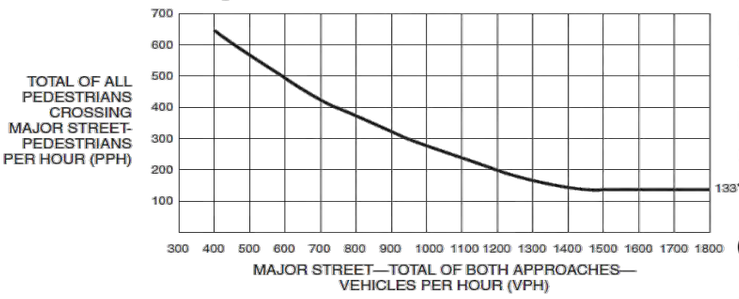
Figure 4C-6. Warrant 4, Pedestrian Four-Hour Volume (70% Factor)



*Note: 75 pph applies as the lower threshold volume.

Use Figure 4C-6 for 4-hour volumes if the speed limit or 85th percentile speed on the major exceeds 35 MPH, or if the intersection lies in a built-up area of an isolated community of less than 10,000

Figure 4C-7. Warrant 4, Pedestrian Peak Hour



*Note: 133 pph applies as the lower threshold volume.

Use Figure 4C-7 for one hour (any 4 consecutive 15 min periods)

Peak Hour Volume
(any 4 consecutive 15 min intervals)

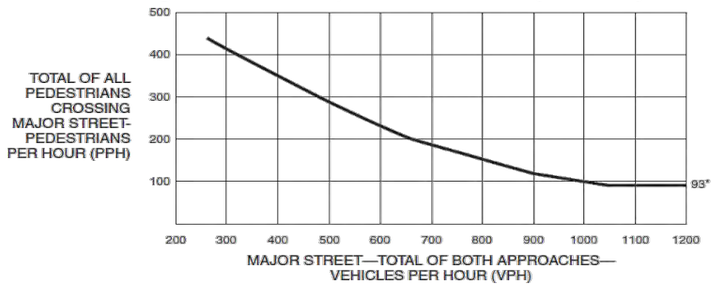
Major 2276 (Both Approaches) Peds 0 (Crossing Major)

Use Figure 4C-8 for 4-hour volumes if the speed limit or 85th percentile speed on the major exceeds 35 MPH, or if the intersection lies in a built-up area of an isolated community of less than 10,000

This warrant shall not be applied at locations where the distance to the nearest signal along major is less than 90m (300ft)

*** The ped criterion may be reduced as much as 50% if the average crossing speed of a ped is less than 3.5 ft/s**

Figure 4C-8. Warrant 4, Pedestrian Peak Hour (70% Factor)



*Note: 93 pph applies as the lower threshold volume.

Warrant Satisfied: **No**

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park	Sheet	5 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 5 - School Crossing

Are the # of adequate gaps in each hour less than the # of minutes in each hour? N/A
AND
Are there a minimum of 20 students during the highest crossing hour? N/A

This warrant shall not be applied at locations where the distance to the nearest signal along the

major is less than 90m (300ft)

Warrant Satisfied: **No**

This warrant does not apply because it is for school children, and there are no schools near this intersection.

Warrant 6 - Coordinated Signal System

Are the adjacent traffic control signals so far apart that they do no provide a necessary degree of vehicular platooning (1-way street or traffic mainly in 1 direction)? No
OR
On a 2-way street will proposed and adjacent signals provide a progressive operation? No

* This warrant should not be applied where the spacing of signals would be less than 300m (1000ft).

Warrant Satisfied: **No**

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park	Sheet	6 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 7 - Crash Experience

Have adequate trial of less restrictive remedies with satisfactory observance and enforcement failed to reduce the number of accidents? No

AND

Have there been 5 or more reported accidents susceptible to correction by a traffic signal within a 12 month period? Yes

AND

Are vehicle and ped volumes at least 80% of the requirements specified in Warrants 1 (Cond A or B) or 4? (56% criteria can be used if applicable) No

The answer to all above questions must be "yes" to satisfy this warrant

Warrant Satisfied: **No**

Warrant 8 - Roadway Network (for intersection of 2 majors)

1) Total Existing Weekday Peak Hour Volume Entering Intersection 3502
   Is this volume > 1000 VPH? No
   AND
   Do the ETC+5 yrs volumes satisfy warrants 1, 2 or 3? No

   OR

2) 5th highest Weekend volume entering intersection
   Is this volume > 1000 VPH? No

Both answers to 1) **or** the answer to 2) must be "yes" to satisfy this warrant

Warrant Satisfied: **No**

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Project	Amherst Central Park	Sheet	7 of 7
	Signal Warrant Analysis	File #	H22.007.002
Prepared by	S. Gallagher	Date	10/10/23
Checked by		Date	

Warrant 9 - Intersection Near a Grade Crossing

This warrant does not apply because there are no grade crossings at this intersection

Criteria A and B need to be met for warrant to be met

Criteria A:

A grade crossing exists on an approach controlled by a stop or yield sign and the center of the track nearest to the intersection is within 140 ft of the stop line or yield line on the approach

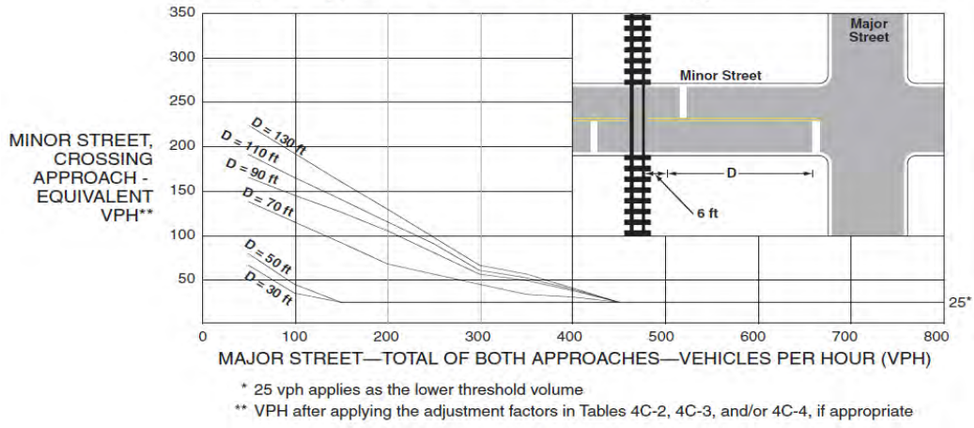
Criteria A met? No

Criteria B

Highest traffic volume hour with rail traffic (if rail schedule isn't known, use peak hour volumes)

Major 2276 (Both Approaches) Minor 68 (1 direction)

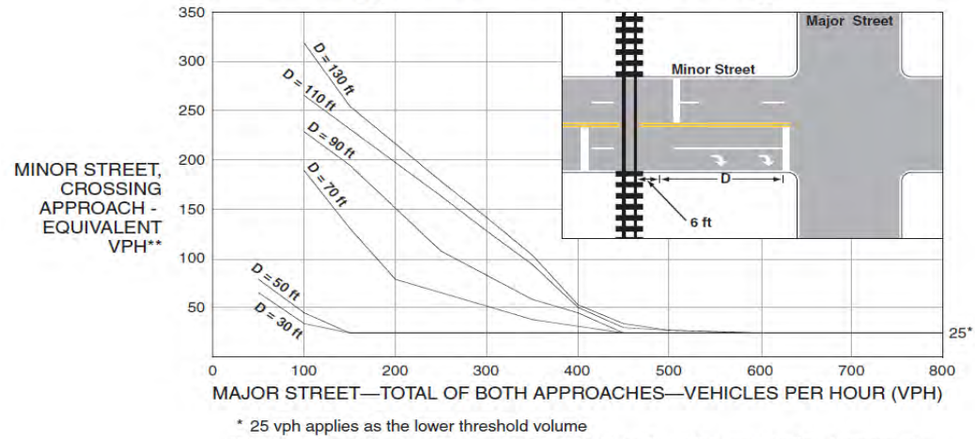
Figure 4C-9. Warrant 9, Intersection Near a Grade Crossing (One Approach Lane at the Track Crossing)



* 25 vph applies as the lower threshold volume

** VPH after applying the adjustment factors in Tables 4C-2, 4C-3, and/or 4C-4, if appropriate

Figure 4C-10. Warrant 9, Intersection Near a Grade Crossing (Two or More Approach Lanes at the Track Crossing)



* 25 vph applies as the lower threshold volume

** VPH after applying the adjustment factors in Tables 4C-2, 4C-3, and/or 4C-4, if appropriate

See MUTCD text for adjustment based on frequency of rail traffic, high-occupancy buses and tractor-trailer percentages

Criteria B met? No

Warrant Satisfied: **No**

Attachment: ACP.FSGEIS.text.20231129 (RES-2023-958 : NOC FSGEIS 772 N. Forest Rd., 385 & 391 Maple Rd.)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Planning
Initiated by: **Dan Howard**
Co-Sponsored by:

DOC ID: 28296 **RESOLUTION 2023-959** **ADOPTED**

SEQR Determination 2350 Sweet Home Road, Z-2016-16_D & Z-2017-11_B

RESOLVED, that pursuant to 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) and Town Code Chapter 104, as amended, the Town Board is deemed the Lead Agency for those actions which it has sole discretionary power, including but not limited to rezoning decisions and adoptions of local laws, and be it further

RESOLVED, that this Town Board as SEQR Lead Agency has reviewed a request to amend a declaration of restrictions required as part of a rezoning decision at 2350 Sweet Home Road and has identified the areas of environmental concern, thoroughly analyzed them for significant adverse impact, including any concerns and/or recommendations from other agencies, and be it further

RESOLVED, that the requirements of SEQR are now complete therefore this Town Board issues the attached Negative Declaration as its determination of environmental significance, for the subject action.

12/4/2023
A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0.

FINANCIAL IMPACT:

None

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Attachment: Z-2016-16_D_&_Z-2017-11_B_draft TB neg dec_120423 (RES-2023-959 : SEQR Determination - 2350 Sweet Home Road, Z-2016-

D R A F T
(12/4/23)

SEQR

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency:	Town of Amherst Town Board	**Project**:	Z-2016-16D & Z-2017-11B Amend Restrictions
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:	Request to Amend Declaration of Restrictions required as part of a previous Rezoning Decision.
SEQR Status:	Unlisted action.
Description of Action:	Amend the declaration of restrictions required as part of a rezoning decision limiting the ability of units to have windows on the rear elevations of the buildings in the “Villas at Essex Woods” townhome development.
Location:	2350 & 2360-2372 Sweet Home Road, Town of Amherst, Erie County, New York
Petitioner:	Essex Homes of WNY, Inc.

Attachment: Z-2016-16_D_&_Z-2017-11_B_draft TB neg dec_120423 (RES-2023-959 : SEQR Determination - 2350 Sweet Home Road, Z-2016-

Reasons Supporting This Determination

Based on information submitted by the applicant, including a Short Environmental Assessment Form (EAF) - Part 1, a complete request to amend the declaration of restrictions required as part of a rezoning decision application, and concept plan, a preliminary staff analysis was undertaken. Based on the results of the EAF Part 2 and compared to the criteria listed in Section 617.7, all indications are that the proposed request to amend the declaration of restrictions required as part of a rezoning decision to allow the addition of second story windows on the rear of interior buildings (Nos. 3, 9, 10, 11, 12 & 13 as depicted on site plan prepared by Carmina Wood Morris dated December 126, 2022) within the development 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 Town Engineering Department on March 30, 2023 reviewed the application and EAF submitted on January 25, 2023 the Geotechnical Engineering Report prepared by Barron & Associates, PC and submitted on January 25, 2023 and had no objection or comments on the proposed changes.

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. A Landscape/Tree preservation Plan shall be required of the applicant upon submittal of any site plan application for development of the site at which stage all landscape requirements of the Zoning Ordinance will be met.

3. The project is not expected to create any material conflict with the Town Comprehensive Plan. The project will comply with all regulations of the Town Zoning Ordinance before final site plan approval is granted. The Town Building Department on January 31, 2023 and Zoning Enforcement Officer on April 13, 2023 reviewed the application and EAF submitted on January 25, 2023 and EAF Addendum Submitted on March 23, 2023 and has no objection or comments on the proposed changes.

4. The project is within an area identified by the State as potentially containing significant cultural or archeological resources, however, the site has been previously disturbed, therefore, the action will not impair the character or quality of important historical resources.

5. The project will not impair the character or quality of important aesthetic resources or of existing community or neighborhood character. The subject request is to amend the declaration of restrictions required as part of a rezoning decision to allow the addition of second story windows on the rear of interior buildings within the Multifamily Residential District Five (MFR-5) zoning district. Neighboring uses are residential and zoned MFR-5 and Suburban Agriculture District (SA); therefore, the project is consistent with surrounding land use.

6. The proposed amendment to the restrictions required as part of a rezoning decision to allow for second story windows on townhouse units interior to the Essex Woods development will not cause a major change in the use of either the quantity or type of energy.

7. The amendments to the restrictions required as part of a rezoning decision to allow for second story windows on townhouse units interior to the Essex Woods development will not create any hazard to human health. The Fire Chief's Association on February 7, 2023 has reviewed the request to amend the declaration of restrictions required as part of a rezoning decision and supporting documentation and has no objection to or adverse comments on the proposed changes.

8. The amendments to the restrictions required as part of a rezoning decision 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 addition of windows on the surrounding land uses.

9. The amendments to the restrictions required as part of a rezoning decision to allow for the second story windows on townhouse units interior to the Essex Woods development will not significantly increase the number of people using the site over its previous level of use.

10. Review by the Town Traffic/Safety Board on February 1, 2023, indicates that significant negative traffic impacts are not expected to result from the proposal to amend the declaration of restrictions required as part of a rezoning decision.

11. Coordinated reviews of the project have been undertaken by Town Departments including Building on January 31, 2023, Engineering on March 30, 2023, Traffic/Safety Board on February 1, 2023, Assessor on February 15, 2023, Fire Chiefs' Association on February 7, 2023, Zoning Enforcement Officer on April 13, 2023, along with the outside agency Erie County Department of Environment & Planning on March 17, 2023. These reviews have not identified any significant environmental issues and indicate that the proposal will not have a significant damaging impact on the environment.

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 be causing significant negative environmental impacts.

Attachment: Z-2016-16_D_&_Z-2017-11_B_draft TB neg dec_120423 (RES-2023-959 : SEQR Determination - 2350 Sweet Home Road, Z-2016-

_____ _____

Signature & title of preparer date

_____ _____

Brian J. Kulpa, Supervisor date

SM/ac
X:\Current_Planning\Files\Rezonings\2016\Z-2016-16_D_(2360-2372_&_2350_Sweet_Home)_2023\Z-2016-16_D_&_Z-2017-11_B_draft TB neg dec_120423.docx

cc: Amherst Town Clerk
Amherst Building Department
ECDEP
NYSDOT
Carmina Wood Design, 487 Main St., Suite 500, Buffalo, NY 14203
Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main St., Ste. 343, Williamsville, NY 14221

Attachment: Z-2016-16_D_&_Z-2017-11_B_draft TB neg dec_120423 (RES-2023-959 : SEQR Determination - 2350 Sweet Home Road, Z-2016-

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Planning
Initiated by: **Dan Howard**
Co-Sponsored by:

DOC ID: 28297 **RESOLUTION 2023-960** **ROLL CALL VOTE (ADOPTED)**

Adoption to Amend Declaration of Restrictions Required as Part of a Rezoning Decision (2350 Sweet Home Road, Z-2016-16D & Z-2017-11B)

RESOLVED, that pursuant to 6NYCRR Part 617 (SEQR) and Town Code Section 104, as amended, that the requirements of SEQR are complete, and be it further

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board does not concur with the findings of the Planning Board as stated in their resolution of April 20, 2023, and be it further

RESOLVED, that this Board believes that the proposed request to amend the declaration of restrictions required as part of a previous rezoning decision at 2350 Sweet Home Road is consistent with the adopted Bicentennial Comprehensive Plan, as amended, and be it further

RESOLVED, that in accordance with Section 203-8-3 of the Town Code (Zoning), the Town Board adopts an amendment to condition number 4 of the declaration of restrictions required as part of a rezoning decision made on October 1m 2018 to:

4. That the residential buildings to be constructed on the project site shall be limited to single-story residential units with second story loft space. Second story windows are not permitted on the rear side of second story loft space in Buildings Nos. 1, 2, 4, 5, 6, 7, 8 and 14 as depicted on the Site Plan prepared by Carmina Wood Morris dated December 16, 2022, and be it further

RESOLVED, that the petitioner plant the additional trees as agreed to in the attached correspondence dated August 20, 2023 (page 2 of 3), now therefore

BE IT FURTHER RESOLVED, the filed Amended declaration of restrictions be amended and filed in the Erie County Clerk's office for the subject properties and that copies of the filed amended declaration of restriction be provided to the Town of Amherst.

12/4/2023
A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and approved via Roll Call vote 3-2 (nay, Lavin & Szukala).

RESULT:	**ROLL CALL VOTE (ADOPTED) [3 TO 2]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger
NAYS:	Lavin, Szukala

August 20, 2023

Brian J. Kulpa, Supervisor
Town of Amherst Town Board
5583 Main Street
Williamsville, NY 14221

Re: Request to Amend Declaration of Restrictions
Location: 2350 & 2360-2372 Sweet Home Road
Applicant/Project Sponsor: Essex Homes of WNY, Inc.
File No. 10065.10

Dear Supervisor Kulpa:

This letter and Exhibit "1" is being submitted in further support of Essex Homes of WNY, Inc.'s ("Project Sponsor") request to allow windows within the second story loft space on the rear sides of only the buildings to be constructed on the interior portion of the Project Site.

The request is strictly limited to seven middle units located only in Buildings 3, 9, 10, 11, 12 and 13 and will not result in any adverse impacts on adjacent properties. Condition No. 4 as adopted by the Town Board on October 1, 2018 stated as follows:

> "The residential buildings to be constructed on the project site shall be limited to single-story residential units with second story loft space in the front portion of the buildings such that there shall not be any second story windows provided for the second story loft space on the rear portion of the buildings."

It is important to note that second story windows are already permissible on the front and sides of all buildings. As such, the granting of this request will not result in any windows with directional orientation not already present on the Project Site. Even more importantly, the granting of this request will not result in direct unobstructed views of the adjacent homes or yards.

The attached **Exhibit "1"** is an updated version of the Viewshed Site Plan [Drawing C-100] prepared by Carmina Wood Design. It further demonstrates there will not be any adverse impacts on adjacent properties. The location of proposed windows on the rear side of the second story of interior building units and the locations of the color photographs are labelled on the Viewshed Site Plan [Drawing C-100].

Photograph 1 was taken approximately 130 ft. west of and facing toward the rear of Buildings No. 12 and 13. The requested window locations are labeled and any view toward adjacent properties is totally obstructed by existing trees and will be further completed obstructed by Buildings.

Photograph 2 was taken from the requested window location on the rear side of the second story of the middle unit of Building No. 13 looking to the southwest. The individual standing at ground

HOPKINS SORGI & MCCARTHY PLLC
Attorneys at Law
5500 Main Street, Suite 343 • Williamsville, New York 14221
Direct: 716-510-4338 • E-mail: shopkins@hsmlegal.com • www.hsmlegal.com

Attachment: Kulpa-Ltr-08-20-23 (RES-2023-960 : Adoption to Amend Declaration of Restrictions (2350 Sweet Home Road, Z-2016-16D & Z-2017-

level in this photograph is only approximately 140 ft. away while the adjacent homes are 490 ft., 580 ft., and 690 ft. from the photograph location. The second page of this photograph displays all views to adjacent homes will be completely obstructed by Buildings. There will also be a six foot fence installed along the southern and western boundaries of the Project Site behind Buildings No. 4, 5, 6, 7 and 8.

Photograph 3 was taken from the requested window location on the rear side of the second story loft of the middle unit of Building No. 12 looking to the south. The existing homes to the south of the Project Site are located behind dense trees and vegetation at distances of approximately 370 ft. to 580 ft. from the photograph location. The second page of this photograph displays all views to south adjacent homes will be completed obstructed by Buildings.

Photograph 4 was taken from southern side of Building No. 12. It clearly indicates existing and permissible second story windows facing south. The photograph further indicates the complete obstruction of the view to the south from the second story rear window of the middle unit. The view is obstructed by the existing first floor sunroom on the rear side of the southerly outside unit. Once again, the view to adjacent homes will also be completely obstructed by dense trees and vegetation and by Buildings.

Consistent with the discussion during the public hearings held by the Town Board on June 20th and July 24th, the Project Sponsor is seeking approval of a modification to Condition No. 4 to allow windows within the second-story loft space on the rear sides of the interior units of Buildings No. 3, 9, 10, 11, 12 and 13 consistent with the updated draft of Condition No. 4 as presented to the Town Board during the public hearings held on June 20th and July 24th stating as follows:

> "The residential buildings to be constructed on the project site shall be limited to single-story residential units with second story loft space. Second story windows are not permitted on the rear side of second story loft space in Buildings Nos. 1, 2, 4, 5, 6, 7, 8 and 14 as depicted on the Site Plan prepared by Carmina Wood Morris dated December 16, 2022."

If the Town Board desires and although further practical screening benefit is not required, the Project Sponsor is willing to plant 3 groups of 3 evergreen trees with a height of six feet at the time of planting as indicated on the Viewshed Plan. The Project Sponsor is requesting that the Town Board approve the request to modify Condition No. 4 during its meeting to be held on Monday, August 21st at 7:00 p.m.

Please feel free to contact me at 510-4338 or via e-mail at shopkins@hsmlegal.com with any questions regarding this letter.

Attachment: Kulpa-Ltr-08-20-23 (RES-2023-960 : Adoption to Amend Declaration of Restrictions (2350 Sweet Home Road, Z-2016-16D & Z-2017-

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC

Sean W. Hopkins, Esq.

cc: Jacqualine Berger, Councilmember
Deborah Bruch Bucki RN PhD, Councilmember
Shawn Lavin, Councilmember
Michael Szukala, Councilmember
Francina J. Spoth, Town Clerk
Timothy J. Koller, Deputy Town Clerk
Daniel C. Howard, AICP, Planning Director
Martin A. Polowy, Esq., Town Attorney
Phil Nanula, President, Essex Homes of WNY, Inc. [Via mail]
Kevin Curry, Essex Homes of WNY, Inc. [Via e-mail]
Jon Barniak, Carmina Wood Design [Via e-mail]
Christopher Wood, P.E., Carmina Wood Design [Via e-mail]

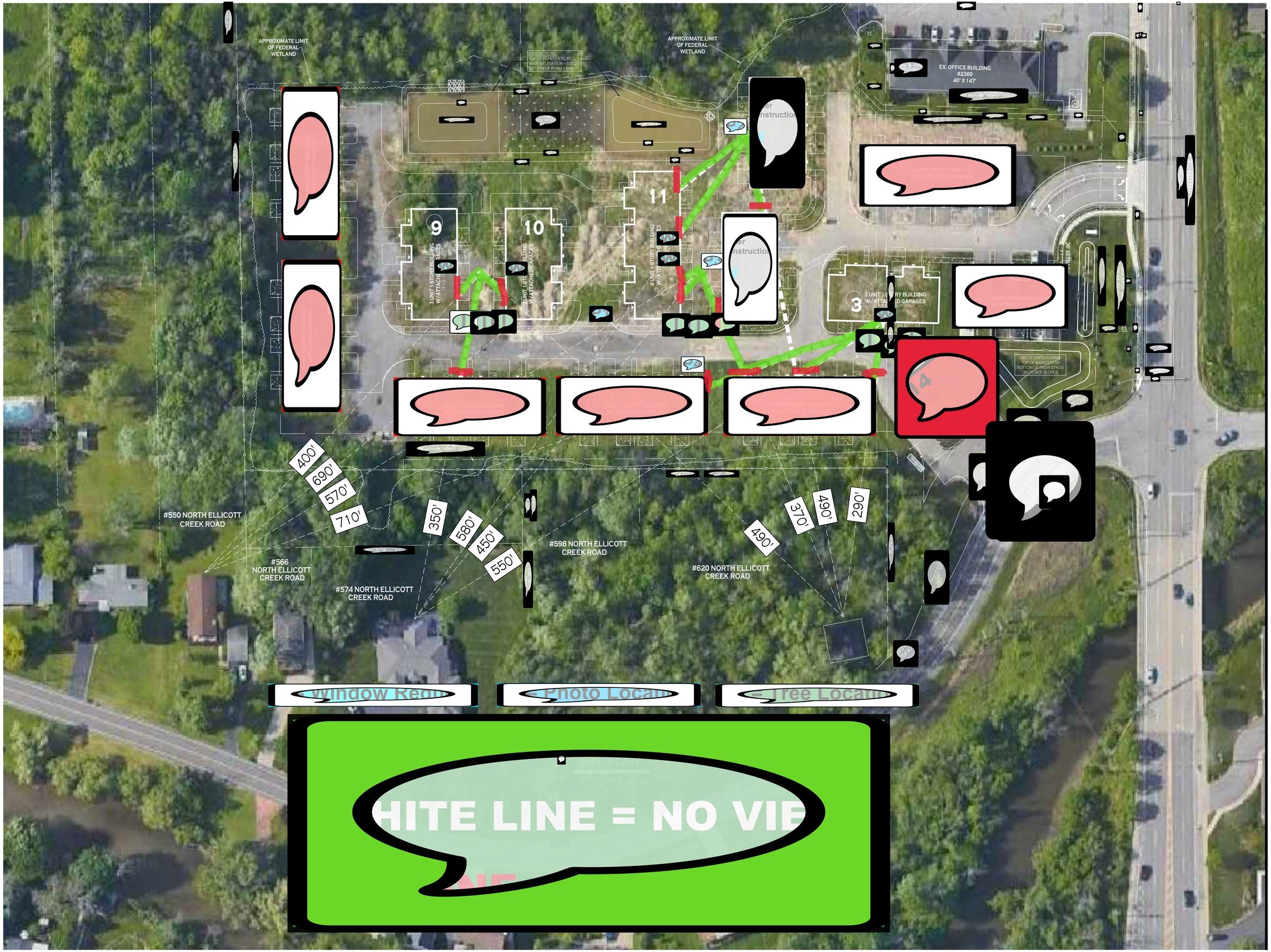
Attachment: Kulpa-Ltr-08-20-23 (RES-2023-960 : Adoption to Amend Declaration of Restrictions (2350 Sweet Home Road, Z-2016-16D & Z-2017-

Exhibit 1

Attachment: Kulpa-Ltr-08-20-23 (RES-2023-960 : Adoption to Amend Declaration of Restrictions (2350 Sweet Home Road, Z-2016-16D & Z-2017-

© Carmina Wood Morris DPC

All rights reserved. Reuse of these documents without the expressed written permission of Carmina Wood Morris PC is prohibited. WARNING: It is violation of article 145 sections 7209N and 7301 of the New York State education law for any person, unless acting under the direction of a registered architect, licensed engineer or land surveyor to alter this drawing. If altered such R.A., P.E. or L.L.S. shall affix his or her seal, signature, the date, the notation "altered by" and a specific description of the alteration.



Carmina Wood Morris DPC
487 Main Street Suite 600
Buffalo, New York 14203
P 716.842.3165
F 716.842.0263

REVISIONS:

No.	Description	Date

PROJECT NAME:
Civil Plans For
Villas at Essex Woods
2350 Sweet Home Road
Amherst, New York

Date: 7/12/2023
Drawn by: JPB
Scale: As Noted

DRAWING NAME:
"Viewshed" Site Plan

DRAWING NO.
C-100

Project no.: 17.117

Attachment: Kulpa-Ltr-08-20-23 (RES-2023-960 : Adoption to Amend Declaration of Restrictions (2350 Sweet Home Road, Z-2016-16D & Z-2017-11B))

REAR OF BUILDINGS 12 and 13 UNDER CONSTRUCTION

Photos from west app. **130'** away, from center of site.

Requested Windows are indicated on dormers.



Attachment 4, Kohn Lt. (R-20-23) (RES-2020-064) Adoption to Amend Declaration of Restrictions (2356 Sweet Home Road, Z-2016-MD & Z-2021-MB))

BUILDING 13 Photo to West

Purple Shirt is approximately 140' away.
Neighbors are 490', 580', and 690 feet away and
well beyond the tree line and future buildings (next photo).

BUILDING 13

Attachment: Kulpa-Ltr-08-20-23 (RES-2023-960 : Adoption to Amend Declaration of Restrictions (2350 Sweet Home Road, Z-2016-16D & Z-2017-11B))

BUILDING 13 Photo to West

Purple Shirt is approximately **140'** away.
Neighbors are **490', 580', and 690'** feet away and well beyond the tree line and future buildings.

Portion of Building 5

Building 6

Building 7

Portion of Building 8

FOUNDATION BUILDING 9

FOUNDATION BUILDING 10

FOUNDATION BUILDING 11

BUILDING 13

Attachment: Kulpa-Ltr-08-20-23 (RES-2023-960 : Adoption to Amend Declaration of Restrictions (2350 Sweet Home Road, Z-2016-16D & Z-2017-11B))

VIEW FROM BUILDING 12 to SOUTH

No view of neighbors' homes or yards.
The closest distance to neighbors is 370' to **570'**.





Attachment: Kulpa-Ltr-08-20-23 (RES-2023-960 : Adoption to Amend Declaration of Restrictions (2350 Sweet Home Road, Z-2016-16D & Z-2017-11B))

VIEW FROM BUILDING 12 to SOUTH

including Buildings 5 and 6

PORTION OF BUILDING 5

PORTION OF BUILDING 6

BUILDING 12

Attachment: Kulpa-Ltr-08-20-23 (RES-2023-960 Adoption to Amend Declaration of Restrictions (2350 Sweet Home Road, Z-2016-16D & Z-2017-11B))

BUILDING 12 - PERMISSABLE WINDOWS and REQUESTED WINDOW



Attachment K Kotha for Ch 29.23 (RES 2022-064) - Addendum to Appl Declaration of Restrictions (2356 Sweet Home Road, Z-2016-MID & Z-2017-1MID)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Councilmembers
Initiated by: **Jacqualine Berger**
Co-Sponsored by:

DOC ID: 28266 **RESOLUTION 2023-961** **ADOPTED**

Authorization to Purchase Personal Protective Equipment - Radio Batteries

WHEREAS, the Amherst Fire Safety Division responds to various types of Emergency related incidents and provides a high level of safety and professionalism in performing duties as Fire Inspectors; and

WHEREAS, radio communication is key to keeping the Fire Inspectors safe while conducting their duties; and

WHEREAS, the Amherst Town Fire Safety Division has the need to maintain radio equipment utilized in performing the Fire Inspector's duties.

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Board approves the purchase of personal protective equipment and various equipment from Avoidable Alarm Fund T-2999.4002.

12/4/2023
Consent

FINANCIAL IMPACT:

A cost not to exceed $750.00 through various State Bid Contracts

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Councilmember
SECONDER:	Brian J. Kulpa, Supervisor
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

MOTOROLA SOLUTIONS







AMHERST FIRE SAFETY DIVISIO

11/14/20

The design, technical, pricing, and other information (" Information ") furnished with this submission is confidential proprietary information of Motorola Solutions, Inc. or the Motorola Solutions entity providing this quote (" Motorola ") and is submitted with the restriction that it is to be used for evaluation purposes only. To the fullest extent allowed by applicable law, the Information is not to be disclosed publicly or in any manner to anyone other than those required to evaluate the Information without the express written permission of Motorola.
MOTOROLA, MOTO, MOTOROLA SOLUTIONS, and the Stylized M Logo are trademarks or registered trademarks of Motorola Trademark Holdings, LLC and are used under license. A
property of their respective owners. © 2020 Motorola Solutions, Inc. All rights reserved.

Attachment: AMHERST FIRE SAFETY_APX4000 ACCYS UPDATE 2-2417244-3 (RES-2023-961 : Authorization to Purchase Personal Protective

MOTOROLA SOLUTIONS

QUOTE-2417244

11/14/2023

AMHERST FIRE SAFETY DIVISION
5583 MAIN ST
WILLIAMSVILLE, NY 14221

Dear DAVID MASTRELLA,

Motorola Solutions is pleased to present AMHERST FIRE SAFETY DIVISION with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide AMHERST FIRE SAFETY DIVISION with the best products and services available in the communications industry. Please direct any questions to Autumn Donovan at autumn.donovan@saiacomm.com.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Autumn Donovan

Motorola Solutions Manufacturer's Representative

Attachment: AMHERST FIRE SAFETY_APX4000 ACCYS UPDATE 2-2417244-3 (RES-2023-961 : Authorization to Purchase Personal Protective

MOTOROLA SOLUTIONS

QUOTE-24172

Billing Address:
AMHERST FIRE SAFETY DIV
5583 MAIN ST
WILLIAMSVILLE, NY 14221
US

Quote Date:11/14/2023
Expiration Date:01/13/2024
Quote Created By:
Autumn Donovan
autumn.donovan@saiacomm.com

End Customer:
AMHERST FIRE SAFETY DIVISION
DAVID MASTRELLA
dmastrella@amherst.ny.us

Contract: 21562 - NEW YORK OGS, STATE OF-PT 68722

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
1	PMLN4651A	2 INCH BELT CLIP	4	$13.00	$8.97	$35.88
2	NNTN8128C	BATT IMPRES LIION IP67 2000T	5	$102.00	$70.20	$351.00
3	NNTN7616D	CHR IMP VEH EXT	1	$451.00	$311.19	$311.19

Grand Total $698.07(USD)

Notes:

- This quote contains items with approved price exceptions applied against them.
- PRICING REFLECTS NYS CONTRACT PT68722 7/18/2023 UPDATE
- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.

Attachment: AMHERST FIRE SAFETY_APX4000 ACCYS UPDATE 2-2417244-3 (RES-2023-961 : Authorization to Purchase Personal Protective

Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the ""Underly Agreement"") that authorizes Customer to purchase equipment and/or services or license software (collectively ""Products""). If no Underlying Agreement exists between Motorola and Custom Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

MOTOROLA SOLUTIONS

Purchase Order Checklist

Marked as PO/ Contract/ Notice to Proceed on Company Letterhead (PO will not be processed without this)
PO Number/ Contract Number
PO Date
Vendor = Motorola Solutions, Inc.
Payment (Billing) Terms/ State Contract Number
Bill-To Name on PO must be equal to the *Legal* Bill-To Name
Bill-To Address
Ship-To Address (If we are shipping to a MR location, it must be documented on PO)
Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)
PO Amount must be equal to or greater than Order Total
Non-Editable Format (Word/ Excel templates cannot be accepted)
Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept
Ship To Contact Name & Phone #
Tax Exemption Status
Signatures (As required)

Attachment: AMHERST FIRE SAFETY_APX4000 ACCYS UPDATE 2-2417244-3 (RES-2023-961 : Authorization to Purchase Personal Protective

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Attorney
Initiated by: **Nicole M. Burroughs**
Co-Sponsored by:

DOC ID: 28269 **RESOLUTION 2023-962** **ADOPTED**

License Agreement - 72 Sunburst Circle (Armitage) (CRS #4446)

AGENDA ITEM : DECEMBER 4th, 2023

TO: **Town Board**

FROM: **Nicole M. Burroughs, Senior Paralegal**

DATE: **November 29, 2023**

RE: **Request for License Agreement (CRS #4446)**
Repositioning of Pool and Installation of Fencing
Property Located At:
72 Sunburst Circle, East Amherst, New York 14051

Kindly adopt a resolution authorizing the Supervisor to execute the attached License Agreement pending successful completion of the Contract Routing System (CRS).

The owners of the above-referenced property are seeking permission to reposition their in-ground pool and to install fencing in a Town-owned easement, the details and stipulations of which are more fully described in the License Agreement.

This request was reviewed and approved by the Highway Department.

Thus, kindly adopt the following resolution:

RESOLVED, the Town Board authorizes the Supervisor to execute the attached License Agreement, pending successful completion of the Contract Routing System (CRS).

Thank you.

NMB:hs
Attachment
c: Tim Koller, Deputy Town Clerk *(w/attachment*, **Agenda Item : December 4, 2023**)
Craig Schreck, General Crew Chief (*w/o attachment*)

12/4/2023
Consent

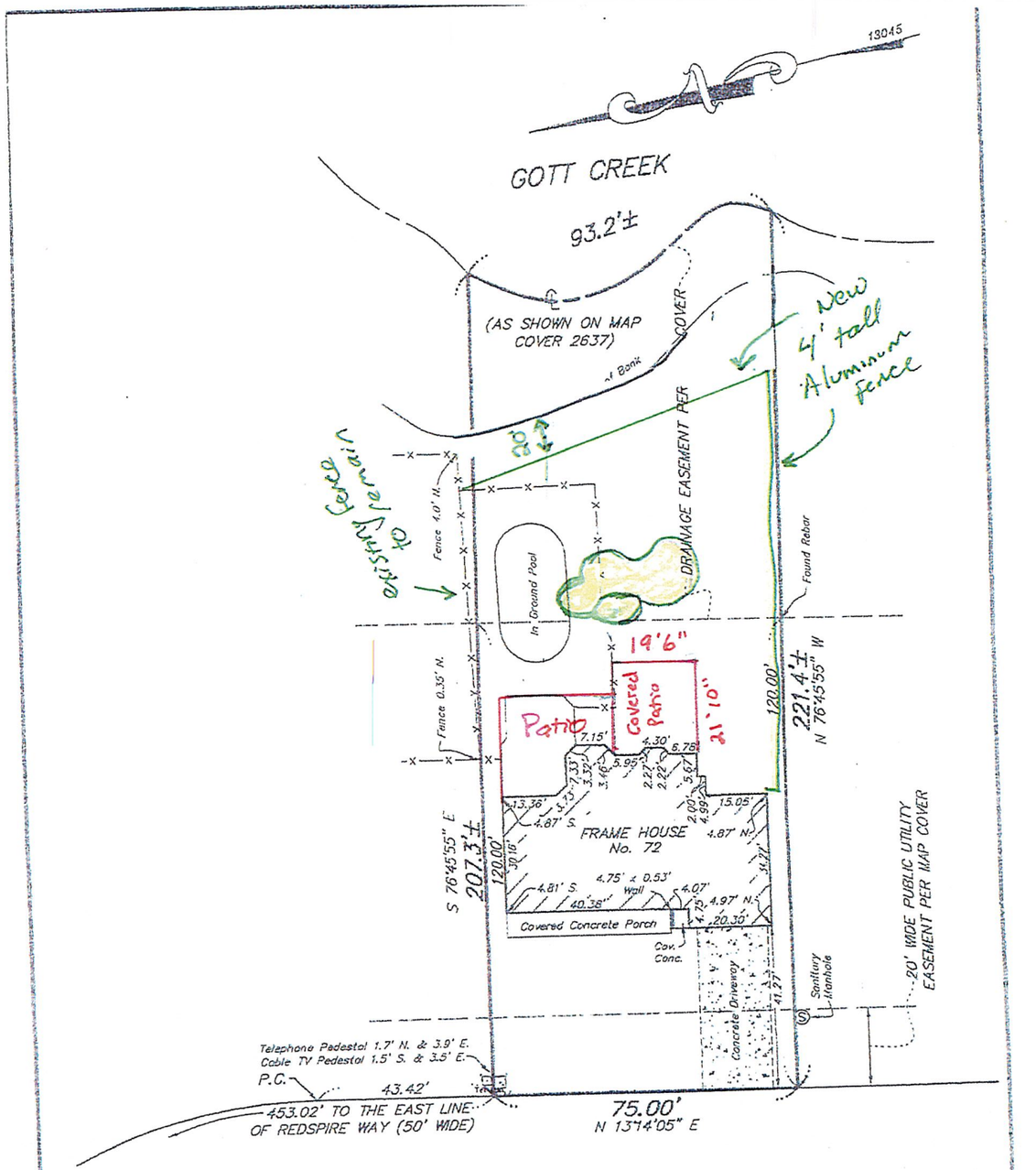
FINANCIAL IMPACT:

$150.00 - Fee For License Agreement

$80.00 - ECCO Filing Fee

Both fees paid to the Town in one check by homeowners - $230.00 (A5010.02724)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala



INSTRUMENT(S) UTILIZED IN DETERMINING LOCATION OF BOUNDARY LINES: Head of Search

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED IN SAID ABSTRACT.

NOTE: PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY.

THIS SURVEY MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT STANDARDS FOR LAND SURVEYS ADOPTED BY THE BAR ASSOCIATION OF ERIE COUNTY AT THE REQUEST OF Sanford M. Silverberg, Esq.

FRANCIS C. DELLES NYSPLS No. 050477

©COPYRIGHT 2013 BY:

Millard, MacKay & Delles
LAND SURVEYORS, LLP
150 AERO DRIVE
BUFFALO, NEW YORK 14225
PHONE (716) 631-5140 ~ FAX 631-3811

AMEND:
SURVEY DATE: 7-18-13
©DRAWING DATE: 7-19-13
SCALE: 1" = 30'
"ALL RIGHTS RESERVED"
THIS MAP VOID UNLESS EMBOSSED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL. ALTERING ANY ITEM ON THIS MAP IS A VIOLATION OF THE LAW EXCEPT AS PROVIDED IN SECTION 7209, PART 2, OF THE NEW YORK STATE EDUCATION LAW.

SUB LOT 14 ~ MAP COVER 2637

PART OF LOT 100 SECTION ____ TOWNSHIP 12 RANGE 7 OF THE: Holland Land Company's SURVEY - Erie COUNTY, N.Y.

SURVEY OF: 72 Sunburst Circle, Town of Amherst

SBL No. 42.12-2-14

FILE No. 42.12-2-14

Exhibit "

Attachment: ExhA.72SunburstCircleSurvey-11272023150020 (RES-2023-962 : License Agreement - 72

Return to: Town of Amherst
Attorney's Office
5583 Main Street
Williamsville, New York 14221

TOWN OF AMHERST
LICENSE AGREEMENT

THIS AGREEMENT, made as of this 4th day of December, 2023, between the Town of Amherst, a municipal corporation existing under and by virtue of the laws of the State of New York, having its principal office at 5583 Main Street, Williamsville, New York 14221, Party of the First Part hereinafter referred to as the "Town" and

John Paul Armitage and Suzanne L. Armitage, Husband and Wife
72 Sunburst Circle
East Amherst, New York 14051
SBL: 42.12-2-14

Parties of the Second Part hereinafter referred to as the "Owners."

WITNESSETH:

WHEREAS, the Owners are presently the owners of following described premises:

All of that tract or parcel of land situate in the Town of Amherst, County of Erie, State of New York, being part of Lot Number one-hundred (100), Township twelve (12) and Range seven (7) of the Holland Land Company's survey and further distinguished as Subdivision Lot Number fourteen (14) as shown on a map filed in the Erie County Clerk's Office, under Cover No. 2637.

It is more commonly known as:

72 Sunburst Circle
East Amherst, New York 14051
SBL: 42.12-2-14

WHEREAS, the Town became the holder of a Public Drainage Easement as shown on the Subdivision Map filed in the Erie County Clerk's Office under Cover No. 2637. Said public drainage easement is shown on the survey attached hereto as Exhibit "A;"

TBA : 12.4.2023
Address : 72 Sunburst Circle
Owner Name : Armitage

Attachment: LicenseAgreement.OwnerSigned (RES-2023-962 : License Agreement - 72 Sunburst Circle (Armitage) (CRS# 4446))

WHEREAS, the Owners are desirous of utilizing a portion of the aforementioned easement area:

To allow for a repositioning of the existing in-ground pool and to construct and install a fence leaving 20' of access from the fence line to the top of the bank

as shown on a sketch labeled Exhibit "A" attached hereto and made a part hereof.

WHEREAS, the intended use as hereinafter provided does not interfere with the municipal purpose of which said Public Drainage Easement was acquired.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar ($1.00) paid to the Town, the receipt whereof is hereby acknowledged, and the covenants and promises hereinafter set forth the parties agree as follows:

The Town does hereby grant to the Owners, their successors, distributees and assigns a license and/or privilege to install, maintain, and use a portion of the Public Drainage Easement area as shown on Exhibit "A," subject to the following conditions:

a. There shall not be installed or placed devices, equipment or structures within the said easement area without prior approval of the Town;

b. The use of said license in the Public Drainage Easement area shall not interfere or restrict the operation, maintenance, repair and/or reconstruction of the Public Drainage Facilities;

c. If it becomes necessary to remove said encroachments for the purpose of repair and/or reconstruction of the Public Drainage facility, the cost of the removal and reinstallation of said improvements shall be at the expense of the Owner, his successors, distributees and assigns.

d. If at any time the Public Drainage facilities are exposed, unearthed or damaged, the Town shall be promptly notified and allowed inspection of the easement areas.

The Owner shall defend, indemnify and hold harmless the Town from any and all claims or causes of action arising out of the use and exercise of this agreement.

This Agreement shall commence on the 4th day of December, 2023 and shall automatically extend for one (1) year periods unless the same is cancelled as herein provided below.

TBA : 12.4.2023
Address : 72 Sunburst Circle
Owner Name : Armitage

Attachment: LicenseAgreement.OwnerSigned (RES-2023-962 : License Agreement - 72 Sunburst Circle (Armitage) (CRS# 4446))

Either party may cancel this Agreement by giving sixty (60) days written notice to the other of such cancellation and during said sixty (60) days cancellation shall remove the fence and any other structures or personal property within the easement area and shall restore same to the conditions that existed prior to the repositioning of the pool and prior to the construction and installation of the fence.

This Agreement shall ensure to the benefit of the parties, hereto, their successors, distributees, and assigns.

IN WITNESS WHEREOF, the parties to this Agreement have executed the same, the day and year first above written.

TOWN OF AMHERST

_____

Brian J. Kulpa
Supervisor

PROPERTY OWNERS

_____

John Paul Armitage

PROPERTY OWNERS

_____

Suzanne L. Armitage

STATE OF NEW YORK }
ERIE COUNTY }SS:

On the _____day of December in the year 2023 before me, the undersigned, personally appeared, **Brian J. Kulpa,** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within the 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.

_____

Notary Public

TBA : 12.4.2023
Address : 72 Sunburst Circle
Owner Name : Armitage

Attachment: LicenseAgreement.OwnerSigned (RES-2023-962 : License Agreement - 72 Sunburst Circle (Armitage) (CRS# 4446))

STATE OF NEW YORK }
ERIE COUNTY }SS:

On the 14 day of NOVEMBER in the year 2023 before me, the undersigned, personally appeared, **John Paul Armitage**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within the instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Patricia A. Armitage
Notary Public

PATRICIA A. ARMITAGE
Reg. No. 7927035
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires 7/8/26

STATE OF NEW YORK }
ERIE COUNTY }SS:

On the 14 day of NOVEMBER in the year 2023 before me, the undersigned, personally appeared, **Suzanne L. Armitage**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within the instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Patricia A. Armitage
Notary Public

PATRICIA A. ARMITAGE
Reg. No. 7927035
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires 7/8/26

TBA : 12.4.2023
Address : 72 Sunburst Circle
Owner Name : Armitage

Attachment: LicenseAgreement.OwnerSigned (RES-2023-962 : License Agreement - 72 Sunburst Circle (Armitage) (CRS# 4446))

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Attorney
Initiated by: **Martin A. Polowy**
Co-Sponsored by:

DOC ID: 28268 **RESOLUTION 2023-963** **ADOPTED**

Temporary Access Agreement (CRS #4445)

AGENDA ITEM : DECEMBER 4TH, 2023

FROM: **Martin A. Polowy, Esq., Senior Deputy Town Attorney**

DATE: **November 29, 2023**

RE: **Temporary Access Agreement (CRS #4445)**
Access Through Town-Owned Right-of-Way Through Royal Park

Kindly adopt a resolution authorizing the Supervisor to execute the attached agreement pending successful completion of the Contract Routing System.

The agreement will grant temporary access to National Grid through Town-owned right-of-way through Royal Park to reach National Grid structures in need of FAA light replacement.

Thank you.

MAP:nmb
Attachment
c: Tim Koller, Deputy Town Clerk (w/attachment, **Agenda Item - December 4, 2023**)

12/4/2023
Consent

FINANCIAL IMPACT:

None for the purposes of this resolution.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

TEMPORARY ACCESS AGREEMENT

This Temporary Access Agreement ("Agreement") is entered into as of the _____ day of _____, 2023 by and between **NIAGARA MOHAWK POWER CORPORATION** ("LICENSEE") with offices for transaction of business located at 144 Kensington Avenue, Buffalo, NY 14214 and the TOWN OF AMHERST**,** with an address of 5583 Main Street, Williamsville, New York 14221 ("Town").

1) The Town, for valuable consideration, the sufficiency and receipt of which is hereby acknowledged, hereby grants to Licensee, the right to enter upon certain lands of the Town (the "Land") for the permitted use described in Exhibit A attached hereto and incorporated herein. Access to the Land shall be for the purpose of conducting the permitted use only and for no other purpose. Access to the Land is pursuant to a license granted by Town; there is no landlord-tenant relationship created by this agreement with respect to the use of the Land for the permitted use. LICENSEE shall repair any damage caused to the Town's property by access to the Land.

2) LICENSEE assumes all risk of, and agrees to indemnify, protect and save harmless the Town and its successors and assigns from all loss, damage, or injury to persons (including, without limitation, personal injuries resulting in death) or property and from all claims, demands, suits, liabilities, obligations and expenses arising therefrom, including reasonable legal fees and expenses, caused by or in any way connected with the exercise of the rights granted hereunder, except to the extent the same shall arise out of the negligent or intentional acts or omissions of the Town or any employee, officer, agent, invitee or representatives of Town. In the event that any judgment, lien or other encumbrance is placed upon or levied against the property of the Town in any suit or other proceedings due to LICENSEE's activities, LICENSEE will, as soon as possible, cause the same to be dissolved and discharged by giving bond or otherwise.

3) LICENSEE shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising from the negligence, active or passive, of LICENSEE, its officers, agents, subcontractors, invitees, and/or employees.

4) LICENSEE shall maintain at all times during the term hereof sufficient insurance as may be required by the Town to protect LICENSEE and the Town from and against all claims, demands and causes of action arising by reason of any use or work performed by LICENSEE. Work shall not commence work under this Agreement until LICENSEE has obtained all insurance required under this section, a certificate of insurance has been provided to the Town of Amherst and such insurance has been approved by the Town of Amherst

(a) Workers' Compensation Insurance: LICENSEE shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance for its employees to be assigned to the work hereto under.

(b) General Liability and Property Damage Insurance: LICENSEE shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it from claims for damages for personal injury, including

Attachment: Temporary Access Agreement NG 2024 (RES-2023-963 : Temporary Access Agreement (CRS #4445))

accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows:

(c) General Liability insurance in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate.

(d) LICENSEE shall ensure all its subcontractors, if any, have obtained all the above insurance policies.

(e) LICENSEE shall furnish the above insurances, including subcontractors' insurances, to the Town of Amherst and shall also name the Town of Amherst as a primary additional insured on a noncontributory basis in said policies.

(f) LICENSEE reserves the right to self-insure for any and all insurance obligations imposed hereunder.

5) Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and not later than three (3) days after the date of such accident.

6) No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

7) This Agreement shall be governed by, and interpreted according to the laws of the State of New York. Any and all legal action necessary to enforce the agreement will be held in Erie County, New York. If any term of this Agreement or any application thereof is adjudged invalid or unenforceable, the remainder of this Agreement and any other application thereof shall not be affected but shall remain in effect. This Agreement constitutes the entire agreement between the parties concerning the matters set forth herein, and any prior or contemporaneous agreement or understanding shall have no effect. This Agreement shall not be modified or amended except by a writing signed by the party against whom enforcement of the modification or amendment is sought.

8) This Agreement is not assignable by LICENSEE. This agreement may not be relied upon by any party other than Town and LICENSEE. There are no third-party beneficiaries of this agreement.

9) Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party, this contract shall be physically amended forthwith to make such insertion.

10) This Agreement shall be effective as of the date first set forth above and the term of this Agreement shall terminate on _____, 20__.

Attachment: Temporary Access Agreement NG 2024 (RES-2023-963 : Temporary Access Agreement (CRS #4445))

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date set for above.

TOWN OF AMHERST		LICENSEE	
By:	_____	By:	_____
	Brian J. Kulpa	Name:	
	Town Supervisor	Title:	

Attachment: Temporary Access Agreement NG 2024 (RES-2023-963 : Temporary Access Agreement (CRS #4445))

EXHIBIT A

TOWN PROPERTY DESCRIPTION (with legal description or clear boundary map/aerial image attached):



Attachment: Temporary Access Agreement NG 2024 (RES-2023-963 : Temporary Access Agreement (CRS #4445))

DESCRIPTION OF LICENSEE PERMITTED USE:

Temporary off ROW access through the Town Park to reach National Grid structures in need of FAA light replacement.

1. To be completed in January 2024
2. National Grid Employees to complete the work.
3. Matting will be installed across the access route, as shown on Exhibit
   This access route will be the preferred route to reach the remaining structures, as shown on the Exhibit.
4. Fencing to be reinstalled at the end of the workday.

Attachment: Temporary Access Agreement NG 2024 (RES-2023-963 : Temporary Access Agreement (CRS #4445))

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Attorney
Initiated by: **Samuel A Alba**
Co-Sponsored by:

DOC ID: 28237 **RESOLUTION 2023-964** **ADOPTED**

Settlement of Article 7 Matter - 9300 Transit, LLC V. Town of Amherst

AGENDA ITEM : DECEMBER 4TH, 2023

TO: **Town Board**

FROM: **Samuel A. Alba, Esq., Senior Deputy Town Attorney**

DATE: **November 29, 2023**

RE: **Settlement of Article 7 Matter**
9300 Transit, LLC v. Town of Amherst

Kindly adopt a resolution authorizing the following:

(1) Settlement of the above matter as detailed in the attached Consent Order; and

(2) Authorizing Senior Deputy Town Attorney Samuel A. Alba, Esq. to sign the attached Consent Order as the Attorney for the Respondent, Town of Amherst.

Thank you.

SAA:rms
Attachment
c: Tim Koller, Deputy Town Clerk
(*w/attachment,* **Agenda Item : December 4th, 2023**)
Emily Murphy, Town Assessor

12/4/2023
Consent

FINANCIAL IMPACT:

Assessment

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

At a Term of the Supreme Court, Erie County, Part 33, held at 50 Delaware Ave., Buffalo, New York on the ___ day of November, 2023

PRESENT: HON. RAYMOND W. WALTER, J.S.C.
Justice Presiding

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

IN THE MATTER OF THE APPLICATION UNDER ARTICLE 7 OF THE REAL PROPERTY TAX LAW

BY

9300 TRANSIT LLC

Petitioner,

v.

TOWN OF AMHERST

Respondent,

AND

WILLIAMSVILLE CENTRAL SCHOOL DISTRICT

Intervenor,

FOR REVIEW OF THE 2023-2024 TAX ASSESSMENT OF CERTAIN REAL PROPERTY IN THE SAID TOWN OF AMHERST, NEW YORK

CONSENT ORDER

Index No. 808938/2023

SBL: 42.02-3-39.1

The above-entitled special proceeding involving real property tax certiorari for the premises owned by Petitioner in the Town of Amherst, New York, known as:

9310-9320 Transit Road SBL: 42.02-3-39.1

Attachment: Consent Order DRAFT - 9300 Transit LLC v. Town of Amherst (Nov 2023) (RES-2023-964 : Settlement of Article 7 Matter - 9300

for the tax year 2023-2024, and negotiations for settlement having been conducted, and said settlement having been approved and recommended by the attorneys for the Town of Amherst, the Williamsville Central School District, and the attorney for Petitioner, and it further appearing that the assessment of premises in the Town of Amherst provides the basis for the imposition of ad valorem taxes assessed by the Town of Amherst, the County of Erie, and the Williamsville Central School District, it is hereby

ORDERED, STIPULATED, AND ADJUDGED, that the real property tax certiorari for the tax year 2023-2024 for the premises be discontinued and withdrawn without costs and allowances to either party as against the other; and it is further

ORDERED, STIPULATED, AND ADJUDGED, that the real property full market value for the premises for the tax years 2024-2025, 2025-2026, 2026-2027, and 2027-2028 be set as follows:

Address	SBL	Year	Full Market Value
9310-9320 Transit Road	42.02-3-39.1	2024-2025	$1,841,935
9310-9320 Transit Road	42.02-3-39.1	2025-2026	$2,100,000
9310-9320 Transit Road	42.02-3-39.1	2026-2027	$2,100,000
9310-9320 Transit Road	42.02-3-39.1	2027-2028	$2,100,000,

and in each of the above years the full market value shall be equalized at the equalization rate then in effect for the Town of Amherst and it is further

ORDERED, STIPULATED, AND ADJUDGED, that the provisions of Section 727 of the Real Property Tax Law shall apply for tax years 2024-2025, 2025-2026, 2026-2027, and 2027-2028 except for Real Property Tax Law § 727(2)(a) and (b), which shall not apply; and it is further

Attachment: Consent Order DRAFT - 9300 Transit LLC v. Town of Amherst (Nov 2023) (RES-2023-964 : Settlement of Article 7 Matter - 9300

ORDERED, STIPULATED, AND ADJUDGED, that Petitioner, in any instrument or agreement transferring any part or all of the subject property or any interest therein, shall covenant with any grantee, transferee, and mortgagee and their respective distributees, successors and/or assigns that they shall be bound by the terms of this Consent Order and that such covenant shall be deemed to run with the land for the tax periods embraced by the terms thereof, and it is further

ORDERED, STIPULATED, AND ADJUDGED, that in the event that the assessment is increased for any stated year at a level higher than provided herein, Petitioner retains the right to reinstate and reinstitute its Article 7 proceeding herein settled, and Respondents waive any objection based upon statute of limitations grounds, and it is further

ORDERED, STIPULATED, AND ADJUDGED, that in the event that the assessment is increased for any stated year at a level higher than provided herein, the fiscal officers of Erie County, the Town of Amherst, the Williamsville Central School District, and any other taxing unit affected by the above assessment reductions shall apply such adjusted assessment and determine any overpayment of taxes, and in the event of overpayment, refund the overpayment with statutory interest within forty-five (45) days by official check payable to the order of Petitioner, or in the event that any such tax payment has not been paid, issue corrected tax bills which reflect the proper reduced assessment for the property, with a copy of corrected tax bills sent to the Petitioner, said corrected tax bills to be paid without interest or penalty if paid within forty-five (45) days of receipt of said corrected bills; and it is further

ORDERED, STIPULATED, AND ADJUDGED, that this Court shall retain jurisdiction over this proceeding pending the expiration of the periods herein recited, and that all applications to enforce any or all of the terms of this Consent Order shall be brought by motion before this Court, and it is further

Attachment: Consent Order DRAFT - 9300 Transit LLC v. Town of Amherst (Nov 2023) (RES-2023-964 : Settlement of Article 7 Matter - 9300

ORDERED, STIPULATED, AND ADJUDGED, that Petitioner shall have the right to seek specific enforcement of this Consent Order by all means provided by law, and it is further

ORDERED, STIPULATED, AND ADJUDGED, that this Consent Order hereby constitutes and represents the entire understanding and agreement amongst the parties, and the full settlement of the tax certiorari herein; there are no costs or disbursements awarded to, by or against any party, and upon compliance with the terms of this Consent Order, the proceedings herein shall be, and the same hereby are, settled and discontinued with prejudice.

_____
HON. RAYMOND W. WALTER, J.S.C.

DATED:

The parties hereto stipulate and consent to be bound by the terms of this Court Order by subscribing hereunto their names and legal authority:

FOR PETITIONER
9300 TRANSIT LLC

By: _____
MEGAN MISITI CUMBO, ESQ.
Attorney for Petitioner

Date: _____

FOR RESPONDENT
TOWN OF AMHERST

By: _____
SAMUEL ALBA, ESQ.
Attorney for Respondent

Date: _____

PETITIONER
9300 TRANSIT LLC

By: _____
JONATHAN BEVILACQUA, ESQ.
Managing Member of
BEVILACQUA DEVELOPMENT GP LLC

Date: _____

FOR INTERVENOR WILLIAMSVILLE
CENTRAL SCHOOL DISTRICT

By: _____
MICHAEL B. RISMAN, ESQ.
Attorney for Intervenor

Date: _____

Attachment: Consent Order DRAFT - 9300 Transit LLC v. Town of Amherst (Nov 2023) (RES-2023-964 : Settlement of Article 7 Matter - 9300

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
Initiated by: **Francina J. Spoth**
Co-Sponsored by:

DOC ID: 28246 **RESOLUTION 2023-965** **ADOPTED**

Authorization for Pre-Payment to RDT Mail Corp. (Previously DXO Communications of Buffalo, Inc.)

We are requesting approval for and directive to the Comptroller for pre-payment to RDT Mail Corp. for the mailing of the 2024 Town and County Tax Bills ($15,417.00) and for the 2024 Town and County Tax Receipts ($13,133.00).

12/4/2023
Consent

FINANCIAL IMPACT:

$15,417.00 Postage for the mailing of the 2024 Town and County Tax Bills from A 1410 4020

$13,133.00 Postage for the mailing of the 2024 Town and County Tax Receipts from A 1410 4020

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Invoice #B42176

Invoice Date: 11-15-23

Customer: Town of Amherst
Town Clerks Office
5583 Main St
Amherst, NY 14221

Postage

Quantity	Services	Rate Per Pc	Amount
27,000	**Postage Invoice** First Class Postage for 2024 Town and County Tax Bills	0.571	15,417.00
	Checks made payable to: RDT Mail Corp. ***Send remittance to:*** RDT Mail Corp. 4444 Broadway Ste 3 Depew, NY 14043		
		Balance Due	$15,417.00

Attachment: 2024 T&C Tax Bill Postage Invoice (RES-2023-965 : Authorization for Pre-Payment to RDT Mail Corp. (Previously DXO

Invoice #B42177

Invoice Date: 11-16-23

Customer: Town of Amherst
Town Clerks Office
5583 Main St
Amherst, NY 14221

Postage

Quantity	Services	Rate Per Pc	Amount
23,000	**Postage Invoice** First Class Postage for 2024 Town and County Tax Bill Receipts	0.571	13,133.00
	Checks made payable to: RDT Mail Corp. ***Send remittance to:*** RDT Mail Corp. 4444 Broadway Ste 3 Depew, NY 14043		
		Balance Due	$13,133.00

Attachment: 2024 T&C Tax Receipt Postage Invoice (RES-2023-965 : Authorization for Pre-Payment to RDT Mail Corp. (Previously DXO

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
Initiated by: **Francina J. Spoth**
Co-Sponsored by:

DOC ID: 28259 **RESOLUTION 2023-966** **ADOPTED**

Permission for Insert in Tax Bill Mailing CRS #4444

We are requesting that the Town Board authorizes the use of mail inserts as an informational tool, to make taxpayers aware of the various contactless payment methods available. This permission is for the 2024 Town and County Tax Collection. Pending successful completion of the Contract Routing System.

12/4/2023
Consent

FINANCIAL IMPACT:

A 1410 4025 $1,242.00 (approx, based on 27,000 qty)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

COMMUNICATIONS
of Buffalo, Inc.

11/22/2023

Amendment to Bid #2022012-Tax Bill Processing

Town of Amherst School Tax Bills 2024

Added component(s): Buck Slip Printing and Inserting

27,000 qty

Services:

DXO Communications will print (per client specifications) and insert into tax bill mailing a client-mandated Buck Slip.

Buck Slip Insert Fee:	$ 0.010 per unit cost-$270.00 total cost
Buck Slip Print Fee:	$ 0.036 per unit cost-$972.00 total cost

TOTAL AMENDMENT COST (2) COMPONENTS: $1,242.00

Submitted by:

Chris Stappenbeck
DXO Communications of Buffalo, Inc.
716-685-4395

Chris Stappenbeck

Agreed to and Accepted by:

Town of Amherst

By: _____

Brian J. Kulpa; Supervisor

Date: _____

4444 Broadway Ste 3 Depew, NY 14043 716-685-4395

Attachment: DXO Buck Slip 2024 T&C (RES-2023-966 : Permission for Insert in Tax Bill Mailing CRS #4444)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Assessor
Initiated by: **Emily Murphy**
Co-Sponsored by:

DOC ID: 28229 **RESOLUTION 2023-967** **ADOPTED**

Extension of GAR Contract (Original CMS #2261, Extension CRS #4420)

Upon the recommendation of the Town Assessor, kindly adopt a resolution approving an extension of GAR Associates LLC CMS #2261, CRS #4420.

The contract will be extended from 1/1/2024 through 12/31/2024.

12/4/2023
Consent

FINANCIAL IMPACT:

Covered by 2024 budget

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

TOWN OF AMHERST

Erie County, New York

SUPERVISOR
Brian J. Kulpa
716-631-7032

DEPUTY SUPERVISOR/COUNCILMEMBER
Francina J. Spoth

COUNCILMEMBERS
Deborah Bruch Bucki, RN, PhD
Jacqualine Berger
Shawn Lavin

GAR Associates LLC Company agrees to hold prices and extend the current contract (CMS #2261, CRS #2348) with the Town of Amherst for Annual Assessment Support Services.

This contract will be extended for 12 months from 1/1/24 through 12/31/24.

SIGNED:

F. Cindy Baire
Gar Associates

DATED

10-26-23

Brian J. Kulpa, Supervisor
Town of Amherst

DATED

Attachment: DOC111423-11142023080048 (RES-2023-967 : Extension of GAR Contract (Original CMS #2261, Extension CRS #4420))

Arnold, Bonnie

From: Infotech Services
Sent: Monday, October 2, 2023 6:00 PM
To: Murphy, Emily; Arnold, Bonnie; Murphy, Emily
Subject: Contract Expiring: CRS-CMS ID #2261-2348

CRS-CMS ID #: 2261-2348
Department: Assessor
Title: Memo of Understanding
Vendor: GAR Associates Inc
Expires: December 31, 2023 (90 Days)

The contract listed above will be expiring in 90 days or less. Please login to the ACMS or click the link below and review this contract to determine the required steps for ensuring continuous contract coverage, if necessary. Time is running short to process bids or renewals if required for this contract.

View Contract Details

PLEASE BE ADVISED

It is critical that proper monitoring and necessary action steps are followed pursuant to the renewal procedure to avoid contract/insurance expiration issues. Failure to properly monitor and manage contracts and insurances may result in disciplinary action.

Attachment: DOC111423-11142023080048 (RES-2023-967 : Extension of GAR Contract (Original CMS #2261, Extension CRS #4420))

Arnold, Bonnie

To: Cindy Baire
Subject: Renewal
Attachments: 2023-24 Contract Extension ltr for Assessor - ba.docx

Good Morning Cindy!
I've received the notice that this contract, the MOU, will be expiring at the end of the year.
If you could sign this and email it back to me I believe we will be all set.
Thanks!
Bonnie

Bonnie B. Arnold
Real Property Appraiser
Town of Amherst Assessor's Office
716-631-7171

Attachment: DOC111423-11142023080048 (RES-2023-967 : Extension of GAR Contract (Original CMS #2261, Extension CRS #4420))

TOWN OF AMHERST

Erie County, New York

SUPERVISOR
Brian J. Kulpa
716-631-7032

DEPUTY SUPERVISOR/COUNCILMEMBER
Deborah Bruch Bucki, RN, PhD

COUNCILMEMBERS
Jacqualine Berger
Shawn Lavin
Michael Szukala

GAR Associates LLC agrees to hold prices and extend the current contract (CMS #2261, CRS #2348) with the Town of Amherst for Town of Amherst for Annual Assessment Support Services.

This contract will be extended for 12 months from 1/1/24 through 12/31/24.

SIGNED:

F.Cindy Baire
GAR Associates

DATED

Brian J. Kulpa, Supervisor
Town of Amherst

DATED

Attachment: DOC111423-11142023080048 (RES-2023-967 : Extension of GAR Contract (Original CMS #2261, Extension CRS #4420))

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Comptroller
Initiated by: **Daryl Bramer**
Co-Sponsored by:

DOC ID: 28282 **RESOLUTION 2023-968** **ADOPTED**

Year End Budget Transfers

To facilitate the closing of year end 2023, I am requesting approval from the Town Board to move budgeted funds from accounts within the same department with department head approval without coming back to the Town Board for approval.

Additionally, I am requesting to include accounts such as health insurance, utilities, payroll, etc. within the current operating budgets of the Town. This will allow us to prepare for the year-end audit.

This does not include budget transfers from contingency accounts or budget amendments.

12/4/2023
Consent

FINANCIAL IMPACT:

N/A

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Comptroller
Initiated by: **Daryl Bramer**
Co-Sponsored by:

DOC ID: 28287 **RESOLUTION 2023-969** **ADOPTED**

Budget Transfers and Amendments

For December 4, 2023 Town Board Agenda

To: Town Board
From: Office of Town Comptroller
Date: 11/29/2023
Re: Various Department Budget Transfers / Amendments

I have received the following request(s) requiring budget transfers and / or amendments. Based on my review, I ask that the Town Board approve the following list;

BUDGET TRANSFERS - 2023

FROM:	***TO:***
A1990.4000 General Fund - Contingency $55,000	A6773.4000 Nutrition - Contractual $55,000

To transfer funds from contingency to Nutrition for food purchases for the rest of year.

BUDGET AMENDMENTS - 2023

INCREASE:	***INCREASE:***
N2323.02785 CDBG & VG- PI $170.00	N2323.4000 Contractual $170.00

To recognize Community Development program income from 169 Hillcrest, Amherst.

N2350.02785 TONA Rehab- PI $74,150.00	N2350.4000 Contractual $74,150.00

To recognize Community Development program income from 180 Hawthorne, Tonawanda.

A3126.03089 DCJS Grant- State Aid $45,000.00	A3126.2130 Computer Equipment $45,000.00

To set up DCJS Computer Equipment Grant.

G9000.03089 Sewer Maintenance - State Aid $65,000	G9000.4000 Contractual $65,000

To set up budget for CRS#4273 Mapping Grant.

12/4/2023
Consent

FINANCIAL IMPACT:

See Descriptions.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 28153 **RESOLUTION 2023-970** **ADOPTED**

Extension for Town Wide Paint Contract - CRS #4386 (Original CRS/CMS #3880/3533)

WHEREAS, Erie County Bid #222374-002 for Paint - Sherwin Williams, (Original CRS #3880) has been extended through December 31, 2024;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the contract extension with Sherwin Williams Co. for participation in the Erie County Contract for Bid #222374-002; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the one-year contract extension with Sherwin Williams Co.

12/4/2023
Consent

FINANCIAL IMPACT:

Town Wide; Various Accounts; Amount TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

TOWN OF AMHERST

Erie County, New York

SUPERVISOR
Brian J. Kulpa
716-631-7032

DEPUTY SUPERVISOR/COUNCILMEMBER
Deborah Bruch Bucki, RN, PhD

COUNCILMEMBERS
Jacqualine Berger
Shawn Lavin
Michael Szukala

Extension Agreement

Let this document stand as an Extension Agreement with Sherwin Williams Co. and the Town of Amherst, for participation in the Erie County Contract for Bid #222374-002 Paint – Sherwin Williams (Original CRS #3880).

This contract will be extended for a one year period from January 1, 2024 through December 31, 2024.

SIGNED: Beniam Tirfe

Beniam Tirfe

The Sherwin-Williams Company
Vendor

DATED 10/25/2023

Brian J. Kulpa, Supervisor
Town of Amherst

DATED

Attachment: Sherwin williams signed extension agreement (RES-2023-970 : Extension of Town Wide Paint Contract - CRS #4386 (Original

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 28159 **RESOLUTION 2023-971** **ADOPTED**

Extension of Third Party Administrator Services for Workers' Compensation CRS #4392

WHEREAS, the current contract with PMA Management Corp. for Third Party Administration Services for Workers' Compensation expires on December 31, 2023; and

WHEREAS, the Contract Compliance and Administration Department has issued an RFP for a new contract, but that contract will not be in place prior to December 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes a two-month contract extension from January 1, 2024 through March 1, 2024 with PMA Management Corp.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract extension.

12/4/2023
Consent

FINANCIAL IMPACT:

R1915-4090; Amount TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

TOWN OF AMHERST

Erie County, New York

SUPERVISOR
Brian J. Kulpa
716-631-7032

DEPUTY SUPERVISOR/COUNCILMEMBER
Jacqualine Berger

COUNCILMEMBERS
Deborah Bruch Bucki, RN, PhD
Shawn Lavin
Michael Szukala

PMA Management Corp. agrees to hold prices and extend the current contract with the Town of Amherst for Third Party Administrator Agreement: Worker's Compensation (Original CRS/CMS #898/1280).

This contract will be extended for a two-month period from January 1, 2024 through March 1, 2024.

SIGNED:

Michael MacAulay

Vendor Michael MacAulay
President - PMA Management Corp.

DATED 10/24/23

Brian J. Kulpa, Supervisor
Town of Amherst

DATED

Attachment: PMA Extension - Signed (RES-2023-971 : Extension of Third Party Administrator Services for Workers' Compensation - CRS #4392)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 28163 **RESOLUTION 2023-972** **ADOPTED**

Extend RFP #202111 Employee Assistance Program CRS #4393 (Original CRS/CMS #3048/2945)

WHEREAS, eviCore healthcare MSI, LLC dba eviCore healthcare has agreed to hold pricing and extend the contract for RFP #202111 Employee Assistance Program;

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves a two-year extension of the contract with eviCore healthcare for the period January 1, 2024 through December 31, 2025; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract extension with eviCore healthcare.

12/4/2023
Consent

FINANCIAL IMPACT:

A1430-4090; Amount TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

TOWN OF AMHERST

Erie County, New York

SUPERVISOR
Brian J. Kulpa
716-631-7032

DEPUTY SUPERVISOR/COUNCILMEMBER
Deborah Bruch Bucki, RN, PhD

COUNCILMEMBERS
Jacqualine Berger
Shawn Lavin
Michael Szukala

eviCore healthcare MSI, LLC dba eviCore healthcare agrees to hold prices and extend the current contract with the Town of Amherst for RFP #202111 Employee Assistance Program (Original CRS/CMS #3048/2945).

This contract will be extended for a two-year period from January 1, 2024 through December 31, 2025.

SIGNED:

Vendor

DATED 10/30/23

Brian J. Kulpa, Supervisor
Town of Amherst

DATED

Attachment: Evicore signed Ext Agreement (RES-2023-972 : Extend RFP #202111 Employee Assistance Program - CRS #4393 (Original

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 28179 **RESOLUTION 2023-973** **ADOPTED**

Contract for Pre-Employment Physicals and Related Medical Services - CRS #4404

WHEREAS, the Contract Compliance and Administration Department is requesting approval to enter into a contract with HealthWorks-WNY for Pre-Employment Physicals and Related Medical Services; and

WHEREAS, the contract term will be December 4, 2023 through December 31, 2025;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the contract with HealthWorks-WNY.

12/4/2023
Consent

FINANCIAL IMPACT:

Town Wide; Various Accounts; Amount TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

SERVICES AGREEMENT
PRE-EMPLOYMENT PHYSICALS AND RELATED MEDICAL SERVICES

This Agreement is made this ____ day of _____, 2023 by and between HealthWorks-WNY, hereinafter referred to as "Provider", with offices located in West Seneca and Kenmore, New York, whose primary office is located at 2075 Sheridan Drive, Kenmore, NY 14223 and the Town of Amherst, hereinafter referred to as "Client," whose primary office is located at 5583 Main Street, Williamsville, NY 14221;

WHEREAS, Provider is in the business of providing occupational health services;

WHEREAS, Client has entered into contracts with third parties to provide medical services for their employees;

WHEREAS, Client desires to engage Provider and Provider desires to accept such engagement to provide certain services with respect to the Client's customers and employees, according to the terms and conditions set forth in this Agreement.

NOW, **THEREFORE**, in consideration of the mutual covenants and agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

SECTION I: PROVISION OF SERVICES

During the term of this Agreement, as defined below, Provider agrees to provide Client with the services set forth on Exhibit A, attached hereto and made a part hereof (the "Services"). Provider shall be solely responsible for directing and performing the Services and for furnishing all equipment, materials, supplies, personnel, and other resources necessary to perform such Services, but agrees to make all reasonable efforts to provide the Services at such reasonable times requested by Client.

SECTION II: COMPENSATION FOR SERVICES

During the term of this Agreement, Client shall pay the Provider compensation and/or fees as set forth on Exhibit A in exchange for the performance of the Services.

SECTION III: TERMS AND TERMINATION

The term of this Agreement shall be a period of two (2) years commencing on the date set forth above, with termination on December 31, 2025 (the "Initial Term"). Thereafter, this Agreement may be renewed for two successive periods of two years each upon mutual agreement of Provider and Client.

During the Term, either party may terminate this Agreement by providing the other party with 60 calendar days' written notice of such termination. This Agreement shall be terminated immediately in the event of one of the following:

(i) The failure or refusal of a party to perform its obligations under this Agreement
(ii) After notice of five (5) days, and a reasonable opportunity to cure such failure if such failure can be cured;
(ii) Fraud, gross negligence or willful and intentional misconduct by either party in the performance of the Agreement;

Attachment: Town of Amherst Pre-Employment Contract For Signature (RES-2023-973 : Contract for Pre-Employment Physicals and Related

(iii) A party dissolves, becomes insolvent, makes an assignment for the benefit of creditors, or is adjudicated bankrupt by a court of competent jurisdiction; or

(iv) Upon mutual written agreement of both parties.

SECTION IV: COMPLIANCE WITH LAWS

Provider agrees that during the Term, it shall (i) maintain at all times any licenses, permits, certifications and other approvals, which are necessary in order for it to perform its duties and obligations under this Agreement, and (ii) perform its duties and obligations under this Agreement in accordance with all federal, state and local laws, statutes, rules, regulations and ordinances.

SECTION V: INSURANCE

Provider shall procure and maintain at its sole cost and expense all insurance coverage required by applicable law and by customary business practices and sufficient to protect Provider, Client, Client's employees against any claims, liabilities, expenses, damages and/or judgments that may arise out of performance of the Services provided in this Agreement. At minimum, such coverage shall include:

(i) A commercial general liability insurance policy with limits of not less than $2 million each medical incident and $4 million in aggregate, Client may be included as additional insured, and waiver of subrogation to be included in favor of same, and

(ii) Workers Compensation insurance at statutory limits of $500,000 per occurrence and New York State Disability Benefits coverage on all representatives of Provider providing services under this Agreement, and

(iii) Professional liability insurance for each of Provider's employees providing services under this Agreement with limits of not less than $1 million per medical incident and $3 million aggregate, and

(iv) Any other insurance legally required to protect its employees, agents, independent contractors, and representatives in the performance of their duties under this Agreement.

(v) Upon written request of Client, Provider shall provide a certificate of insurance evidencing the foregoing coverages.

SECTION VI: INDEMNIFICATION

Each party hereby agrees to indemnify, defend and hold harmless the other party, and such other party's officers, directors, managers, employees and affiliates, of any and all liability, suits, claims, loss, cost or expense, and/or causes of action, arising out of or in connection with the negligent acts or omissions of the indemnifying party in the performance of its duties and obligations pursuant to this Agreement.

The party seeking indemnification shall promptly notify in writing the party from whom indemnification is sought of any claim asserted against it, for which such indemnification is sought a true copy of any such claim including, but not limited to, a true copy of any summons or other process, pleading, or notice issued in any lawsuit or other proceeding to assert or enforce such claim. Where acceptance of its obligation to indemnify is deemed proper by the indemnifying party, said party reserves the right to control the investigation, trial, and defense of such lawsuit or action (including all negotiations to effect settlement) and any appeal arising there from and to employ or engage attorneys of its own choice.

The party seeking indemnification may at its own cost, participate in such investigations, trial and defense of such lawsuit or action and any appeal arising there from. The party seeking

Attachment: Town of Amherst Pre-Employment Contract For Signature (RES-2023-973 : Contract for Pre-Employment Physicals and Related

indemnification and its employees, agents, servants and representatives shall provide full cooperation to the indemnifying party at all times during the pendency of the claim or lawsuit, including without limitation, providing them with all available information with respect thereto.

SECTION VII: NON-COMPETE

During the Term of this Agreement and for a one (1) year period after the termination of this Agreement for any reason whatsoever, Client agrees it will not, directly or indirectly, approach, solicit, entice or attempt to approach, solicit or entice any of Provider's workers (whether employees or independent contractors) to leave the employer of Provider.

SECTION VIII: CONFIDENTIALITY

Each party shall maintain the confidentiality of all employer, employee/patient, student/patient medical records, communications, data and information relating to or obtained in the performance of this Agreement as required by its profession and in accordance with applicable law.

SECTION IX: INDEPENDENT CONTRACTOR RELATIONSHIP.

The parties agree that their relationship shall be that of an independent contractor and nothing in this Agreement shall be construed to create a partnership, joint venture, or employer/employee relationship. Neither party is authorized to make any representation, contract, or commitment on behalf of the other, except as otherwise described herein. Client shall have no direct control over the methods or means by which Provider shall provide the Services hereunder, and at all times, Provider shall exercise its own independent professional judgment. Provider will not be entitled to any of the benefits which Client may make available to its employees (if any), including, but not limited to, medical insurance, profit sharing, or retirement benefits. Each party will be solely responsible for any and all tax returns and payments it may be required to file with or make to any federal, state or local tax authority with respect to Provider's performance of Services and receipt of any Compensation under this Agreement. Each party agrees to accept exclusive liability for it complying with all applicable state and federal laws governing self-employed individuals, including obligations such as payment of taxes, social security, disability and other contributions based on fees paid under this Agreement.

SECTION X: NON-ASSIGNABILITY

No party shall assign, transfer or otherwise dispose of its rights or obligations under this Agreement, in whole or in part, without the prior written consent of the other party.

SECTION XI: AMENDMENT

This Agreement shall not be amended, changed, or modified in any manner except by an instrument in writing signed by each of the parties hereto.

SECTION XII: MISCELLANEOUS

(i) This Agreement contains the entire Agreement and understanding of the parties with respect to the subject matter hereof, and supersedes any and all prior agreement, understanding and arrangements, written or oral, between the parties hereto regarding the subject matter hereof.

(ii) This Agreement shall be binding upon and inure to benefit the successors and/or assigns of the respective parties.

Attachment: Town of Amherst Pre-Employment Contract For Signature (RES-2023-973 : Contract for Pre-Employment Physicals and Related

(iii) This Agreement shall be governed and construed pursuant to the internal laws of the State of New York, without regard to conflict of law, and any action or arbitration brought with respect to this Agreement shall be brought in Erie County, New York.

(iv) The terms, conditions and provisions of this Agreement shall survive and be enforceable after its termination for any reason.

(v) This Agreement is not exclusive and, during the Term, Provider retains the right to perform services for other clients.

SECTION XIV: FORCE MAJEURE

Neither party shall be liable for failure to perform any duty or obligation that either may have under this Agreement where such failure has been occasioned by any act of God, fire, strike, inevitable accident, war, terrorism, government intervention or any cause outside the reasonable control of the party who had to perform the duty.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers as of the date first set forth above.

HealthWorks-WNY, LLP

By: _____
Print Name: Mark Costanza
Title: Medical Director and Partner

By: _____
Print Name: Stuart Dorfman
Title: Medical Director and Partner

By: _____
Print Name: Kimberly Oddo
Title: Medical Director and Partner

Client:

By: _____
Brian Kulpa, Town Supervisor

Date: _____

Attachment: Town of Amherst Pre-Employment Contract For Signature (RES-2023-973 : Contract for Pre-Employment Physicals and Related

Exhibit A
The Services

HealthWorks-WNY, LLP

DESCRIPTION	2023
After Hours Fee – Clinic	$225
After Hours Fee – Holiday	$375
After Hours Fee – Onsite	$275
Audiogram	$35
Back / Muscular Skeletal Evaluation / Kraus Weber	$33
Blood Pressure Check	$17
Breath Alcohol – NON-DOT	$38
Breath Alcohol Confirmation	$38
DOT Form Card Fee	$14
Drug Screen – 10 Panel Instant	$50
Drug Screen 10 Panel/Exp Opi & Ecstasy	$73
Drug Screen – 5 Panel – Non-DOT	$65
4 Panel Drug Screen-no THC	$63
Drug Screen – 5 Panel Instant	$47
Drug Screen – 9 Panel	$62
Drug Screen – Collection Attempt	$33
Drug Screen – Hair	$108
Drug Screen Collection – DOT	$33
Drug Screen Collection – Hair	$38
Drug Screen Collection – NON-DOT	$33
Injection Only Fee	$19
Electrocardiogram	$72
Fit For Duty/Return to Work – Basic	$85
Fit For Duty/Return to Work – Comprehensive	$260
Fit For Duty/Return to Work – Intermediate	$160
Fit Test – Qualitative (VAPOR)	$44
Fit Test – Quantitative (PORTOCOUNT)	$56
Lab – Basic Metabolic Panel	$31
Lab – Blood Draw (specimen collection)	$26
Lab – Blood Lead & Zinc Protoporphyrin	$50
Lab – Complete Blood Count with Differential	$23
Lab – Comprehensive Metabolic Panel	$45
Lab – Hemoglobin A1C	$27
Lab – Hepatitis A IgG Titer	$30
Lab – Hepatitis B – Anti HBs (Antibody/Titre)	$38
Lab – Hepatitis B Surface Antigen Quantitative	$72
Lab – Hepatitis C IgG Titer	$89
Lab – Lead	$28
Lab – Lead & ZPP	$50
Lab – MMR IgG Titer (LABRUBEO + LABMUMPT + LABRUBEL)	$150
Lab – Mumps IgG Titre	$78
Lab – PPD / Mantoux tuberculosis skin test (with follow up visit)	$25
Lab – QuantiFERON – TB Gold Blood test	$130
Lab – Rubella IgG Titer	$35
Lab – Rubeola IgG Titer	$35
Specimen Collection Blood/Urine	$27
Lab – T-Spot – TB Blood Test Tuberculosis	$145
Lab – Urinalysis – Micro & Macro	$18

Attachment: Town of Amherst Pre-Employment Contract For Signature (RES-2023-973 : Contract for Pre-Employment Physicals and Related

Lab – Varicella IgG Titer	$100
Medical Record Review	$21
MRO Services with Analysis Only	$50
Onsite Services – MD	$230 / hour
Onsite Services – Medical Assistant	$58 / hour
Onsite Services – Physician Assistant / Nurse Practitioner	$110 / hour
Onsite Services – RN	$70 / hour
Physical – Annual Health Assessment	$40
Physical – Asbestos	$107
Physical – Basic Exam	$77
Physical – DOT Commercial Driver Medical Exam (initial & recertification)	$85
Physical – HazMat Exam – Baseline & Exposure	$107
Physical – Merchant Mariner Exam	$85
Physical – NON-DOT	$77
Physical – Respirator Clearance Exam (including OSHA questionnaire)	$92
Pulmonary Function Test – NIOSH Certification Required	$62
Pulmonary Function Test (PFT/Spirometry)	$56
Respirator Questionnaire Review - OSHA	$22
Seafarer – Fitness For Duty	$85
Urine Dipstick	$18
Vaccine – Hepatitis A & B (Twinrix) (each injection)	$192
Vaccine – Hepatitis A (each injection)	$110
Vaccine – Hepatitis B (each injection)	$97
Vaccine – MMR	$190
Vaccine – TDAP	$125
Vaccine – Tetanus	$50
Vaccine – Varicella	$324
Vision – Color & Depth Perception	$28

Attachment: Town of Amherst Pre-Employment Contract For Signature (RES-2023-973 : Contract for Pre-Employment Physicals and Related

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 28196 **RESOLUTION 2023-974** **ADOPTED**

Award Bid #2023046 Calcium Nitrate - CRS #4413

WHEREAS, bids were received on October 19, 2023 for Bid #2023046 Calcium Nitrate Solution; and

WHEREAS, two (2) bids were received as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Thatcher Company of New York, Inc.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Thatcher Company of New York Inc.

12/4/2023
Consent

FINANCIAL IMPACT:

G9916-4800; Amount TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Bid #2023046 Calcium Nitrate							
Low Bidder			Vendor Name:	PVS-CDI Chemicals		Thatcher Company of NY	
Item #	QTY	U/M		Unit Price	Total Price	Unit Price	Total Price
1	9,000	GAL	Calcium Nitrate Solution as per bid specifications 6- Month Contract	$3.390	$30,510.00	$3.2084	$28,875.60
1A	18,000	GAL	Calcium Nitrate Solution as per bid specifications 12-Month Contract		$0.00		$0.00
1B	36,000	GAL	Calcium Nitrate Solution as per bid specifications 24=Month Contract		$0.00		$0.00
			Estimated Annual Usage = 18,000 Gallons				
			No Additional Charges Will Be Allowed				

Attachment: Bid Tab Calcium Nitrate (RES-2023-974 : Award Bid #2023046 Calcium Nitrate - CRS #4413)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 28236 **RESOLUTION 2023-975** **ADOPTED**

Award Bid #2023050 Building Department Vehicles - CRS #4425

WHEREAS, the Contract Compliance and Administration Department received bids on November 9, 2023 for Bid #2023050 Building Department Vehicles; and

WHEREAS, the bid process resulted in a response from three (3) vendors, as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award the bid (Items 2a & 2b) for the purchase of two (2) 2024 or newer Ford Broncos from Delacy Ford, Inc.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Building Department to trade in the vehicles listed in the table below:

Car #	Year	VIN	Make/Model	Color	Mileage	Trade Amt.
BD-106	2017	1FMCU9GD4HUC85395	FORD ESCAPE SE AWD	GRAY	38,700	$12,525.00
BD-102	2018	1FMCU9GD7JUB69792	FORD ESCAPE SE AWD	BLUE	48,200	$13,525.00

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Delacy Ford, Inc.

12/4/2023
Consent

FINANCIAL IMPACT:

B3620-2200; $36,148.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Bid #2023050 Building Department Vehicles								
Low Bidder		Vendor Name:	Generation Buick GMC		Delacy Ford		C. Basil Ford	
Item #	QTY		Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
		Option #1 - 3 Vehicles						
1a	3	2024 or newer Ford Bronco Sport Big Bend with the convenience package, or equivalent	$30,677.50	$92,032.50	$31,099.00	$93,297.00	$30,966.52	$92,899.56
1b	3	Total for Trades - Vehicles 1, 2 & 3 (see page 5)		$0.00		$38,575.00		$33,000.00
		NET TOTAL – Total of 1a - Total of 1b		$92,032.50		**$54,722.00**		$59,899.56
		Option #2 – 2 Vehicles						
2a	2	2024 or newer Ford Bronco Sport Big Bend with the convenience package, or equivalent	$30,677.50	$61,355.00	$31,099.00	$62,198.00	$30,966.52	$61,933.04
2b	2	**Total for Trades - Vehicles 1 & 2 (see page 5)**		$0.00		$26,050.00		$22,000.00
		NET TOTAL – Total of 2a - Total of 2b		$61,355.00		**$36,148.00**		$39,933.04
		Please fill in individual vehicle trade-in amounts on the trade-in table located on page 5						
		No Additional Charges Will Be Allowed						

NOTES:

Generation Buick - Bid 2023 Buick Encore GX AWD Preferred. Did not submit values for trade ins.

Attachment: Bid Analysis Building Department Vehicles (RES-2023-975 : Award Bid #2023050 Building

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 28248 **RESOLUTION 2023-976** **ADJOURNED**

Award Bid #2023049 Transportation of Stabilized Sludge Cake, Grit & Screenings - CRS #4434 & 4435

WHEREAS, bids were received on November 2, 2023 for Bid #2023049 Transportation of Stabilized Sludge Cake, Grit & Screenings; and

WHEREAS, three (3) bids were received as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid as follows: Line items 1 & 2 for a 12-month term to the low-bidder Stancor, LLC.; Line items 1A, 1B, 2A, and 2B for a 12-month term to the low-bidder Modern Disposal; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contracts with Stancor, LLC and Modern Disposal; and

BE IT FURTHER RESOLVED, that approval of the contract with Modern Disposal is pending successful completion of the Contract Routing System, as some contract paperwork is still needed.

12/4/2023
Supervisor Kulpa made a motion to adjourn, seconded by Deputy Supervisor Bucki and unanimously approved 5-0.

FINANCIAL IMPACT:

G9916-4950; Amount TBD

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 12/18/2023 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Deborah Bruch Bucki, Deputy Supervisor	
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala	

Bid #2023049 - Transportation of Stabilized Sludge Cake, Grit & Screenings									
Low Bid			Vendor:	Cragco		Stancor		Modern	
ITEM No.	QTY.	U/M		Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
			Transportation Services for Stabilized Sludge - 6-Month Contract						
1	1040	Trip	Transportation service for stabilized sludge cake, up to 40 miles round trip.	$400.00	$416,000.00	$366.56	$381,222.40	$450.00	$468,000.00
1A	1	Trip	Transportation service for stabilized sludge cake, up to 90 miles round trip.	No Bid	No Bid	$824.77	$824.77	$655.00	$655.00
1B	1	Trip	Transportation service for stabilized sludge cake, up to 140 miles round trip.	No Bid	No Bid	$1,282.97	$1,282.97	$865.00	$865.00
			Transportation Services for Grit and Screenings - 6-Month Contract						
2	15	Trip	Transportation service for grit and screenings, up to 40 miles round trip.	$400.00	$6,000.00	$366.56	$5,498.40	$450.00	$6,750.00
2A	1	Trip	Transportation service for grit and screenings, up to 90 miles round trip	No Bid	No Bid	$824.77	$824.77	$655.00	$655.00
2B	1	Trip	Transportation service for grit and screenings, up to 140 miles round trip.	No Bid	No BId	$1,282.77	$1,282.77	$865.00	$865.00
			Transportation Services for Stabilized Sludge - 12-Month Contract						
1	1040	Trip	Transportation service for stabilized sludge cake, up to 40 miles round trip.	$400.00	$416,000.00	$366.56	$381,222.40	$450.00	$468,000.00
1A	1	Trip	Transportation service for stabilized sludge cake, up to 90 miles round trip.	No Bid	No Bid	$824.77	$824.77	$655.00	$655.00
1B	1	Trip	Transportation service for stabilized sludge cake, up to 140 miles round trip.	No BId	No Bid	$1,282.77	$1,282.77	$865.00	$865.00
			Transportation Services for Grit and Screenings - 12-Month Contract						
2	15	Trip	Transportation service for grit and screenings, up to 40 miles round trip.	$400.00	$6,000.00	$366.56	$5,498.40	$450.00	$6,750.00
2A	1	Trip	Transportation service for grit and screenings, up to 90 miles round trip	No Bid	No Bid	$824.77	$824.77	$655.00	$655.00
2B	1	Trip	Transportation service for grit and screenings, up to 140 miles round trip.	No BId	No Bid	$1,282.77	$1,282.77	$865.00	$865.00
			NO ADDITIONAL CHARGES WILL BE CONSIDERED						
NOTES:									
Cragco: Letter attached to bid lists demurrage cost after 30 minutes of $100/hour.									
Modern: Provided pricing on old price page instead of addendum price page. They did however attach a letter acknowledging the addendum.									

Attachment: Bid analysis Sludge Hauling (RES-2023-976 : Award Bid #2023049 Transportation of

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 28274 **RESOLUTION 2023-977** **ADOPTED**

Award Bid #2023055 Police Vehicles - CRS #4450

WHEREAS, the Contract Compliance and Administration Department received bids on November 21, 2023 for Bid #2023055 Police Vehicles; and

WHEREAS, the bid process resulted in a response from one (1) vendor, as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Delacy Ford, Inc.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Police Department to trade in the vehicles listed in the table below:

CAR #	YEAR	VIN	MAKE/MODEL	MILEAGE	DELACY FORD
105	2022	1FM5K8AW6NNA00205	SUV Hybrid	105,798	$7,000.00
107	2022	1FM5K8AW3NNA00209	SUV Hybrid	101,084	$7,000.00
115	2018	1FAHP2MK0JG133894	Taurus	117,612	$2,500.00
115a	2020	1FM5K8AW3LGC92851	SUV Hybrid	102,512	$6,000.00
134	2015	1FAHP2MK4FG170082	Taurus	89,883	$2,000.00
135a	2017	1FAHP2MK2HG126357	Taurus	98,940	$2,500.00
					$27,000.00

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Delacy Ford, Inc., pending successful completion of the Contract Routing System due to the need to order the vehicles with the vendor as soon as possible.

12/4/2023
Consent

FINANCIAL IMPACT:

KP2335-2200; $251,730.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Bid #2023055 Police Vehicles				
Low Bidder		Vendor Name:	Delacy Ford	
Item #	QTY		Unit Price	Total Price
1	2	2024 or Newer Ford Police Interceptor Utility AWD (LK Dark Blue)	$46,283.00	$92,566.00
2	2	2024 or Newer Ford Police Interceptor Utility AWD (Non-Hybrid) Unmarked Patrol (1) Silver, (1) Black	$47,525.00	$95,050.00
3	2	2024 or Newer Ford Police Interceptor Utility AWD (Non-Hybrid) Detective (2) Color TBD at time of order	$45,557.00	$91,114.00
		Total		$278,730.00
4	6	Total Trade-In Value (Enter individual trade-in values in the table and total of all trade-ins here)		$27,000.00
		Total Net Bid (minus trade-in)		**$251,730.00**
		Estimated lead time between order and delivery _____		90-180 days
		Price quoted to be delivered price. No additional freight will be allowed.		
NOTES:				
Delacy: If orders switch to 2025, there may be a price increase as 2024 pricing won't be honored.				

Attachment: Bid Analysis for 2023055 Police Vehicles (RES-2023-977 : Award Bid #2023055 Police Vehicles - CRS #4450)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 28249 **RESOLUTION 2023-978** **ADOPTED**

Approve Piggyback Contract for Ice Melt Products - CRS #4436

WHEREAS, the Contract Compliance and Administration Department is requesting approval to piggyback on Erie County contract #230264-004 with SiteOne Landscape Supply for the purchase of Ice Melt Products; and

WHEREAS, the contract term will be from date of Town Board approval through October 31, 2024; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the piggyback contract with SiteOne Landscape Supply.

12/4/2023
Consent

FINANCIAL IMPACT:

Town Wide; Various Accounts; Amount TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

TOWN OF AMHERST

Erie County, New York

SUPERVISOR
Brian J. Kulpa
716-631-7032

DEPUTY SUPERVISOR/COUNCILMEMBER
Deborah Bruch Bucki, RN, PhD

COUNCILMEMBERS
Shawn Lavin
Michael Szukala
Jacqualine Berger

AGREEMENT

Let this document stand as an Agreement between SiteOne Landscape Supply. and the Town of Amherst permitting the Town to participate in the Erie County Bid #230264-004, for Ice Melt Products through October 31, 2024.

Agreed to and Accepted by:

SiteOne Landscape Supply

By: _____
Signature

Keith McGinty
Printed name

DIRECTOR
Title

Date: 11-21-23

Agreed to and Accepted by:

TOWN OF AMHERST

By: _____
Brian J. Kulpa, Supervisor

Date: _____

Attachment: Site One CRS (RES-2023-978 : Approve Piggyback Contract for Ice Melt Products - CRS #4436)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Court
Initiated by: **Ann M. Nichols**
Co-Sponsored by: **Councilmember Shawn Lavin**

DOC ID: 28277 **RESOLUTION 2023-979** **ADOPTED**

Newly Elected Amherst Town Justice A. Nichols to Attend Training

Newly Elected Amherst Town Justice to attend Office of Court Administration Fall 2023 Taking the Bench Certification Course to Newly Elected Town & Village Justices in Albany, NY from 12/10/23 to 12/15/23 at a cost of $1316.22.

12/4/2023
Consent

FINANCIAL IMPACT:

There is sufficient money in the Court's Budget to cover expenses.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Shawn Lavin
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Revised 5.8.2023

TRAVEL EXPENSE APPROVAL / REIMBURSEMENT FORM

☐ Travel in New York State and under $750 - Department Head Approval

☒ Travel in New York State $750 and over - Department Head Approval and Town Board Approval

☐ Travel out of New York State - Department Head Approval and Town Board Approval

NAME	Employee #	Department	Phone Number
Ann M. Nichols	9378	Court	(716) 689-4240

Destination and Purpose of Trip

Date of Departure	Date of Return	Destination	Purpose/Justification
12/10/23	12/15/23	Albany, NY	Office of Court Administration Fall 2023 Taking the Bench Certification Course for Newly Elected Town & Village Justices

Expenses	Estimated	Budget A/C #	Actual
Transportation:			
Mileage 566 @ $0.655	370.73	A110.4050	
Tolls 12.04 x 2	24.08	A110.4050	
Parking			
Local Transportation (bus/taxi)			
Plane/Rail/Bus			
Lodging:			
# nights 5 @ $ 114	570	A110.4040	
Meals:			
IRS Per Diem Per Day: 69			
1st & Last Day of Travel @ 75% 51.75	51.75	A110.4040	
# Breakfasts @ $	included		
# Lunches @ $	included		
# Dinners 5 @ $ 31	155	A110.4040	
# Incidentals 5 @ $ 5	25	A110.4040	
Registration/Conference Fee	free		
Other			
Subtotal	1196.56 -		N/A
Contingency - 10% of subtotal or $200	119.66 -		N/A
TOTAL	1316.22 -		

Request Approved By:

Ann M Nichols

Department Head Signature

11/28/23

Date

Town Board :

Town Board Resolution & Date

I hereby certify that I have expended the above itemized amounts for business purposes for the Town of Amherst. Required receipts are attached.

Employee Signature — Date

Ann M. Nichols

Print Employee Name

Reimbursement Approved By:

Department Head Signature — Date

Complete Shaded Area
For Expense Reimbursement

Attachment: DOC112823-11282023140158 (RES-2023-979 : Newly Elected Amherst Town Justice A. Nichols to Attend Training)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Emergency Services
Initiated by: **Jim Zymanek**
Co-Sponsored by:

DOC ID: 28280 **RESOLUTION 2023-980** **ADOPTED**

Ambulance Contract CRS ID #4455

WHEREAS, after extensive review and an RFP, the Emergency Medical Services Board recommends that the Town of Amherst renew its contract with Twin City Ambulance with a two (2) year right of renewal; and

WHEREAS, the cost to the public will not change and as ever the safety of the community will always be of utmost importance; and

NOW THEREFORE BE IT RESOLVED the Town of Amherst approves of an Intermunicipal Agreement with the Towns of Amherst, Clarence, Newstead, Villages of Akron and Williamsville, fire districts of Clarence, Eggertsville and Snyder to award the ambulance service contract to Twin City Ambulance for a three (3) year term starting 1/1/2024 to 12/31/2026; and

BE IT RESOLVED that said award is contingent on all other municipalities approving said award;

BE IT FURTHER RESOLVED upon the above conditions being met and successful completion of the contract routing process, the Supervisor is hereby authorized to execute said contract.

12/4/2023
Consent

FINANCIAL IMPACT:

none

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

PRE-HOSPITAL EMERGENCY MEDICAL SERVICES AGREEMENT

TOWNS OF
AMHERST, CLARENCE, & NEWSTEAD,

VILLAGES OF AKRON & WILLIAMSVILLE

CLARENCE, EGGERTSVILLE, & SNYDER FIRE DISTRICTS

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

TABLE OF CONTRACT CONTENTS

	Article and Section	Page
Article I	**General Provisions**	**4-6**
Section 1.01	Statement of Purpose	4
Section 1.02	Scope of Understanding	4-5
Section 1.03	Compensation by Municipality	5
Section 1.04	Expenses	5
Section 1.05	Term	5-6
Article II	**Specifications**	**6-18**
Section 2.01	Operating Certificate, Controlled Substances License, Communications, Equipment	6-12
Section 2.02	Ambulance Service Personnel	12
Section 2.03	Dispatch of Fire Departments and Ambulance Service	12
Section 2.04	Response Modes	13-14
Section 2.05	Scope and Modes of Service	14-15
Section 2.06	Response Time	15-17
Section 2.07	Reports and Meetings	17-18
Article III	**Insurance**	**18-20**
Section 3.01	Workers' Compensation / Disability Insurance	18
Section 3.02	General Liability Insurance	19
Section 3.03	Professional Liability Insurance	19
Section 3.04	Certificates of Insurance	19
Section 3.05	Notice of Insurance Termination	19-20
Section 3.06	Additional Insureds	20
Section 3.07	Insurance Maintenance	20
Article IV	**Municipality's Responsibilities**	**21-23**
Section 4.01	Dispatching	21
Section 4.02	Emergency Medical Services Board	21
Section 4.03	Inspection / Performance Appraisal	22
Section 4.04	Exclusive Contract	22
Section 4.05	Responsibility at Emergency Scenes	22-23

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Article V	**Ambulance Service Municipality Cooperation 23-24**	
Section 5.01	Cooperation with EMS Councils	23
Section 5.02	Notice of Complaints	23
Section 5.03	Notice of Claims or Actions	23
Section 5.04	Cooperation with Research Groups	23-24
Section 5.05	Training	24
Article VI	**Rates for Service**	**24-25**
Section 6.01	Rates for Service	24-25
Article VII	**Additional Provisions**	**25-29**
Section 7.01	Information Provided to Municipality	25
Section 7.02	Additional Representations by Ambulance Service	25
Section 7.03	Compliance with all Laws and Regulations	25-26
Section 7.04	Prohibition Against Assignment	26
Section 7.05	Refusal to Testify	26
Section 7.06	Status as Independent Contractor	26
Section 7.07	Indemnification	27
Section 7.08	General Termination Provisions	27-28
Section 7.09	Liquidated Damages	28-29
Section 7.10	Law	29
Section 7.11	Extent of Agreement	29
Section 7.12	Severability	29
	Affirmations	**30-32**
	Signatures	**33-34**

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

AGREEMENT

This Pre-hospital Emergency Medical Services ("EMS") agreement, ("Agreement") is entered into this _ day of _____ 20__by and among the Town of Amherst, a municipality with its principal office at 5583 Main Street, Williamsville, New York 14221; the Town of Clarence, a municipality with its principal office at 1 Town Place, Clarence, New York 14031; the Town of Newstead, a municipality with its principal office at 57 John Street, Akron, New York 14001; the Village of Akron, a municipality with its principal office at 21 Main Street, Akron, New York 14001; the Village of Williamsville, a municipal corporation with its principal office at 5565 Main Street, Williamsville, New York 14221, the Clarence Fire District, a commissioned fire district with its principal office at 10355 Main Street, Clarence, New York 14031; the Eggertsville Fire District, a commissioned fire district with its principal office at 1880 Eggert Road, Eggertsville, New York 14226; and the Snyder Fire District, a commissioned fire district with its principal office at 4531 Main Street, Snyder, New York 14226, (collectively referred to as "Municipality") and _____ _____ Ambulance Service ("Ambulance Service").

WITNESSETH

In consideration of the mutual covenants and promises contained herein, the annual payment by Municipality to Ambulance Service of the sum of one dollar ($1.00), and no more dollars, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE I – GENERAL PROVISIONS

Section 1.01 – Statement of Purpose

1. The parties mutually agree that the purpose of this Agreement is to effectuate and encourage the furnishing of the most modern, expeditious, reliable, and professional emergency Advanced Life Support Paramedic ambulance service and emergency Basic Life Support ambulance service possible at a reasonable cost for those sick or injured persons within the Municipality. Advanced Life Support Paramedic ambulances shall be termed Advanced Life Support Units ("ALSUs") and Basic Life Support ambulances shall be termed Basic Life Support Units ("BLSUs"). Those terms shall be fully defined in Section 2.05(1) and (2) of this Agreement.

Section 1.02 – Scope of Undertaking

1. Ambulance Service represents that it possesses the necessary equipment, New York State certified personnel, and technical expertise

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

to perform the duties it has undertaken pursuant to this Agreement, including any duties which may become reasonably necessary to effectuate the Agreement but are not specifically delineated in the Agreement. The parties agree that the obligations set forth in this provision shall continue throughout the term of this Agreement. A valid New York State Department of Health, Operating Certificate must be in place on or before the execution of this agreement

Section 1.03 – Compensation by Municipality

1. Except for the annual payment of one dollar ($1.00), noted above, and in the case of ambulance transportation related to Worker's Compensation claims for which Municipality is determined to be legally responsible, Municipality shall have no duty to compensate Ambulance Service for any services provided under this Agreement.

Section 1.04 – Expenses

Ambulance Service shall be responsible for the following operating expenses:

1. Crew quarters – should it choose to provide them, housing for ambulances – should such housing be necessary, and any utility costs, including telephone and security services, associated with operating those facilities;

2. Vehicles, their maintenance and repair, durable medical equipment, and disposable supplies;

3. Replacement of medical supplies and equipment, including, but not limited to those used by the responding or mutual aid fire department(s); and

4. All insurance required to effectuate this Agreement, including, but not limited to: automobile liability insurance, contractual liability and / or errors and omissions insurance, medical malpractice / professional liability insurance, workers' compensation insurance, and New York State Disability Insurance.

Section 1.05 – Term

1. Unless terminated earlier as otherwise provided herein, this Agreement shall be for a term of three (3) years ("Term"), commencing on the first (1st) day of January 2024 and terminating on the thirty-first (31st) day of December 2026; however the Term of this Agreement shall be automatically extended on the same terms and conditions as set forth herein for an additional two (2) year period unless a party to the agreement notifies the other party in writing of their intent to terminate the agreement three (3) months prior to the renewal date.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

2. Notwithstanding the foregoing, Municipality may, for any reason, terminate this agreement on six (6) months written notice to Ambulance Service, but in no event shall the term of this Agreement be less than one (1) year.

ARTICLE II SPECIFICATIONS

Section 2.01 – Operating Certificate, Controlled Substances License, Communications, Operations, and Equipment

1. Ambulance Service shall, in accordance with Article 30 of the Public Health Law, maintain in effect a New York State Department of Health Ambulance Service Certificate. Ambulance Service shall demonstrate to the satisfaction of Municipality that such certificate is in effect at the time of the execution of this Agreement and Ambulance Service shall throughout the Term of this Agreement renew such certificate as required. If Ambulance Service's Ambulance Operating Certificate is suspended or revoked, Ambulance Service shall immediately notify Municipality and the EMS Board – which is defined in Section 4.02 of this Agreement – of such suspension or revocation.

2. Ambulance Service shall, in accordance with Article 33 of the Public Health Law and 10 NYCRR Part 80, maintain in effect a New York State Controlled Substances License. Ambulance Service shall demonstrate to the satisfaction of Municipality that such license is in effect at the time of the execution of this Agreement and Ambulance Service shall renew such license as required throughout the Term of this Agreement. If Ambulance Service's Controlled Substances License is suspended or revoked, Ambulance Service shall immediately notify Municipality and the EMS Board of such suspension or revocation.

3. Ambulance Service shall own or lease all equipment necessary to carry out the terms and conditions of this Agreement. Ambulance Service shall, on an annual basis, provide to the EMS Board Ambulance Service's vehicle replacement plan.

4. Ambulance Service shall maintain its equipment and conduct its operations to the reasonable satisfaction of Municipality and such equipment and operations shall in all respects conform to Article 30 of the Public Health Law, 10 NYCRR Part 800, and all applicable Policy Statements issued by the New York State Department of Health Bureau of EMS ("DOH").

5. Ambulance Service shall notify the EMS Board of any changes Ambulance Service makes regarding the medical equipment used by Ambulance Service. Examples of such equipment changes include, but

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

are not limited to, changes in the type of defibrillator, defibrillator pads, backboards, or cervical collars used by Ambulance Service. In the event that Ambulance Service changes equipment, it will provide to fire department personnel training and information on the proper use of the new equipment.

6. Ambulance Service shall be responsible for fire department durable medical equipment utilized during the transport of patients to hospitals. Ambulance Service shall ensure that all such equipment is returned to the proper fire department. If, after seventy-two (72) hours, Ambulance Service has not returned such fire department equipment, as set out on the standard fire department equipment tracking form, Ambulance Service shall be liable for the replacement (within 30 days) of the fire department equipment. The fire department may FAX or e- mail the equipment tracking form to Ambulance Service or may use a designated voicemail telephone number to inform Ambulance Service of missing equipment. Ambulance Service shall design and distribute the equipment tracking form and shall bear all costs associated with the form's production and distribution.

7. Ambulance Service shall replace disposable medical supplies utilized by fire departments. Replacement shall whenever practicable take place at the scene of the EMS response on which the supplies were used, but in no event shall such supply replacement take place later than three
(3) days from the date of use.

8. Ambulance Service shall, pursuant to the protocols established by the Regional Emergency Medical Advisory Committee (REMAC), receive medical direction from regional hospitals.

9. Ambulance Service shall at the scene of all emergency incidents to which it responds function as part of the unified command system. When on scene at any incident, including an emergency stand-by as described in Section 2.05(4) of this Agreement, Ambulance Service personnel shall report to and take operational direction from the incident commander. In the event that additional resources, e.g., ALSUs, BLSUs, or other equipment or personnel are required at the scene of any incident, requests for such additional resources shall be coordinated by the incident commander or his designee and shall be made through Amherst Fire Control ("AFC"). Requests for ALSUs or BLSUs received by AFC from any person, department, or agency other than the fire department incident commander shall be confirmed with the fire department incident commander before any additional resources are dispatched.

10. Ambulance Service shall be solely responsible for selecting the hospital to which patients receiving EMS under this Agreement are transported. Patient request, Article 30 of the Public Health Law,

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

DOH Policy Statements, REMAC policy, and EMS industry practices shall inform hospital selection decisions.

11. Ambulance Service shall to the reasonable satisfaction of Municipality maintain appropriate records regarding all EMS responses. Such records shall include the following information regarding requests for EMS and responses to those requests: (1) the time of receipt; (2) the time of dispatch; (3) location of the ALSU or BLSU at the time of dispatch; (4) the time of arrival on scene(5) the duration between time of dispatch and arrival on scene; (6)the disposition; and (7) if transport was required, whether transport was Hot or Cold as defined herein. Such records shall upon request be available for inspection by the Supervising Fire Dispatcher of AFC, Chairman of the EMS Board, or any participating entity of the Municipality. Information provided shall comport with the dictates of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), as amended from time to time.

12. Ambulance Service shall throughout the term of this Agreement on a twenty-four hour per day, seven day per week basis provide a sufficient number of ALSUs, BLSUs, and back-ups to provide the services required by this Agreement.

13. To ensure to the extent possible that response times are not compromised, Ambulance Service shall ensure that crew changes for and restocking of ALSUs and BLSUs assigned to Municipality take place within Municipality.

14. Ambulance Service shall maintain appropriate communications equipment in its emergency vehicles and shall secure any and all necessary authorization to operate that equipment. Such communications equipment shall, at minimum, include the following:

    a. A private business band radio, preset to Ambulance Service's licensed frequency;

    b. A Medical Emergency Radio System (MERS) radio;

    c. A mobile telephone to enable on-line medical direction and to serve as a secondary means of communication between the emergency vehicle and Ambulance Service's dispatch center; and

    d. A monitor or scanner radio receiver capable of receiving 46.26 MHZ FM, 424. 125 MHZ, 425.125 MHZ, 425.225 MHZ, 425.400 MHZ, 425.450 MHZ and 425.475 MHZ. In the event that additional or replacement radio frequencies are utilized by AFC, Ambulance Service shall maintain radio equipment capable of monitoring those frequencies.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

15. Ambulance Service shall record all radio and in-house telephone communications and shall maintain those recordings for a period of no less than thirty (30) days. Upon written request, those recordings shall be made available for review by Municipality or the EMS Board. Ambulance Service shall provide those recordings to Municipality or the EMS Board within three days of written request. Requests by Municipality or the EMS Board shall be made through the Town of Amherst Supervising Fire Dispatcher or his designee. The chairman of the EMS Board shall be notified of all such requests.

16. Ambulance Service shall equip Amherst, Clarence, and Newstead- based ALSUs and BLSUs with Global Positioning Satellite ("GPS") navigation devices, such as Magellan, Garmin, or an equivalent.

17. Ambulance Service shall, at its own expense, provide, maintain, and upgrade as needed for use by AFC equipment to facilitate direct telephone communications between AFC and Ambulance Service's dispatch center.

18. Ambulance Service shall, at its own expense, provide maintain, and upgrade as needed for use by AFC a radio transmitter / receiver, preset to Ambulance Service's private business frequency, along with all additional equipment necessary to enable radio communications between AFC and Ambulance Service's dispatch center.

19. Ambulance Service shall, at its own expense, provide AFC with real- time, view only access, or the functional equivalent thereof, to Ambulance's Service's computer-aided dispatch ("CAD") system. Such access shall enable AFC to view the statuses of all in service ALSUs, BLSUs, Supervisor Vehicles, and Paramedic Fly-Cars (collectively, "Vehicles") that comprise Ambulance Service's system-wide vehicle deployment – defined as, all of Ambulance Service's in service vehicles, not just those vehicles assigned to the geographic areas covered by this Agreement – at any given time. (For purposes of this provision, in service shall mean all vehicles that are scheduled, staffed, and deployed with the expectation that they will respond to calls.) Further, AFC's view only access shall enable AFC to view calls in queue and awaiting dispatch by Ambulance Service.

    The information provided in a vehicle's viewable status shall, at minimum, enable AFC to determine in real-time the following information: (1) whether a vehicle is available for a call; (2) whether a vehicle is responding to a call; (3) whether a vehicle is on scene at a call; (4) whether a vehicle is transporting to a hospital; (5) whether a vehicle is on location at a hospital; (6) whether an otherwise in service vehicle is temporarily out of service for any reason, including, but not limited to, vehicle fueling, meal breaks, mechanical problems, etc., but

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

is expected to return to service; and (7) the actual GPS location, viewable on a map, of every in service vehicle in Ambulance Service's system-wide vehicle deployment – defined as, all of Ambulance Service's in service vehicles, not just those vehicles assigned to the geographic areas covered by this Agreement – an any given time.

To enable AFC to view Ambulance Service's CAD system and the GPS locations of its vehicles on a map, Ambulance Service shall provide, maintain, and upgrade as needed for AFC's use, at Ambulance Service's own expense, all required hardware and software, including a large screen television / monitor.

Ambulance service shall ensure that no protected health information ("PHI") is viewable by AFC as part of AFC's access to Ambulance Service's CAD system. Ambulance Service shall further ensure that all information to which AFC has access comports in all respects with the dictates HIPAA.

20. Ambulance Service shall, at its own expense, establish, maintain, and upgrade as needed an electronic data link ("Data Link") between AFC and Ambulance Service's dispatch center. The Data Link shall facilitate real-time, two-way electronic communications between AFC's and Ambulance Service's CAD systems. The Data Link shall enable the electronic transmission and receipt of information regarding EMS requests by AFC and EMS responses by Ambulance Service.

    AFC shall dispatch all requests for EMS responses to Ambulance Service by means of the Data Link. Ambulance Service's CAD system shall be configured to enable it to do the following: (1) receive from AFC electronic requests for EMS responses; (2) process those requests and map relevant data; and (3) transmit back to AFC acknowledgement of the EMS request and updates regarding the vehicle, including the unit number, its location at the time of dispatch, and its on-location time.

21. In the event that the Data Link is not functioning, due to maintenance, repair, technological failure, etc., AFC shall notify Ambulance Service of EMS requests by means of Ambulance Service's private radio frequency or by telephone. In response to an EMS request by radio or telephone, Ambulance Service's dispatcher shall ascertain and report to AFC, the identification number of the responding ALSU or BLSU, the location from which it is responding, and its estimated Response Time – which is defined in Section 2.06(1) of this Agreement.

22. Ambulance service will make available upon written request a system that will allow ambulance crews to access privately owned buildings that are multi-unit apartment / living residents. The written request must come from the Chief of the department that the property is within

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

and sent to the Ambulance Service along with a copy to the EMS Board & AFC. The privately owned building must allow permission to install such a system by the ambulance service at the cost of the building owner. An updated list shall be provided to AFC by the ambulance service as units are installed.

23. Ambulance Service shall by January 15th of each year covered by this Agreement provide to the Supervising Dispatcher of AFC and the EMS Board Chairman a list of all vehicles to be used to provide service under this Agreement. That list shall include vehicle type, year of manufacture, vehicle condition, and vehicle number. Ambulance Service shall within one week of any additions to or deletions from that list notify the Supervising Dispatcher of AFC and the EMS Board of such additions or deletions.

24. Ambulance Service shall by January 15th of each year covered by this Agreement provide to the Supervising Dispatcher of AFC and the EMS Board Chairman a list that identifies Ambulance Service's supervisors and their certification levels. That list shall include mobile telephone numbers at which those supervisors can be contacted. Ambulance Service shall within one week of any additions to or deletions from that list notify the Supervising Dispatcher of AFC and the EMS Board of such additions or deletions.

25. Ambulance Service shall by January 15th of each year covered by this Agreement provide to the Supervising Dispatcher of AFC, the EMS Board Chairman, and the disaster coordinators for each town and village covered by this Agreement a copy of Ambulance Service's disaster plan. The plan shall detail procedures to be utilized by Ambulance Service for mass casualty incidents, hazardous materials, weapons of mass destruction, and other specialized types of responses, and Mutual Aid, as described below. Ambulance Service shall update the plan annually.

26. Ambulance Service shall, pursuant to Article 30 of the Public Health Law, 10 NYCRR Part 800, and applicable DOH Policy Statements develop and maintain a written Mutual Aid Plan. The Mutual Aid Plan must detail the following: (1) number and type of ALSUs and BLSUs available within a thirty-minute period of time for a mass casualty incident, notably, the minimum number of available units must be at least twelve (12) ALSUs and six (6) BLSUs; (b) the names, addresses and telephone numbers of the operators of the ALSUs and BLSUs; and
(c) the approximate time for the ALSUs and BLSUs to be available for Municipality. Ambulance Service shall by January 15th of each year covered by this Agreement provide to the Supervising Fire Dispatcher of AFC and the EMS Board Chairman an updated copy of Ambulance Service's Mutual Aid Plan. Ambulance Service shall activate its

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Mutual Aid Plan in the event that it has no available ALSUs or BLSUs to provide the services described in this Agreement.

27. Failure by Ambulance Service to adhere to the above listed specifications shall empower Municipality to impose any and all liquidated damages set forth in Section 7.09 of this Agreement or terminate this Agreement pursuant to this Agreement's General Termination Provisions.

Section 2.02 – Ambulance Service Personnel

1. All employees of Ambulance Service shall meet applicable professional qualifications and certification requirements as prescribed by Article 30 of the Public Health Law, 10 NYCRR Part 800, applicable DOH Policy Statements, REMAC, or other applicable regulatory agencies.

2. Ambulance Service shall on a quarterly basis provide to the Supervising Dispatcher of AFC and EMS Board Chairman a list of Ambulance Service's emergency medical personnel. That list shall indicate each employee's level of certification, New York State certification number, and date on which that certification expires.

3. Ambulance Service Personnel shall at all times while on duty display an Ambulance Service identification card. That identification card shall, at minimum, contain the following: the employee's name, photograph, and level of New York State certification.

Section 2.03 – Dispatch of Fire Departments and Ambulance Service

1. AFC shall, in accordance with Section 4.01 of this Agreement, transmit to Ambulance Service all EMS requests made by any individual, department, or agent of Municipality.

2. EMS requests from AFC, and all EMS requests for which there is reason to believe that a life threatening situation exists, shall take precedence over requests for non-emergent services, even if an ALSU or BLSU has already been dispatched to such a non-emergent request.

3. AFC shall in response to requests for EMS, and in accordance with the response modes set forth in Section 2.04, below, dispatch Ambulance Service and the appropriate fire department.

4. Except when responding to a request by a private individual, Ambulance Service shall notify AFC of any and all EMS requests within Municipality. In such cases, AFC shall, transmit the EMS request to the appropriate fire department.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Section 2.04 – Response Modes

1. Response Modes, Hot, Cold, Omega, and Ambulance Only, all of which are defined below, shall be determined by the Emergency Medical Dispatch ("EMD") protocols promulgated by the National Academy of Emergency Dispatch, or their equivalent, and adopted by the REMAC and / or AFC's medical director.

2. Hot Response shall mean a request for EMS to which fire department apparatus and Ambulance Service vehicles respond using emergency warning lights and sirens and which comports in all respects with the dictates of the New York Vehicle and Traffic Law. The chief or incident commander of the responding fire department may, based on information available and his best judgment, downgrade the response to a Cold Response, as defined below, or terminate the response entirely.

3. Cold Response shall mean a request for EMS to which fire department apparatus and Ambulance Service vehicles respond without the use of emergency warning lights and sirens and which comports in all respects with the dictates of the New York Vehicle and Traffic Law. The chief or incident commander of the responding fire department may, based on information available and his best judgment, upgrade the response to a Hot Response, as defined above, or terminate the response entirely.

4. Omega Response shall mean a non-emergent response to a request for assistance in which Ambulance Service responds without an accompanying fire department response. Examples of such responses are requests for lift assists, transports for scheduled medical treatment, confirmation of death, and poisoning without priority symptoms.

5. Ambulance Only Response shall mean an EMS response for which the EMD protocols dictate no fire department response or for which a caller who requests assistance specifically asks that no fire department be dispatched. In such a case, AFC may dispatch Ambulance Service without an accompanying fire department response. If, in any case, however, an AFC dispatcher reasonably believes the situation to be more serious or present life-threatening circumstances, the AFC dispatcher shall dispatch the fire department along with Ambulance Service.

6. Fire Departments operating under AFC shall have the option to respond to all EMS requests within their respective fire districts / fire

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

protection districts. Any fire department that wishes to make a change regarding Omega or Ambulance Only Responses in its district may do so in the following ways: (1) permanently, upon sixty (60) days written notice to the Supervising Fire Dispatcher of AFC; or (2) temporarily, upon verbal, telephone, or written notice to the Supervising Fire Dispatcher of AFC. The Supervising Fire Dispatcher shall notify Ambulance Service of such changes.

Section 2.05 – Scope and Modes of Service

1. Advanced Life Support Service

   Ambulance Service shall when requested by AFC furnish prompt and efficient Advanced Life Support ("ALS") service. ALS service shall mean paramedic level EMS delivered by a New York State certified paramedic in a manner that conforms in all respects with the protocols and procedures established by the DOH, REMAC, Ambulance Service medical director, or other applicable regulatory agencies. As used in this Agreement, ALS service shall also include patient transport when transport is required.

   Ambulance Service shall primarily provide ALS service by means of an ALSU. ALSU shall mean a Paramedic-level ambulance, certified by the DOH, capable of transporting patients. ALSUs which are regularly scheduled in the geographic areas covered by this Agreement shall be staffed by at least one (1) EMT-Paramedic and one (1) EMT-Basic. ALSUs that serve as back-up ALSUs shall be staffed with at least one
   (1) EMT-Paramedic and, at minimum, one (1) EMT-Basic.

2. Basic Life Support Service

   Ambulance Service shall when requested by AFC furnish prompt and efficient emergency Basic Life Support ("BLS") service. BLS service shall mean EMT-Basic level EMS delivered by a New York State certified EMT in a manner that conforms in all respects with the protocols and procedures established by the DOH, REMAC, Ambulance Service medical director, or other applicable regulatory agencies. As used in this Agreement, BLS service shall also include patient transport when transport is required.

   Ambulance Service shall provide BLS service by means of a BLSU. BLSU shall mean a Basic-level ambulance, certified by the DOH, capable of transporting patients. BLSUs shall at minimum be staffed by two (2) EMT-Basics.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

3. Fly-Car – Paramedic Intercept Service

   Ambulance Service may, subject to the restrictions set forth below, utilize the Fly-Car – Paramedic Intercept concept in conjunction with a BLSU as an alternative to the service described in Section 2.05(1), above.

   Fly-Car – Paramedic Intercept service shall mean a vehicle, certified by the DOH, stocked with all equipment necessary to provide ALS, but incapable of transporting patients, and staffed by at least one (1) EMT- Paramedic.

   The Fly-Car – Paramedic Intercept concept may only be used as an alternative to the service described in Section 2.05(1) when otherwise available ALSUs have been assigned to other EMS incidents within the geographic areas covered by this Agreement.

4. Emergency Stand-by Service

   Ambulance Service shall when requested by AFC provide a stand-by ALSU at the scene of all working fires, hazardous materials responses, and other similar emergencies. Response Mode shall be determined by the dispatch information provided by AFC. The ALSU shall standby at the scene until released by the incident commander. In the event that the stand-by ALSU transports a patient from the incident scene, Ambulance Service shall dispatch to the scene a replacement ALSU. Ambulance Service shall provide ALS and or BLS service to any injured, active volunteer firefighter at no cost to the firefighter, fire department, or Municipality, except as otherwise provided in Section 6.01(4) of this Agreement.

Section 2.06 – Response Time

1. For purposes of this Agreement, Response Time shall mean the elapsed period of time from the time AFC transmits to Ambulance Service a request for EMS to the time the ALSU or BLSU arrives at the location of the emergency incident.

   In the event that AFC upgrades to a Hot Response an EMS request which was originally dispatched as a Cold Response, Response Time shall mean the elapsed period of time from the time AFC transmits the upgrade to the time the ALSU or BLSU arrives at the location of the emergency incident.

2. Ambulance Service shall for all EMS requests, meet or exceed the

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Response Time requirements set forth below.

a. Ambulance Service shall for all responses in the Town of Amherst , including responses in the portions of the Town of Clarence served by the Swormville Fire Company and East Amherst Fire Department, maintain an average weekly Response Time of six (6) minutes (360 seconds) for all Hot Responses and twelve (12) minutes (720 seconds) for all Cold Responses.

b. Ambulance service shall for all Ambulance Only responses in the Town of Amherst including responses in the portions of the Town of Clarence served by the Swormville Fire Company and East Amherst Fire Department maintain an average weekly Response Time of twelve (12) minutes (720 seconds).

c. Ambulance service shall for all Omega responses in the Town of Amherst including responses in the portions of the Town of Clarence served by the Swormville Fire Company and East Amherst Fire Department maintain an average weekly Response Time of thirty (30) minutes (1,800 seconds).

d. Ambulance Service shall for responses in the Town of Clarence excluding responses in the Town of Clarence served by the Swormville Fire Company and East Amherst Fire Department, maintain an average weekly response time of eight (8) minutes (480 seconds) for all Hot Responses and twenty (20) minutes (1200 seconds) for all Cold Responses.

e. Ambulance service shall for all Ambulance Only responses in the Town of Clarence, excluding responses in the Town of Clarence served by the Swormville Fire Company and East Amherst Fire Department, maintain an average weekly Response Time of twenty (20) minutes (1200 seconds).

f. Ambulance service shall for all Omega responses in the Town of Clarence excluding responses in the portions of the Town of Clarence served by the Swormville Fire Company and East Amherst Fire Department maintain an average weekly Response Time of thirty (30) minutes (1,800 seconds).

g. Ambulance Service shall for all responses in the Town of Newstead maintain an average weekly Response Time of eight (8) minutes (480 seconds) for all Hot Responses and twenty-five (25) minutes (1500 seconds) for all Cold Responses.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

h. Ambulance service shall for all Ambulance Only responses in the Town of Newstead maintain an average weekly Response Time of twenty-five (25) minutes (1500 seconds).

i. Ambulance service shall for all Omega responses in the Town of Newstead maintain an average

weekly Response Time of thirty (30) minutes (1800 seconds).

3. Failure to meet or exceed the average weekly Response Time requirements set forth above shall cause Ambulance Service to provide Municipality with additional dedicated ALSUs and / or BLSUs to enable Ambulance Service to meet the Response Time requirements.

4. Should a violation occur with regard to Response Times, the fire chief of the affected department must, within ten (10) days following the distribution of the weekly report provided to the Chairman of the EMS Board, provide written documentation of the violation. Upon receipt of that written notification, the EMS Board Chairman shall schedule a meeting among the chief, the EMS Board, and Ambulance Service to discuss the violation. The parties shall work collectively to resolve the issue and determine what, if any, corrective action shall be taken by Ambulance Service. Ambulance Service shall take necessary corrective action within thirty (30) days following the meeting.

5. Failure to take the corrective action necessary to meet the Response Time requirements set forth above shall empower Municipality to charge liquidated damages as outlined in Section 7.09 of this Agreement.

Section 2.07 Reports and Meetings

1. Each month, Ambulance service shall prepare a report of all EMS requests to which it has responded under this Agreement. The Supervising Fire Dispatcher of AFC shall prescribe the format of the report. The report shall, at minimum, contain the following information: (1) incident number; (2) location of the emergency; (3) nature of the emergency, (4) service rendered; (5) Response Time; (6) EMT certification level of crew members dispatched to each incident; and (7) such other information as may be requested by the Supervising Dispatcher of AFC. The information provided in the report shall in all respects conform to the dictates of HIPAA.

2. Ambulance Service shall, no later than the 10th day of each month, beginning one month following the date of this Agreement, and continuing every month thereafter until the termination of this Agreement, submit the report by electronic mail to the EMS Board Chairperson. The Supervising Dispatcher shall make the monthly report available by electronic means to the Chairman

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

of the EMS Board, President of the Chiefs' Association, and Fire Chiefs of all fire departments served by Ambulance Service under this agreement.

3. Upon request, throughout the term of this Agreement, Ambulance Service shall make available for inspection by the Town Clerks of the Town of Amherst, Town of Clarence, Town of Newstead, the Clerk of the Village of Akron, the administrator of the Village of Williamsville, and the EMS Board Chairman reports on total billing, the number of requests for emergency ambulance service that fall into each of the following categories: (1) no patient found; (2) patient refused service / transport; (3) fire standby; (4) emergency standby; (5) cancellation; (6) no insurance; (7) third party insurance; (8) Medicaid; (9) Medicare; and
(10) any such other information as may be, from time to time, reasonably requested by Municipality. Such reports shall be prepared with specific and uniform categories from report to report.

4. Representatives from Ambulance Service and EMS Board or Municipality shall meet from time to time to discuss the services provided under this Agreement and to develop solutions to any actual or potential problems arising out of operations under this Agreement. No representative shall have the authority to change any provision of this Agreement except as provided herein. The representatives however, shall carry out the terms of this paragraph such that the intent of this Agreement is accomplished with as little hardship on either party as possible. Supplemental meetings shall be called as required.

5. A minimum of one supervisory level Ambulance Service representative shall attend the Fire Chiefs' Association meetings.

ARTICLE III INSURANCE

Section 3.01 – Workers' Compensation / Disability Insurance

1. Ambulance Service shall secure Workers' Compensation and New York State Disability Insurance for the benefit of, and keep insured during the life of this Agreement, any and all employees as are required to be insured under the provisions of the Workers' Compensation Law of the State of New York. A copy of the Workers' Compensation certificate must be filed with each municipality covered by this agreement and with the Chairman of the Emergency Medical Services Board. The Emergency Medical Services Board Chairman, Central Fire Alarm Office and Town Clerks of each municipality shall be contacted whenever there is a change of status with the workers' Compensation or Disability Insurance.

Section 3.02 – General Liability Insurance

1. Ambulance Service shall secure and keep in full force and effect insurance

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

coverage in an amount of not less than $3,000,000.00 for both bodily injury and property damage under both its vehicle liability insurance and its commercial general liability insurance. Ambulance Service shall upon the execution of this Agreement tender to the Town Clerks of each municipality a copy of the current General Liability Insurance certificate which shall evidence the required coverage. Ambulance Service shall during the Term of this Agreement similarly tender to the Town & Village Clerks of each municipality, the Fire Districts, Central Fire Alarm Office and the Chairman of the EMS Board copies of all renewal certificates or changes in General Liability Insurance.

Section 3.03 – Professional Liability Insurance

1. Ambulance Service shall secure and keep in full force and effect during the Term of this Agreement Professional Liability Insurance in an amount of not less than $3,000,000.00 per occurrence. Said insurance shall be issued by a responsible insurer licensed to do business in the State of New York. A copy of the current Professional Liability Insurance policy must be tendered to the Clerks of each municipality upon execution of this Agreement. A copy of all renewals or changes in Professional Liability Insurance shall during the Term of this Agreement be submitted to the Town & Village Clerks of each municipality, the Fire Districts, Central Fire Alarm Office and the Chairman of the EMS Board.

Section 3.04 – Certificates of Insurance

1. Ambulance Service shall file with each municipality, Fire District, Central Fire Alarm Office and the Chairman of the EMS Board a Certificate of Insurance certifying that the insurance coverage as provided herein is in full force and effect and may be canceled only after receipt of thirty (30) days written notice to Municipality.

Section 3.05 – Notice of Insurance Termination

1. Each of the foregoing insurance policies shall contain a provision that provides for thirty (30) days' notice to Municipality by the insurer in the event that any policy or portion thereof is canceled, or the coverage under said policy is reduced, or the policy is not renewed. In addition, in the event that Ambulance Service is notified of changes or becomes aware of any reduction or modification in insurance coverage, it shall

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

immediately notify Town Clerks of each municipality in writing of such insurance coverage modification.

Section 3.06 – Additional Insured's

1. Ambulance Service, in each of its insurance policies for commercial general liability, automobile liability, and professional liability insurance shall cause the following to be named as additional insured's: Town of Amherst, Town of Clarence, Town of Newstead, Village of Akron, Village of Williamsville, Clarence Fire District, Eggertsville Fire District, Snyder Fire District, the Akron Fire Company, the Clarence Volunteer Fire Company, the Clarence Center Volunteer Fire Company, the East Amherst Fire Department, the Eggertsville Hose Company, the Ellicott Creek Volunteer Fire Company, the Getzville Fire Company, the Harris Hill Volunteer Fire Company, the Main Transit Fire Department, the Newstead Fire Company, the North Amherst Fire Company, the North Bailey Fire Company, the Rapids Fire Company, the Snyder Fire Department, the Swormville Fire Company, and the Williamsville Fire Department. The fact that the named additional insured's have been listed on Ambulance Service insurance policies shall be evidenced by written notice from the insurer.

Section 3.07 – Insurance Maintenance

1. Ambulance Service hereby agrees that the insurance required in this Agreement is necessary in order to protect Municipality and those persons requiring emergency ambulance service. In the event Ambulance Service, either through intent or neglect, fails to renew or maintain with a New York State licensed insurer the coverage required in this Agreement, this Agreement shall be immediately terminable at Municipality's option and upon delivery of written notice of such termination to Ambulance Service.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

ARTICLE IV MUNICIPALITY'S RESPONSIBILITIES

Section 4.01 – Dispatching

1. AFC shall, in accordance with the relevant provisions of this Agreement, notify Ambulance Service of all EMS requests. AFC shall, when indicated by the EMD protocols, also dispatch the appropriate fire departments as first responders. Fire department personnel shall provide primary EMS and rescue operations and shall serve as incident commanders at all emergency scenes.

Section 4.02 – Emergency Medical Services Board

1. There shall be established an EMS Board which shall act as an advisory body to Municipality. The EMS Board shall report and make recommendations to Municipality relative to the quality of the services provided under this Agreement and the conditions of Ambulance Service's equipment and vehicles. Further, the EMS Board shall continually evaluate Ambulance Service's performance to determine whether Ambulance Service has defaulted on any of the terms and conditions of this Agreement. In the event that the EMS Board determines that such a default has occurred, the EMS Board shall recommend to Municipality an appropriate remedy, including possible liquidated damages as provided in Section7.09 of this Agreement.

2. The EMS Board shall be comprised of the following members:
   (1) one person appointed by the Snyder Fire District;
   (1) one person appointed by the Eggertsville Fire District:
   (1) one person appointed by the Chief of the Village of Williamsville;
   (1) one person appointed by the Fire Chiefs' Association (representing Amherst departments);
   (1) one person appointed by the Town Board of the Town of Amherst as a liaison;
   (1) one person appointed by AFC as a liaison;
   (1) one person appointed by the Clarence Fire District;
   (1) one person appointed by the Chief of the Village of Akron;
   (1) one person appointed by the Chief of the Newstead Fire Company;
   (1) one person appointed by the Fire Chiefs' Association (representing Clarence-Newstead departments).

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Section 4.03 – Inspection / Performance Appraisal

1. The purpose of this Agreement is to obtain for Municipality the best, most orderly and efficient EMS to meet and fulfill the reasonable demands of the public. Toward that end, Municipality and / or the EMS Board may from time to time make various inspections of Ambulance Service's vehicles and equipment and may monitor the character and type of services provided by Ambulance Service. Inspections of Ambulance Service vehicles by the EMS Board must be conducted with a representative of the DOH. All inspections shall be conducted in such manner and at such times as not to interfere with the normal operation of Ambulance Service. Municipality shall have the right to object to the character of the services provided under this Agreement, the condition of Ambulance Service's vehicles or equipment, and may order objectionable services be discontinued or unacceptable conditions to be modified.

Section 4.04 – Exclusive Contract

1. Through AFC, Municipality shall transmit all EMS requests to Ambulance Service. AFC and Municipality shall suffer no monetary loss when an employee of Municipality calls another ambulance firm. AFC may initiate a request for service to any other advanced life support service company in the event Ambulance Service is unable to provide service for whatever reason.

Section 4.05 – Responsibility at Emergency Scenes

1. The ranking officer of the fire company / fire department servicing the fire district or fire protection area within Municipality at which an emergency is located shall serve as incident commander and have charge of the protection of life and coordination of personnel at the scene of the emergency, subject, however, to the provisions of this Section. Ambulance Service, in accordance with its reasonable discretion, shall have charge of rendering EMS as defined herein to any or all sick or injured persons at the scene of an emergency, utilizing, however, the volunteer fire department personnel on location. In the event, however, that an action or inaction is deemed to be required for the preservation of life or personnel safety due to physical circumstances that may exist at such emergency scene, the ranking fire officer shall have the authority to direct or control Ambulance Service's personnel in the rendering of such services. In all other situations where life or personnel safety are not endangered, the authority of the ranking fire officer shall be limited to directing Ambulance Service's personnel to station themselves or their equipment at such scene so that such personnel do not jeopardize the overall fire extinguishments

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

and rescue efforts at the emergency scene. The fire department may render aid, assistance, treatment, and transportation to an appropriate medical facility, provided that transport at fire department's level of care is approved by medical control.

ARTICLE V AMBULANCE SERVICE AND MUNICIPALITY COOPERATION

Section 5.01 – Cooperation with EMS Councils

1. Municipality and Ambulance Service shall use their best efforts to cooperate with municipal, regional, and State EMS councils in order to establish and provide to the residents of the geographic areas covered by this Agreement the most efficient and up-to-date medical services available.

Section 5.02 – Notice of Complaints

1. Municipality (specifically the Town of Amherst, Town of Clarence, Town of Newstead, Village of Akron and Village of Williamsville and the EMS Board Chairman) and Ambulance Service shall notify each other, in writing, within ten (10) days of receiving any complaint relative to services provided under this Agreement or the charges for those services. Ambulance Service shall cooperate with Municipality, Better Business Bureau of Buffalo, New York, regional and / or state EMS councils, REMAC, and with any other investigative organization in the investigation of the validity of such a complaint.

Section 5.03 – Notice of Claims or Actions

1. Ambulance Service shall notify Municipality as relates to this Agreement (specifically the Town or Village Attorney and Secretary of the Fire Districts), in writing, within ten (10) days of receiving written notice of any claim or action or proceeding in law, the amount of which exceeds Ambulance Service's insurance policy limits. Ambulance Service shall further report to Municipality (specifically the Town Attorney and Secretary of the Fire Districts), in writing, of the progress of such action or proceeding until such time that such action or proceeding has been terminated.

Section 5.04 – Cooperation With Research Groups

1. Municipality and Ambulance Service, in conjunction with Kaleida Health / Millard Fillmore Suburban Hospital, or any other accredited regional hospital, or research groups shall give reasonable cooperation to studies relating to EMS rendered within Municipality. Information

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

provided shall in all respects conform with the dictates of HIPAA.

Section 5.05 – Training

1. Municipality and Ambulance Service shall cooperate to train volunteer fire personnel in various cooperative emergency medical techniques, and to train all involved employees of both parties to cooperate with transmitting and receiving of emergency calls. All training shall in all respects conform with the dictates of HIPAA.

ARTICLE VI RATES FOR SERVICE

Section 6.01 – Rates for Service

1. For services rendered under this Agreement, Ambulance Service shall bill Medicare Part B, Medicaid, other third-party insurers, or patients its usual and customary fees as modified and allowed by Federal and State healthcare reimbursement programs.

2. All fees and charges by Ambulance Service must be fair, legal, and ethical.

3. In cases in which ALSUs are utilized for BLS service, charges to patients shall follow the billing procedures promulgated by the Centers for Medicare and Medicaid Services ("CMS").

4. As set forth in Section 1.03 of this Agreement, with the exception of Workers' Compensation claims for which municipality is determined to be legally responsible, Municipality shall not be held financially responsible to Ambulance Service for any services provided under this Agreement.

5. Ambulance Service shall make a diligent effort to collect all charges made or levied upon its patients. The use of additional employees, attorneys, or collection agencies, whichever Ambulance Service elects to use, shall be made if preliminary collection efforts are not adequate. Nothing in this Agreement shall prevent Ambulance Service from attempting to collect all of the charges made or levied upon any patient, except as herein otherwise provided.

6. Upon request, Ambulance Service shall make available for inspection to Municipality, the Supervising Dispatcher of AFC, and the Chairman of the EMS Board reports of the costs to Ambulance Service and charges to patients associated with medical supplies, evaluation, treatment and

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

release, and treatment and transport of patients within the Municipality.

7. In the case of special hardship situations or when providing professional courtesy services pursuant to a request by a representative of Municipality, Ambulance Service shall have the right to review such situations on a case-by-case basis and to make the appropriate adjustments to patient's bills.

8. Upon request by the Supervising Dispatcher of AFC, the Chairman of the EMS Board, or representative of Municipality, Ambulance Service shall provide the rate schedules promulgated by CMS.

ARTICLE VII ADDITIONAL PROVISIONS

Section 7.01 – Information to be Provided to Municipality

1. Upon request during the Term of this Agreement, Ambulance Service shall provide to the reasonable satisfaction of Municipality any information reasonably requested by Municipality related to Ambulance Service's performance under and compliance with the terms of this Agreement and all laws, rules, and regulations of government agencies pertaining to Ambulance / EMS operations. Such information shall be provided within the reasonable time specified by Municipality or, if no time is specified, within thirty (30) days. Information provided shall conform in all respects with the dictates of HIPAA.

Section 7.02 – Additional Representations by Ambulance Service

1. Ambulance Service represents and shall, upon request, demonstrate to the reasonable satisfaction of Municipality that Ambulance Service possesses the requisite financial ability to acquire and maintain all equipment and facilities necessary to carry out the terms of this Agreement.

2. Ambulance Service warrants and represents that it is not and has never been barred or suspended from the Medicare, Medicaid, or other third-party healthcare programs and has not been convicted of a felony related to healthcare.

Section 7.03 – Compliance With All Laws And Regulations

1. Ambulance Service shall during its performance of services under this Agreement, comply with all local, state or federal laws, ordinances, rules or regulations controlling or limiting, in any way, its actions.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Furthermore, each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein and this Agreement shall be read and enforced as though it were included herein. If through mistake or otherwise, any such provision is not inserted or is not correctly inserted, then upon the application of either party, this Agreement shall be forthwith amended to make such insertion or correction.

Section 7.04 – Prohibition Against Assignment

1. Ambulance Service is prohibited from assigning, transferring, conveying, subletting, subcontracting, or otherwise disposing of this Agreement or any of its contents, or of its right, title or interest herein, or of its power to execute such contract to any other person or corporation without the prior consent, in writing, of Municipality, except as may otherwise be provided herein.

Section 7.05 – Refusal to Testify

1. Ambulance Service shall disclose any information requested of it by any law enforcement agency, grand jury, criminal court, or legislative body, so long as such requested information reasonably relates to the operations and services provided under this Agreement. Information provided pursuant to this provision shall conform in all respects with the dictates of HIPAA. Failure to provide such information upon such proper request shall constitute grounds for termination of this Agreement.

Section 7.06 – Status as Independent Contractor

1. It is hereby mutually covenanted and agreed that Ambulance Service is, and at all times during the Term of this Agreement shall be, an independent contractor and nothing herein shall be construed as inconsistent with that relationship or status. Without limiting or modifying the foregoing, it is further understood that Ambulance Service, in accordance with its status as an independent contractor, covenants and agrees that it will conduct itself consistent with such status, that it will neither hold itself out as, nor claim to be, an officer or employee of Municipality by reason hereof, and that it will not by reason hereof, make any claim, demand or application to, or for any right or privilege applicable to an officer or employee of Municipality including, but not limited to Workers' Compensation coverage, unemployment insurance benefits, social security coverage or retirement membership or credit.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Section 7.07 – Indemnification

1. Ambulance Service shall defend, indemnify, and save harmless Municipality, its officers, agents and employees, from and against any and all claims, actions, suits, damages, liabilities, losses, judgments, costs and expenses, including defense costs and legal fees and disbursements, of any nature whatsoever which may accrue against Municipality in consequence of executing this Agreement or arising out of or related to any breach or alleged breach of any representation, warranty, covenant or agreement of Ambulance Service hereunder and any injury or alleged injury sustained by any person or to property arising out of or relating to the performance by Ambulance Service of this Agreement or any of the services pursuant thereto, including but not limited to injuries or alleged injuries arising out of or resulting from any negligent act or omission or wrongful conduct of Ambulance Service or its agents and employees which may in anyway result therefrom whether attributable to the fault, failure or negligence of Municipality, except to the extent attributable to the sole or comparative fault, failure or negligence of Municipality. Termination of this Agreement shall not affect the continuing obligations of Ambulance Service as indemnitor hereunder.

2. If a claim or action is made or brought against Municipality, its officers, agents, or employees for which Ambulance Service may be responsible hereunder in whole or in part, Ambulance Service shall be notified of such claim and shall be required to handle the defense of such matter.

Section 7.08 – General Termination Provisions

1. Termination with Notice

Unless otherwise specified in this Agreement, no termination shall become effective until the defaulting party has received written notice of the default and has been given thirty (30) days in which to correct the default. A default shall mean a material breach of any provision of this Agreement according to the language of the Agreement. Upon failure of either party to amend or correct the default within thirty (30) days of written notice thereof, this Agreement shall terminate automatically.

2. Immediate Termination

a. Recurring Default

In the event that either party has received a notice of default under paragraph (1) of this Section, due to a default in the

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

performance of a requirement under this Agreement and has, within the prescribed thirty (30) day period, remedied or corrected such default and subsequently defaults with respect to the same requirement on a second or successive occasion, this Agreement shall be terminable as hereinafter provided upon written notice of termination to the party in default by the party in conformance.

b. Termination for Substantial Violation

In the event that either party commits a willful default, which default also tends to threaten the health and safety of the residents of Municipality, this Agreement shall terminate as hereinafter provided upon written notice of termination to the party in default by the party in compliance.

c. Notice of Termination

Notice of immediate termination shall be in writing and shall be directed to the defaulting party at its last known address by registered or certified mail. The termination shall become effective at 11:59 p.m., prevailing time, on the date following the time stamped on the certified or registered mail receipt.

d. Damages

In the event that this Agreement is correctly terminated pursuant to the termination provisions of this Section or of any other Section providing for termination therein, the party in default shall make no claim whatsoever against the party in compliance for any damages resulting from such termination. The party in compliance shall, however, retain the right to recover all lost profits and any reasonable expenses in connection with such completion of the services contemplated herein.

Section 7.09 – Liquidated Damages

1. Municipality, upon the recommendations of the EMS Board may impose a charge for liquidated damages in an amount not to exceed five-hundred dollars ($500.00) for each default by Ambulance Service of any term or condition of this Agreement. The liquidated damage amount may be doubled for a second or subsequent default of the same term or conditions within six (6) months of the prior default. On the determination of the liquidated damage, notice thereof shall be given to Ambulance Service and payment shall be remitted within thirty (30) days to the specific Municipality within which the violation of this agreement occurred. The specific Municipality within which the violation of this agreement occurred shall use the

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

liquidated damages paid to it to enhance EMS training within its jurisdiction. Any additional costs incurred as a result of litigation associated with the resolution of liquidated damages, such as attorney fees, court costs, etc. shall be borne by Ambulance Service.

Section 7.10 – Law

1. This Agreement shall be governed and construed in accordance with the laws of the State of New York without regard for principles of conflict of laws. In the event that a dispute arises between the parties, venue for the resolution of such dispute shall be the County of Erie, New York.

Section 7.11 – Extent of Agreement

1. This Agreement constitutes the entire integrated Agreement between and among the parties hereto and supersedes any and all prior negotiations, Agreements and conditions, whether written or oral. Any modification or amendment to this Agreement shall be void, unless it is in writing, and subscribed by the party to be charged or by its authorized agent, except for those amendments provided for in this Agreement.

2. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.

Section 7.12 – Severability

1. If any provision of this Agreement is held invalid by a court of law, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to conform to the laws of the State of New York.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Witnesseth:

Whereas, the Municipality is desirous of entering into an agreement for providing pre-hospital emergency ambulance service in compliance with the provisions of General Municipal Law Section 122; and

Whereas, Ambulance Service is desirous of furnishing emergency ambulance service to the Municipality under the terms and conditions set forth herein; and

Whereas, at a regular meeting of the Town Board of Amherst, held on the __ day of_, 2023, the Town of Amherst duly authorized this contract with Ambulance Service for emergency ambulance service to the Town of Amherst upon the terms and provisions herein set forth; and

Whereas, at a regular meeting of the Town Board of the Town of Clarence, held on the __ day of___, 2023, the Town of Clarence duly authorized this contract with Ambulance Service for emergency ambulance service to the Town of Clarence upon the terms and provisions herein set forth; and

Whereas, at a regular meeting of the Town of Newstead, held on the __ day of_____, 2023, the Town of Newstead duly authorized this contract with Ambulance Service for emergency ambulance service to the Town of Newstead upon the terms and provisions herein set forth; and

Whereas, at a regular meeting of the Village of Akron, held on the __ day of _____2023, the Village of Akron duly authorized this contract with Ambulance Service for emergency ambulance service to the Village of Akron upon the terms and provisions herein set forth; and

Whereas, at a regular meeting of the Village Board of the Village of Williamsville, held on the day of_____, 2023, the Village of Williamsville duly authorized this contract with Ambulance Service for emergency ambulance service to the Village of Williamsville upon the terms and provisions herein set forth; and

Whereas, at a regular meeting of the Board of Fire Commissioners of the Clarence Fire District #1, held on the _____ day of_____, 2023, the Board of Fire Commissioners duly authorized this contract with Ambulance Service for the emergency ambulance service to the Clarence Fire District upon the terms and provisions herein set forth; and

Whereas, at a regular meeting of the Board of Fire Commissioners of the Eggertsville Fire District, held on the _day of_____, 2023, the Board of Fire Commissioners duly authorized this contract with Ambulance Service for the emergency ambulance service to the Eggertsville Fire District upon the terms and provisions herein set forth; and

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Whereas, at a regular meeting of the Board of Fire Commissioners of the Snyder Fire District, held on the _day of_____, 2023, the Board of Fire Commissioners duly authorized this contract with Ambulance Service for the emergency ambulance service to the Snyder Fire District upon the terms and provisions herein set forth; and

Whereas, this contract has been duly authorized by the directors of the Ambulance Service;

Now, therefore, in consideration of the mutual promises herein contained, Municipality does engage Ambulance Service to furnish emergency ambulance service to the Municipality and the Ambulance Service agrees to furnish such protection.

The Supervisor has executed this agreement pursuant to a Resolution adopted by the Town Board of the Town of Amherst, at a meeting thereof held on the __ day of_____, 2023. Brian J. Kulpa, Supervisor of the Town of Amherst, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Town of Amherst. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of the Town of Amherst.

The Supervisor has executed this agreement pursuant to a Resolution adopted by the Town Board of the Town of Clarence, at a meeting thereof held on the __ day of____, 2023. Pat Casilio, Supervisor of the Town of Clarence, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Town of Clarence. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of the Town of Clarence.

The Supervisor has executed this agreement pursuant to a Resolution adopted by the Town Board of the Town of Newstead, at a meeting thereof held on the __ day of___, 2023. Dawn D. Izydorczak, Supervisor of the Town of Newstead, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Town of Newstead. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of the Town of Newstead.

The Mayor has executed this agreement pursuant to a Resolution adopted by the Village Board of the Village of Akron, at a meeting thereof held on the __ day of_____, 2023. Bryan T. Perry, Mayor of the Village of Akron, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Village of Akron. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Village Clerk of the Village of Akron.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

The Mayor has executed this agreement pursuant to a Resolution adopted by the Village Board of the Village of Williamsville, at a meeting thereof held on the _____ day of _____, 2023. Christine L. Hunt, Mayor of the Village of Williamsville, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Village of Williamsville. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof~ in the office of the Village Clerk of the Village of Williamsville.

The Chairman of the Board of Fire Commissioners has executed this agreement pursuant to a Resolution adopted by the Board of Fire Commissioners of the Clarence Fire District at a meeting thereof held on the day of _____ 2023, Nathan Work, Chairman of the Board of Fire Commissioners, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Board of Fire Commissioners of the Clarence Fire District #1. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Board of Fire Commissioners of the Clarence Fire District #1.

The Chairman of the Board of Fire Commissioners has executed this agreement pursuant to a Resolution adopted by the Board of Fire Commissioners of the Eggertsville Fire District, at a meeting thereof held on the day of _____ 2023. Brain Multerer, Chairman of the Board of Fire Commissioners, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Board of Fire Commissioners of the Eggertsville Fire District. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Board of Fire Commissioners of the Eggertsville Fire District.

The Chairman of the Board of Fire Commissioners has executed this agreement pursuant to a Resolution adopted by the Board of Fire Commissioners of the Snyder Fire District, at a meeting thereof held on the _____day of _____ 2023. Thomas Merrill, Chairman of the Board of Fire Commissioners, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Board of Fire Commissioners of the Snyder Fire District. This instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the Board of Fire Commissioners of the Snyder Fire District.

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

TOWN OF AMHERST

By:_____ **Date:**_____
Supervisor

TOWN OF CLARENCE

By:_____ **Date:**_____
Supervisor

TOWN OF NEWSTEAD

By:_____ **Date:**_____
Supervisor

VILLAGE OF AKRON

By:_____ **Date:**_____
Mayor

VILLAGE OF WILLIAMSVILLE

By:_____ **Date:**_____
Mayor

Chairman of the Board of Fire Commissioners - CLARENCE FIRE DISTRICT #1

By:_____ **Date:**_____

Chairman of the Board of Fire Commissioners - EGGERTSVILLE FIRE DISTRICT

By:_____ **Date:**_____

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

Chairman of the Board of Fire Commissioners - SNYDER FIRE DISTRICT

By:_____ **Date:**_____

AMBULANCE COMPANY

By:_____ **Date:**_____

Attachment: EMS Contract 2024 rev3 CLEAN (3) (RES-2023-980 : Ambulance Contract CRS ID #4455)

AMHERST FIRE CHIEFS' ASSOCIATION INC.

EAST AMHERST FIRE DEPT.
EGGERTSVILLE HOSE CO.
ELLICOTT CREEK VOL. FIRE CO.
GETZVILLE FIRE CO.
MAIN TRANSIT FIRE DEPT.

NORTH AMHERST FIRE CO.
NORTH BAILEY FIRE CO.
SNYDER FIRE DEPT.
SWORMVILLE FIRE CO.
WILLIAMSVILLE FIRE DEPT.
HUTCHINSON HOSE CO.

CLARENCE/NEWSTEAD FIRE CHIEFS ASSOCIATION

AKRON FIRE CO.
CLARENCE FIRE CO.
CLARENCE CENTER FIRE CO.
EAST AMHERST FIRE DEPT.

HARRIS HILL FIRE CO.
NEWSTEAD FIRE CO.
RAPIDS FIRE CO.
SWORMVILLE FIRE CO.

Dear (),

The Amherst Fire Chiefs Association has reviewed the proposals for the Pre-Hospital Care Agreement that covers The Town of Amherst, Town of Newstead, Town of Clarence, Village of Williamsville, Village of Akron, the Eggertsville Fire District, Snyder Fire District, and Clarence Fire District. We respectfully recommended the proposal by Twin City Ambulance. Please see the attached contract for your review, and if you have any question please let me know. I can be reached at Bpeters@eggertsvillefiredistrict.gov.

Thank you,

Brandon Peters, Chairman
Amherst Fire Chiefs Association
Emergency Medical Services Board

Attachment: EMS Contract Request (RES-2023-980 : Ambulance Contract CRS ID #4455)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 28292 **RESOLUTION 2023-981** **ADOPTED**

Resolution Amendment – Robinhill Rd. & Swanson Terr. Waterline Replacement TOA Project No. 2021.042

As per Resolution 2023-516, the above referenced project was awarded from accounts KP2309.4972 and KP2120.4972. At this time and in effort to maximize available funds for current and future waterline repairs, we recommend and request amendment of the above resolution as per the following amended allocations for this project award:

Account	**Award Allocation**	**Amended Allocation**
KP2309.4972	$831,979.25	$735,097.25
KP2120.4972	$40,925.00	$137,625.00
Totals	$872,722.25	$872,722.25

Thank you for considering this request.

12/4/2023
Consent

FINANCIAL IMPACT:

Account	Award Allocation	Amended Allocation
KP2309.4972	$831,979.25	$735,097.25
KP2120.4972	$40,925.00	$137,625.00
Totals	$872,722.25	$872,722.25

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 28293 **RESOLUTION 2023-982** **ADOPTED**

Resolution Amendment – Red Oak Waterline Replacement TOA Project No. 2020.017 CRS No. 4329

As per Resolution 2022-578, the above referenced project was awarded from accounts KP2024.4972 as well as KP2119.4972. At the October 2, 2023 Town Board meeting, Resolution 2023-818 was approved in error to reduce the awarded construction contract by $80,530.85 from account KP2024.4972. At this time and in effort to correct this error, we recommend and request the Town Board to amend resolution 2023-818 and approve the same negative change order amount and reduce the amount of required funding back to KP2119.4972, instead of KP2024.4972.

12/4/2023
Consent

FINANCIAL IMPACT:

KP2119.4972 ($80,530.85)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 28294 **RESOLUTION 2023-983** **ADOPTED**

Change Order #1 and Final – Montante Construction – General Contract North Amherst Recreation Center Football Fieldhouse TOA Job # 2021.044 CRS No. 4437

We are requesting the Town Board Consider approval of this resolution authorizing the Supervisor to sign the above referenced Change Order, which decreases the overall contract by $3,921.25. This change reflects a credit due to windows being substituted due to availability as well as added cost for additional signage and the removal of an existing guiderail. Upon approval, the final value of the referenced contract will be $1,079,978.75

Please note that the above request is contingent pending successful completion of the contract review procedure.

This credit shall be applied to the project account KP2101.4972.

12/4/2023
Consent

FINANCIAL IMPACT:

KP2101.4972. - Upon approval, the final value of the referenced contract will be $1,079,978.75

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

AIA® Document G701™ – 2017

Change Order

PROJECT:	CONTRACT INFORMATION:	CHANGE ORDER INFORMATION:
Town of Amherst North Amherst Recreation Center Football Fieldhouse 655 New Road East Amherst, Ny 14051	Contract For: General Construction Date: July 5, 2022	Change Order Number: 1 & Final Date: November 29, 2023
OWNER:	**ARCHITECT:**	**CONTRACTOR:**
Town of Amherst 5583 Main St. Williamsville, NY 14221	DiDonato Associates Engineering & Architecture, P.C. 689 Main Street Buffalo, NY 14203	Montante Construction LLC. 2760 Kenmore Ave. Buffalo, NY 14150

The Contract is changed as follows:

PR-01 – Window Credit

PR-02 – Removal of Guide Rail Only

PR-03 – Additional Signs

The original Contract Sum was	$ 1,083,900.00
The net change by previously authorized Change Orders	$
The Contract Sum prior to this Change Order was	$ 1,083,900.00
The Contract Sum will be **decreased** by this Change Order in the amount of	$ (3,921.25)
The new Contract Sum, including this Change Order, will be	$ 1,079,978.75
The Contract Time will be changed by	(0) days.
The new date of Substantial Completion shall now be:	

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

ARCHITECT/ENGINEER *(DiDonato Associates)*	CONTRACTOR *(Montante Construction.)*	OWNER *(Town of Amherst)*
SIGNATURE	SIGNATURE	SIGNATURE
PRINTED NAME AND TITLE	PRINTED NAME AND TITLE	PRINTED NAME AND TITLE
DATE	DATE	DATE

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA Document G701™ – 2017. Copyright © 1979, 1987, 2000, 2001 and 2017 by The American Institute of Architects. **All rights reserved.** **WARNING: This AIA® Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA® Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law.** Purchasers are permitted to reproduce ten (10) copies of this document when completed. To report copyright violations of AIA Contract Documents, e-mail The American Institute of Architects' legal counsel, copyright@aia.org.

Attachment: Change Order 1 - Montante Backup Info (RES-2023-983 : Change Order #1 and Final – Montante Construction – General Contract)

Montante Construction LLC
2760 Kennmore Avenue
Buffalo, NY 14150
Ph : 716-876-8899

Change Order

Project:
20-2217-000 N. Amherst Rec Center Fieldhou
665 New Road
East Amherst, NY 14051

To Contractor:
Montante Construction LLC
2760 Kennmore Avenue
Buffalo, NY 14150

Change Order: 1
Date: 7/29/2022
Architect's Project:
Contract Date: 6/7/2022
Contract For:

The Contract is changed as follows:
credit of $7,500.00 for the substitution of using the Pella Lifestyle window over the architectural line

1	credit of $7,500.00 for the substitution of using the Pella Lifestyle window over Lifestyle line	$-7,500.00

The original Contract Amount was	$1,083,900.00
Net change by previously authorized Change Orders	$0.00
The Contract Amount prior to this Change Order was	$1,083,900.00
The Contract will be increased by this Change Order in the amount of	$-7,500.00
The new Contract Amount including this Change Order will be	$1,076,400.00

The Contract Time will be unchanged.
The date of Substantial Completion as of the date of this Change Order therefore is

NOT VALID UNTIL SIGNED BY THE ARCHITECT , CONTRACT AND OWNER.

ARCHITECT	Montante Construction LLC CONTRACTOR 2760 Kennmore Avenue Buffalo, NY 14150	OWNER
(Signature)	*(Signature)*	*(Signature)*
By	By	By
Date	Date	Date

Attachment: Change Order 1 - Montante Backup Info (RES-2023-983 : Change Order #1 and Final – Montante Construction – General Contract)

Montante Construction LLC
2760 Kennmore Avenue
Buffalo, NY 14150
Ph : 716-876-8899

Change Request

To: Mike Hitzel

Number: 8
Date: 12/13/22
Job: 20-2217-000 N. Amherst Rec Center Fieldhou
Phone: 716-631-7154
Page 1 of 1

Description: Demolish shed and guiderail

We are pleased to offer the following specifications and pricing to make the following changes:

Demolish Shed, slabs, asphalt approach and remove from site. Electrical safeoff and disconnect by others. Any other utility or fuel/ storage devices or feeds are not included. Restore to lawn area at same elevation of surrounding area.

Romove Guide Rail $2990.00 - Accepted

~~Remove Building only per SOW above $9000.00~~

~~Remove Building and Guide Rail $9508.00~~

~~The total amount to provide this work is ..... $9,508.00~~

Please note that TM Montante Development will require an extra add 4 weeks.

If you have any questions, please contact me at .

Submitted by: Montante Construction, LLC

Approved by: _____
Date: _____

Montante Group
Redefining real estate through smart planning, superior building, and clean energy

Montante CONSTRUCTION | TM Montante DEVELOPMENT | Montante SOLAR

Attachment: Change Order 1 - Montante Backup Info (RES-2023-983 : Change Order #1 and Final – Montante Construction – General Contract)

Montante Construction LLC
2760 Kennmore Avenue
Buffalo, NY 14150
Ph : 716-876-8899

Change Request

To: Mike Hitzel

Number: 3
Date: 11/9/2023
Job: 20-2217-000 N. Amherst Rec Center Fieldhou
Phone: 716-631-7154
Page 1 of 1

Description: added signs

We are pleased to offer the following specifications and pricing to make the following changes:

4 Added signs per Architects and Town of Amherst request Utility Room, Plumbing Chase, Concessions, and Storage.

ASI	$425.00
MC O and P 15 %	$ 63.75
Installation	$100.00
total cost	$588.75

The total amount to provide this work is $588.75

If you have any questions, please contact me at 716-574-2732 .

Submitted by: Montante Construction, LLC

Approved by: _____
Date: _____

Montante Group
Redefining real estate through smart planning, superior building, and clean energy
Montante CONSTRUCTION
TM Montante DEVELOPMENT
Montante SOLAR

Attachment: Change Order 1 - Montante Backup Info (RES-2023-983 : Change Order #1 and Final – Montante Construction – General Contract)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 28295 **RESOLUTION 2023-984** **ADOPTED**

Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc. Amherst Central Park Ice Ribbon Town Project No. 2023.016E CRS No. 4458

The Town is a member of Sourcewell; which offers hundreds of competitively solicited cooperative contracts. As such, we have obtained the attached Sourcewell-based contractor quotation to provide pre-construction engineering design consultant services for Amherst Central Park's Ice Skating Ribbon. CIMCO is able to provide a significantly reduced cost rate by piggybacking off of the Sourcewell cooperative purchase agreement contract number 120320-CIM. As such, we recommend and request approval of the CIMCO Refrigeration Inc., 2502 Commercial Park Drive, Mobile, Alabama 36606, contract per the attached cost proposal and corporate hourly list prices in an amount not to exceed $64,796.16.

Please note that the above request is contingent pending successful completion of the contract review procedure.

Funds are available for this contract from KP2336.4971. Thank you for considering this request.

12/4/2023
Consent

FINANCIAL IMPACT:

KP2336.4971 - contract per the attached cost proposal and corporate hourly list prices in an amount not to exceed $64,796.16.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Town of Amherst
CIMCO Pre Engineering Design Build Proposal



Prepared By:
Brad Wilkins
US Recreation Project Team Lead
CIMCO Refrigeration Inc.
bwilkins@toromont.com

Prepared For:
Michael J. Hitzel, AIA, LEED AP
Project Architect
Town of Amherst, NY
Engineering Department
1100 North Forest Road
Williamsville, NY 14221

November 2, 2023

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

CIMCO is pleased to provide pricing Town of Amherst to complete the pre construction engineering design under the Sourcewell procurement agreement for an Ice Skating Ribbon.

Toromont Industries Ltd. operates through two business segments: The Equipment Group and CIMCO. The Equipment Group includes one of the larger Caterpillar dealerships by revenue and geographic territory. In addition, the Group includes industry leading rental operations, a complementary material handling business and an agricultural equipment business. CIMCO is a market leader in the design, engineering, fabrication and installation of industrial and recreational refrigeration systems. Both segments offer comprehensive product support capabilities.





About CIMCO:

CIMCO Refrigeration is North America's largest supplier of thermal solutions, providing full-service capabilities including design, engineering, installation and after-market service. CIMCO operates through 29 locations across Canada and the United States.

Why CIMCO

CIMCO Refrigeration, Inc. has been in operation since 1913 and is part of Toromont Industries Refrigeration Group. Toromont Industries Ltd. is a public company with approximately 4,000 employees across North America. As part of the Toromont family, you are assured of the financial stability of CIMCO and our long-term presence in the refrigeration market.

Key factors why a partnership with CIMCO is beneficial to you:

- Over 300 Years worth of Engineering knowledge
- Continually abreast of the ever changing technology in the industry
- Extensive Training Program for Service Technicians, resulting in faster system maintenance and repairs and lower overall costs
- Large Number of Technicians ensure that every service requirement is met 24 hours a day, seven days a week
- Large Inventory of parts and compressors means that CIMCO does not rely on any outside suppliers for emergency repairs

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

In - House Refrigeration Project Expertise

From conception to decommissioning CIMCO has the in-house expertise and resources to handle all refrigeration project requirements including:

- Pre-planning
- Complete design and engineering
- Manufacturing
- Pre-fabrication Facility
- Project Management
- Equipment ordering, consolidating and staging
- Installation and start-up
- Post-construction service
- Dedicated technology





Key Fact About CIMCO

- North America's largest refrigeration contractor
- Over 1000 employees
- Over 15,000 completed refrigeration projects
- 8000 active customers
- 23 locations throughout North America
- Completed 53% of the world's ice rinks (70% of professional rinks in North America)
- Successfully installed ice rinks in over 45 countries
- Sustainable designs which included
  - 0 GWP natural refrigergerants
  - 100% heat recovery
  - High efficency 1.5 hp/tonne

What is Smart Rink Connect?

The Smart Rink Connect council is a group of like minded industry leaders with the mission to develop interconnected products on a common platform. Each Smart Rink Connect product has customized sensors, monitoring capabilities and native intelligence to improve the safety, reliability and efficiency of your ice rink .

SMART RINK CONNECT

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

Design Engineering - Scope of Work

Engineering Scope of work;

a) Attend Remotely design co-ordination meetings to finalize CIMCO CO2/Glycol refrigeration system equipment requirements, finalize requirements for building envelope sizes to house refrigeration equipment, review ice skating path floor construction, review piping required outside refrigeration equipment room and building services for the refrigeration equipment operation.

b) Prepare and submit to Town of Amherst, engineering construction and co-ordination drawings for ice skating path refrigeration system;

- Overall Building ice rink general layout showing cooling buried mains and buried header layout
- Ice skating path cooling rink piping and header piping layout
- Ice skating path cooling rink piping and header piping sections
- Ice skating path floor construction details
- Refrigeration Equipment room; piping and flow diagram
- Refrigeration Equipment room; new refrigeration equipment and gas cooler layout and sections
- Refrigeration Electrical loads and single line riser diagrams

c) Provide and co-ordinate finalized engineering details for additional items required for refrigeration system operation provided /engineered by other disciplines including;

- Equipment room ventilation
- Flow drains and water requirements
- Electrical loads and power requirements
- Equipment service clearances
- Roof openings
- Piping Trench depths

Description	Hourly	Qty	Subtotal
Pre Construction Engineering Services	$306.80	960	$294,528.00

Subtotal	**$294,528.00**
Sourcewell Discount	**-$229,731.84**
Total	**$64,796.16**

All prices in U.S. Funds. Taxes excluded.

Quote is Valid for 30 Days

Pre Construction Engineering is being purchased thru the following cooperative purchasing Agreement:
Sourcewell Town of Amherst Contract number # 77341, Membership Date November 26, 2012
Sourcewell CIMCO Contract # 120320 - CIM Effective 01/08/2021 - 01/08/2025

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

Design Engineering - Stamped Drawings for Permit

- Provide code related design requirements including exhaust rates, leak detection, and venting.
- Coordinate with building Architect as required.
- Provide mechanical stamped drawings for permit.
- Assist in obtaining approval of refrigeration documents from reviewing agencies

Description	Hourly	Qty	Subtotal
Stamped Drawings for Permit:	$306.80	308	$94,494.40

Subtotal	**$94,494.40**
Sourcewell Discount	**-$73,705.63**
Total	**$20,788.77**

All prices in U.S. Funds. Taxes excluded.

Quote is Valid for 30 Days

Pre Construction Engineering is being purchased thru the following cooperative purchasing Agreement:
Sourcewell Town of Amherst Contract number # 77341, Membership Date November 26, 2012
Sourcewell CIMCO Contract # 120320 - CIM Effective 01/08/2021 - 01/08/2025

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

Exclusions:

Exclusions, limitations or items not included in engineering costs;

a. Structural design of equipment supports, trenches and floor sub grade construction is not included in CIMCO's engineering scope of work.
b. All Seismic design for equipment and piping.
c. All pipe penetration details and fire stopping.

Agreement

The information contained in this proposal constitutes the terms between CIMCO Refrigeration, a division of Toromont Industries and the client Town of Amherst.

All prices agreed upon will be honored by both parties. Continued services after that time will require a new agreement.

Billing and Payment Terms. CIMCO will invoice Town of Amherst as per the terms of this agreement, and Town of Amherst will pay each such invoice within thirty (30) days after the date thereof. Invoices not paid within such thirty (30) day period will accumulate interest as per the terms and conditions of this agreement.

Authorized Signature: The undersigned agrees to the terms of this contract on behalf of the organization or business

Signature of Client: _____ Date: _____

Print Name of Client: _____

Purchase Order :

CIMCO Refrigeration Inc would like to thank you for the opportunity to provide a proposal for the pre construction engineering design services and look forward to your valued response and potentially working on your team!

Best Regards,
Brad Wilkins
CIMCO Refrigeration Inc.
Team Lead - US Recreation
Cell: 519-852-8777
Email: bwilkins@toromont.com

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

TERMS AND CONDITIONS

SUBJECT TO WRITTEN APPROVAL BY A DULY AUTHORISED OFFICER OF CIMCO REFRIGERATION (THE "VENDOR"), THIS QUOTATION, IF ACCEPTED IN WRITING BY THE PURCHASER, SHALL CONSTITUTE A BINDING CONDITIONAL CONTRACT OF SALE AS OF THE DATE OF THE PURCHASER'S ACCEPTANCE OR AS OF THE DATE OF THE VENDOR'S APPROVAL, WHICHEVER IS LATER.THIS QUOTATION IS INVALID IF NOT ACCEPTED BY THE PURCHASER WITHIN THIRTY DAYS OF THE DATE OF QUOTATION.

1. TITLE

(a) The title and ownership to and in the materials, equipment and other goods sold here under (the "goods") shall remain with the Vendor until payment in full of the Contract Price and any additional amounts payable to the Vendor pursuant to sections 2 and 10 of these Terms and Conditions. The Vendor hereby reserves, and the Purchaser hereby grants to the Vendor, a security interest in and to the goods, and the proceeds thereof, to secure the said payment and all of the other obligations of the Purchaser. At the option of the Vendor, the Purchaser will join with the Vendor in executing, in a form satisfactory to the Vendor, one or more financing statements or similar instruments pursuant to any applicable personal property security legislation. The Purchaser hereby authorizes the Vendor to file one or more such statements or instruments signed by the Vendor alone as the secured party. If the goods are to become affixed to real properly, the Purchaser represents that a true and correct description of such real property and that the name of the registered owner thereof are as indicated on Page 1 of this Quotation/Contract.

(b) In the event of default by the Purchaser under the terms of payment of this contract, the full amount of the Contract Price, less any payments previously made, shall become due and payable, and the Vendor or its agent shall have the right to enter upon the premises and remove the goods, and to dispose of them as the Vendor may determine. If the proceeds from such disposal, less any related expenses, including but not limited to costs of seizure, removal and sale, and legal costs (including reasonable attorneys' fees and expenses) connected therewith (the "net proceeds"), are not sufficient to cover the amount in default, the Purchaser shall be liable to the Vendor for such deficiency. If the net proceeds exceed the amount in default such excess shall be returned to the Purchaser, and the Vendor shall not be liable further whether in respect of completion, performance, warranty or other contract terms.

(c) The Purchaser hereby waives all rights and claims against the Vendor in the event that the circumstances provided for in section 1 (b) arise, except for the express right of recovery of excess net proceeds as provided in that section.

(d) The Purchaser hereby waives the provisions of any Conditional Sales Act or other applicable legislation which limits the Vendor's rights to seize the security provided for herein, and to sue for any deficiency. The Purchaser expressly confers upon the Vendor the rights to seize and sell the goods and to recover from the Purchaser, by action on the covenant, the principal, interest and other moneys from time to time owing under this contract.

(e) Until the Contract Price has been paid in full, the Purchaser will not sell or agree to sell, or mortgage, charge or dispose of, or intentionally injure the goods or remove them from the place of initial installation.

2. PRICE ADJUSTMENTS

(a) The Purchaser shall pay all taxes, duties, levies and other charges assessed against or in respect of the goods, except those taxes, duties, levies and other charges expressly included in the Contract Price.

(b) If any taxes, duties, levies, or other charges shown to be included in the Contract Price are increased subsequent to the Date of Quotation, and increase the Vendor's costs here under, such increase shall be paid by the Purchaser to the Vendor.

(c) The Contract Price quoted herein is based on prices, costs and conditions prevailing at the Date of Quotation. Unless otherwise specified, if the estimated delivery and / or installation date is more than six months from the date of the contract, and if prior to shipment or installation there is an increase in the Vendor's costs due to increases in labor rates, cost of materials, suppliers' prices, foreign exchange, storage charges, or freight rates, such increase shall be paid to the Vendor by the Purchaser.

(d) If delivery or installation is delayed by the Purchaser, or by anyone under the Purchaser's control, for more than two months after the time estimated, any increase in those categories of the Vendor's costs listed in section 2(c) shall be paid to the Vendor by the Purchaser.

(e) All payments by the Purchaser to the Vendor under section 2 shall be in addition to the Contract Price and shall be paid at the time the final payment under the contract is due.

3. LIABILITY

The Vendor shall not be liable for any losses, injuries, expenses or damages, whether direct, indirect, special, incidental, consequential or punitive, arising out of the goods, or the installation, operation, or failure of operation of the goods or related systems even if caused by the Vendor's negligence.

4. DELIVERY AND INSTALLATION

Delivery and installation times and dates are approximate and are subject to extension for delays caused by fire, strike, lockout, labor dispute, civil or military authority, riot, embargo, car shortage, wrecks or delays in transportation, Acts of God, late delivery or non-delivery by the Vendor's suppliers, changes in the scope of the work as provided in section 9 of these Terms and Conditions, or other causes beyond the reasonable control of the Vendor, and the Vendor shall not be liable for any losses or damages resulting from any such causes. Acceptance of the work shall be a waiver by the Purchaser of all claims for damages for delay from any cause whatsoever.

5. RESPONSIBILITY AND INSURANCE

(a) In respect of goods sold F.O.B. point of origin, the Vendor shall deliver the goods in good condition to a common carrier or to the Purchaser at the Vendor's shipping point, and thereupon all risks of loss or damage thereto shall pass to the Purchaser.

(b) In respect of goods sold F.O.B. job site or sold with installation, all risks of loss or damage shall pass to the Purchaser upon receipt of the goods at the job site or at the Purchaser's designated delivery point.

(c) The Purchaser shall insure the goods against loss or damage from fire, theft, malicious damage or other causes as and from the time the Purchaser becomes responsible for the goods pursuant to sections 4(a) and 4(b) of these Terms and Conditions. The face value of the insurance policy shall be in an amount not less than the Contract Price. Any loss under such insurance policy shall be made payable to the Vendor as its interest may appear until the Contract Price shall be paid in full.

(d) Upon the request of the Vendor, the Purchaser shall provide an insurance certificate as evidence of the compliance with section 4(c) of these Terms and Conditions.

6. COST ESCALATION

The Vendor and Owner acknowledge and agree that at the time of execution of this project agreement, it is unknown whether prior estimates for performance of the work will be impacted by further development of the design, changed market conditions, availability of labor, equipment and/or materials or other conditions which materially differ from those existing at the time prior estimates were received. The Vendor agrees to make diligent and best efforts to mitigate any cost or schedule impacts arising out of these changed conditions. However, subject to such mitigation obligations of he Vendor, the Owner agrees he Vendor shall be entitled to an equitable adjustment of the contract sum and/or, if applicable, the contract time due to the following non-exhaustive list of possible events or circumstances: (1) a Subcontractor will not honor its prior estimate, (2) commodity price escalation and/or commodity delivery date impacts due to the length of time between a Subcontractor providing its estimate and subcontract award, (3) general conditions cost impacts due to anticipated completion dates at the time of Subcontractor's estimate differing from completion dates anticipated at time subcontract award, (4) commodity price escalation and/or delivery date impacts due to Subcontractor inability to obtain firm pricing or delivery date commitments from any supplier at or near time of subcontract award; or (5) cost of on-site or off-site material storage capacity to enable early receipt of certain materials when early procurement of such materials can be achieved for avoidance of price escalation or to secure availability so that the project schedule can be maintained.

7. TERMS OF PAYMENT

(a) Unless otherwise specified in this Quotation/Contract, payment shall be made by the Purchaser to the Vendor in respect of the Contract Price as follows:

(i) Goods sold without installation: 50% upon acceptance of this quotation by the Purchaser; an amount representing the value of each shipment, payable upon delivery; and the unpaid balance upon final shipment.

(ii) Goods sold with installation: 35% upon acceptance of this quotation by the Purchaser; an additional 25% upon written notification by the Vendor to the Purchaser that the goods are ready for shipment; an additional 30% immediately after installation but prior to the commencement of operation of the goods or related systems; and a final payment of 10% upon completion.

(b) Timely payment according to the terms of this Quotation/Contract is of the essence of the contract.

(c) Payment shall be made in the specified currency.

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

8. WARRANTY

UNLESS OTHERWISE SPECIFIED IN THIS QUOTATION/CONTRACT, THE VENDOR WARRANTS THE GOODS AND INSTALLATION SOLD HERE UNDER AGAINST ORIGINAL DEFECTS IN MANUFACTURE AND WORKMANSHIP FOR A PERIOD OF ONE YEAR FROM COMPLETION AS DEFINED IN SECTION 9 OF THESE TERMS AND CONDITIONS. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, STATUTORY OR OTHERWISE, EXPRESS OR IMPLIED, INCLUDING FOR MERCHANT ABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE TERMS OF THE VENDOR'S WARRANTY ARE AS FOLLOWS:

(a) In respect of goods sold without installation, the Vendor's sole liability shall be to repair or replace, at the Vendor's option, F.O.B. point of manufacture, any defective goods or parts thereof.

(b) In respect of goods sold with installation, the Vendor's sole liability shall be to repair or replace, at the Vendor's option, any defective goods or parts thereof or any defective workmanship. The Vendor shall be responsible for all of its costs in connection therewith other than the out-of-pocket expenses incurred by the Vendor's employees and agents travelling from the Vendor's nearest place of business to the job site and charges for labor performed after normal working hours at the request of the Purchaser, which latter expenses and charges shall be for the account of the Purchaser.

(c) The Vendor warrants goods not of the Vendor's manufacture only to the extent to which the Vendor is able to enforce a claim for liability against the manufacturer thereof.

(d) The Purchaser shall promptly give written notice to the Vendor after the discovery of an apparent defect.

(e) As a condition precedent to any liability by the Vendor here under, the Purchaser shall use, operate and maintain the goods and related systems in a careful, prudent, and reasonable manner, and in conformity with the Vendor's and / or the manufacturers' instructions.

(f) the foregoing constitutes the purchaser's exclusive remedy and the vendor's sole liability arising out of the design, manufacture, sale, installation, or use of the goods.

(g) This warranty shall be void if the Purchaser is in default under the terms of payment of this contract.

9. CHANGE IN SCOPE OF WORK

If the Purchaser requests a change in the scope of the work under this Quotation/Contract, the Vendor will submit a Contract Revision to the Purchaser which shall set forth the proposed changes in the work, and if the proposed changes result in an addition to or a deduction from the Contract Price, the Contract Revision shall set forth the amount of such addition or deduction. A Contract Revision shall not be binding or enforceable unless accepted in writing by the Purchaser and approved in writing by a duly authorized officer of the Vendor. Upon such acceptance and approval, the Contract Revision shall become part of the contract and, except when in consistent therewith, shall be subject to all its provisions.

10. COMPLETION AND ACCEPTANCE OF WORK

(a) In respect of goods sold without installation, "Completion" shall be deemed to occur when risk of loss of the goods passes to the Purchaser in accordance with section 4 of these Terms and Conditions.

(b) In respect of goods sold with installation, and unless otherwise defined in this Quotation/Contract, 'Completion" shall be deemed to occur when any one of the following events takes place:

i. The Purchaser signs an acceptance certificate;
ii. The Vendor has installed and, where applicable, successfully tested the installation;
iii. The Purchaser commences regular use of the goods correlated systems;
iv. An independent expert, mutually acceptable to the Purchaser and the Vendor, certifies that the work has been completed.

(c) Nothing in subsections (a) or (b) shall relieve the Vendor from its obligation to honor the warranty provisions contained herein.

(d) The occurrence of any one of the events described in section 9(b)(i), (iii) and (iv) shall constitute acceptance of the work.

11. BONDS

Performance bonds and material and labor payment bonds will be provided by the Vendor upon request. Unless the Contract Price expressly includes the cost of such bonds, the Purchaser, in addition to the Contract Price, shall pay the cost of such bonds to the Vendor at the time of the receipt thereof by the Purchaser.

12. MISCELLANEOUS

(a) This Quotation and any resulting contract shall be governed, enforced and construed in accordance with the laws of the Province/State of New York without regard to that province's/state's rules governing conflict of laws.

(b) All rights and remedies of the Vendor under this contract and under applicable law shall be cumulative and may be exercised successively or concurrently, in any order, and on more than one occasion. The election by Vendor to exercise one remedy shall not preclude it from thereafter exercising one or more other remedies.

(c) The Purchaser agrees to pay, in addition to the other amounts payable to Vendor under the contract, all costs and expenses, including reasonable attorneys' fees, incurred by the Vendor in enforcing this contract, exercising its rights here under or collecting or attempting to collect all amounts due the Vendor here under following default by the Purchaser in the payment or performance of its obligations here under, including those incurred in connection with any bankruptcy, insolvency, liquidation, reorganization or similar proceeding involving the Purchaser.

(d) Any assignment or attempted assignment of this contract, in whole or in part, without the prior written consent of the Vendor shall be void. The Vendor may assign any of its rights, liabilities or obligations arising out of this contract without prior notice to the Purchaser and without the Purchaser's written consent except that the Vendor may not assign its warranty obligations without the Purchaser's written consent.

(e) If any provision of this contract is unenforceable, such unenforceability shall not affect the remaining terms, which shall be enforced, if the same can be done, without regard to the unenforceable provision.

(f) The headings to the paragraphs of this contract are provided for ease of reference only and shall not be construed to vary or limit the terms thereof.

THIS QUOTATION/CONTRACT CONTAINS THE COMPLETE AGREEMENT BETWEEN THE PURCHASER AND THE VENDOR, AND SUPERSEDES ALL PRIOR ORAL OR WRITTEN REPRESENTATIONS, PROMISES, AGREEMENTS OR UNDERSTANDINGS WITH RESPECT TO THE SUBJECT MATTER HEREOF.NO REPRESENTATION, PROMISE, AGREEMENT OR UNDERSTANDING ENTERED INTO OR MADE SUBSEQUENT TO THE DATE OF THE CONTRACT WHICH VARIES OR MODIFIES THE PROVISIONS OF THIS CONTRACT SHALL BE BINDING ON THE VENDOR UNLESS CONVEYED IN WRITING AND EXECUTED BY THE DULY AUTHORISED OFFICER OF THE VENDOR EXECUTING THIS QUOTATION/CONTRACT.

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

TOROMONT CIMCO

Corporate Hourly List Price

Position	Regular Time	Overtime	Holiday
Project Manager	$298.30	$447.45	$596.60
Superintendent	$276.40	$414.60	$552.80
Foreman	$243.90	$365.85	$487.80
Welder	$161.86	$242.79	$323.72
Fitter	$153.20	$229.80	$306.40
Engineer	$306.80	$460.20	$613.60
Service Technician	$223.79	$335.69	$447.58
Administrator/Coordinator	$68.00	$102.00	$136.00

We're offline
Leave a message

Have Questions? Speak with the experts.

Connect with CIMCO today to learn more.

Contact us

INDUSTRIES

Recreational Ice Rinks

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY) 11/09/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Aon Risk Services Central, Inc.
Minneapolis MN Office
5600 West 83rd Street
8200 Tower, Suite 1100
Minneapolis MN 55437 USA

CONTACT NAME:
PHONE (A/C. No. Ext): (866) 283-7122 **FAX (A/C. No.):** (800) 363-0105
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	Ironshore Specialty Insurance Company	25445
INSURER B:	Liberty Mutual Fire Ins Co	23035
INSURER C:	Liberty Mutual Insurance Co.	23043
INSURER D:		
INSURER E:		
INSURER F:		

INSURED
CIMCO Refrigeration Inc.
2502 Commercial Park Drive
Mobile AL 36606-2036 USA

COVERAGES **CERTIFICATE NUMBER:** 570102654476 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
C	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / X PRO-JECT / LOC OTHER:	Y	Y	TB1B71171222033	07/01/2023	07/01/2024	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$2,000,000 $2,000,000 $2,500 $2,000,000 $2,000,000 $2,000,000
C	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY / SCHEDULED AUTOS HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY X Comp/Coll $1,000 / X Hired Auto Ded:	Y	Y	AS1-B71-171222-023	07/01/2023	07/01/2024	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$2,000,000
C	X UMBRELLA LIAB / X OCCUR EXCESS LIAB / CLAIMS-MADE DED / RETENTION	Y	Y	100026008207 Limit in Canadian Dollars	07/01/2023	07/01/2024	EACH OCCURRENCE AGGREGATE	$5,000,000 $5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N: N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	Y	WC2B71171222013	07/01/2023	07/01/2024	X PER STATUTE / OTH-ER E.L. EACH ACCIDENT E.L. DISEASE-EA EMPLOYEE E.L. DISEASE-POLICY LIMIT	 $1,000,000 $1,000,000 $1,000,000
C	E&O - Professional Liability - Primary			PLTOABHX75007 Claims Made Coverage SIR applies per policy terms & conditions	07/01/2023	07/01/2024	E&O Agg Lmt E&O Per Occ Lmt E&O SIR	$5,000,000 $5,000,000 $500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Project: Pre-Construction Engineering Sourcewell Quote NoBW230018. Town of Amherst is included as Additional Insured in accordance with the policy provisions of the General Liability, Automobile Liability and Umbrella Liability policies. General Liability policy evidenced herein is Primary and Non-Contributory to other insurance available to Additional Insured, but only in accordance with the policy's provisions. A Waiver of Subrogation is granted in favor of Town of Amherst in accordance with the policy provisions of the General Liability, Automobile Liability, Umbrella Liability and Workers' Compensation policies. Umbrella Liability follows form over General Liability, Automobile Liability and Workers' Compensation policies. As respects the Umbrella Liability and Professional Liability policies, Aon Risk Solutions (U.S.) is generating and distributing this

CERTIFICATE HOLDER

Town of Amherst
Attn: Attorney's Office
5583 Main Street
Williamsville NY 14221 USA

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Aon Risk Services Central, Inc.

©1988-2015 ACORD CORPORATION. All rights reserved.

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

AGENCY CUSTOMER ID: 570000092758

LOC #:

ADDITIONAL REMARKS SCHEDULE

AGENCY	NAMED INSURED
Aon Risk Services Central, Inc.	CIMCO Refrigeration Inc.
POLICY NUMBER	
See Certificate Number: 570102654476	
CARRIER / NAIC CODE	EFFECTIVE DATE:
See Certificate Number: 570102654476	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 25 **FORM TITLE:** Certificate of Liability Insurance

Additional Description of Operations / Locations / Vehicles:

certificate in an administrative capacity on behalf of Aon Reed Stenhouse. Should General Liability and Workers' Compensation policies be cancelled before the expiration date thereof, the policy provisions of each policy will govern how notice of cancellation may be delivered to certificate holders in accordance with the policy provisions of each policy.

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

© 2008 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

Policy Number TB1-B71-171222-033
Issued by LIBERTY MUTUAL INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

OTHER INSURANCE AMENDMENT – SCHEDULED ADDITIONAL INSURED

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART
LIQUOR LIABILITY COVERAGE PART

Schedule

Name of Person(s) or Organization(s): All entities where required by contract with the Insured and to whom a certificate of insurance has been issued.

If you are obligated under a written agreement to provide liability insurance on a primary, excess, contingent, or any other basis for any person(s) or organization(s) shown in the Schedule of this endorsement that qualifies as an additional insured on this Policy, this Policy will apply solely on the basis required by such written agreement and Paragraph **4. Other Insurance** of **Section IV – Conditions** will not apply. Where the applicable written agreement does not specify on what basis the liability insurance will apply, the provisions of Paragraph **4. Other Insurance** of **Section IV – Conditions** will apply. However, this insurance is excess over any other insurance available to the additional insured for which it is also covered as an additional insured for the same "occurrence", claim or "suit".

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

© 2018 Liberty Mutual Insurance
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

POLICY NUMBER: TB1-B71-171222-033
Issued by Liberty Mutual Insurance Company

COMMERCIAL GENERAL LIABILITY
CG 20 10 04 13

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
All entities where required by contract with the Insured and to whom a certificate of insurance has been issued.	
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. **Section II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

© Insurance Services Office, Inc., 2012

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

© Insurance Services Office, Inc., 2012

Policy Number TB1-B71-171222-033

Issued by LIBERTY MUTUAL INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

DESIGNATED CONSTRUCTION PROJECT OR DESIGNATED LOCATION COMBINED AGGREGATE LIMITS – WITH TOTAL AGGREGATE LIMIT FOR ALL PROJECTS AND LOCATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

Schedule

Designated Construction Project(s) or Designated Location(s):	
All projects/locations where required by contract	
Total Aggregate Limit for all Projects and Locations:	$ 10,000,000

A. For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section I – Coverage A, and for all medical expenses caused by accidents under Section I - Coverage C, which can be attributed only to ongoing operations at a single designated construction project or a single designated "location":

1. A separate Designated General Aggregate Limit applies to each designated construction project and to each designated "location", and that limit is equal to the amount of the General Aggregate Limit shown in the Declarations.

2. The Designated General Aggregate Limit is the most we will pay for the sum of all damages under Section I - Coverage A, except damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard", and for medical expenses under Section I - Coverage C regardless of the number of:

   a. Insureds;

   b. Claims made or "suits" brought; or

   c. Persons or organizations making claims or bringing "suits".

3. Any payments made under Coverage A for damages or under Coverage C for medical expenses shall reduce the Designated General Aggregate Limit for that designated construction project or designated "location". Such payments shall not reduce the General Aggregate Limit shown in the Declarations nor shall they reduce any other Designated General Aggregate Limit for any other designated construction project or designated "location".

4. The limits shown in the Declarations for Each Occurrence, Damage to Premises Rented to You and Medical Expense continue to apply. However, instead of being subject to the General Aggregate Limit shown in the Declarations, such limits will be subject to the applicable Designated General Aggregate Limit and the Total Aggregate Limit for all Projects and Locations.

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

© 2014 Liberty Mutual Insurance
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

5. The Total Aggregate Limit for all Projects and Locations shown in the Schedule of this endorsement is the most we will pay for the sum of all damages caused by "occurrences" under Section I – Coverage A and all medical expenses caused by accidents under Section I – Coverage C which can be attributed only to ongoing operations at a designated construction project or designated "location" shown in the Schedule of this endorsement, regardless of the number of construction projects, "locations", "occurrences" or accidents.

6. Each Designated General Aggregate Limit is subject to the Total Aggregate Limit for all Projects and Locations shown in the Schedule of this endorsement.

B. For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section I – Coverage A, and for all medical expenses caused by accidents under Section I - Coverage C, which cannot be attributed only to ongoing operations at a single designated construction project or single designated "location":

1. Any payments made under Coverage A for damages or under Coverage C for medical expenses shall reduce the amount available under the General Aggregate Limit or the Products-Completed Operations Aggregate Limit, whichever is applicable; and

2. Such payments shall not reduce any Designated General Aggregate Limit.

C. When coverage for liability arising out of the "products-completed operations hazard" is provided, any payments for damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard" will reduce the Products-Completed Operations Aggregate Limit, and not reduce the General Aggregate Limit nor the Designated General Aggregate Limit.

D. If the applicable construction project has been abandoned, delayed, or abandoned and then restarted, or if the authorized contracting parties deviate from plans, blueprints, designs, specifications or timetables, the project will still be deemed to be the same construction project.

E. For the purposes of this endorsement, the Definitions Section is amended by the addition of the following definition:

"Location" means any premises that you occupy for permanent operations as part of your business, but does not include any premises at which you are performing operations as part of a construction project. All premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway, waterway or right-of-way of a railroad shall be considered a single "location".

F. The provisions of Section III - Limits Of Insurance not otherwise modified by this endorsement shall continue to apply as stipulated.

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

© 2014 Liberty Mutual Insurance
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). This list is posted on the OGS website.

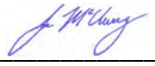
By submitting a response to this solicitation, or by assuming the responsibility under a Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seeking to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certify at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive information that a person is in violation of the above-referenced certification, the Town will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entity that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: CIMCO Refrigeration Inc.

Signature: 

Print Name: Joe McClung

Title: Director US Manufacturing | Rec. Construction

Date: November 21, 2023

Sworn To Before Me This

_____ Day of _____, 20___

_____

Notary Public

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

Consultant Major Exposure Addendum to Contract

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Consultants or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Consultant shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Consultant its officers, agents, sub-Consultants, and/or employees as well as the negligence, active or passive, of the Consultant, its officers, agents, sub-Consultants, and/or employees.

4. Consultant shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Consultant shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Consultant shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate. Umbrella coverage shall be in an amount of at least $5,000,000.00.

(c) Consultant shall furnish the above insurances, including sub-Consultants' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Consultant shall ensure all its sub-Consultants, if any, have obtained all the above insurances and shall also assure that any policy procured by any sub-

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

Consultant or sub-sub Consultant shall name the Town as an additional insured on a primary and non-contributory basis.

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of Section 109 of the General Municipal Law, the Consultant is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Consultant shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Consultant, in accordance with its status as an independent Consultant, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules, regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

CIMCO Refrigeration Inc.

Print Name of Company

By: _____

Signature

Joe McClung

Printed name

Date: November 21, 2023

Agreed to and Accepted by:

Town of Amherst

By: _____

Brian J. Kulpa, Supervisor

Date: _____

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

TOWN OF AMHERST

Erie County, New York

SUPERVISOR
Brian J. Kulpa
716-631-7032

DEPUTY SUPERVISOR/COUNCILMEMBER
Deborah Bruch Bucki, RN, PhD

COUNCILMEMBERS
Shawn Lavin
Michael Szukala
Jacqualine Berger

AGREEMENT

Let this document stand as an Agreement between CIMCO and the Town of Amherst permitting the Town of Amherst to obtain the professional design services from CIMCO with pricing discounted as per the Sourcewell contract #120320-CIM. CIMCO to provide the design of the mechanical systems, details for an ice ribbon at Amherst Central Park and provide drawings stamped and signed by an Engineer of Record per their proposal the Town has received.

Agreed to and Accepted by:

CIMCO Refrigeration Inc.

By: _____
Signature

Joe McClung
Printed name

Director US Manufacturing | Rec. Construction
Title

Date: November 21, 2023

Agreed to and Accepted by:

TOWN OF AMHERST

By: _____
Brian J. Kulpa, Supervisor

Date: _____

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

TOWN OF AMHERST

Erie County, New York

SUPERVISOR
Brian J. Kulpa

DEPUTY SUPERVISOR/ COUNCILMEMBER
Deborah Bruch Bucki, RN, PhD

COUNCILMEMBERS
Jacqualine Berger
Shawn Lavin
Michael Szukala

November 20, 2023

Joe McClung
CIMCO Refrigeration
2502 Commercial Park Drive
Mobile, AL 36606

Re: Letter of Intent – Amherst Central Park Ice Loop

Dear Mr. McClung:

Please accept this letter as notice of intent to use CIMCO Refrigeration for the purchase of equipment for the above referenced project. This letter is conditioned upon the following occurring prior to award of work:

- Approval by the Amherst Town Board of project funding in the Town of Amherst 2025 Capital Improvement Program
- Bond authorization by the Town Board in 2025
- Extension of CIMCO's contract with Sourcewell through January 8, 2026, or award of another cooperative purchasing contract to CIMCO deemed allowable for use by the Town of Amherst
- Town Board approval of a contract with CIMCO Refrigeration in 2025.

The anticipated construction value is to be determined.

Please contact me if you have any questions.

Respectfully,

Lynda L. Juul
Director of Finance

Attachment: CIMCO - Backup information (RES-2023-984 : Award of Pre-Engineering Design Work - CIMCO Refrigeration Inc.)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 28264 **RESOLUTION 2023-985** **ADOPTED**

Recreation Leader - PT/Senior Services

Please appoint a Recreation Leader - PT to the Senior Services Department. Temporary, Effective December 5, 2023 at an hourly rate of $18.50, Step 1 for Doreen Notaro.

Contingent upon completing all pre-employment requirements.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 28247 **RESOLUTION 2023-986** **ADOPTED**

Supervising Tax Clerk/ Town Clerk

Please appoint a Supervising Tax Clerk to the Town Clerk's Office. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective December 5, 2023 at an annual salary of $44,406, Grade 7, Step D for Ashley Brownson.

This is a Permanent appointment for an employee who has been serving Provisionally.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 28265 **RESOLUTION 2023-987** **ADOPTED**

Clerk Typist/Senior Services

Please appoint a Clerk Typist to the Senior Services Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective December 5, 2023 at an annual salary of 29,058, Grade 2, Step A for Zaneta Oviasogie.

Contingent upon completing all pre-employment requirements.

Replacing an employee who retired.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 28267 **RESOLUTION 2023-988** **ADOPTED**

Public Safety Dispatcher/Central Fire Alarm

Please appoint a Public Safety Dispatcher to Central Fire Alarm. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective December 5, 2023 at an hourly rate of $22.542, Step 1 for Logan Girdlestone.

Contingent upon completing all pre-employment requirements and Erie County Civil Service Rules and Regulations.

Please authorize a six (6) month residency waiver.

Replacing an employee who resigned.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 28271 **RESOLUTION 2023-989** **ADOPTED**

Deputy Superintendent of Highways-Highway Department

Please appoint an Exempt Deputy Superintendent of Highways to the Highway Department. Effective December 5, 2023 at an annual salary of $72,289.84, Grade 6, Step A of the Exempt Department Head Salary Schedule for Kurt Stanley.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 28272 **RESOLUTION 2023-990** **ADOPTED**

Deputy Director of Youth & Recreation/Youth & Recreation

Please authorize the reclassification of Program Supervisor as an exempt Deputy Department Head serving as Deputy Director of Youth & Recreation. Effective December 5, 2023 at an annual salary of $103,454.70, Grade 4, Step I of the 2023 Exempt Department Head Salary Schedule for Janice Zapfel.

12/4/2023
Consent

FINANCIAL IMPACT:

Per Exempt Department Schedule

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 28281 **RESOLUTION 2023-991** **ADOPTED**

Lieutenant of Detectives/Police Department (2 Positions)

Please appoint two (2) Lieutenant of Detectives to the Police Department. Temporary, effective December 5, 2023 at an annual salary of $104,892 for Cheryl Julicher and Patrick Mayer.

These are promotions for employees currently serving as Police Lieutenant.
Replacing an employee who was promoted and an employee who is retiring.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 28283 **RESOLUTION 2023-992** **ADOPTED**

Police Lieutenant/Police Department (2 Positions)

Please appoint two (2) Police Lieutenants to the Police Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective December 5, 2023 at an annual salary of $104,142 for Jared Billica and Michael Beyers. Contingent upon completion of all employment requirements and Erie County Civil Service Rules and Regulations.

These promotions are for employees currently serving as Police Officers.
Replacing employees who are being promoted.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Planning
Initiated by: **Dan Howard**
Co-Sponsored by:

DOC ID: 28288 **RESOLUTION 2023-993** **ADOPTED**

SEQR Determination Amendment to Chapter 203 of Town Code (Zoning) Relating to Accessory Dwelling Units, ZTA-2023-03

RESOLVED, that pursuant to 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) and Town Code Chapter 104, as amended, the Town Board is deemed the Lead Agency for those actions which it has sole discretionary power, including but not limited to rezoning decisions and adoptions of local laws, and be it further

RESOLVED, that this Town Board as SEQR Lead Agency has reviewed a request for an amendment to Chapter 203 of Town Code (Zoning) relating to Accessory Dwelling Units and has identified the areas of environmental concern, thoroughly analyzed them for significant adverse impact, including any concerns and/or recommendations from other agencies, and be it further

RESOLVED, that the requirements of SEQR are now complete therefore this Town Board issues the attached Negative Declaration as its determination of environmental significance, for the subject action.

12/4/2023
Consent

FINANCIAL IMPACT:

None

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

D R A F T (12/4/23)
SEQR

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency: Town of Amherst
Town Board

Project: ZTA-2023-03

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: Request to Amend Chapter 203 of Town Code.

SEQR Status: Type I action.

Description of Action: The proposed text amendment aims to broaden housing opportunities in the Town of Amherst by allowing for a simpler path in establishing an Accessory Dwelling Unit (ADU). The proposed changes will not require any familial connection or age requirement and will instead focus on the design of the unit itself and how the ADU fits into the fabric of an existing community.

Location: Town of Amherst, Erie County, New York

Petitioner: Town of Amherst

Attachment: ZTA-2023-03_Neg_Dec (RES-2023-993 : SEQR Determination - ADU)

Reasons Supporting This Determination

Based on information submitted by the applicant, including a Full Environmental Assessment Form (EAF) - Part 1, and a complete text amendment application, a preliminary staff analysis was undertaken. Based on the results of the EAF Part 2 and compared to the criteria listed in Section 617.7, all indications are that the proposed text amendment for accessory dwelling units 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. There is no additional anticipated ground disturbance caused by the establishment of an accessory dwelling unit. The zoning districts that allow single family residential structures are limited by maximum lot coverage standards. When applicable a Special Use Permit will be required, potential impact will be evaluated further.

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.

3. The project is not expected to create any material conflict with the Town Comprehensive Plan. The proposed text amendments address a need for alternative forms of housing in the Town of Amherst.

4. The action may affect an area identified by the State as potentially containing significant cultural or archeological resources. Affected sites will be evaluated when sites are identified to receive an accessory dwelling unit.

5. The project will not impair the character or quality of important aesthetic resources or of existing community or neighborhood character. When applicable, a Special Use Permit will be required and specific impacts to community and neighborhood character will be analyzed.

6. The action will not cause a major change in the use of either the quantity or type of energy.

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

8. The action 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.

Attachment: ZTA-2023-03_Neg_Dec (RES-2023-993 : SEQR Determination - ADU)

9. The action will not significantly increase the number of people using the site over its previous level of use.

10. Significant negative traffic impacts are not expected to result from the proposed text amendments. Each accessory dwelling unit is required to accommodate off-street parking one (1) car.

11. Coordinated reviews of the project have been undertaken by Town Departments including Building on October 25, 2023, Fire Chiefs' Association on October 24, 2023 along with outside agencies including the New York State Department of Environmental Conservation on November 6, 2023, and The City of Buffalo on October 18, 2023. These reviews have not identified any significant environmental issues and indicate that the proposal will not have a significant damaging impact on the environment.

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 be causing significant negative environmental impacts.

_____ _____
Thomas J. Voigt date

_____ _____
Brian J. Kulpa, Supervisor date

TV/ac
"X:\Current_Planning\Files\Text Amendments\ZTA-2023\ZTA-2023-03_(Accessory_Dwelling_Unit)\ZTA-2023-03_Neg_Dec.docx"CC:
Amherst Town Clerk
Amherst Building Department
ECDEP
NYSDEC (type 1's)

Attachment: ZTA-2023-03_Neg_Dec (RES-2023-993 : SEQR Determination - ADU)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 28187 **RESOLUTION 2023-911** **ADOPTED**

Adoption of Local Law to Amend Chapter 203 of Town Code relating to Accessory Dwelling Units, ZTA-2023-03

RESOLVED, that pursuant to 6NYCRR Part 617 (SEQR) and Town Code Section 104, as amended, that the requirements of SEQR are complete, and be it further

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board concurs with the findings of the Planning Board as stated in their resolution of October 19, 2023 that the proposed amendment to Chapter 203 of Town Code (Zoning) relating to accessory dwelling units is consistent with the adopted Bicentennial Comprehensive Plan, as amended, and be it further

RESOLVED, that in accordance with Section 203-8-3 of the Town Code (Zoning), the Town Board adopts Local Law (#_____) to amend Chapter 203 of Town Code, subject to the following conditions as recommended by the Planning Board:

1. That the language in §2-4 be amended to "a period of time longer than 6 months."

11/13/2023
A motion to open the public hearing was made by Deputy Supervisor Bucki, seconded by Councilmember Berger and unanimously approved 4-0. The public hearing was opened at 7:21 PM.

Daniel Ulatowski, Assistant Planning Director and Laurie Stillwell, Community Development Director presented.

The following speaker addressed the Board:
Jane Cox, 4584 Harlem Rd. - possible issues arising from renting/airbnb

There were no further speakers from the public, therefore Deputy Supervisor Bucki moved to close the hearing and set a decision date for the December 4th Town Board meeting, seconded by Councilmember Berger and unanimously approved 4-0. The public hearing was closed at 7:43 PM.

12/4/2023
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, A
Planning Director

Daniel J. Ulatowski, A
Assistant Planning Dir

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

Town Board Agenda of November 13, 2023

November 8, 2023

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Proposed Zoning Code Text Amendment: Local Law to amend the Zoning Ordinance, Accessory Dwelling Unit (ADU) Standards, Town of Amherst, Petitioner. (ZTA-2023-03).

Honorable Members:

The proposed text amendment strives to broaden housing opportunities in the Town of Amherst by providing a more direct approach to establishing an Accessory Dwelling Unit (ADU). The proposed changes will not require any familial connection or age requirement to establish an ADU, rather it will focus on the design of the unit itself and how the ADU fits into the context and fabric of an existing community.

DRAFT LOCAL LAW

The following changes are proposed to Chapter 203 of the Town Code. Existing text to be removed is depicted as a ~~strikethrough~~ and the proposed text is depicted in **bold and underline**

§2-4 Specific Terms

~~Auxiliary Housing~~ **Accessory Dwelling** Unit

~~A room or group of rooms within a detached single-family dwelling forming a semi-independent habitable unit, which may be occupied by elderly or disabled members of the family occupying the dwelling for separate living, sleeping, cooking or eating purposes.~~

A separate dwelling unit that is attached to or located on the same lot as a principal residential dwelling used for the living, sleeping, cooking, and bathroom facilities of individuals for a period of time longer than 6 months.

§3-2-3A, 3-3-3A, 3-4-3A, 3-5-3A, 3-6-3A, 3-7-3A, 3-9-3A, 3-10-3A, 3-11-3A(1), 3-12-3A(1)

~~Auxiliary Housing~~ **Accessory Dwelling** Unit

§6-8-2.

~~Auxiliary Housing~~ **Accessory Dwelling** Units.

Where permitted as an accessory use in Part 3, an ~~auxiliary housing~~ **accessory dwelling** unit may be constructed within any single-family detached dwelling following approval of a Special Use

Permit as set forth in §8-6, subject to the following standards;

~~A. An auxiliary housing unit shall accommodate not more than two members of the family occupying the principal dwelling. At least one of the persons housed in the auxiliary housing unit shall be at least 60 years of age or handicapped or otherwise incapacitated to the extent that independent housing is not practical.~~

~~B. The auxiliary housing unit shall not exceed 500 square feet.~~

~~C. The permit for the auxiliary housing unit shall be valid for a period not exceeding two years. Thereafter, it can be renewed, from time to time, for additional two-year periods upon proof satisfactory to the ZBA that the circumstances warranting the original permit continue to exist.~~

A. General Standards for Accessory Dwelling Units

1. **A maximum of one (1) accessory dwelling unit is permitted on an individual lot.**
2. **Accessory dwelling units shall be within or substantially attached to the principal structure with the exception of lots located in the R-R, R-1, SA and AG zoning districts that satisfy the minimum dimensional standards listed in Part 3, as amended.**
3. **Accessory dwelling units shall be a minimum of 500 sq. ft and the accessory dwelling unit shall not exceed 49% of the gross floor area of the principal dwelling up to 900 sq. ft., whichever is less restrictive.**
4. **The maximum height of an accessory dwelling unit is limited to the maximum height of the principal structure in the respective zoning district.**
5. **A maximum of 2 bedrooms shall be permitted for an accessory dwelling unit. A third bedroom is permitted if built within the roof portion of the structure.**
6. **The accessory dwelling unit shall have its own entrance, which may be shared with the principal dwelling by a common area.**
7. **A minimum of one (1) off street parking space shall be provided with a maximum of two (2) parking spaces permitted. Driveways shall not be expanded in the area between the front wall of the principal structure and the right-of-way line to accommodate required ADU parking.**
8. **The principal dwelling or accessory dwelling unit must be owner occupied. The property owner must certify that either unit is their principal place of residence and legal domicile. Both the principal structure and accessory dwelling unit must remain in common ownership.**
9. **Accessory dwelling units must maintain a complimentary exterior finish to the principal structure.**
10. **Exterior lighting shall meet the standards listed in §7-3 of this Ordinance.**

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

B. Standards for Detached Accessory Dwelling Units in the RR, R-1, SA and AG Zoning Districts

1. **The minimum separation from the principal structure shall be 10 feet.**
2. **Detached accessory dwelling units must have the same roof style as the principal dwelling and shall have a maximum height of 2 stories (up to 25 ft).**
3. **A detached accessory dwelling unit shall not be located between the front of the structure that it is subordinate to and the right-of-way line of the street(s) servicing it, and must meet the side yard requirements as specified for the principal dwelling.**

C. The Special Use Permit for an accessory dwelling unit shall be valid for a period not exceeding two years. Thereafter the Building Commissioner, with concurrence from the Zoning Enforcement Officer, may renew a Special Use Permit upon satisfactory proof of compliance with the standards listed in §6-8-2 above and any conditions placed by the Zoning Board of Appeals on the original permit.

1. **A Special Use Permit renewal shall be valid for a period not exceeding two years.**
2. **The original Special Use Permit or any subsequent renewal by the Building Commissioner shall not be transferable. A new property owner shall seek approval from the Zoning Board of Appeals.**
3. **The Building Commissioner may deny the renewal of a Special Use Permit based on the following:**
    a. **Failure to comply with NYS Building Code for property maintenance**
    b. **Falsification of a certification of legal residence.**

If a Special Use Permit renewal is denied, the property owner must seek a new Special Use Permit approval from the Zoning Board of Appeals pursuant to §8-6 of this Ordinance.

The Planning Board offers the following findings consistent with Section 8-3 of the Zoning Ordinance.

INTENT AND OBJECTIVES OF THE COMPREHENSIVE PLAN

Chapter 8, Section 8.2B of the Bicentennial Comprehensive Plan highlights the growing need within the Town of Amherst for the availability of diverse housing options. One approach to progress towards achieving this goal is to provide alternative types of housing. The growing need for more housing that is affordable (in quantity and price) in Amherst has led to a unique opportunity for residents to establish accessory dwelling units on land that is already occupied by a single-family home. An ADU can provide an opportunity for a home owner to access an additional source of income and create a new housing opportunity for a potential occupant. Both of these outcomes can have a positive impact on strengthening existing neighborhoods.

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

Honorable Town Board

Local Law to amend the Zoning Ordinance,
Accessory Dwelling Unit (ADU) Standards
Agenda of November 13, 2023

INTENT AND OBJECTIVES OF THE ZONING ORDINANCE

Amherst's code currently allows for Accessory Dwelling Units (ADUs) in certain zoning districts, however the associated use standards are considered burdensome or intimidating for applicants to meet and often act as a barrier to homeowners attempting to create an ADU. An ADU is permitted under two approaches, as "Attached Dwellings" in multi-family districts or as "Auxiliary Housing Units" in single-family districts, both approaches have the following limitations:

1. Attached Dwellings are currently permitted "as of right" in the following zoning districts: Residential 4 (R-4); Multifamily Residential (MFR) 4A; MFR-5 or MFR-6. These Attached Dwellings must be attached to the principal structure and require the parcel to have additional frontage based on the number of units on the lot, as well as adequate off-street parking. For example, an existing single-family home zoned R-4 requesting to add an attached Dwelling Unit would need 90' frontage and a total lot area of 5,850 sq. ft./dwelling unit. In comparison a typical single-family suburban lot is 65' wide and 8,450 sq. ft. Amherst currently has 169 parcels zoned as R-4, MFR-4A, MFR-5, and MFR-6 and many of these districts have parcels that would meet the frontage and lot size requirements to add an Attached Dwelling Unit.

2. Auxiliary Housing Units are an allowable accessory use to a principal residential structure in the Rural Residential (RR); Suburban Agriculture (SA); Residential-1 (R-1); Residential (R-2); and Residential-3 (R-3) Zoning Districts. In these districts Auxiliary Housing Units are not permitted as of right and must receive a Special Use Permit from the Zoning Board of Appeals (ZBA) to be established. Auxiliary Dwelling Units must be attached to the principal structure; limited in height and size (500 sq. ft max); with occupancy limited to 2 persons (either over 60+ years of age or handicapped) and of familial relationship to the principal structure occupants. Essentially an Auxiliary Housing Unit is a typical in-law suite, which is reflective of what's most commonly in place in suburban zoning codes around Western New York. The RR, SA, R-1, R-2, and R-3 Zoning Districts currently make up the large majority of Amherst zoning districts and the uncertainty of the ZBA process can be intimidating to potential applicants.

The draft text amendments proposed above allow for a more direct approach to establishing an ADU and renew its approval. These text amendments are intended to achieve consistency of ADU's with the surrounding community character by focusing more heavily on building form and less on the occupants and familial relationship.

RECOMMENDATION

At their meeting of October 19, 2023, the Planning Board held a public hearing on the subject request and recommended that the Town Board find that pursuant to Local Law #3-82, as amended, the requirements of SEQR have been completed and that the subject request will not have a significant adverse effect on the environment. The Planning Board also recommended that the subject Zoning Code text amendment be approved with the following condition;

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

Honorable Town Board

Local Law to amend the Zoning Ordinance,
Accessory Dwelling Unit (ADU) Standards
Agenda of November 13, 2023

1. That the language in §2-4 be amended to "a period of time longer than 6 months."

The Planning Department requests that if the Town Board desires to act on the subject request, that a decision date be established after the public hearing so that the Planning Department can prepare a determination of environmental significance pursuant to SEQR, and prepare a resolution for the Town Board's consideration.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/TV /ac
Att.
X:\Current_Planning\Files\Text Amendments\ZTA-2023\ZTA-2023-03_(Accessory_Dwelling_Unit)\ZTA-2023-03_TB_Letter_111323.docx
cc: Martin Polowy, Town Attorney

Planning Board Approval October 19, 2023
Ayes 6, Noes 0; Absent 1 (Raffaele)

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

TOWN OF AMHERST
PLANNING BOARD
ZONING TEXT AMENDMENTS
ZTA-2023-03

PETITIONER
Town of Amherst
5583 Main Street
Williamsville, NY 14221

WHEREAS the Town of Amherst Planning Board on Thursday, October 19, 2023 held a public hearing on the proposed Zoning Code Text Amendment: Local Law to amend the Zoning Ordinance for Accessory Dwelling Unit (ADU) Standards, and

WHEREAS the Planning Board has reviewed materials regarding the text amendments proposal, and

WHEREAS the materials have been referred to the Town's various review agencies, and

WHEREAS per Section 203 - 8-5-5(A) & (B) of the Town Code, the Planning Board finds that:

1. The proposed text amendment is consistent with the remainder of the Zoning Ordinance, including, specifically, the following purpose statement as found in Section 1-2-2: 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.

2. The proposed text amendment represents a revision necessitated by changing circumstances over time.

3. The proposed text amendment does not correct an error in the Ordinance.

4. The proposed text amendment does not revise the Ordinance to comply with state or federal statutes or case law.

5. The proposed text amendment advances the public health, safety or welfare and is consistent with the Zoning Ordinance.

6. The proposed text amendment is generally consistent with the policies of the Comprehensive Plan.

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 request be approved with the following condition;

1. That the language in §2-4 be amended to "a period of time longer than 6 months."

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

TOWN OF AMHERST
PLANNING BOARD
ZONING TEXT AMENDMENTS
ZTA-2023-03

PETITIONER
Town of Amherst

The foregoing resolution was adopted by the Town of Amherst Planning Board, October 19, 2023; moved by Penberthy; seconded by Chmiel; ayes 6, noes 0; absent 1 (Raffaele).

Robert J. Gilmour, Planning Board Chair

10-26-2023
Date

TV/ac
X:\Current_Planning\Files\Text Amendments\ZTA-2023\ZTA-2023-03_(Accessory Dwelling Unit)\ZTA-2023-03 resolution 101923.doc
cc: Traffic/Safety Coordinator
Commissioner of Building
Highway Superintendent
Town Engineer

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

TOWN OF AMHERST PLANNING DEPARTMENT

Zoning & Subdivision Text Amendment Application

File # **ZTA-2023-03**

1. Zoning Ordinance Text Amendment ☒
2. Subdivision Regulations Text Amendment ☐

PETITIONER:

- ☐ Town Board
- ☐ Planning Board
- ☐ Zoning Board of Appeals
- ☐ Commissioner of Building
- ☐ Planning Director
- ☒ Zoning Enforcement Officer

Sections Proposed to be Amended: **(Attach sheets as necessary.)**

See Attachment A

Description of Amendments: **(Attached sheets as necessary.)**

See Attachment B

Materials Received by Planning Department

RECEIVED BY DATE

Materials Filed with Town Clerk

ACCEPTED BY DATE

X:\Current_Planning\Application Forms 2019\Zoning or Subdivision Text Amend App 2022.doc

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

ATTACHMENT A

Proposed ADU Text Amendment
ZTA-2023-03

October 4, 2023

§2-4

~~Auxiliary Housing~~ **Accessory Dwelling** Unit

~~A room or group of rooms within a detached single-family dwelling forming a semi-independent habitable unit, which may be occupied by elderly or disabled members of the family occupying the dwelling for separate living, sleeping, cooking or eating purposes.~~

A separate dwelling unit that is attached to or located on the same lot as a principal residential dwelling used for the living, sleeping, cooking, and bathroom facilities of individuals for a period of time longer than 30 days.

§3-2-3A, 3-3-3A, 3-4-3A, 3-5-3A, 3-6-3A, 3-7-3A, 3-9-3A, 3-10-3A, 3-11-3A(1), 3-12-3A(1)

~~Auxiliary Housing~~ **Accessory Dwelling** Unit

§6-8-2.

~~Auxiliary Housing~~ **Accessory Dwelling** Units.

Where permitted as an accessory use in Part 3, an ~~auxiliary housing~~ **accessory dwelling** unit may be constructed ~~within any single-family detached dwelling~~ following approval of a Special Use Permit as set forth in §8-6, subject to the following standards;

~~A. An auxiliary housing unit shall accommodate not more than two members of the family occupying the principal dwelling. At least one of the persons housed in the auxiliary housing unit shall be at least 60 years of age or handicapped or otherwise incapacitated to the extent that independent housing is not practical.~~

~~B. The auxiliary housing unit shall not exceed 500 square feet.~~

~~C. The permit for the auxiliary housing unit shall be valid for a period not exceeding two years. Thereafter, it can be renewed, from time to time, for additional two-year periods upon proof satisfactory to the ZBA that the circumstances warranting the original permit continue to exist.~~

A. General Standards for Accessory Dwelling Units

1. **A maximum of one (1) accessory dwelling unit is permitted on an individual lot.**
2. **Accessory dwelling units shall be within or substantially attached to the principal structure with the exception of lots located in the R-R, R-1, SA and AG zoning districts that satisfy the minimum dimensional standards listed in Part 3, as amended.**
3. **Accessory dwelling units shall be a minimum of 500 sq. ft and the accessory dwelling unit shall not exceed 49% of the gross floor area of the principal dwelling up to 900 sq. ft., whichever is less restrictive.**
4. **The maximum height of an accessory dwelling unit is limited to the maximum height of the principal structure.**

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

5. A maximum of 2 bedrooms shall be permitted for an accessory dwelling unit. A third bedroom is permitted if built within the roof portion of the structure.
6. The accessory dwelling unit shall have its own entrance, which may be shared with the principal dwelling by a common area.
7. A minimum of one (1) off street parking space shall be provided with a maximum of two (2) parking spaces permitted. Any required off-street parking for an ADU shall not be located in front of the principal structure.
8. The principal dwelling or accessory dwelling unit must be owner occupied. The property owner must certify that either unit is their principal place of residence and legal domicile. Both the principal structure and accessory dwelling unit must remain in common ownership.
9. Accessory dwelling units must maintain a complimentary exterior finish to the principal structure.
10. Exterior lighting shall meet the standards listed in §7-3 of this Ordinance.

B. Standards for Detached Accessory Dwelling Units
   1. The minimum separation from the principal structure shall be 10 feet.
   2. Detached accessory dwelling units must have the same roof style as the principal dwelling and shall have a maximum height of 2 stories (up to 25 ft).
   3. A detached accessory dwelling unit shall not be located between the front of the structure that it is subordinate to and the right-of-way line of the street(s) servicing it, and must meet the side yard requirements as specified for the principal dwelling.

C. The Special Use Permit for an accessory dwelling unit shall be valid for a period not exceeding two years. Thereafter the Building Commissioner, with concurrence from the Zoning Enforcement Officer, may renew a Special Use Permit upon satisfactory proof of compliance with the standards listed in §6-8-2 above and any conditions placed by the Zoning Board of Appeals on the original permit.
   1. A Special Use Permit renewal shall be valid for a period not exceeding two years.
   2. The original Special Use Permit or any subsequent renewal by the Building Commissioner shall not be transferable. A new property owner shall seek approval from the Zoning Board of Appeals.
   3. The Building Commissioner may deny the renewal of a Special Use Permit based on the following:
      a. Failure to comply with NYS Building Code for property maintenance
      b. Falsification of a certification of legal residence.
   4. If a Special Use Permit renewal is denied, the property owner must seek a new Special Use Permit approval from the Zoning Board of Appeals pursuant to §8-6 of this Ordinance.

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

ATTACHMENT B

Proposed ADU Text Amendment **October 4, 2023**
ZTA-2023-03

Amherst's code allows for Accessory Dwelling Units (ADUs) in certain zoning districts, however the associated use standards are considered burdensome or intimidating for applicants to meet and often act as a barrier to homeowners attempting to create an ADU. ADUs are permitted under two approaches, as "Attached Dwellings" in multi-family districts or as "Auxiliary Housing Units" in single-family districts, both approaches have the following limitations:

Attached Dwellings currently permitted "as of right" include properties zoned Residential 4 (R-4); Multifamily Residential (MFR) 4A; MFR-5 or MFR-6. These Attached Dwellings must be attached to the principal structure and require the parcel to have additional frontage based on the number of units on the lot, as well as adequate off-street parking. For example, an existing single-family home zoned R-4 requesting to add an attached Dwelling Unit would need 90' frontage and a total lot area of 5,850 sq. ft./dwelling unit. In comparison a typical single-family suburban lot is 50' wide and 10,890 sq. ft. Amherst currently has 169 parcels zoned as R-4, MFR-4A, MFR-5, and MFR-6 and many of these districts have parcels that would meet the frontage and lot size requirements to add an Attached Dwelling Unit.

Auxiliary Housing Units are an allowable accessory use to a principal residential structure in the Rural Residential (RR); Suburban Agriculture (SA); Residential-1 (R-1); Residential (R-2); and Residential-3 (R-3) Zoning Districts. In these districts Auxiliary Housing Units are not permitted as of right and must receive a Special Use Permit from the Zoning Board of Appeals (ZBA) to be established. Auxiliary Dwelling Units must be attached to the principal structure; limited in height and size (500 sq. ft max); with occupancy limited to 2 persons (either over 60+ years of age or handicapped) and of familial relationship to the principal structure occupants. Essentially Auxiliary Housing Units are drafted into code as a typical in-law suite, which is reflective of what's most commonly in place in suburban zoning codes around WNY. The RR, SA, R-1, R-2, and R-3 Zoning Districts currently make up the large majority of Amherst zoning districts and the uncertainty of the ZBA process can be intimidating to potential applicants.

The draft text amendments as described in "Attachment A" allow for an easier path to establishment for ADUs and aim to create consistency with surrounding community character by focusing more heavily on form and less on the end user and familial relationship.

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

The most prominent proposed text amendment is the removal of restriction on age and relationship. The provision of a typical "in-law" suite was once a common way to provide an alternative form of housing for a family member in need, however recent housing trends have made finding an affordable place to live more difficult for a greater number of people. The proposed ADU standards will not restrict whom can occupy the accessory unit, instead will restrict the occupancy of the principal dwelling to the property owner. This will demand that the principal dwelling remain owner occupied and maintain the use of the property as a single-family home in existing single-family neighborhoods.

The from controls that are proposed will create conformity to existing community character by forcing the ADU to be designed in a way that is complimentary to the principal dwelling. The draft text would require that in the R-2 and R-3 districts, any ADU would be required to be substantially attached to or within the principal dwelling. This requirement will force the design of the ADU to be aesthetically indistinguishable from an expansion to a single-family home. Further, an increase in floor area will be permitted on a scale with the size of the principal dwelling. Minimally, the ADU may be 500 square feet in area, and at a maximum as proposed, an ADU may not exceed 900 square feet in area. This increase in size from the current standards will allow for better design of interior and exterior spaces and will be more accommodating to groups of people that may functionally need more than one bedroom. Even with an increased size allowance, the proposed text changes will not deviate from the requirements of any accessory structures being subordinate in extent to the principal structure. The maximum height of an ADU will be 2 stories (up to 25 ft), however, in no instance may an ADU be taller than the principal structure (if the principal dwelling is a 1 story ranch, the ADU will be limited to 1 story). This requirement will further ensure that the ADU be consistent with the existing community character and form.

Detached ADUs are not currently permitted and as part of this application would be permitted in the AG, RR, SA and R-1 zoning districts. These districts are predominantly located in North Amherst and are characterized by large lot sizes with single family homes or farming practices. The intent of limiting the allowance of detached ADUs in these districts and not others is the availability of land and the reduced risk of increased density. Detached ADUs will be required to meet all setbacks of the principal structure, be designed in way that is complimentary to the principal dwelling and in some instances, provide a larger footprint than an attached ADU.

For all ADUs, a Special Use Permit will continue to be required to act as another layer of review by the Zoning Board of Appeals (ZBA). Currently, a Special Use Permit issued for an ADU would have

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

to be renewed by public hearing at the ZBA every two years. The proposed text would shift that authority to the Building Commissioner based on an inspection of the premises to ensure that the ADU is compliant with the zoning standards and New York State Building Code.

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

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: ZTA-2023-03		
Project Location (describe, and attach a general location map): Town of Amherst		
Brief Description of Proposed Action (include purpose or need): Amendment to Chapter 203 of Town Code to accommodate the allowance of Accessory Dwelling Units (ADUs). Changes include: 1. Amending the name and definition of ADUs to better suit modern terminology & best zoning practice, 2. Providing clearer, more equitable standards for the establishment of an ADU such as setbacks, height, and size, 3. Adding design standards that will demand consistency with surrounding community character, 4. Allowing the Code Enforcement Officer to renew a Special Use Permit for an ADU on a 2 year basis.		
Name of Applicant/Sponsor: Town of Amherst Planning Department	Telephone: (716) 631-7051 E-Mail: planningemail@amherst.ny.us	
Address: 5583 Main Street		
City/PO: Williamsville	State: New York	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Thomas Voigt, Assistant Planner	Telephone: (716) 631-7118 E-Mail: tvoigt@amherst.ny.us	
Address: 5583 Main Street		
City/PO: Williamsville	State: New York	Zip Code: 14221
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

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 (Approval)	November 2023
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board (Reccomendation)	October 2023
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	239M NYS GML	October 2023
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):

Agriculture and Farmland Protection Plan (Adopted 2022)

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

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?

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? _____

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

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

d. What parks serve 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)?

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

c. Is the proposed action an expansion of an existing project or use? ☐Yes ☐No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐Yes ☐No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐Yes ☐No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐Yes ☐No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

f. Does the project include new residential uses? ☐Yes ☐No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☐No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☐No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:
_____
iii. If other than water, identify the type of impounded/contained liquids and their source.
_____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes ☐No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
_____
_____
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: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

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

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

- 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)

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

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

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No

Describe:

n. Will the proposed action have outdoor lighting? ☐Yes ☐No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation:

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

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):

_____
_____

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____%
_____ _____%
_____ _____%

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

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

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐ Yes ☐ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☐ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No
If Yes:

i. Name of aquifer: _____

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

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: _____

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

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. **See Attachment A**

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. **See Attachment B**

G. Verification

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

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

PRINT FORM

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

Carrato, Amy

From: Woznick, Michelle R (DEC) <michelle.woznick@dec.ny.gov>
Sent: Friday, November 3, 2023 12:53 PM
To: Planning Department email
Cc: Voigt, Thomas J.
Subject: Local Law to Amend the Zoning Ordinance, Accessory Dwelling Units (ADU) Standards, ZTA-2023-3

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.
Good afternoon,

Our office has received notice, dated October 4, 2023, regarding the subject local law. NYSDEC is not an involved or interested agency for this action. We have no environmental concerns or comments to share.

Thank you,

Michelle Woznick
she/her/hers
Deputy Permit Administrator, Division of Environmental Permits

New York State Department of Environmental Conservation
700 Delaware Ave., Buffalo, NY 14209
P: (716) 851-7177 | michelle.woznick@dec.ny.gov
www.dec.ny.gov |

NEW YORK STATE | Department of Environmental Conservation

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

TOWN OF AMHERST
FIRE SAFETY DIVISION
5583 MAIN STREET
WILLIAMSVILLE, NY 14221

(p) (716) 631-7095
(f) (716) 631-7192
firesafety@amherst.ny.us
amherst.ny.us/firesafety

Memorandum

Date: 10/24/23

To: Thomas Voigt, Assistant Planner

Cc: Doug Gesel, Supervising Code Enforcement

From: Krista Halt, Senior Fire Inspector

Re: Amendment to Chapter 203 of Town Code to accommodate the allowance of Accessory Dwelling Units

In reviewing the amendment, there may be fire safety issues regarding Detached Accessory Dwelling Units that we would like to make you aware of.

Fire Department Access to these Accessory Dwelling Units may be difficult due to distance from a fire apparatus access road. Additional hose may be required causing a delay in response.

Distance from fire hydrants may also be an issue. If exceeding allowable max. distance, sprinkler protection and/or a private hydrant may be required.

We request that these items be considered when reviewing and our fire safety office be consulted prior to approving a detached accessory dwelling unit.

Respectfully,

Krista Halt, Senior Fire Inspector

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

Fadel, Bryan

From: Voigt, Thomas J.
Sent: Wednesday, October 18, 2023 9:53 AM
To: Carrato, Amy; Fadel, Bryan
Cc: Marshall, Scott; Ulatowski, Daniel; Palumbo, Gary
Subject: FW: Lead Agency Concurrence

See below

Thomas Voigt, Assistant Planner
Town of Amherst Planning Department
5583 Main St. Williamsville, NY 14221
Phone: (716) 631-7051 ex. 7118

From: Godfrey, Michael J <MGodfrey@buffalony.gov>
Sent: Wednesday, October 18, 2023 9:43 AM
To: Voigt, Thomas J. <tvoigt@amherst.ny.us>
Cc: Paananen,Jason A <jpaananen@buffalony.gov>; Middleton,Crystal S. <cmiddleton@buffalony.gov>
Subject: Lead Agency Concurrence

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.
Good Morning,

We have received your request for Lead Agency concurrence for the "Zoning Text Amendment for a change to the standards for Accessory Dwelling Units (ADUs)." We concur with the Town of Amherst acting as Lead Agency. Based on the information provided, we have no concerns or comments at this time.

Mike

Michael Godfrey, AICP
Deputy Director of Planning & Zoning
Mayor's Office of Strategic Planning
Phone: 716-851-4707
Email: mgodfrey@buffalony.gov
920 City Hall
Buffalo, NY 14202
www.buffalony.gov

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

Carrato, Amy

From: Gesel, Doug
Sent: Wednesday, October 25, 2023 3:52 PM
To: Voigt, Thomas J.
Cc: Halt, Krista B; Berke, Mark S.
Subject: Amendment to Chapter 203 of Town Code to accommodate the allowance of Accessory dwelling Units

Tom,
In the review of the amendment there may be some issues:

- §6-8-2 A. 2. Define "substantially attached"
- §6-8-2 A 4, the height of the existing building or what is allowed in Part 2
- §6-8-2 A 5, if a third bedroom is built "within the roof portion of the structure" and creates a third floor, the house must be sprinklered.
- § 6-8-2 A 7, Parking for the ADU cannot be located in front of the principle structure- so they can't park in the driveway?
- § 6-8-2 B 3, An detached structure must meet the side yard setback , what about the rear yard setback?
- § 6-8-2 C 4. If the Special Use permit renewal is denied, what happens to the ADU? Do they have to remove the unit, remove what defines it as a dwelling unit (bedroom, kitchen, living space)
  RCNYS
  [NY] DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Dwelling units include, but are not limited to,
  one-family dwellings, each unit in a two-family dwelling, each unit in a multiple single-family dwelling (townhouse),
  bed and breakfast dwellings, and lodging houses.

I'm asking for a friend

Doug Gesel
Supervising Code Enforcement Officer
Town of Amherst Building Department
(716) 631-7120
DGesel@Amherst.NY.US

Attachment: ZTA-2023-03 TB letter packet 111323 (RES-2023-911 : Adoption of Local Law to Amend Chapter 203 of Town Code, ADU)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Planning
Initiated by: **Daniel J. Ulatowski**
Co-Sponsored by:

DOC ID: 28234 **RESOLUTION 2023-994** **ROLL CALL VOTE (ADOPTED)**

Resolutions Dated March 17, 2003 and June 16, 2003 Geotechnical Analysis

WHEREAS, on March 17, 2003 the Amherst Town Board adopted a resolution requiring that the long environmental assessment forms that the Town of Amherst uses be amended to require that a geotechnical analysis be provided, AND

WHEREAS, on June 16, 2003 the Amherst Town Board amended the aforementioned resolution to not require soil testing and a geotechnical analysis when proposed zoning amendments were being considered on previously developed sites, AND

WHEREAS, subsequent to the aforementioned resolutions, in October of 2005 the U.S. Army Corps of Engineers prepared and in-depth study for the Town of Amherst which investigated residential foundation failures within the Town of Amherst and provided recommended corrective actions, AND

WHEREAS, since the preparation of such study the Town Building Commissioner has routinely been requiring soil testing and geotechnical evaluations for residential and commercial construction consistent with changes in the NYS Uniform Fire Prevention and Building Code, AND

WHEREAS, section 8-2-2D(2) of the Zoning Ordinance continues to allows for additional studies and/or information to be requested of a petitioner to deem an application complete for a SEQR determination as determined by the Planning Director, AND

WHEREAS, such geotechnical evaluations will continue to be required by the Town of Amherst Building Commissioner at the time of a building permit application, NOW THEREFORE BE IT

RESOLVED, that the resolutions adopted on March 17, 2003 and June 16, 2003 are hereby rescinded and the environmental assessment form which the town amended as an addendum may be revised to no longer require the provision of a geotechnical analysis when a development review submission is made, AND BE IT

FURTHER RESOLVED, that the Planning Director and/or the Building Commissioner may request that a geotechnical analysis report be provided if deemed necessary during his/her review of a development action consistent with section 8-2-2D(2) of the Zoning Ordinance.

12/4/2023
A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and approved via Roll Call vote 4-1 (nay, Bucki).

FINANCIAL IMPACT:

No financial impact

RESULT:	**ROLL CALL VOTE (ADOPTED) [4 TO 1]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Berger, Lavin, Szukala
NAYS:	Bucki

The following persons addressed the Board:
1. Hilda Hui, 49 North Union Road
2. Jim Tricoli, 4 Columbia Drive
3. Colleen Bogdan, Summershade Ct.
4. George Richmond, Canterbury Woods

Supervisor Grelick announced the public hearing will be held open until April 7, 2003 and the written comment period will be open until April 17, 2003.

UNFINISHED BUSINESS:

A motion was made by Councilmember Schratz, unanimously seconded,

WHEREAS, the Town Board of the Town of Amherst has become aware of and increasingly concerned about reports from res in various sections of the Town of Amherst about structural damage incurred by some homes in those parts of the Town of Am and

WHEREAS, while the causes of the problems incurrred by our residents are still uncertain, theories concerning the cause have developed which revolve around the nature of the underlying soil and its hydrology, and

WHEREAS, it is the desire of the Board to address this possible cause in a reasonable manner while the investigation of this situation continues,

BE IT RESOLVED, that long environmental assessment forms used in the Town of Amherst be amended to include the require for soil testing, geotechnical, and hydrological analysis to one (1) test per 3.5 acres, in areas identified in the Erie County Soil Survey as having soils with potential building limitations and/or implications, and

BE IT ALSO RESOLVED, that prior to issuance of building permits in these areas, a soil test should be performed on each lot associated with a 1 and 2 family dwelling.

Roll Call:	Supervisor Grelick,	aye;	Councilmember Ward,	aye;
	Deputy Supervisor McGuire,	aye;	Councilmember Wojtowicz,	aye;
	Councilmember Woodward,	aye;	Councilmember Schratz,	aye;
	Councilmember Kindel,	aye;		

Ayes, 7 Noes, 0 Approved

A motion was made by Councilmember Woodward, seconded by Councilmember Ward,

WHEREAS, the League of Women Voters has recently put all of its considerable voter education efforts under one umbrella, a Resource Network (VRN) including a website, and

WHEREAS, the League of Women Voters offers non-partisan political information on candidates, issues and the election proc and it is in the best interest of government to promote an informed electorate;

NOW THEREFORE, BE IT RESOLVED, the Amherst Town Board hereby directs the Information Technology Department to i a link on the Town of Amherst website to the LWVBN.ORG.

Roll Call:	Supervisor Grelick,	aye;	Councilmember Ward,	aye;
	Deputy Supervisor McGuire,	aye;	Councilmember Wojtowicz,	aye;
	Councilmember Woodward,	aye;	Councilmember Schratz,	aye;
	Councilmember Kindel,	aye;		

Ayes, 7 Noes, 0 Approved

A motion was made by Supervisor Grelick, seconded by Deputy Supervisor McGuire,

WHEREAS, the Town of Amherst has been flooded numerous times in the last fifteen years, resulting in property loss and haz to public health and safety, and

WHEREAS, flood prevention projects, such as levees and channel improvements are not feasible or affordable, so we can co to expect more floods in the future, and

WHEREAS, a Flood Mitigation Plan has been developed after more than a year of research and work by the Amherst Flood Planning Committee, and

WHEREAS, the Flood Mitigation Plan recommends many activities that will protect the people and property affected by floodi

WHEREAS, a public meeting was held to review the plan as required,

Attachment: resolutions of 2003 (RES-2023-994 : Geotechnical Analysis Reports)

Ayes, 6 Noes, 0 Approved

DEPUTY SUPERVISOR MCGUIRE: No Report

COUNCILMEMBER WOODWARD:

The resolution entitled "Hopkins Road Sidewalks" was held until 7/7/03.

A motion was made by Councilmember Woodward, seconded by Councilmember Kindel,

WHEREAS, the financial problems being experienced by the City of Buffalo are of great concern to Amherst and all other communities in Erie County because we recognize that the city's problems can have a serious negative impact on the Town of Amherst as well as other towns, cities and villages, if they are not resolved; and

WHEREAS, we firmly believe that, in order to prosper in the long run, city government must restructure; and

WHEREAS, in order to improve the readily deteriorating quality of life in the City of Buffalo the tax burden must be lowered and the efficiency of city services improved; and

WHEREAS, Supervisor Susan Grelick of Amherst recently stated that Amherst would be willing to contribute our portion of the "extra" 1% sales tax revenue to the City in order to promote the City's fiscal health (if a decision to share it is made in the future); and

WHEREAS, the Town of Amherst raised taxes by almost 10% for the year 2003 and is currently facing a possible 15% tax increase for 2004; and

WHEREAS, our share of the extra 1% sales tax would be $360,000; and

WHEREAS, the City of Buffalo has not demonstrated an ability to live within its means; and

WHEREAS, forgoing over $360,000 in sales tax revenue would have a very negative impact on the fiscal health of the Town of Amherst, depriving the Town of much-needed revenue as well as a possible opportunity to reduce taxes; and

WHEREAS, elected officials in the Town of Amherst are obligated to consider our town's fiscal health prior to providing assistance to other communities;

NOW THEREFORE BE IT RESOLVED THAT the Town of Amherst cannot, in good conscience, provide financial assistance to any community, including the City of Buffalo, that has not shown an ability to manage its own finances in a responsible fashion, and we are not agreeing to share our portion of the extra 1% sales tax.

Roll Call:	Supervisor Grelick,	no;	Councilmember Ward,	
	Deputy Supervisor McGuire,	aye;	Councilmember Wojtowicz,	aye;
	Councilmember Woodward,	aye;	Councilmember Schratz,	aye;
	Councilmember Kindel,	aye;		

Ayes, 5 Noes, 1 Approved

A motion was made by Councilmember Woodward, seconded by Councilmember Wojtowicz, to schedule a public information meeting at the 7/7/03 Town Board meeting so the DOT can make a presentation regarding the reconstruction of Youngmann Highway.

Roll Call:	Supervisor Grelick,	aye;	Councilmember Ward,	
	Deputy Supervisor McGuire,	aye;	Councilmember Wojtowicz,	aye;
	Councilmember Woodward,	aye;	Councilmember Schratz,	aye;
	Councilmember Kindel,	aye;		

Ayes, 6 Noes, 0 Approved

A motion was made by Councilmember Woodward, seconded by Councilmember Wojtowicz,

WHEREAS, the Town Board of the Town of Amherst approved a resolution on the 17th day of March 2003 that established the requirement for soil testing, geotechnical and hydrological analysis in association with the long environmental assessment form used in the Town of Amherst; and

WHEREAS, the Town Board of the Town of Amherst has determined that the soil testing is not necessary for a zoning amendment (rezoning) that involves the re-use of the previously developed site;

Attachment: resolutions of 2003 (RES-2023-994 : Geotechnical Analysis Reports)

NOW THEREFORE BE IT RESOLVED that the aforementioned resolution is hereby clarified and amended to not require soil testing, geotechnical and hydrological analysis when the long environmental assessment form relates to a previously developed site that does not include the proposed construction of any new building on the site.

Roll Call:	Supervisor Grelick,	aye;	Councilmember Ward,		
	Deputy Supervisor McGuire,	aye;	Councilmember Wojtowicz,	aye;	
	Councilmember Woodward,	aye;	Councilmember Schratz,	aye;	
	Councilmember Kindel,	aye;			

Ayes, 6 Noes, 0 Approved

A motion was made by Councilmember Woodward, seconded by Councilmember Schratz, to remove from the agenda the resolution requesting authorization for Supervisor to sign contract with Staples Business Advantage.

Roll Call:	Supervisor Grelick,	aye;	Councilmember Ward,		
	Deputy Supervisor McGuire,	aye;	Councilmember Wojtowicz,	aye;	
	Councilmember Woodward,	aye;	Councilmember Schratz,	aye;	
	Councilmember Kindel,	aye;			

Ayes, 6 Noes, 0 Approved

A motion was made by Councilmember Woodward, seconded by Councilmember Kindel,

RESOLVED, that the Town Board set a public hearing date of 7/7/03 for a proposed local law entitled "Town of Amherst Employee Suggestion Program" (Chapter 12 of the Code of the Town of Amherst New York).

Roll Call:	Supervisor Grelick,	aye;	Councilmember Ward,		
	Deputy Supervisor McGuire,	aye;	Councilmember Wojtowicz,	aye;	
	Councilmember Woodward,	aye;	Councilmember Schratz,	aye;	
	Councilmember Kindel,	aye;			

Ayes, 6 Noes, 0 Approved

A motion was made by Councilmember Woodward, seconded by Councilmember Kindel,

RESOLVED, that the Town Board set a public hearing date of 7/7/03 for proposed local law which would eliminate the position of elected comptroller.

Roll Call:	Supervisor Grelick,	aye;	Councilmember Ward,		
	Deputy Supervisor McGuire,	aye;	Councilmember Wojtowicz,	aye;	
	Councilmember Woodward,	aye;	Councilmember Schratz,	aye;	
	Councilmember Kindel,	aye;			

Ayes, 6 Noes, 0 Approved

A motion was made by Councilmember Woodward, seconded by Councilmember Kindel, to set a public hearing date of 7/21/03 for the demolition of 79 Rosedale Boulevard.

Roll Call:	Supervisor Grelick,	aye;	Councilmember Ward,		
	Deputy Supervisor McGuire,	aye;	Councilmember Wojtowicz,	aye;	
	Councilmember Woodward,	aye;	Councilmember Schratz,	aye;	
	Councilmember Kindel,	aye;			

Ayes, 6 Noes, 0 Approved

COUNCILMEMBER KINDEL: No Report

COUNCILMEMBER WARD:

The resolution entitled "Feral Dogs in Amherst State Park" will be presented on 7/7/03.

The resolution entitled "Pet/dogs waste in Amherst Town Parks" will be presented on 7/7/03.

The resolution entitled "Amherst skateboard facility" will be presented on 7/7/03.

COUNCILMEMBER WOJTOWICZ: No report.

Attachment: resolutions of 2003 (RES-2023-994 : Geotechnical Analysis Reports)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Police
Initiated by: **Scott Chamberlin**
Co-Sponsored by:

DOC ID: 28279 **RESOLUTION 2023-995** **ADOPTED**

Request for Additional Funds 2023 Asset Forfeiture Trust Account

Town Board Agenda Item: December 4, 2023

TO: **Town Board**

FROM: **Scott P. Chamberlin, Chief of Police**

RE: **Request for Additional Funds**
2023 Asset Forfeiture Trust Account

Kindly adopt a resolution authorizing the approval to spend up to an additional $20,000.00 from T2917 Asset Forfeiture Trust Account. This account is federally regulated by instituted guidelines regarding the expenditure of funds.

Thank you.

SPC: msl
C: Tim Koller, Deputy Town Clerk **(Agenda Item: December 4, 2023)**

12/4/2023
Consent

FINANCIAL IMPACT:

T2917: $20,000.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Senior Services
Initiated by: **Melissa Abel**
Co-Sponsored by:

DOC ID: 28275 **RESOLUTION 2023-996** **ADOPTED**

Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379

We respectfully request Town Board and the Supervisors permission to purchase a Reach In Freezer from B & G Restaurant and Supplies.

12/4/2023
Consent

FINANCIAL IMPACT:

$11,394.40

N20-66 4000

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Quote

10/05/20

B & G
Restaurant Equipment & Supplies
48 Eagle Street, Pittsfield, MA 01201 • (413) 442-0390 • Fax (413) 442-1559

Project:
Town of Amherst PC68656

From:
B & G RESTAURANT SUPPLY
April Peltier
60 Commerce Ave
Albany, NY 12206
(413) 442-0390
518-482-2111 (Contact)

Project Code: 178879

Job Reference Number: 62208

Item	Qty	Description	Sell	Sell Tota
1	1 ea	**REACH-IN FREEZER**	$11,094.40	$11,094.4(
		 Continental Refrigerator Model No. 3FESN Extra-Wide Freezer, reach-in, 85-1/2"W, three-section, self-contained refrigeration, stainless steel front, aluminum interior & ends, shallow depth, full-height solid doors, cylinder locks, electronic control with digital display, hi-low alarm, electric condensate evaporator, R290 Hydrocarbon refrigerant, 1-1/4 HP, cETLus, NSF		
	1 ea	Standard warranty (for the United States & Canada Only): 6 year parts and labor; additional 1 year compressor part		
	1 ea	115v/208-230v/60/1-ph, cord & plug supplied by others, standard		
	1 ea	Left Door hinged on left, center & right doors hinged on right, standard		
	1 ea	5" Casters, standard		
	Class 150	Weight: 830 lbs total		
			ITEM TOTAL:	**$11,094.4(**
2	1 ea	**UNCRATE SET IN PLACE**	$300.00	$300.0(
		Custom Model No. UNCRATE SET IN PLACE UNCRATE SET IN PLACE of 3FESN		
			ITEM TOTAL:	**$300.0(**
			Total	$11,394.4(

Prices Good Until: 06/23/2023

Attachment: B&G final-1128202313124 8 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

Acceptance: _____ Date: _____

Printed Name: _____

Project Grand Total: $11,394.40

Attachment: B&G final-11282023131248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

REACH-IN FREEZER (0°F)

Project Name:

Model Specified:

Location:

Item No: **Quantity:**

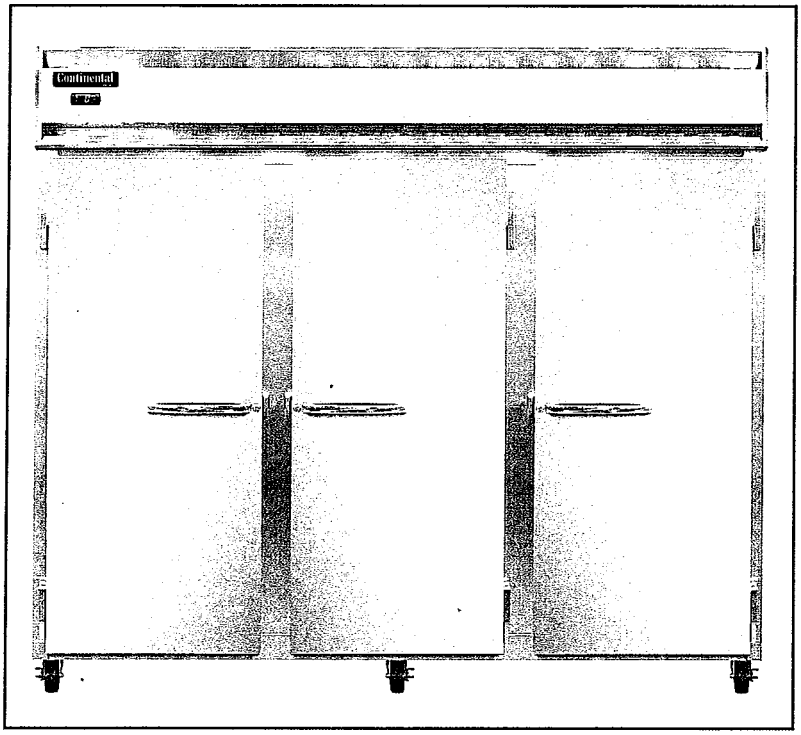
AIA #: **SIS #:**

Model: 3FESN

Natural Refrigerant R-290 Model

3-Section Extra-Wide Reach-In Freezer - Shallow Depth

3FESN - Stainless steel front, aluminum end panels and interior
3FESNSA - Stainless steel exterior, aluminum interior
3FESNSS - Stainless steel exterior and interior



Standard Model Features

REFRIGERATION SYSTEM

Self contained, performance rated refrigeration system
Natural, environmentally safe, high efficiency R-290 refrigerant[1]
Automatic, electric condensate evaporator
Expansion valve system

Standard operating temperature is 0 to -5°F and can be adjusted to oper as low as -10°F in a 90°F ambient.

CABINET ARCHITECTURE

3" non-CFC polyurethane foam insulation
Smooth, polished chrome workflow door handles
Cam action, lift off hinges
Self-closing doors
Mangetic snap in Santoprene® door gaskets
Cylinder lock in each door
Heavy duty, epoxy coated steel shelves
5" casters

MODEL FEATURES

LED interior lighting
Electronic controller with digital display & hi-low alarm
Rehinging of doors (in the field)
Automatic electric defrost

[1] R-290 refrigerant meets all federal and state regulatory requirements.

Options and Accessories

(upcharge and lead times may apply)

Stainless steel case back
Additional epoxy coated steel shelves
Chrome or stainless steel shelves
Adjustable legs
Custom laminates
Half doors
Pass-Thru (consult factory)
Heavy duty pilaster strips
Special electrical req. (consult factory)
Standard depth (consult factory)

Correctional Facility Options

- One way security screws
- Locking hasp (lock not included)
- Stainless steel mesh cover
- Coverless hinges

Consult factory for other model configurations, options and accessories.

Continental Refrigerator
Toll-Free: 800-523-7138
Phone: 215-244-1400
Fax: 215-244-9579
539 Dunksferry Road
Bensalem, PA 19020
www.continentalrefrigerator.com

APPROVAL:

Attachment: B&G final-1128023131248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

Model Specifications

DIMENSIONAL DATA

Net Capacity (cubic feet)	63 (1784 cu l)
Width, Overall (inches)	85 ½ (2172 mm)
Depth, Overall (inches) (including handles)	29 ¼ (743 mm)
Depth (inches) (less doors)	25 ⅞ (657 mm)
Depth (inches) (doors open 90°)	51 ⅞ (1318 mm)
Clear Door Width (inches)	21 ⅞ (556 mm)
Clear Door Height (inches)	58 ⅝ (1489 mm)
Height, Overall (inches) (including 5" casters)	82 ¼ (2089 mm)
Number of Doors	3
Number of Shelves	9
Shelf Area (square feet)	61.2 (5.7 sq m)

REFRIGERANT DATA

Condensing Unit Size (H.P.)	1 ¼
Capacity (BTU per hour)*	3575

ELECTRICAL DATA

Voltage (International)	115/208-230/60/1 (220/50/1)
Feed Wires (with ground)***	4
Total Amps (International)	9.2 (5.3)
Defrost Amps (International)	6.15 (3.2)
10 ft. Cord/Plug (International)	No (No)

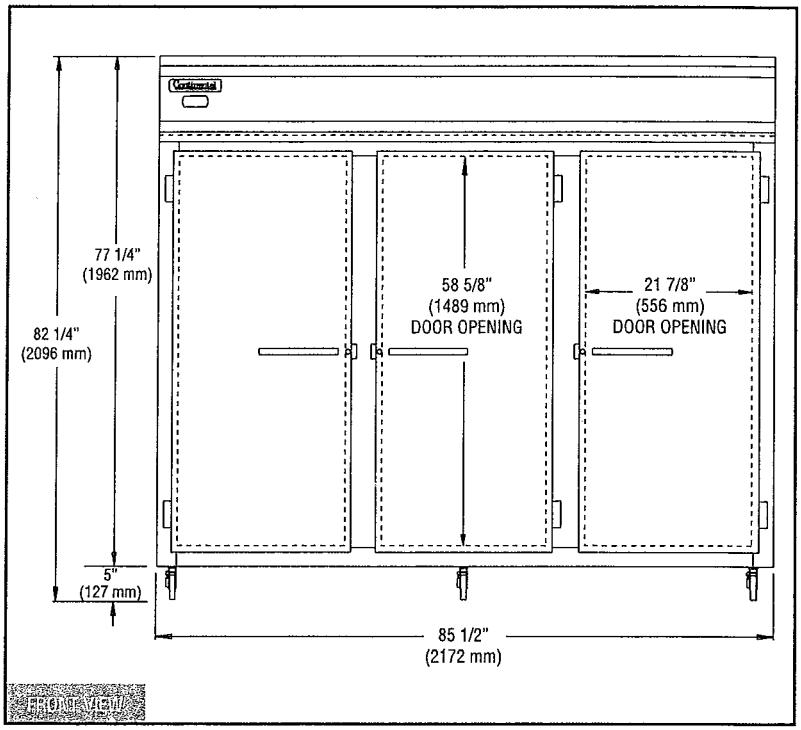
SHIPPING DATA

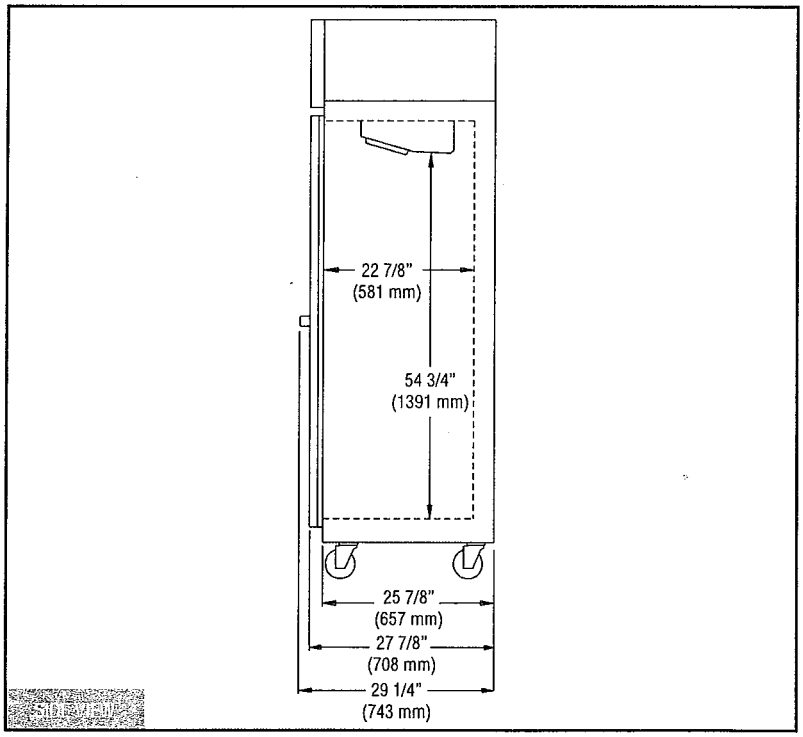
Height - Crated (inches)	85 ½ (2172 mm)
Width - Crated (inches)	90 (2286 mm)
Depth - Crated (inches)	42 (1067 mm)
Volume - Crated (cubic feet)	187 (3766 cu l)
Weight Std - Crated (pounds)	830 (376 kg)
Weight SS - Crated (pounds)	965 (438 kg)

Figures in parentheses reflect metric equivalents rounded to the nearest whole unit.
* Rating @ -15°F evaporator, 90°F ambient
***Feed Wires required for 115/208-230/60/1 field wiring:



Model Plan Views





IMPORTANT NOTE: If the cabinet is located directly against a wall and/or under a low ceiling, a minimum clearance of 12" is required on top and 3" on sides and rear.

Continental Refrigerator

Toll-Free: 800-523-7138
Phone: 215-244-1400
Fax: 215-244-9579

539 Dunksferry Road
Bensalem, PA 19020
www.continentalrefrigerator.com

Due to our continued efforts in developing innovative products, specifications subject to change without notice.

Proudly Designed and Assembled in the USA

© Copyright 2021. Continental Refrigerator.
A Division of National Refrigeration & Air Conditioning Products, Inc.

Attachment: B&G final-1128023131248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Monica Mucci CIC
Berkshire Fairfield Insurance Agency 128 South Street Pittsfield MA 01201	PHONE (A/C, No, Ext): (413) 443-5300 FAX (A/C, No): (413) 443-2691 E-MAIL ADDRESS: mmucci@bf-sfg.com
	INSURER(S) AFFORDING COVERAGE — NAI
	INSURER A: Great Northern Insurance Co. — 20303
INSURED	INSURER B: Federal Insurance Co. — 20281
B&G Restaurant Supply Inc., B&G Food Service Equipment LLC, 48 Eagle Street Pittsfield MA 01201	INSURER C: Bankers Standard Insurance Company
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES **CERTIFICATE NUMBER:** 23-24 Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [ ] OCCUR [X] X Employee Benefits $1MM GEN'L AGGREGATE LIMIT APPLIES PER: POLICY [ ] PRO-JECT [X] LOC [X] OTHER:			3601-56-58	9/5/2023	9/5/2024	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,0(0) $ 1,0(0) $:0) $ 1,0(0) $ 2,0(0) $ 2,0(0)
B	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS [X] SCHEDULED AUTOS X HIRED AUTOS [X] NON-OWNED AUTOS			9947-75-35	9/5/2023	9/5/2024	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,0(0) $ $ $
B	X UMBRELLA LIAB [X] OCCUR EXCESS LIAB [ ] CLAIMS-MADE DED [X] RETENTION $ 0			7988-43-80	9/5/2023	9/5/2024	EACH OCCURRENCE AGGREGATE	$ 5,0(0) $ 5,0(0)
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [N] If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		7173-94-02	9/5/2023	9/5/2024	X PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,0(0) $ 1,0(0) $ 1,0(0)

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Town of Amherst is an additional insured with respects to General Liability on a Primary and Non-Contributory Basis, including Waiver of Subrogation, for on-going and completed operations, where required by written contract.

CERTIFICATE HOLDER

Town of Amherst
5583 Main Street
Williamsville, NY 14221

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFOR THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Monica Mucci CIC/MMM

© 1988-2014 ACORD CORPORATION. All rights reserved.

Attachment: B&G final-1128202313248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

NEW YORK STATE | Workers' Compensation Board

CERTIFICATE OF INSURANCE COVERAGE
DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only)
B & G FOODSERVICE EQUIPMENT LLC
60 COMMERCE AVE
ALBANY, NY 12206

Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)*

1b. Business Telephone Number of Insured
(518) 482-2111

1c. Federal Employer Identification Number of Insured or Social Security Number
204926551

2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)
TOWN OF AMHERST
5583 MAIN STREET
WILLIAMSVILLE, NY 14221

3a. Name of Insurance Carrier
New York State Insurance Fund (NYSIF)

3b. Policy Number of Entity Listed in Box "1a"
DBL 5554 08 - 5

3c. Policy effective period
10/01/2023 to 10/01/2024

4. Policy provides the following benefits:
- [x] A. Both disability and paid family leave benefits
- [ ] B. Disability benefits only
- [ ] C. Paid family leave benefits only

5. Policy covers:
- [x] A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law
- [ ] B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 10/2/2023 By Kristin Markwica
(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number (866) 697-4332 Name and Title **Kristin Markwica, Head of Disability Insurance Unit**

IMPORTANT: If Box 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier,this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Boar DB Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York
Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NY Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed _____ By _____
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: *Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance a of those insurance carriers are authorized to issue Form DB-120.1.* ***Insurance brokers are NOT authorized to issue this form.***

DB-120.1 (10-17)

Certificate Number 75811

Attachment: B&G final-1128023131248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in box "3" on this form is certifying that it is insuring the business referenced in box "1a" for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Worker's Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or it licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.

DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, a not withstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such perm unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liabili on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into an contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payme of disability benefits, and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.

Attachment: B&G final-1128202313248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

NEW YORK STATE | Workers' Compensation Board

CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

1a. Legal Name & Address of Insured (use street address only) B&G Restaurant Supply Inc And B&G Food Service Equipment Llc 48 Eagle Street Pittsfield, Massachusetts 01201 Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)*	1b. Business Telephone Number of Insured **1-413-442-0390** 1c. NYS Unemployment Insurance Employer Registration Number of Insured 1d. Federal Employer Identification Number of Insured or Social Security Number 042978144
2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Town of Amherst 5583 Main Street Williamsville, NY 14221	3a. Name of Insurance Carrier Bankers Standard Insurance Company 3b. Policy Number of Entity Listed in Box "1a" 71739402 3c. Policy effective period 09/05/2023 to 09/05/2024 3d. The Proprietor, Partners or Executive Officers are ☒ included. (Only check box if all partners/officers included) ☐ all excluded or certain partners/officers excluded.

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. **(To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy).** The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this **Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: Paul Morrissette
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by: _____ October 24, 2023
(Signature)

Title: Senior Vice President

Telephone Number of authorized representative or licensed agent of insurance carrier: _____

Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.

Attachment: B&G final-1128023131248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

Workers' Compensation Law

Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.

2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.

Attachment: B&G final-11282023131248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

EXHIBIT "1"

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). This list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility under a Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seeking to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certify at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive information that a person is in violation of the above-referenced certification, the Town will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entity that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: B&G Food Service Equipment

Signature: April Reiter

Print Name: April Reiter

Title: Office Manager

Date: 11/9/2023

Revised 4.2017

Attachment: B&G final-11282023131248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

Addendum to Contract VENDOR ON SITE Minor

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Vendors or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Vendor shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Vendor its officers, agents, sub-Vendors, and/or employees as well as the negligence, active or passive, of the Vendor, its officers, agents, sub-Vendors, and/or employees.

4. Vendor shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Vendor shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Vendor shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate.

(c) Vendor shall furnish the above insurances, including sub-Vendors' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Vendor shall ensure all its sub-Vendors, if any, have obtained all the above insurances and shall also assure that any policy procured by any sub-Vendor or sub-sub-Vendor shall name the Town as an additional insured on a primary and non-contributory basis.

Attachment: B&G final-1128202313124 8 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of Section 109 of the General Municipal Law, the Vendor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Vendor shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Vendor, in accordance with its status as an independent Vendor, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules,

Attachment: B&G final-1128023131248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

BBG Foodservice Equipment
Print Name of Company

By: April Peltier
Signature

April Peltier
Printed name

Date: 11/6/2023

Agreed to and Accepted by:

Town of Amherst

By: _____
Brian J. Kulpa, Supervisor

Date: _____

Attachment: B&G final-11282023131248 (RES-2023-996 : Purchase of Reach in Freezer B & G Restaurant and Supplies CRS #4379)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Senior Services
Initiated by: **Melissa Abel**
Co-Sponsored by:

DOC ID: 28278 **RESOLUTION 2023-997** **ADOPTED**

Request to Use Trust and Agency Funds

We respectfully request Town Board permission to authorize the Supervisor to approve the request to spend up to $725.00 in Trust and Agency Funds - Account T2100.

12/4/2023
Consent

FINANCIAL IMPACT:

up to $725.00

T2100 4002

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Brian J. Kulpa
Supervisor, Town of Amherst

Melissa Abel
Executive Director, Senior Center

Town of Amherst Center for Senior Services

To : Daryl Bramer, Town of Amherst Comptroller

From : Melissa Abel, Director of Senior Services

Subject : Purchase Request

Date : November 22, 2023

In order to give a stipend (Gift Cards) per our agreement with Erie County Senior Services to host University Express classes , we have received a donation of $725 from the Amherst Generations Foundation to cover the cost of the Gift Cards ($25 each) that we give to each speaker as a stipend. The check has been deposited into our T2100-4002 account.

I am requesting approval to spend the $725.00 from our T2100-4002 account. With your approval, the gift cards will be charged to my Town of Amherst issued Credit Card.

Please let me know if there is any further information needed from me.

Thank you

Melissa

Attachment: Gift Cards for University Express (RES-2023-997 : Request to Use Trust and Agency Funds)

370 John James Audubon Parkway~Amherst, New York~14228
Phone: 716-636-3050 Fax: 716-639-7572
AmherstCenterforSeniorServices.com

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Sewer/Plant 16
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 28270 **RESOLUTION 2023-998** **ADOPTED**

GraniteNet Software Renewal Cues, Inc. CRS No. 4448

The Engineering Department - Sewer Maintenance Division is requesting Town Board approval for the expenditure of $2,726 from account G9000-2600 for the above referenced software renewal plan for the department's CCTV truck.

This request is pending the successful completion of the contract review procedure.

Thank you for considering this request.

12/4/2023
Consent

FINANCIAL IMPACT:

G9000-2600 $2,726

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

The Standard of the Industry

October 05th, 2023
Quote#QUO8972

Edward Hurrell
Amherst Engineering (NY)
5583 Main Street
williamsville, New York 14221
Office: 716-631-7085
ehurrell@amherst.ny.us

Dear Edward Hurrell,

Thank you for being a valued CUES customer.

We hope you are getting the most out of your equipment and the Granite software. Now in its sixteenth year as an industry-leading product, clients like you trust and depend on having a stable software platform despite the rapidly changing technology and new hardware requirements we see in our industry. A significant investment has been made in your GraniteNet software and CUES seeks to maximize your return on investment by offering continued upgrades year after year when you maintain your Support Plan. I wanted to let you know that your GraniteNet software license Support Plan is set to expire as of March 4, 2024. Renewal of the Support Plan is extremely important because enrolled customers with Support Plans are entitled to perpetual upgrades of the newer versions when they are released.

Also, please be advised that if the support plan expires, the Amherst Engineering (NY) will be subject to re-instatement fees. For example, to re-enroll an expired GraniteNet Inspection Premium license in the Support Plan program, a re-instatement fee of $2,500 plus the cost of the Annual Support Plan prorated amount per month for the elapsed time without coverage up to 3 years (36 months) will be required in order to get back into the program. Licenses that have been expired for more than thirty six months (36) shall not be entitled to re-instatement and a new license will need to be purchased should an upgrade be required.

Below I have included a preliminary quote, which includes a description of the benefits and technical support services the Support Plan provides as well as pricing, for the continued support of your GraniteNet Software which would cover the Amherst Engineering (NY) through March 4, 2026. This preliminary quote has been provided for your review and subsequent approval. Please do not make payment until CUES sends an invoice so that we may properly match the payment to your account.

If you prefer that an invoice be sent, please respond by providing a PO or, at minimum, a PO#. Lastly, please respond with a blank email to let me know that the quote has been received. Feel free to contact me with any other questions you may have.

Thank you,
Granite Renewals Team
CUES Software Development
321.400.5054
Granite.Renewals@CuesInc.com

Attachment: Support Plan Renewal Quote Amherst Engineering (NY) (RES-2023-998 : GraniteNet Software Renewal)

GraniteNet Basic Inspection Annual Support Plan

The annual Support Plan provides the following technical support services to ensure continuous productivity and up time in the field:

- Perpetual, free upgrades available online for download for the most current versions of your GraniteNet Software to match the latest Microsoft Windows version you may have as well as including the latest technical documentation
- Professional telephone support Monday through Friday 8:00 AM to 5:00 PM ET
- Remote Online Technical Support**
- Access to online support services including FAQ's, the CUES knowledge base, User Forums and Video Tutorial
- Online review sessions with support specialists at pre-scheduled, mutually convenient times to review the proper use of the software including advanced administration and best practices

**Additional charges not covered by the Support Plan may apply such as hardware upgrades, data conversion services and re-implementation fees*

***Certain elements of the support plan requires internet access*

GraniteNet Office Annual Support Plan

The annual Support Plan provides the following technical support services to ensure continuous productivity and up time in the field:

- Perpetual, free upgrades available online for download for the most current versions of your GraniteNet Software to match the latest Microsoft Windows version you may have including the latest technical documentation
- Professional telephone support Monday through Friday 8:00 AM to 5:00 PM ET
- Remote Online Technical Support**
- Access to online support services including FAQ's, the CUES knowledge base, User Forums and Video Tutorial
- Online review sessions with support specialists at pre-scheduled, mutually convenient times to review the proper use of the software including advanced administration and best practices

**Additional charges not covered by the Support Plan may apply such as hardware upgrades, data conversion services and re-implementation fees*

***Certain elements of the support plan requires internet access*

Pricing follows on next page.

Attachment: Support Plan Renewal Quote Amherst Engineering (NY) (RES-2023-998 : GraniteNet Software Renewal)

Part#	GraniteNet Software & Services	Price	Qty.	Subtotal	Discount	Actual
	New Asset(s) or Existing Asset(s) are shown in *blue italic* below for reference					
GN537	GraniteNet Basic Inspection Annual Support Plan *506948*	$1,962	1	$1,962		$1,962
GN538	GraniteNet Office Annual Support Plan *507016*	$764	1	$764		$764
					Grand Total	**$2,726**

This Quotation is valid for 90 days for the itemized products and services listed herein and is subject to the following **Terms and Conditions**. Delivery of a purchase order by Buyer pursuant to this quotation shall be deemed to be an acceptance by Buyer of these Terms and Conditions. Pro-rata payments shall become due upon the shipment of goods and/or delivery of services. Seller shall not be liable or penalized for any delays beyond its reasonable control, including but not limited to acts of God, acts of Buyer, carrier delays, accidents, etc. In the event of any such delay, delivery or performance shall be extended accordingly and shall not relieve Buyer of its obligation to accept and make payment net 30 days from the date deliverables are provided. Past due invoices are subject to 1.5% per month (18% APR) charge or as permitted by applicable law. Payments made by credit card may be subject to an additional 3% finance fee at the time of processing. No merchandise will be acceptable for return without a Material Return Authorization Number written on the outside of the package. No returns will be accepted on used electrical parts.

Attachment: Support Plan Renewal Quote Amherst Engineering (NY) (RES-2023-998 : GraniteNet Software Renewal)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Sewer/Plant 16
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 28273 **RESOLUTION 2023-999** **ADOPTED**

Emergency Procurement - Transportation of Liquid Sludge Modern Disposal Services, LLC CRS 4447

Currently the Town of Amherst Water Pollution Control Facility is experiencing a biological process upset the Stage I/II Activated Sludge System (WPCF). In an attempt to resolve this critical issue, the Plant Management has contracted with Modern Disposal Service, LLC to haul in activated sludge from the Tonawanda WWTP. The WPCF has followed the emergency purchase requirements for transportation of this sludge with an original NTE amount of $20,000.00. Please note that additional sludge/seed may be required with this procurement.

At this time, the Engineering Department, WPCF division is requesting that the Town Board authorize the Comptroller's Office to pay Modern Disposal Services for the transportation costs accrued with this project.

Funds for this request are available in G9916-4950/4960.

Thank you for considering this request.

12/4/2023
Consent

FINANCIAL IMPACT:

G9916-4950/4960 estimated $20,000

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

AGREEMENT

Let this document stand as an Agreement between Modern Disposal Services and the Town of Amherst permitting the Town of Amherst to procure the services listed on Modern Disposal Services to transport liquid sludge from the Town of Tonawanda Wastewater Treatment Plant to the Town of Amherst Water Pollution Control Facility. The cost charged to the Town of Amherst will be $450.00 per round trip. Additional charges may apply if mutually agreed upon in advance of charges being accrued. The following is also understood and agreed upon:

NEW YORK STATE PREVAILING WAGE *On contracts which are subject to New York Department of Labor Prevailing Wage laws and regulations, the contractor is required to submit certified payroll record every thirty (30) days after the issuance of your first payroll under this contract. Required forms are available at the New York Department of Labor's website https://labor.ny.gov/workerprotection/publicwork/PWFormsOnWeb.shtm

This project's PRC# 20232013578

The schedule can be found at the following link

https://apps.labor.ny.gov/wpp/publicViewProject.do?method=showIt&id=1559392

The term of this contract will be from date of Town Board approval by the Town of Amherst through February 28, 2024.

Agreed to and Accepted by:

MODERN DISPOSAL SERVICES

By: Christopher Balkier
Signature

Christopher Balkier
Printed name

Director of Sales
Title

Date: November 20, 2023

Agreed to and Accepted by:

TOWN OF AMHERST

By: _____
Brian J. Kulpa
Supervisor

Date: _____

Attachment: TOA - Modern Disposal Agreement (RES-2023-999 : Emergency Procurement - Transportation of Liquid Sludge)

Town of Amherst
Emergency Purchase Documentation Form

This form is to be completed for all emergency purchases made that contravene the Town's Purchasing Policy. You must contact the Supervisor (or Deputy Supervisor in the Supervisors absence) to obtain his/her approval prior to making the purchase. This form must be completed and submitted to the Town Board at the first work session following the Emergency purchase. A copy should also be submitted to the Town Attorney and Contract Compliance & Administration Department.

An exception to the competitive bidding requirements exists for emergency situations (GML §103[4]). There are three basic statutory criteria to be met in order to fall within this exception. These are that (1) the situation arises out of an accident or other unforeseen occurrence or condition; (2) the circumstances affect public buildings, public property, or life, health, safety or property of the political subdivision's residents; and (3) the situation requires immediate action which cannot await competitive bidding.

Generally, there must be a present, immediate and existing condition which is creating an imminent threat or danger and which requires such immediate action that a further delay to comply with competitive bidding requirements is so detrimental to the public interest that it overcomes the strong public policy in favor of bidding. Further, because the emergency must arrive out of an accident or unforeseen occurrence, it is doubtful a local government may invoke the emergency exception in a situation which the result of inaction or dilatory behavior on the part of local officials and which, therefore, could have been foreseen in time to advertise for bids.

Even when a governing board passes a resolution that a public emergency exists, the public interest dictates that purchases are made at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practical under the circumstances.

1. Date of Emergency Purchase: TENTATIVE 11-17-2023
2. Date you received approval from the Supervisor: 11-15-23 BRIAN J KULPA
3. Date of Town Board work session where Board is notified: 12-4-2023
4. Amount of Emergency Purchase. Please provide a detailed listing of items purchased and the cost of each (attach additional detail if necessary): WE ARE ASKING FOR A NTE $20,000.00 AND WILL UPDATE AS THE PROJECT MOVE FORWARD.
5. Is there adequate funding in your current operating budget to cover this purchase? WOULD REQUIRE BUDGET TRANSFERS
   Identify budget Org/Object: 69916 - 4960
6. Please describe the circumstances that resulted in the need to make an emergency purchase without following the Town's Purchasing Policy: A MAJOR BIOLOGICAL UPSET IN OUR SYSTEM.
7. Please describe what steps were taken to ensure the lowest cost for the Emergency Purchase. If none, please explain why your department was prevented from doing so: WE ARE CURRENTLY REACHING OUT TO MULTIPLE COMPANIES FOR A PROPOSAL AND AVAILABILITY.
8. Department Head Signature: _____ Date: 11/15/23

CC: Town Board, Town Attorney, Contract Compliance & Administration

For Contract Compliance & Administration Use Only	
Date of Town Board Resolution:	Emergency Purchase Tracking/Res #:

Attachment: TOA - Modern Disposal Agreement (RES-2023-999 : Emergency Procurement - Transportation of Liquid Sludge)

Dean, Tom

From: rates.pw@labor.ny.gov
Sent: Thursday, November 16, 2023 11:24 AM
To: Dean, Tom
Subject: Project Accepted - PRC# 2023013578 (Liquid Sludge Hauling)

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

The "Request for Wage and Supplement Information" (PW 39) you have submitted has been accepted, and a Prevailing Rate Case Number (PRC# 2023013578 - Liquid Sludge Hauling) has been assigned to the project.

To access the PDF file of your schedule, click on https://apps.labor.ny.gov/wpp/publicViewProject.do?method=showIt&id=1559392 or copy and paste into your browser

Attachment: TOA - Modern Disposal Agreement (RES-2023-999 : Emergency Procurement - Transportation of Liquid Sludge)

ACORD

MODEDIS-01 NBOTCHER

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/17/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
The Flanders Group
300 Linden Oaks
Suite 210 - 1st Floor
Rochester, NY 14625

CONTACT NAME:
PHONE (A/C, No, Ext): (585) 381-8070 FAX (A/C, No): (585) 381-3565
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : National Interstate Insurance Company	32620
INSURER B : Berkshire Hathaway Specialty Insurance Company	22276
INSURER C : Sirius America Insurance Company	38776
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Modern Disposal Services Inc
4746 Model City Road
PO Box 209
Model City, NY 14107

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY							
	CLAIMS-MADE X OCCUR	X	X	LJG021007002	11/21/2022	11/21/2023	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY X PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
A	AUTOMOBILE LIABILITY							
	X ANY AUTO						COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	OWNED AUTOS ONLY / SCHEDULED AUTOS	X	X	CAW021007009	11/21/2022	11/21/2023	BODILY INJURY (Per person)	$
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
B	X UMBRELLA LIAB X OCCUR							
	EXCESS LIAB CLAIMS-MADE	X	X	47UMO10038209	11/21/2022	11/21/2023	EACH OCCURRENCE	$ 10,000,000
	DED X RETENTION $ 10,000						AGGREGATE	$ 10,000,000
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N	N/A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
C	Pollution			PLLP00018010	11/21/2020	11/21/2023	Per Pollution Event	5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate Holder and any entities required by contract are included as Additional Insured including Primary & Non-Contributory, Ongoing & Completed Operations and a Waiver of Transfer of Rights of Recovery Against Others to Us endorsement with respect to General Liability when required by written contract. Certificate Holder and any entities required by contract are included as Additional Insured including Primary & Non-Contributory and a Waiver of Transfer of Rights of Recovery Against Others to Us endorsement with respect to Auto Liability when required by written contract.
Premises Pollution Liability Coverage: $4,000,000 Per Pollution Condition or Indoor Environmental Condition/$8,000,000 Total Policy & Program Aggregate

CERTIFICATE HOLDER

Town of Amherst
5583 Main Street
Williamsville, NY 14221

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Heather A Pangborn

ACORD 25 (2016/03)

© 1988-2015 ACORD CORPORATION. All rights reserved.
The ACORD name and logo are registered marks of ACORD

Attachment: TOA - Modern Disposal Agreement (RES-2023-999 : Emergency Procurement - Transportation of Liquid Sludge)

NEW YORK STATE | Workers' Compensation Board

CERTIFICATE OF INSURANCE COVERAGE
NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by NYS disability and Paid Family Leave benefits carrier or licensed insurance agent of that carrier

1a. Legal Name & Address of Insured (use street address only)

Modern Disposal Services
4746 Model City Rd. PO Box 209
Model City, NY 14107

Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., Wrap-Up Policy)*

1b. Business Telephone Number of Insured

716-405-1235

1c. Federal Employer Identification Number of Insured or Social Security Number

16-0875858

2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)

Town of Amherst
5583 Main St.
Williamsville, NY 14221

3a. Name of Insurance Carrier
Equitable Financial Life Insurance Company

3b. Policy Number of Entity Listed in Box 1a

002035

3c. Policy Effective Period

1/1/2023 to 12/31/2023

4. Policy provides the following benefits:
- [X] A. Both disability and Paid Family Leave benefits.
- [ ] B. Disability benefits only.
- [ ] C. Paid Family Leave benefits only.

5. Policy covers:
- [X] A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.
- [ ] B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS disability and/or Paid Family Leave benefits insurance coverage as described above.

Date Signed 01/05/2023 By *Stephanie Shields*
(Signature of insurance carrier's authorized representative or NYS licensed insurance agent of that insurance carrier)

Telephone Number (800) 999-3309 Name and Title Stephanie Shields, Head of EB Operations

IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be emailed to PAU@wcb.ny.gov or it can be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4B, 4C or 5B have been checked)

State of New York
Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law(Article 9 of the Workers' Compensation Law) with respect to all of their employees.

Date Signed _____ By _____
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: *Only insurance carriers licensed to write NYS disability and Paid Family Leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1.* ***Insurance brokers are NOT authorized to issue this form.***

DB-120.1 (12-21)

DB-120.1 (12-21)

Attachment: TOA - Modern Disposal Agreement (RES-2023-999 : Emergency Procurement - Transportation of Liquid Sludge)

NEW YORK STATE | Workers' Compensation Board

CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

1a. Legal Name & Address of Insured (use street address only)	1b. Business Telephone Number of Insured
Modern Disposal Services Inc. 4746 Model City Road PO Box 209 Model City, NY 14107-0209	(716) 754-7908
Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)*	1c. NYS Unemployment Insurance Employer Registration Number of Insured 1d. Federal Employer Identification Number of Insured or Social Security Number 16-0875858
2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Town of Amherst 5583 Main Street Williamsville, NY 14221	3a. Name of Insurance Carrier Security National Insurance Company 3b. Policy Number of Entity Listed in Box "1a" SWC1448609 3c. Policy effective period 07/01/2023 to 07/01/2024 3d. The Proprietor, Partners or Executive Officers are [x] included. (Only check box if all partners/officers included) [ ] all excluded or certain partners/officers excluded.

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. **(To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy).** The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) **Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: Gretchen Endres
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by: Gretchen Endres 8/23/23
(Signature) (Date)

Title: Vice President

Telephone Number of authorized representative or licensed agent of insurance carrier: 516-327-2700

Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.

Attachment: TOA - Modern Disposal Agreement (RES-2023-999 : Emergency Procurement - Transportation of Liquid Sludge)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 28256 **RESOLUTION 2023-1000** **ADOPTED**

2024 ID Card Fees

Set 2024 Resident ID Card fees at $10.00 per person, with an early bird discount of $2.00 if purchased prior to May 13, 2024.

This recommendation has been reviewed and approved by the Amherst Recreation Commission.

12/4/2023
Consent

FINANCIAL IMPACT:

Revenue TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 28257 **RESOLUTION 2023-1001** **ADOPTED**

2024 Summer Camp Fees

Set 2024 summer camp fees at $200.00 per week for elementary camps and $220.00 per week for middle school camp.

These fees have been reviewed and approved by the Amherst Youth Board.

12/4/2023
Consent

FINANCIAL IMPACT:

Revenue TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 28260 **RESOLUTION 2023-1002** **ADOPTED**

2024 Golf Rates

Authorize the Town Board to approve the 2024 rates for the Audubon Golf Course and the Audubon Par 3 as attached.

These rates have been reviewed and approved by the Amherst Recreation Commission.

12/4/2023
Consent

FINANCIAL IMPACT:

Revenue TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

AUDUBON
GOLF COURSE

Audubon Golf Course
2024 In-Season Rates

18 Holes	Walk	Ride	Resident Card Walk	Resident Card Ride
Weekday Open - 4PM	$25	$41	$20	$36
Weekday 4PM - Close	$20	$36	$15	$31
Weekend/Holiday Open - 4PM	$29	$45	$24	$40
Weekend/Holiday 4PM - Close	$23	$39	$18	$34

9 Holes	Walk	Ride	Resident Card Walk	Resident Card Ride
Weekdays	$18	$29	$15.50	$27
Weekend/Holiday	$19	$30	$16.50	$28

League Rates	Walk	Ride
9 Holes	$16	$24
18 Holes	$23	$36

Par 3	Walk	Resident Card Walk
9 Holes	$14	$12

Season Passes	Fee	Renewal Rate
Annual Passholder - 7 Day	$749	$699
Annual Passholder Senior (60+) - Weekday	$549	$499
Annual Passholder Junior (17 and under) - Weekday	$449	
Resident Advantage Card	$29	

Attachment: 2024 Audubon Rate Sheet (Proposed) (RES-2023-1002 : 2024 Golf Rates)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 28255 **RESOLUTION 2023-1003** **ADOPTED**

Erie County DSS Child Day Care Contract - Amendment to CRS #4328

Authorize the Supervisor to sign an Amendment to the Erie County DSS Child Day Care Services contract (CRS #4328) adding 220 Northpointe Parkway as an approved afterschool childcare site, qualifying the Town of Amherst for reimbursement for DSS clients served at that location, pending satisfactory completion of the contract routing process.

12/4/2023
Consent

FINANCIAL IMPACT:

Revenue TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

AMENDMENT OF AGREEMENT

BY AND BETWEEN THE

ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES

AND

TOWN OF AMHERST YOUTH BOARD

This Amendment is made as of the date of the last signature affixed hereto, by and between the County of Erie through the Erie County Department of Social Services, with offices located at 95 Franklin Street, Buffalo, New York 14202, hereinafter called the Department and **Town of Amherst Youth Board** with offices located at **4255 Harlem Road Cheektowaga, NY 14226, 5005 Sheridan Drive Williamsville, NY 14221 and 730 Hopkins Road Williamsville, NY 14221** hereinafter called the Contractor.

WITNESSETH:

WHEREAS, the parties entered into a contract for the purchase of Day Care Services, contract number **DC 2304**, for the period **09/01/2023** through **08/31/2024**; and

WHEREAS, the Contractor wishes to amend this agreement by adding an additional location at **220 Northpointe Parkway Amherst, NY 14228** effective **October 18, 2023.**

NOW THEREFORE, the parties hereto in consideration of the above, do mutually agree as follows:

Attachment: Childcare Services Contract Amendment Erie County DSS (RES-2023-1003 : Erie County DSS Child Day Care Contract -

1. The contract between the Department and the Contractor for the purchase of Day Care Services, contract number **DC 2304** for the period **09/01/2023** through **08/31/2024** is hereby amended **by adding an additional location at 220 Northpointe Parkway Amherst, NY 14228.**

2. All other terms and conditions of said contract shall remain unchanged and in full force.

Attachment: Childcare Services Contract Amendment Erie County DSS (RES-2023-1003 : Erie County DSS Child Day Care Contract -

1. **HOLIDAY CLOSINGS/HOURS/CENTER INFORMATION**

a. **Closings: (Check all that apply)**

☐ **OPEN ALL HOLIDAYS**

☒ **NEW YEAR'S EVE** ☒ **MEMORIAL DAY** ☒ **VETERAN'S DAY**
☒ **NEW YEAR'S DAY**

☒ **M.L. KING DAY** ☒ **INDEPENDENCE DAY** ☒ **THANKSGIVING**
☒ **& DAY AFTER**

☒ **GOOD FRIDAY** ☒ **LABOR DAY** ☒ **CHRISTMAS EVE**
☒ **CHRISTMAS DAY**

☒ **PRESIDENTS DAY** ☒ **COLUMBUS DAY** ☒ **ELECTION DAY**

☒ **OTHER (Please Specify)** Juneteenth

b. **Hours of Operation**

2:00 **to** 6:00 pm ☒ **Weekdays** ☐ **Weekends**
10:30am to 6:00pm on school half days

c. **Capacity** 44

d. **Transportation** ☐ **Yes** ☒ **No**

e. **Ages** 5-11

f. **Contact Phone Number** (716) 609-7025

g. **Director's Name** Susan Mohney

Contact's Name and Phone # Janice Zapfel (716) 631-7132 x 7511

Email Address jzapfel@amherst.ny.us

Attachment: Childcare Services Contract Amendment Erie County DSS (RES-2023-1003 : Erie County DSS Child Day Care Contract -

APPENDIX A

SCHEDULE OF MAXIMUM REIMBURSEMENT RATES UNDER THIS CONTRACT

AGE	MAXIMUM RATE (Erie)	PROVIDER'S RATE	NEGOTIATED FINAL RATE (To be completed by Social Services)
Weekly Rate: (30 hours or more per week)			
0 - 1.5	340.00	N/A	
1.5 - 2	320.00	N/A	
2 - 3	320.00	N/A	
3 - 5	300.00	175.00	
6 - 12	265.00	175.00	
Daily Rate: (6 or more hours per day)			
0 - 1.5	70.00	N/A	
1.5 - 2	68.00	N/A	
2 - 3	68.00	N/A	
3 - 5	64.00	35.00	
6 - 12	57.00	35.00	
Part Day Rate: (less than 6 hours per day)			
0 - 1.5	47.00	N/A	
1.5 - 2	45.00	N/A	
2 - 3	45.00	N/A	
3 - 5	43.00	17.50	
6 - 12	38.00	17.50	

We are unable to accept the contract if additional information is included on Appendix A, other than the requested rates.
REGULATION 415.6 Payments made under this contract shall not exceed the actual cost of such care and shall not exceed the amount to be charged to other purchasers of equal care. The Contractor shall impose no fees other than those specified in the Contract.
IF YOU PROVIDE A DISCOUNT FOR MULTIPLE CHILDREN IN THE SAME FAMLY, ENTER PERCENTAGE OF DISCOUNT HERE ___%. PLEASE NOTE: IF YOU OFFER MULTIPLE PERCENTAGES FOR MULTIPLE CHILDREN, DSS WILL CALCULATE RATE USING HIGHEST PERCENTAGE OF DISCOUNT, AS CCTA IS ONLY ABLE TO ACCEPT ONE DISCOUNT LEVEL RATES ARE CONTINGENT UPON AVAILABILTY OF FUNDS. Reference: NYS Code Rules and Regulations

NAME OF PROVIDER: Town of Amherst Youth Board

ECDSS Negotiated Rates By:_____ **Date**_____
Print Name_____ **Title:**_____

Rev 06/2022

Attachment: Childcare Services Contract Amendment Erie County DSS (RES-2023-1003 : Erie County DSS Child Day Care Contract -

NOW THEREFORE, the parties hereto have signed their name to this Amendment the day and year first above written.

APPROVED AS TO CONTENT

BY: _____

DATE: _____

APPROVED AS TO FORM
ECDSS OFFICE OF COUNSEL

BY: _____

DATE: _____

FOR THE CONTRACTOR:_____
(Signature)

TITLE: _____

STATE OF NEW YORK)
COUNTY OF ERIE)

On this ____ day of _____, 20___, before me personally came _____, to me known, who, being duly sworn, did depose and say that (s)he resides in _____ ; that (s)he is an (the) _____of the corporation described in and which executed the foregoing instrument; that (s)he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was affixed by order of the Board of Directors of said corporation; and that (s)he signed (her) his name thereto by like order.

_____
NOTARY PUBLIC

My Commission expires on_____.

FOR THE ERIE COUNTY DEPT. OF SOCIAL SERVICES:

_____
COMMISSIONER

Date: _____

FOR THE COUNTY OF ERIE:

_____
MARK POLONCARZ / ROBERT KEATING
County Executive / Deputy County Executive

Date: _____

Attachment: Childcare Services Contract Amendment Erie County DSS (RES-2023-1003 : Erie County DSS Child Day Care Contract -

New York State Office of Children and Family Services

School-Age Child Care Registration

This registration certifies that

Town of Amherst

may provide child care located at

220 Northpointe Parkway -- Amherst, NY 14228 -- (716) 631-7132

Program Director - Susan A. Mohney

in the following capacity (effective 09/07/2023)

44 School-Aged Children

This program must be in compliance with the regulations of this Office and all other applicable laws and regulations.

Registration Effective 10/18/2023 -- Registration Expires 10/17/2027

This registration must be openly displayed in the program for which it was issued. It is the property of the New York State Office of Children and Family Services and must be returned when the registration expires or is revoked.

Registration ID#
00907375SACC

Susan M. Forcucci

Authorized Signature:

Susan Forcucci

Parents/guardians are welcome to contact the New York State Office of Children and Family Services, Division of Child Care Services, at (716) 847-3828 or (800) 732-5207 with any concerns or questions about child day care.

New York State Office of Children and Family Services
School-Age Child Care Registration

This registration certifies that

Town of Amherst

may provide child care located at

220 Northpointe Parkway -- Amherst, NY 14228 -- (716) 631-7132

Program Director - Susan A. Mohney

in the following capacity (effective 09/07/2023)

Single-Age Rooms

Room No/Name	UPK	Age Group	Room Use	Usable Space	Max Room Capacity
Activity Room	No	School-Age	Activity Only	406	10
Conference Room	No	School-Age	General	152	4
Gym Side A	No	School-Age	Activity Only	3698	20
Gym Side B	No	School-Age	Activity Only	2064	20
Youth Center A	No	School-Age	General	1332	20
Youth Center B	No	School-Age	General	2204	20

Attachment: Childcare Services Contract Amendment Erie County DSS (RES-2023-1003 : Erie County DSS Child Day Care Contract -

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 28286 **RESOLUTION 2023-1004** **ADOPTED**

Notice of Award (HHS) - CRS #4457

Authorize the Town of Amherst to accept a grant from the US Department of Health and Human Services on behalf of the Amherst Youth & Community Coalition for Year 4 funding under the Drug Free Communities program.

12/4/2023
Consent

FINANCIAL IMPACT:

A 7256.04389: -$103,864.00 (revenue)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Award

Award# 5 NH28CE003025-04-00
FAIN# NH28CE003025
Federal Award Date: 06/25/2023

Recipient Information

1. Recipient Name
TOWN OF AMHERST
5583 Main St
AMHERST YOUTH AND RECREATION DEPARTMENT
Williamsville, NY 14221-5488

2. Congressional District of Recipient
26

3. Payment System Identifier (ID)
1166002157A1

4. Employer Identification Number (EIN)
166002157

5. Data Universal Numbering System (DUNS)
029491128

6. Recipient's Unique Entity Identifier (UEI)
MJEDFWH39XQ8

7. Project Director or Principal Investigator
MARY-DIANA POULI
MPOULI@AMHERST.NY.US
716-631-7132

8. Authorized Official
Mr. Brian Kulpa
Town Supervisor
bkulpa@amherst.ny.us
7166317302

Federal Agency Information
CDC Office of Financial Resources

9. Awarding Agency Contact Information
Kevin Heath
Grants Management Specialist
YFU6@cdc.gov
770-4881-120

10.Program Official Contact Information
Afra Hussain
Program Officer
pyg3@cdc.gov
573-526-5196

Federal Award Information

11. Award Number
5 NH28CE003025-04-00

12. Unique Federal Award Identification Number (FAIN)
NH28CE003025

13. Statutory Authority
Drug-Free Communities Act, 21 USC 1531 et seq.,P.L.105-20

14. Federal Award Project Title
AMHERST TASK FORCE FOR HEALTHY COMMUNITY*HEALTHY YOUTH

15. Assistance Listing Number
93.276

16. Assistance Listing Program Title
Drug-Free Communities Support Program Grants

17. Award Action Type
Non-Competing Continuation

18. Is the Award R&D?
No

Summary Federal Award Financial Information

19.	**Budget Period Start Date** 09/30/2023 **- End Date** 09/29/2024	
20.	**Total Amount of Federal Funds Obligated by this Action**	$103,864.
	20a. Direct Cost Amount	$103,864.
	20b. Indirect Cost Amount	$0.
21.	Authorized Carryover	$0.
22.	Offset	$0.
23.	Total Amount of Federal Funds Obligated this budget period	$0.
24.	**Total Approved Cost Sharing or Matching, where applicable**	$167,756.
25.	**Total Federal and Non-Federal Approved this Budget Period**	$271,620.
26.	**Period of Perfomance Start Date** 12/31/2020 **- End Date** 09/29/2025	
27.	Total Amount of the Federal Award including Approved Cost Sharing or Matching this Period of Performance	$947,044.

28. Authorized Treatment of Program Income
ADDITIONAL COSTS

29. Grants Management Officer – Signature
Valencia Williams
Lead Grant Management Specialist

30. Remarks

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Notice of Award

Award# 5 NH28CE003025-04-00
FAIN# NH28CE003025
Federal Award Date: 06/25/2023

Recipient Information

Recipient Name
TOWN OF AMHERST
5583 Main St
AMHERST YOUTH AND RECREATION DEPARTMENT
Williamsville, NY 14221-5488

Congressional District of Recipient
26

Payment Account Number and Type
1166002157A1

Employer Identification Number (EIN) Data
166002157

Universal Numbering System (DUNS)
029491128

Recipient's Unique Entity Identifier (UEI)
MJEDFWH39XQ8

31. Assistance Type
Cooperative Agreement

32. Type of Award
Other

33. Approved Budget
(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only
II. Total project costs including grant funds and all other financial participation

a. Salaries and Wages	$27,225.00
b. Fringe Benefits	$2,764.00
c. Total Personnel Costs	$29,989.00
d. Equipment	$0.00
e. Supplies	$8,956.00
f. Travel	$10,115.00
g. Construction	$0.00
h. Other	$3,804.00
i. Contractual	$51,000.00
j. TOTAL DIRECT COSTS	$103,864.00
k. INDIRECT COSTS	$0.00
l. TOTAL APPROVED BUDGET	$103,864.00
m. Federal Share	$103,864.00
n. Non-Federal Share	$167,756.00

34. Accounting Classification Codes

FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	OBJECT CLASS	CFDA NO.	AMT ACTION FINANCIAL ASSISTANCE	APPROPRIATION
3-9390JXS	21NH28CE003025	CE	41.51	93.276	$103,864.00	75-23-0943

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

DEPARTMENT OF HEALTH AND HUMAN SERVICES Notice of Award

Centers for Disease Control and Prevention

Award# 5 NH28CE003025-04-00
FAIN# NH28CE003025
Federal Award Date: 06/25/2023

Direct Assistance

BUDGET CATEGORIES	PREVIOUS AMOUNT (A)	AMOUNT THIS ACTION (B)	TOTAL (A + B)
Personnel	$0.00	$0.00	$0.00
Fringe Benefits	$0.00	$0.00	$0.00
Travel	$0.00	$0.00	$0.00
Equipment	$0.00	$0.00	$0.00
Supplies	$0.00	$0.00	$0.00
Contractual	$0.00	$0.00	$0.00
Construction	$0.00	$0.00	$0.00
Other	$0.00	$0.00	$0.00
Total	$0.00	$0.00	$0.00

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

AWARD ATTACHMENTS

TOWN OF AMHERST 5 NH28CE003025-04-00

1. Terms

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

AWARD INFORMATION

Incorporation: In addition to the federal laws, regulations, policies, and CDC General Terms and Conditions for Non-research awards at https://www.cdc.gov/grants/federal-regulations-policies/index.html, the Centers for Disease Control and Prevention (CDC) hereby incorporates Notice of Funding Opportunity (NOFO) number **CDC-RFA-CE20-2003**, entitled **Drug-Free Communities (DFC) Support Program**, and application dated «Application_Date», as may be amended, which are hereby made a part of this Non-research award, hereinafter referred to as the Notice of Award (NoA).

Approved Funding: Funding in the amount of **$103,864** is approved for the **Year 9** budget period, which is **September 30, 2023** through **September 29, 2024**. All future year funding will be based on satisfactory programmatic progress and the availability of funds.

The federal award amount is subject to adjustment based on total allowable costs incurred and/or the value of any third-party in-kind contribution when applicable.

Note: Refer to the Payment Information section for Payment Management System (PMS) subaccount information.

Financial Assistance Mechanism: Grant

Key Personnel: In addition to the Principal Investigator/Project Director identified in this Notice of Award, the application and work plan included individuals considered key personnel. In accordance 45 CFR Part 75.308, the recipient must request prior approval from CDC to change the following individual/position:

Mary-Diana Pouli – Principal Investigator/Project Director
Anne Rohrer – Project Coordinator
Brian Kulpa –Authorized Representative or Business Official

Budget Revision Requirement: By **November 1, 2023** the recipient must submit a revised budget with a narrative justification for the following requirement(s):

- $3,154 for Search Institute Survey. Per the DFC NOFO, the recipient cannot exceed 10% on evaluation efforts. $3,154 was added to other to meet the 10% threshold. Provide a revised budget to redirect the amount to another budget category.

Failure to submit the required information in a timely manner may adversely affect the future funding of this project. If the information cannot be provided by the due date, you are required to contact the GMS/GMO identified in the CDC Staff Contacts section of this notice before the due date.

Expanded Authority: The recipient is permitted the following expanded authority in the administration of the award.

☒ Carryover of unobligated balances from one budget period to a subsequent budget period. Unobligated funds may be used for purposes within the scope of the project as originally

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

approved. Recipients will report use, or intended use, of unobligated funds in Section 12 "Remarks" of the annual Federal Financial Report. If the GMO determines that some or all of the unobligated funds are not necessary to complete the project, the GMO may restrict the recipient's authority to automatically carry over unobligated balances in the future, use the balance to reduce or offset CDC funding for a subsequent budget period, or use a combination of these actions.

FUNDING RESTRICTIONS AND LIMITATIONS

Notice of Funding Opportunity (NOFO) Restrictions: Restrictions that must be considered while planning the programs and writing the budget are:

- Recipients may not use funds for research.
- Recipients may not use funds for clinical care except as allowed by law.
- Recipients may use funds only for reasonable program purposes, including personnel, travel, supplies, and services.
- Generally, recipients may not use funds to purchase furniture or equipment. Any such proposed spending must be clearly identified in the budget.
- Reimbursement of pre-award costs generally is not allowed, unless the CDC provides written approval to the recipient.
- Other than for normal and recognized executive-legislative relationships, no funds may be used for:
    - publicity or propaganda purposes, for the preparation, distribution, or use of any material designed to support or defeat the enactment of legislation before any legislative body
    - the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before any legislative body
- See Additional Requirement (AR) 12 for detailed guidance on this prohibition and additional guidance on lobbying for CDC recipients.
- The direct and primary recipient in a cooperative agreement program must perform a substantial role in carrying out project outcomes and not merely serve as a conduit for an award to another party or provider who is ineligible.
- In accordance with the United States Protecting Life in Global Health Assistance policy, all non-governmental organization (NGO) applicants acknowledge that foreign NGOs that receive funds provided through this award, either as a prime recipient or subrecipient, are strictly prohibited, regardless of the source of funds, from performing abortions as a method of family planning or engaging in any activity that promotes abortion as a method of family planning, or to provide financial support to any other foreign non-governmental organization that conducts such activities. See Additional Requirement (AR) 35 for applicability (https://www.cdc.gov/grants/additionalrequirements/ar-35.html).
- Food is **generally unallowable.** Exceptions within the DFC Support Program may include food used as a small incentive (not to exceed $3.00 per person) to encourage participation in a community-wide event. Food costs are not allowable for general coalition or subcommittee meetings.
- No more than **10 percent** of the total federal grant award may be used for **data**

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

collection and evaluation purposes unless approved by the Project Officer and Grants Management Specialist.

- DFC grant funds **may not** be passed through by contract or any other method to another entity to conduct the programmatic work on the DFC Program. The funded grant recipient and coalition are expected to perform the substantive role and manage the efforts carried out by this grant.
- The Authorized Representative or Business Official charged with financial oversight responsibilities for the DFC grant award **must** be an employee of the recipient organization and identified in the 'Personnel' budget category. **NOTE:** The Program Director/Principal Investigator (PD/PI) and Business Official **cannot** be the same individual.
- The Program Director/Principal Investigator (PD/PI) **must** be an employee of the recipient organization, overseeing the day to day operations of the grant, and **must** be identified in the 'Personnel' budget category as either federal or non-federal.
- DFC grant funds **may not** be used to provide funding to community organizations through mini-grants, including one coalition funding another coalition.
- DFC grant funds **may not** be utilized for the following: law enforcement equipment, drug search detection canines or related training, drug courts, lighting, or community gardening efforts.
- DFC grant funds **may not** be used for stipends, as defined in the HHS Grants Policy Statement (GPS).
- Cost of Promotional items are **generally unallowable**. However, the exception would be for program outreach, and other specific purposes necessary to meet the requirements, goals, and objectives of the federal grant award.

Indirect Costs:

Indirect costs are not applicable to this award.

Matching Funds Requirement: The required level of non-federal participation for the Drug Free Communities Grant Program is **$155,796**.

Matching is generally calculated on the basis of the federal award amount and is comprised of recipient contributions proposed to support anticipated costs of the project during a specific budget period (confirmation of the existence of funding is supplied by the recipient via their Federal Financial Report). The recipient must be able to account separately for stewardship of the federal funding and for any required matching; it is subject to monitoring, oversight, and audit. The recipient may not use matching expenditures to count toward any Maintaining State Funding requirement.

When a recipient requests a carryover of unobligated funds from prior year(s), matching funds equal to the new requirement must be on record in the CDC grant file, or the recipient must provide evidence with the carryover request.

The recipient must receive and expend non-Federal matching funds as required in the NOFO and the Drug-Free Communities Act. In-kind support (i.e., donations, volunteer time, etc.) may also be used to satisfy the match requirement. The table below indicates the percentage of match required for DFC grant recipients in each year of the grant.

Grant Year	Matching Requirement

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

1-6	100%
7-8	125%
9-10	150%

REPORTING REQUIREMENTS

Semi-Annual Progress Reports and Core Measures Data: All DFC Recipients
Semi-Annual Progress Reports for all FY 2023 DFC Grant recipients are due on the following dates:

• August 2023

DFC recipients must submit their Final programmatic report through the DFC Me system (https://dfcme.ondcp.eop.gov/). For more information on the DFC Me system, please contact the DFC National Evaluation Team at dfc_evaluators@icf.com .

Core Measures Data
DFC recipients are required to provide core measures data every two years, via the DFC Me system, on the following core measures for alcohol, tobacco, marijuana, and (illicit) use of prescription drugs for three grades (6th-12th) with a recommended combination of at least one middle school grade and at least one high school grade:

1. Past 30-day use
2. Perception of risk or harm
3. Perception of parental disapproval of use
4. Perception of peer disapproval of use

Year 6 Recipients
Year 6 recipients who received continuous funding between Years 5 and 6 will remain on the core measure reporting schedule established in the first five years of DFC funding.

Year 6 recipients who have not had sequential years of DFC funding will need to speak with the DFC National Evaluation Team to determine when to report core measures. Please contact the DFC National Evaluation Team at dfc_evaluators@icf.com for more information.

Required Disclosures for Federal Awardee Performance and Integrity Information System (FAPIIS): Consistent with 45 CFR 75.113, applicants and recipients must disclose in a timely manner, in writing to the CDC, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the CDC and to the HHS OIG at the following addresses:

CDC, Office of Grants Services

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

Stephanie Latham, Grants Management Officer
Centers for Disease Control and Prevention
Branch 5
Email: fzv6@cdc.gov (Include “Mandatory Grant Disclosures” in subject line)

AND

U.S. Department of Health and Human Services
Office of the Inspector General
ATTN: Mandatory Grant Disclosures, Intake Coordinator
330 Independence Avenue, SW
Cohen Building, Room 5527
Washington, DC 20201

Fax: (202)-205-0604 (Include “Mandatory Grant Disclosures” in subject line) or
Email: MandatoryGranteeDisclosures@oig.hhs.gov

Recipients must include this mandatory disclosure requirement in all subawards and contracts under this award.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371. Remedies for noncompliance, including suspension or debarment (See 2 CFR parts 180 and 376, and 31 U.S.C. 3321).

CDC is required to report any termination of a federal award prior to the end of the period of performance due to material failure to comply with the terms and conditions of this award in the OMB-designated integrity and performance system accessible through SAM (currently FAPIIS). (45 CFR 75.372(b)) CDC must also notify the recipient if the federal award is terminated for failure to comply with the federal statutes, regulations, or terms and conditions of the federal award. (45 CFR 75.373(b))

PROGRAM OR FUNDING GENERAL REQUIREMENTS

Drug-Free Communities (DFC) Program: The Drug-Free Communities (DFC) Support Program was established under the Drug-Free Communities Act of 1997, P.L. 105-20. The purpose of DFC funding is to address two major goals: 1) establish and strengthen collaboration among communities, public and private non-profit agencies, and Federal, state, local and tribal governments to support the efforts of community coalitions, and 2) reduce substance use among youth and, over time, among adults.

The DFC Program is funded and directed by the Office of National Drug Control Policy (ONDCP) and partners with the Centers for Disease Control and Prevention (CDC) for day-to-day management. While responsibility rests with the recipient for achieving the primary goals of the program, CDC shall monitor and provide continuing technical assistance, consultation, and coordination in the execution of the project during the funding period. You can find additional details about the support available to you as a recipient on the DFC Me (Management and Evaluation) system’s Learning Center at https://dfcme.ondcp.eop.gov/.

Recipient Roles and Responsibilities: For the purposes of the DFC Program, a recipient is either a coalition that has received a grant or is an outside agent that is serving as the grant

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

award recipient on behalf of a community coalition. The following Statutory Eligibility Requirements must be met each year while the coalition is funded by the DFC Program.

The Statutory Eligibility Requirements pertain to all DFC-funded coalitions. If you are the recipient for a coalition, you are responsible for ensuring all eligibility criteria are met by the coalition.
The recipient must continue to meet the Statutory Eligibility Requirements, as required by the original Funding Opportunity Announcement and the Drug-Free Communities Act during each year of funding.

- The coalition must have at least one representative from the required 12 sectors, as outlined in the NOFO and the Drug-Free Communities Act of 1997;
- The coalition must maintain meeting minutes that demonstrates it is a unique entity that has substantial involvement from its members and is working toward to the two goals of the DFC Program;
- The coalition must address multiple (more than one) drugs in its annual 12-Month Action Plan for each year of funding;
- The coalition must have as its principal mission the reduction of youth substance use;
- The coalition has not received 10 years of DFC funding;
- The coalition must provide data every two years on the following core measures for alcohol, tobacco, marijuana, and prescription drugs for three grades (6th-12th):
    - o Past 30–day use;
    - o Perception of risk or harm;
    - o Perception of parental disapproval of use; and
    - o Perception of peer disapproval of use
- The recipient must be an entity eligible to receive Federal funds;
- The recipient must not request more than **$125,000** per year;
- The recipient must document non-Federal match as defined in the DFC Act; and
- The recipient can only be awarded one DFC grant at a time.

Other Requirements for all DFC Recipients (coalitions or outside agents)
- The recipient must continue implementing the specific goals and objectives outlined in their approved application for DFC funding;
- The recipient must develop a funding plan that ensures (1) the required match of requested Federal funds and (2) to solicit substantial financial support from non-Federal sources for sustainability purposes;
- The recipient's key personnel is the Program Director and Project Coordinator, of the DFC-funded coalition must participate in the DFC Me (Management and Evaluation) system. (https://dfcme.ondcp.eop.gov/);
- The recipient is expected to use the Strategic Prevention Framework (SPF), a five step evidence based process for community planning and decision making; and,
- The recipient must plan and implement a comprehensive 12-Month Action Plan inclusive of the Seven Strategies for Community Change.

Requirements for Recipients in Year 3 and 7
- The coalition must submit via the DFC Me system a Strategic Plan for Sustainability with the February Progress Report in Years 3 and 7 of DFC funding.

DFC Management and Evaluation (DFC Me) System
DFC Me is ONDCP's new interactive system designed to improve communication and help your coalition better manage its DFC grant requirements. DFC Me is also your

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

one-stop shop for submitting Semi-Annual Progress Reports, sharing best practices, receiving the latest program and training updates, and the ability to request technical assistance.

The Program Director and Project Coordinator of the DFC-funded coalition must participate in the DFC Me system (https://dfcme.ondcp.eop.gov/), so that they receive information from ONDCP DFC Staff on a regular basis. This includes submitting contact information for each of the required 12 sector representatives. Key Personnel should discuss the use of the DFC Me system with sector members chosen to represent each sector, so that they understand their role in distribution of information sent to them. Information sent to specific sectors will always be sent to the Key Personnel.

DFC-funded coalitions will receive additional information on the DFC Me system via email from their assigned DFC PO. For more information on the DFC Me system, please contact the DFC National Evaluation Team at dfc_evaluators@icf.com.

Award Expectations and Noncompliance

The eligibility and program requirements originally outlined in the NOFO must continue to be adhered to as the funded project is implemented. Recipients must comply with the performance goals, milestones, outcomes, and performance data collection as reflected in the NOFO and related policy and guidance, as well as the certifications and assurances submitted with the award application.

Failure to meet any one of these requirements is considered non-compliance with program and grant regulations. If for any reason you do not comply with the applicable terms, conditions, rules and regulations, or deadlines for the DFC Program, your grant will be subject to the Progressive Discipline and Appeals Process. There are three progressive discipline actions that can be taken: 1) Addition of special terms or conditions, 2) Suspension, and 3) Termination.

Failure to comply with Special Terms and Conditions may also result in a financial drawdown restriction on your Payment Management System account or denial of funding in the future. Additional terms and/or conditions may also be applied to this award if outstanding financial or programmatic compliance issues are identified by Centers for Disease Control and Prevention (CDC).

Corrective Action Plan (CAP)

When requested by the DFC PO, the recipient must develop a Corrective Action Plan (CAP) and complete the approved plan within the designated timeframe designated by the DFC PO. The Corrective Action Plan must be designed to address potential or identified deficiencies in performance and/or in the conditions contributing or causing the identified unsatisfactory performance. Failure to submit a responsive CAP may result in a determination of non-compliance with program and grant regulations and the addition of special terms or conditions to the award.

PAYMENT INFORMATION

The HHS Office of the Inspector General (OIG) maintains a toll-free number (1-800-HHS-TIPS [1-800-447-8477]) for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by e-mail to hhstips@oig.hhs.gov or by mail to Office of the Inspector General, Department of Health and Human Services, Attn:

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

HOTLINE, 330 Independence Ave., SW, Washington DC 20201. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.

Payment Management System Subaccount: Funds awarded in support of approved activities have been obligated in a subaccount in the PMS, herein identified as the "P Account". Funds must be used in support of approved activities in the NOFO and the approved application.

The grant document number identified beginning on the bottom of Page 2 of the Notice of Award must be known in order to draw down funds.

PROGRAM OR FUNDING SPECIFIC CLOSEOUT REQUIREMENTS

Closeout Requirements (applicable to the final year of the DFC grant)

The final programmatic report format required is the following.

Final Performance Progress and Evaluation Report: This report should include the information specified in the NOFO and is submitted 90 days following the end of the period of performance via www.grantsolutions.gov . At a minimum, the report will include the following:

- Statement of progress made toward the achievement of originally stated aims.
- Description of results (positive or negative) considered significant.
- List of publications resulting from the project, with plans, if any, for further publication.

Additional guidance may be provided by the GMS and found at: https://www.cdc.gov/grants/already-have-grant/index.html.

Attachment: Notice of Award - Year 4 (RES-2023-1004 : Notice of Award (HHS) - CRS #4457)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 28298 **RESOLUTION 2023-1005** **ADOPTED**

Authorization to Pay Vendor

WHEREAS, the Youth & Recreation Department is in the process of putting together a new bid for printing, and

WHEREAS, the Department would like to combine this bid with the upcoming Senior Center bid to take advantage of volume discounts, and

WHEREAS, the Department still needed to put out a Fall 2023 program guide,

NOW THEREFORE BE IT RESOLVED that the Amherst Town Board authorizes payment of Penny Lane invoices until the new contract has been awarded.

12/4/2023
Consent

FINANCIAL IMPACT:

A 7145.4025: $1,075.33

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
DOC ID: 28289

COMMUNICATION 2023-131

APPROVED

Request for Public Hearing - 2280 Wehrle Drive

Request from Jeffery Palumbo, Esq., for a public hearing to Amend the Comprehensive Plan for 2280 Wehrle Drive.

This public hearing has been scheduled for the second Town Board meeting in January.

12/4/2023
Consent

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Block, Longo, LaMarca
& Brzezinski, P.C.
ATTORNEYS | SINCE 1933

9276 MAIN STREET, CLARENCE, NY 14031
OFFICE: (716) 320-3150

WWW.BLOCKANDLONGO.COM

PARTNERS:
MARK J. LONGO, ESQ. — PRESIDENT/CEO
JOY LAMARCA, ESQ. — VICE PRESIDENT
KEVIN E. BRZEZINSKI, ESQ. — VICE PRESIDENT
JAMI DURANTE ROGOWSKI, ESQ.
GEORGE R. SLINGERLAND, ESQ.
BRITTNAY M. MCMAHON, ESQ.

CLARENCE OFFICE STAFF:
JEFFERY D. PALUMBO, SPECIAL COUNSEL
CHRISTOPHER A. CARDILLO, SPECIAL COUNSEL
JENNIFER A. HURLEY, SPECIAL COUNSEL
TRACY A. MURRAY, PARALEGAL

November 21, 2023

VIA EMAIL AND FIRST CLASS MAIL

Francina J. Spoth, Town Clerk
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Re: 2280 Wehrle Drive

Dear Ms. Spoth:

Please allow this letter to serve as our formal written request for a hearing before the Town Board to consider a Comprehensive Plan Amendment of our client's property located at 2280 Wehrle Drive.

Kindly provide us with that date at your earliest opportunity and advise of any questions. Thank you.

Very truly yours,



Jeffery D. Palumbo

JDP: tam
cc: Michael Keller

Attachment: 11.21.23 Ltr to F Spoth (COM-2023-131 : Request for Public Hearing - 2280 Wehrle Drive)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
DOC ID: 28241

COMMUNICATION 2023-132 **REFERRED**

Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive

Letters from Rob Savarino providing information on the proposed rezoning of 4774 & 4780 Sheridan Drive.

12/4/2023
Referred to Town Attorney & Planning

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

RAS DEVELOPMENT I, LLC
4758 NORTH FRENCH RD.
EAST AMHERST, NY 14051

November 14, 2023

Brian J. Kulpa, Supervisor
Town of Amherst Town Board
5583 Main Street
Williamsville, NY 14221

Re: Rezoning of 4774 & 4780 Sheridan Drive from R-3 to R-4 (Z-2023-07)
Applicant/Project Sponsor: RAS Development I, LLC
File No. 10015.22

Dear Supervisor Kulpa and Councilmembers:

I am submitting this letter on behalf of my company, RAS Development I, LLC (the "Project Sponsor") ("RAS") in connection with the pending request to amend the zoning classification of the above-referenced property located at 4774 and 4780 Sheridan Drive from R-3 to R-4 to accommodate a residential project consisting of two-family residential units for sale.

During its meeting held on October 19, 2023, the Planning Board adopted a resolution recommending that the Town Board issue a negative declaration pursuant to the State Environmental Quality Review Act ("SEQRA") and approve the requested amendment of the zoning classification of the Project Site from R-3 to R-4. A copy of the resolution adopted by the Planning Board is provided as Exhibit "1".

To introduce the Town Board to the Proposed Residential Project, attached as Exhibit "2' is a color copy of the PowerPoint presentation given to the Planning Board during the public hearing it held on October 19th.

I would also like to summarize the Proposed Project's Concept Site Plan and the required zoning change requested that would enable the residential project to occur.

Summary of Project Information:

1. The Project Site is Environmentally Contaminated. As per the Phase II Investigation Report commissioned by the previous applicant, the on-site sampling and testing revealed that the site is contaminated with herbicides, pesticides, and metals due to its former use as a plant nursery. A copy of the Phase II Investigation Report was submitted to the Planning Department on October 27, 2023.

2. Prior to any Redevelopment, the Project Site will Require Soil Remediation. In the case of this specific project site, a project sponsor such as RAS must voluntarily participate in the Brownfield Cleanup Program ("BCP") administered by the New York State Department of Environmental Conservation ("NYSDEC"). This program ensures that the brownfield site has undergone remediation to meet the rigorous standards enforced by NYSDEC and the New York

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

State Department of Health ("NYSDOH"). Only after the site has been remediated to the satisfaction of both NYSDEC and NYSDOH, will the State permit the contaminated land to be redeveloped.

As such, my Company will incur extensive soft and hard costs associated with the voluntary brownfield cleanup. To offset these costs and keep the project viable, brownfield tax credits are issued based on a percentage of the tangible improvements to the project site.

3. Common Ownership will be Needed for Entry into the NYSDEC's BCP Program. The remediation of the Project Site will require certain post-remedial controls, restrictions, and ongoing monitoring and reporting obligations, which must be maintained in perpetuity. Such obligations are a condition of the BCP Certificate of Completion. This ongoing obligation makes subdividing and selling off parcels of this particular Brownfield site to individual homeowners, as a developer might do with a traditional subdivision, impractical and certainly not marketable.

An individual homeowner would not be willing to undertake the post-remedial obligations required under the BCP. Furthermore, if liability and/or ongoing obligations are subdivided, there would now be multiple individual homeowners having to responsibility to report to the NYSDEC. The NYSDEC strongly discourages such arrangements for BCP sites. A condominium ownership structure is essential to avoid this issue and help ensure proper monitoring, maintenance, and reporting. Simply stated, classifying the individual residential units as condominiums will ensure that a single entity - the condominium association to be formed - owns the project site and is entirely responsible for all post-remedial monitoring, maintenance, and reporting associated with the BCP.

4. Public Safety. Approval of the requested amendment of the zoning classification of the Project Site from R-3 to R-4 and issuance of a negative declaration under the State Environmental Quality Review Act ("SEQRA") will enable the voluntary clean-up and removal of hazardous substances and other contaminants from the Project Site. This will reduce the risk of human exposure to harmful substances and improve the quality of air, soil, and water in the area. In addition, it will create attached two-family dwellings for sale for Town Residents.

5. Size and Scope of the Proposed Residential Project. Consideration was given to the surrounding neighborhood when formulating the Concept Site Plan. The upscale residential homes will feature attached 2-car garages, 30' rear yard setbacks with a 6' privacy fence, and extensive landscaping.

6. The Proposed Project is Subject to Deed Restrictions. We have proposed the following zoning conditions which would be subject to a Declaration of Restrictions to be recorded at the Erie County Clerk's Office: 1) The use of the project site to be rezoned from R-3 to R-4 shall be limited to two (2) unit attached townhomes only; 2) The maximum density shall be twenty-two (22) residential units or 4.4 dwelling units per acre; 3) The maximum allowable height of any of the structures be limited to 35'; and 4) That the Project Site's contaminated soil be remediated to residential standard under the purview of, and in accordance with the NYSDEC Brownfield Cleanup Program.

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

7. Applicant to Continue to Meet with Adjoining Neighbors. During the site engineering phase, my Company will engage adjoining neighbors and interested residents and seek feedback regarding technical aspects of the residential project to be addressed during the Site Plan stage of the review process including stormwater management plans; landscaping and lighting plans, the overall project schedule, etc.

Please feel free to contact me at (716) 908-8322 or by e-mail at robert.savarino@ccim.net if you have any questions regarding this letter or the status of the proposed residential project.

Thank you for your anticipated cooperation.

Sincerely,

Robert A. Savarino

Robert A. Savarino
President

Attachment
cc: Jacqualine Berger, Councilmember
Deborah Bruch Bucki RN PhD, Councilmember
Shawn Lavin, Councilmember
Michael Szukala, Councilmember
Francina J. Spoth, Town Clerk
Timothy J. Koller, Deputy Town Clerk
Daniel C. Howard, AICP, Planning Director
Sean W. Hopkins, Esq., Hopkins Sorgi & McCarthy, PLLC
Patrick Sheedy, Jr., P.E., Carmina Wood Design DPC

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Exhibit 1

Copy of resolution adopted by
the Planning Board at its meeting
held on October 19, 2023

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

October 26, 2023

Savarino Development Corp. I
c/o Sean Hopkins, Esq.
5500 Main Street, Suite 343
Williamsville, New York 14221

SUBJECT: REQUEST TO REZONE 5.03± ACRES OF LAND FROM **R-3** TO **R-4**, **Z-2023-07**; PROPERTY LOCATED AT **4774 & 4780 SHERIDAN DRIVE**.

Dear Mr. Hopkins:

The Planning Board at its meeting of October 19, 2023 has considered your request to rezone the subject property from **R-3** to **R-4** and recommended that it be **approved** by the Town Board based on the attached Resolution.

If you wish to continue the processing of your petition, it will be necessary to submit a written request for a public hearing before the Town Board. Such a request should be submitted to the Town Clerk **with a copy also sent to the Planning Department**.

Should you have any questions relative to this matter, please contact us at your convenience.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/ac
Att.
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774_&_4780_Sheridan_Dr)_2023\Z-2023-07_Pet_Letter_After_Mtg_101923.doc

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2023-07

PETITIONER

RAS Development Company LLC
c/o Sean Hopkins, Esq.
Hopkins Sorgi & McCarthy
5500 Main Street, Suite 343
Williamsville, New York 14221

PROPERTY LOCATION

4774 & 4780 Sheridan Drive

WHEREAS the Town of Amherst Planning Board on Thursday, October 19, 2023 held a public hearing on the proposed rezoning of land from Residential District Three (R-3) to Residential District Four (R-4), 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.

B. The proposal is consistent with the Conceptual Land Use Plan which shows "Single-Family Residential" land 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 tends to improve the balance of uses, and 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 because the parcel is developed.

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2023-07

PETITIONER

RAS Development Company LLC

PROPERTY LOCATION

4774 & 4780 Sheridan Drive

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 8-3-4 of the Zoning Ordinance, that the rezoning request be approved subject to the following conditions:

1. That the density of the project site shall not exceed 4.3 units per acre.
2. That the use of the project site to be rezoned from R-3 to R-4 shall be limited to two (2) unit-attached townhomes only.
3. That the maximum allowable height of any residential building on the project site as measured from finished grade shall be thirty-five (35) feet.
4. That the project site's contaminated soil be remediated to residential standards under the purview of, and in accordance with the NYSDEC Brownfield Cleanup Program.
5. That the conditions stated above shall be memorialized via the recording of a Declaration of Restrictions at the Erie County Clerk's Office.

The foregoing resolution was adopted by the Town of Amherst Planning Board, October 19, 2023; moved by Chmiel; seconded by Kahn; ayes 4, noes 2 (Gill, Penberthy); absent 1 (Raffaele).

Robert J. Gilmour, Planning Board Chair

10-26-2023
Date

TV/ac
X:\Current_Planning\Files\Rezonings\2023\Z-2023-07_(4774_&_4780_Sheridan_Dr)_2023\Z-2023-07_resolution_101923.doc
cc: Town Clerk
Commissioner of Building
Highway Superintendent
Town Engineer
Traffic/Safety Coordinator
RAS Development Company, c/o Sean Hopkins, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Exhibit 2

Copy of RAS PowerPoint presentation given to the Planning Board at its meeting held on October 19, 2023

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

AGENDA ITEM #2– REZONING

Request to rezone 5.03± acres of land from R-3 to R-4

Address: 4774 & 4780 Sheridan Drive

Petitioner: RAS Development Company

(Z-2023-07)

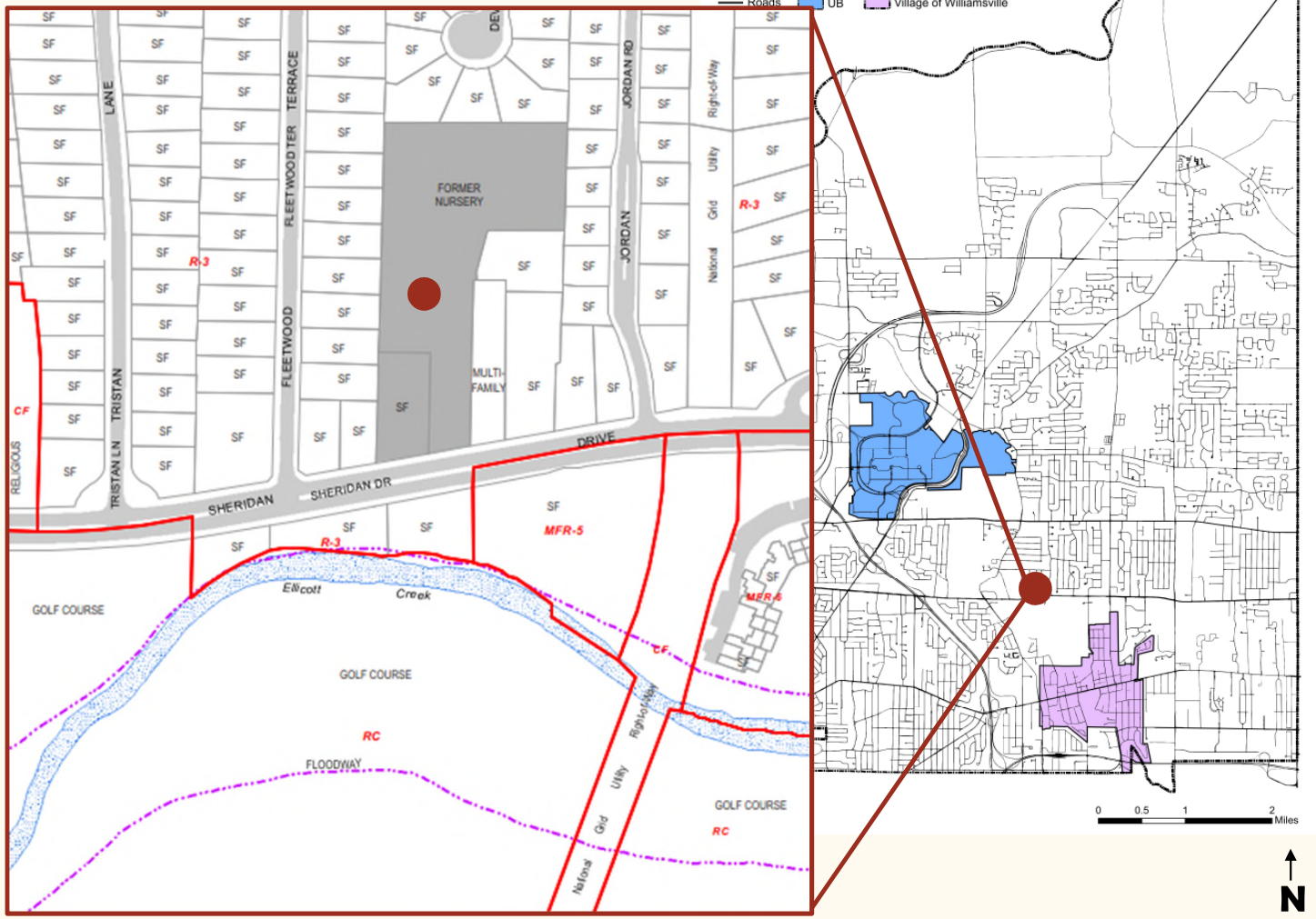
Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Location:

- North side of Sheridan Drive, 4,677± feet west of Hopkins Road.

Current Zoning:

- Residential District 3 (R-3)



Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Existing Development:

- The development site contains two adjacent parcels, each with its own curb cut. The lot at 4774 Sheridan Drive has a single-family home with associated accessory structures; 4780 Sheridan Drive contains the former Gleason's Nursery business and several associated structures

Development Size:

- 5± acres
- 251.38± feet of frontage on Sheridan Drive

Neighboring Uses:

- North: Single Family Residential
- South: Single Family Residential
- East: Single Family Residential
- West: Single Family Residential



Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Project Description

- The purposed of this rezoning request is to allow for the potential future development of the subject site as single-family attached residential homes as required for the petitioner's entry into the NYSDEC Brownfield Cleanup Program to remediate hazardous materials on the subject sites.
- The developer is seeking entry into the NYSDEC Brownfield Cleanup Program for a "Track 4 Restricted Residential Cleanup". A requirement of this procedure is that the site remain in common ownership for ease of monitoring and reporting. A description of the program and requirements has been provided by Roux Environmental Engineering & Geology, DPC dated September 28, 2023.
- All existing structures are proposed to be demolished.

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Conceptual Site Plan



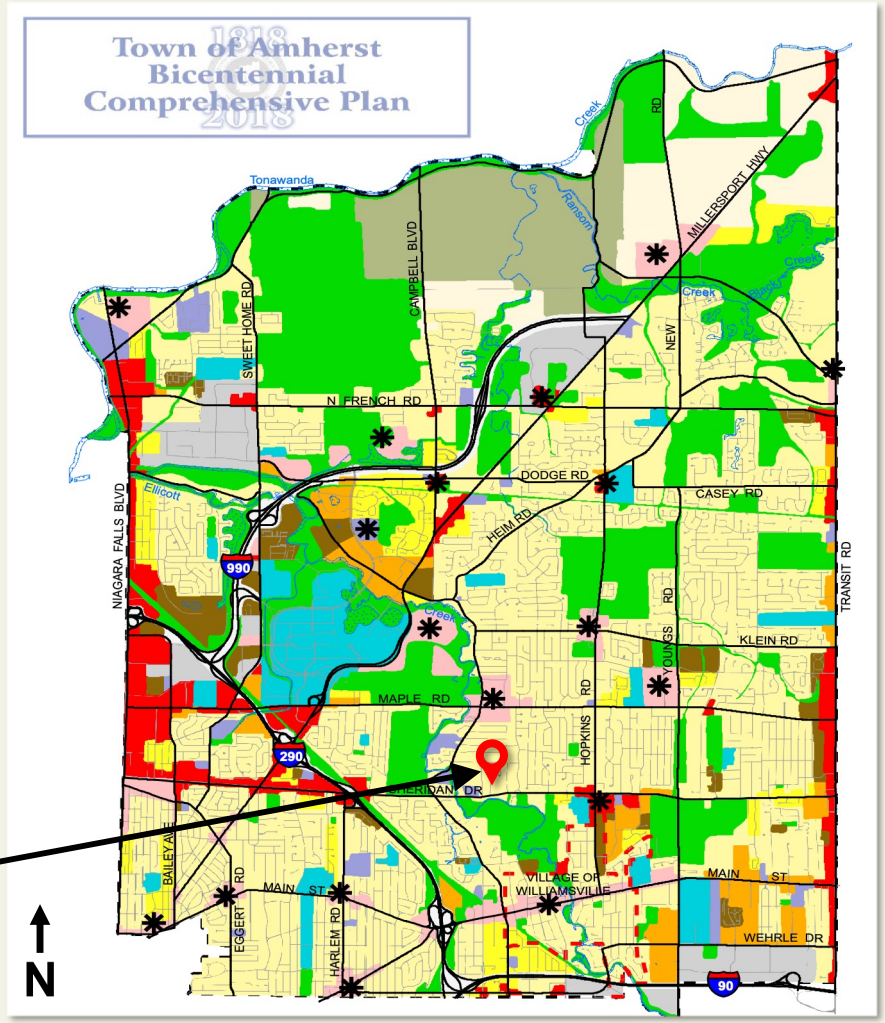
Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Consistency with Adopted Comprehensive Plan:

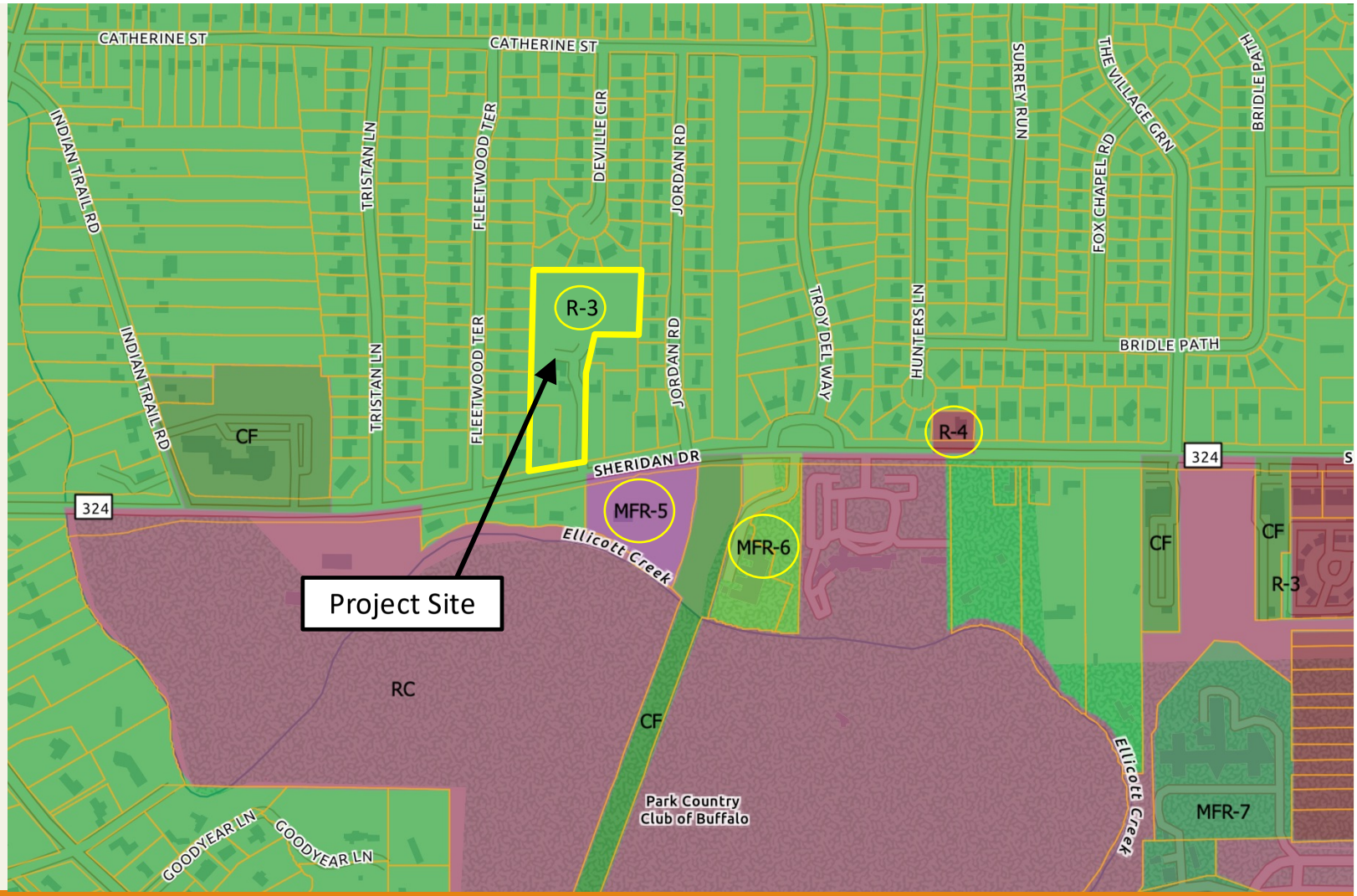
- Figure 6 of the adopted Bicentennial Comprehensive Plan ("Conceptual Land Use Plan") indicates the Project Site is appropriate for "Single Family Residential" use
- Proposed use consists of single-family units for sale
- Benefits of Infill Development
- Clean-up of the contaminated Project Site that was formerly utilized as a nursery



Project Site



Zoning in Vicinity of Project Site:



Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)



Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)


Fleetwood Terrace
Fleetwood Terrace
4774
Project Site
4780
Deville Cir
Jordan Rd
Jordan Rd

Concept Site Plan:

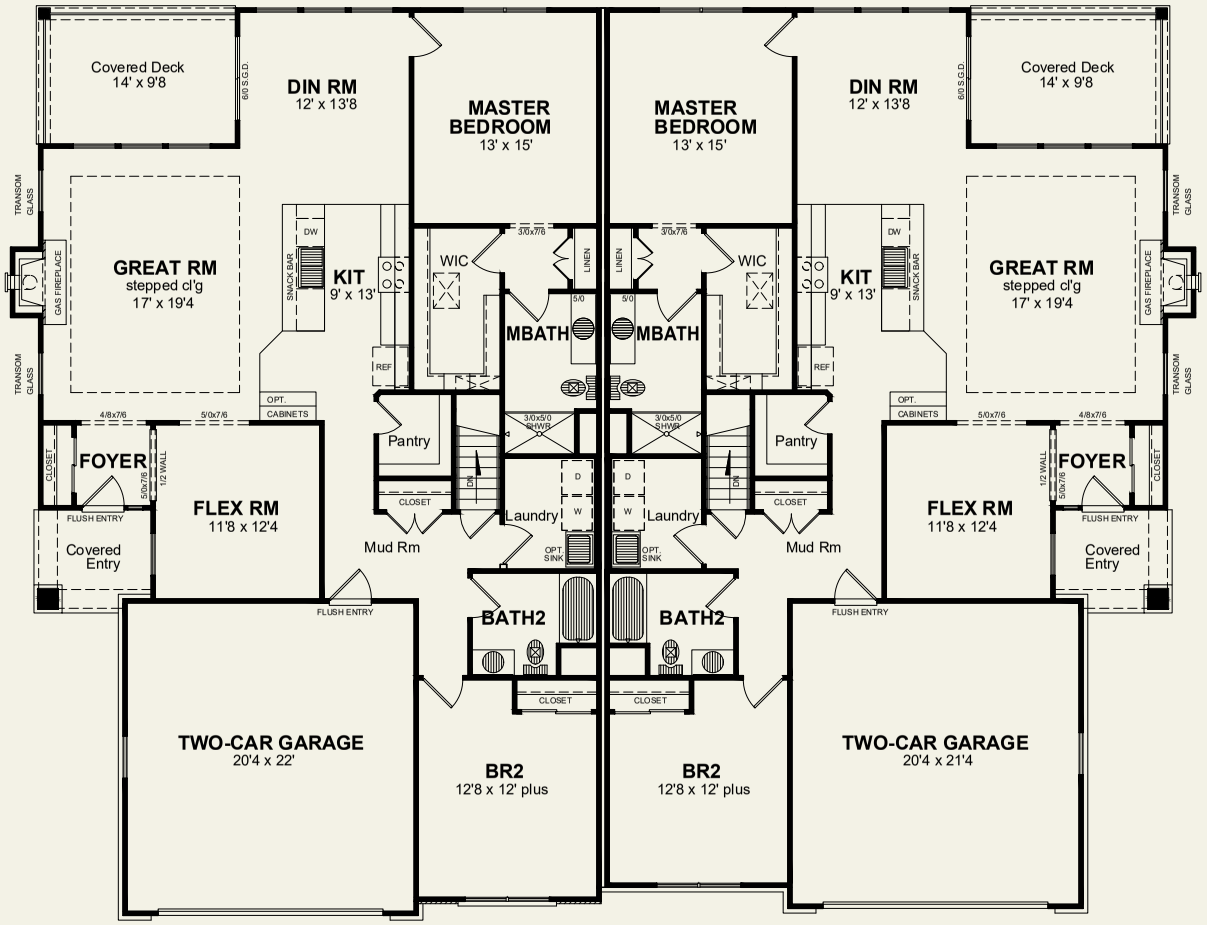


Description of Proposed Residential Project:

- The proposed for-sale residential project contains (11) residential buildings, each containing (2) dwelling units totaling (22) dwelling units
- Anticipated Sale Price per Unit: $500,000±
- Each unit contains:
  - 1,780± square feet of living space on first floor
  - (2) bedrooms; (2) baths; flex room; great room; kitchen; pantry; foyer; laundry room; covered deck; attached 2-car garage

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Concept Floor Plan:



64'-6"

80'-4"

Unit A
Main Floor 1,785 Sq.Ft.
W – 40-0'
D – 64'-6"

Unit B
Main Floor 1,772 Sq.Ft.
W – 40-0'
D – 64-0'

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Concept Front Elevation



Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Project Review

- Project summary letter and concept plan delivered to 110 property owners in proximity to project site on September 22, 2023.
- Informational meeting was held at Amherst Main Library on October 3, 2023, with 25± people in attendance.
- Topic points discussed included the possible negative impacts on traffic; property values; stormwater flow; privacy; noise during construction; and questions regarding the R-4 zoning, soil contamination; remediation; and overall timetable.
- Further project updates for interested property owners will coincide with each step of pending approvals from the Town.
- Additional Informational meetings will be scheduled as needed, including once fully engineered plans have been prepared as required to seek Site Plan Approval from the Planning Board

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Proposed Zoning Conditions

- That the use of the project site to be rezoned from R-3 to R-4 shall be limited to two (2) unit attached townhomes only.
- At the maximum density of the proposed residential project shall be eleven (11) buildings and twenty-two (22) residential units, or 4.4 dwelling units per acre, or 4.4 residential units per acre.
- That the maximum allowable height of any residential building on the project site as measured from finish grade shall be thirty-five (35) feet
- That the Project Site's contaminated soil be remediated to residential standard under the purview of, and in accordance with the NYSDEC Brownfield Cleanup Program.
- That the Conditions stated above shall be memorialized via the recording of a Declaration of Restrictions at the Erie County Clerk's Office.

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

NYSDEC Brownfield Cleanup Program

- Since at least the 1950's, a majority of the Project Site was used as a nursery and based on analysis of on-site sampling, compound pesticides and metals were identified. The site will require remediation prior to redevelopment of the property.
- Roux Environmental Engineering & Geology, DPC (formerly Benchmark Environmental) has submitted a letter to the Town identifying the results of the previous on-site sampling and analysis.
- A summary of the letter includes:
  - RAS will enter the NYSDEC's Brownfield Cleanup Program due to the site's contamination. RAS must ensure that the site has been remediated to the rigorous standards enforced by the NYSDEC and the New York State Department of Health ("NYSDOH"). Only after the site has been remediated to the satisfaction of the NYSDEC and NYSDOH will the state allow the land to be redeveloped.
  - Cleaning up and removing hazardous substances and other contaminants from Brownfield sites reduces the risk of human exposure to harmful substances and improves the quality of air, soil, and water in affected areas.
  - RAS intends to remediate the site under the BCP to a Track 4 Restricted- Residential standard, which allows for apartment buildings and condominium redevelopments.

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

NYSDEC Brownfield Cleanup Program

- This will require post-remedial controls, restrictions, and ongoing monitoring and reporting obligations in perpetuity. This ongoing obligation makes subdividing and selling off parcels of the site to individual homeowners, as a developer might do with a traditional subdivision, impractical, and certainly much less marketable.
- This ongoing obligation makes subdividing and selling off parcels of this Brownfield site to individual homeowners, as a developer might do with a traditional subdivision, impractical, and certainly much less marketable. An individual homeowner is unlikely willing to undertake the post-remedial obligations required under the BCP. Furthermore, if liability and/or ongoing obligations are subdivided, there would now be multiple individual homeowners having to responsibility to report to DEC.
- DEC strongly discourages such arrangements for BCP sites. A condominium structure is essential to avoid this issue and help ensure proper monitoring, maintenance, and reporting. Simply stated, classifying the individual residential units as condominiums will ensure that a single entity - the condominium association - owns the land and is responsible for all post-remedial monitoring, maintenance, and reporting associated with the BCP.
- The BCP generates tax credits that help offset cleanup costs and encourage the costly remediation and redevelopment of contaminated property. Under the proposed condominium structure, the development would be built and owned by one entity which would incur remediation and redevelopment costs and claim the tax credits as means to make the project economically feasible. In the absence of this structure, the project is likely cost- prohibitive based on the significant remediation costs.

State Environmental Quality Review Act ("SEQRA")

- Completed Part 1 of the full environmental assessment form submitted with the rezoning application.
- Proposed residential project is an Unlisted Action.
- The proposed residential project is consistent with the community character and zoning classifications of nearby parcels previously approved by the town board.
- The contaminated portions of the Project Site to be remediated via the requirements of the NYSDEC Brownfield Cleanup Program.
- The proposed residential project will also require Site Plan Approval from the Planning Board which will ensure compliance with the applicable standards for landscaping, lighting, stormwater management, etc.
- Stormwater management system to be installed will comply with the NYSDEC's and the Town's stringent stormwater quality and stormwater quantity standards including the need for the system to handle a 100-year storm event (Engineering Dept. will be required during site plan application review process).
- Geotechnical Report prepared by Ray M. Teeter, PE Consulting Geotechnical Engineer, dated November 16, 2018, has been submitted.
- The proposed low-density residential project will not result in any potentially significant adverse environmental impacts.

Attachment: Savarino-Ltr-Town Board-11-14-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Conclusion:

- Requesting that the Planning Board recommend issuance of a Negative Declaration pursuant to SEQRA and approval of the requested rezoning of the Project Site from R-3 to R-4 subject to the following zoning conditions:
  1. That the principal use of the project site she'll be limited to residential buildings with a maximum of two units.
  2. That the maximum allowable density for the residential project shall be 22 residential units.
  3. That the maximum allowable height of any residential buildings on the project site as measured from finish grade shall be thirty-five (35) feet.
  4. That the Project Site shall be remediated pursuant to the requirements of the NYSDEC Brownfield Cleanup Program.
  5. That conditions number 1, 2, 3, and 4 shall be subject to a Declaration of Restrictions to be recorded at the Erie County Clerk's Office once the Applicant has closed on the purchase of the Project Site.
- Questions…

RAS DEVELOPMENT I, LLC
4758 NORTH FRENCH RD.
EAST AMHERST, NY 14051

November 20, 2023

Brian J. Kulpa, Supervisor
Town of Amherst Town Board
5583 Main Street
Williamsville, NY 14221

Re: Rezoning of 4774 & 4780 Sheridan Drive from R-3 to R-4 (Z-2023-07)
Applicant/Project Sponsor: RAS Development I, LLC
File No. 10015.22

Dear Supervisor Kulpa and Councilmembers:

I am submitting this letter on behalf of my company, RAS Development I, LLC (the "Project Sponsor") ("RAS") in connection with the pending request to amend the zoning classification of the above-referenced property located at 4774 and 4780 Sheridan Drive from R-3 to R-4 to accommodate a residential project consisting of two-family residential units for sale. The Town Board will be holding a public hearing in connection with its review of the pending application during its meeting on Monday, December 4th at 7:00 p.m.

Keeping residents updated on the proposed project is a primary goal of my company.

I have attached a copy of one of the individual project update letters that I delivered to 18 residences on Friday, November 17, 2023. Additionally, I have attached the residence listing which is comprised of residents who attended and signed in to an informational meeting that was held on October 3, 2023, at the Town's Main Library. The list also includes residents who spoke at the public hearing held by the Planning Board on October 19, 2023, as well as those who signed the Protest Petition submitted to the Town.

I also wanted to emphasize that, as part of my Company's site engineering phase as part of the Site Plan Application review process, we will continue to engage with the neighboring residents and interested parties to gather feedback regarding the technical aspects of the residential project. This will help us address the concerns during the Site Plan stage of the review process, including the stormwater management plans, landscaping and lighting plans, and the overall project schedule.

Please feel free to contact me at (716) 908-8322 or by e-mail at robert.savarino@ccim.net if you have any questions regarding this letter or the status of the proposed residential project.

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Thank you for your anticipated cooperation.

Sincerely,

Robert A. Savarino

Robert A. Savarino
President

Attachments

cc: Jacqualine Berger, Councilmember
Deborah Bruch Bucki RN PhD, Councilmember
Shawn Lavin, Councilmember
Michael Szukala, Councilmember
Francina J. Spoth, Town Clerk
Timothy J. Koller, Deputy Town Clerk
Daniel C. Howard, AICP, Planning Director
Sean W. Hopkins, Esq., Hopkins Sorgi & McCarthy, PLLC
Patrick Sheedy, Jr., P.E., Carmina Wood Design DPC

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Attachment 1

Copy of One of the 18 Individual Project Update Letters
Delivered to Interested Residents
on November 17, 2023

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

RAS DEVELOPMENT I, LLC
4758 NORTH FRENCH RD.
EAST AMHERST, NY 14051

November 17, 2023

Lannon Residence
73 Fleetwood Ter.
Williamsville, NY 14221

Re: Rezoning of 4774 & 4780 Sheridan Drive from R-3 to R-4 (Z-2023-07)
Applicant/Project Sponsor: RAS Development I, LLC

Dear Lannon Residence:

I am reaching out to you as an interested resident in connection with my company's pending request to amend the zoning classification of the above-referenced property located at 4774 and 4780 Sheridan Drive from R-3 to R-4 to accommodate a residential project consisting of two-family residential units for sale.

As you may know, during its meeting held on October 19, 2023, the Planning Board adopted a resolution recommending that the Town Board issue a negative declaration pursuant to the State Environmental Quality Review Act ("SEQRA") and approve the requested amendment of the zoning classification of the Project Site from R-3 to R-4.

I would like to summarize the Proposed Project's Concept Site Plan and the required zoning change requested that would enable the residential project to occur.

Summary of Project Information:

1. The Project Site is Environmentally Contaminated. As per the Phase II Investigation Report commissioned by the previous applicant, the on-site sampling and testing revealed that the site is contaminated with herbicides, pesticides, and metals due to its former use as a plant nursery. A copy of the Phase II Investigation Report was submitted to the Planning Department on October 27, 2023.

2. Prior to any Redevelopment, the Project Site will Require Soil Remediation. In the case of this specific project site, a project sponsor such as my company must voluntarily participate in the Brownfield Cleanup Program ("BCP") administered by the New York State Department of Environmental Conservation ("NYSDEC"). This program ensures that the brownfield site has undergone remediation to meet the rigorous standards enforced by NYSDEC and the New York State Department of Health ("NYSDOH"). Only after the site has been remediated to the satisfaction of both NYSDEC and NYSDOH, will the State permit the contaminated land to be redeveloped.

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Thus, my Company will incur extensive soft and hard costs associated with the voluntary brownfield cleanup. To offset these costs and keep the project viable, brownfield tax credits are issued based on a percentage of the tangible improvements to the project site.

3. Common Ownership will be Needed for Entry into the NYSDEC's BCP Program. The remediation of the Project Site will require certain post-remedial controls, restrictions, and ongoing monitoring and reporting obligations, which must be maintained in perpetuity. Such obligations are a condition of the BCP Certificate of Completion. This ongoing obligation makes subdividing and selling off parcels of this particular Brownfield site to individual homeowners, as a developer might do with a traditional subdivision, impractical and certainly not marketable.

An individual homeowner would not be willing to undertake the post-remedial obligations required under the BCP. Furthermore, if liability and ongoing obligations are subdivided, there would now be multiple individual homeowners having the responsibility to report to the NYSDEC. The NYSDEC strongly discourages such arrangements for BCP sites. A condominium ownership structure is essential to avoid this issue and help ensure proper monitoring, maintenance, and reporting. Simply stated, classifying the individual residential units as condominiums will ensure that a single entity - the condominium association to be formed, owns the project site and is entirely responsible for all post-remedial monitoring, maintenance, and reporting associated with the BCP.

4. Public Safety. Approval of the requested amendment of the zoning classification of the Project Site from R-3 to R-4 and issuance of a negative declaration under the State Environmental Quality Review Act ("SEQRA") will enable the voluntary clean-up and removal of hazardous substances and other contaminants from the Project Site. This will reduce the risk of human exposure to harmful substances and improve the quality of air, soil, and water in the area. In addition, it will create attached two-family dwellings for sale for Town Residents.

5. Size and Scope of the Proposed Residential Project. Consideration was given to the surrounding neighborhood when formulating the Concept Site Plan. The upscale residential homes will feature attached 2-car garages, 30' rear yard setbacks with a 6' privacy fence, and extensive landscaping.

6. The Proposed Project is Subject to Deed Restrictions. We have proposed the following zoning conditions which would be subject to a Declaration of Restrictions to be recorded at the Erie County Clerk's Office: 1) The use of the project site to be rezoned from R-3 to R-4 shall be limited to two (2) unit attached townhomes only; 2) The maximum density shall be twenty-two (22) residential units, or 4.4 dwelling units per acre; 3) The maximum allowable height of any of the structures be limited to 35'; and 4) That the Project Site's contaminated soil be remediated to residential standard under the purview of, and in accordance with the NYSDEC Brownfield Cleanup Program.

7. Applicant to Continue to Meet with Adjoining Neighbors. During the site engineering phase, my Company will engage the interested residents adjoining and seek feedback regarding technical aspects of the residential project to be addressed during the Site Plan stage of

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

the review process. I expect items such as the stormwater management plan; landscaping and lighting plans, existing trees, and the overall project schedule, etc. to be presented and discussed.

Please feel free to contact me at (716) 908-8322 or by e-mail at robert.savarino@ccim.net if you have any questions regarding this letter or the status of the proposed residential project.

Thank you for your time.

Sincerely,

Robert A. Savarino

Robert A. Savarino
President

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Attachment 2

Address Labels of Letters
Delivered on November 17, 2023

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Lannon Residence
73 Fleetwood Ter.
Williamsville, NY 14221

Cuviello Residence
91 Fleetwood Ter.
Williamsville, NY 14221

Reynolds Residence
10 Fleetwood Ter.
Williamsville, NY 14221

Alfasso Residence
60 Jordan Rd.
Williamsville, NY 14221

Krebs Residence
123 Fleetwood Ter.
Williamsville, NY 14221

DeLeon Residence
50 Jordan Rd.
Williamsville, NY 14221

Gianno Residence
44 Jordan Rd.
Williamsville, NY 14221

Wolf Residence
45 Jordan Rd.
Williamsville, NY 14221

Cal Residence
65 Deville Cir.
Williamsville, NY 14221

Polito Residence
74 Jordan Rd.
Williamsville, NY 14221

Shapiro Residence
100 Deville Cir.
Williamsville, NY 14221

Honeyman Residence
75 Deville Cir.
Williamsville, NY 14221

Prawak Residence
80 Deville Cir.
Williamsville, NY 14221

Andreanna Residence
31 Fleetwood Ter.
Williamsville, NY 14221

Frank Residence
4784 Sheridan Dr.
Williamsville, NY 14221

Wanamaker Residence
4775 Sheridan Dr.
Williamsville, NY 14221

Lintner Residence
81 Fleetwood Ter.
Williamsville, NY 14221

Perez-Bode Residence
11 Fleetwood Ter.
Williamsville, NY 14221

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Attachment 3

Listing of Interested Residents
Compiled by Applicant/Project Sponsor

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Initial Mailer 09-22-23		
100 Nerby Neighbors		

Attendees that signed in at Informational Meeting 10-03-23		
Gail Lannon	73 Fleetwood Ter.	1
Paul & Carla Reynolds	10 Fleetwood Ter.	2
Dennis & Leslie Krebs	123 Fleetwood Ter.	3
Mattea Giano	44 Jordan	4
Kelly Cal	65 Deville Cir.	5
Marsha Shapiro	100 Deville Cir.	6
Alexsandra Prawak	80 Deville Cir.	7
Elliot Frank	4784 Sheridan Dr.	8
Roger Lintner	81 Fleetwood Ter.	9
Rene Perez-Bode	11 Fleetwood Cir.	10
Beverly Cuviello	91 Fleetwood Cir.	11
Susan Wolf	45 Jordan Ter.	12
Alexis Alfasso	60 Jordan Rd.	13

Speakers at Public Hearing 10-19-23		
Elliot Frank	4784 Sheridan Dr.	1
Edgar DeLeon	50 Jordan Rd.	2
Susan Wolf	45 Jordan Rd.	3

Protest Petition		
Alexis Alfasso	60 Jordan Rd.	1
Edgar DeLeon	50 Jordan Rd.	2
Jennifer Polito	74 Jordan Rd.	3
Theodore Prawak	80 Deville Cir.	4
Marsha Shapiro	100 Deville Cir.	5
Micheal Honeyman	75 Deville Cir.	6
Beverly Cuviello	91 Fleetwood Ter.	7
Beth Gianno	44 Jordan Rd.	8
Roger Lintner	81 Fleetwood Cir.	9
Sebastiano Andreana	31 Fleetwood Cir.	10
Rene Perez-Bode	11 Fleetwood Cir.	12
Carrie Wanamaker	4775 Sheridan Dr.	13

Mailer Update 11-16-23		
Lannon Residence	73 Fleetwood Ter.	1
Reynolds Residence	10 Fleetwood Ter.	2
Krebs Residence	123 Fleetwood Ter.	3
Gianno Residence	44 Jordan Rd.	4
Cal Residence	65 Deville Cir.	5
Shapiro Residence	100 Deville Cir.	6
Prawak Residence	80 Deville Cir.	7
Frank Residence	4784 Sheridan Dr.	8
Lintner Residence	81 Fleetwood Ter.	9
Perez-Bode Residence	11 Fleetwood Cir.	10
Cuviello Residence	91 Fleetwood Cir.	11
Alfasso Residence	60 Jordan Rd.	12
DeLeon Residence	50 Jordan Rd.	13
Wolf Residence	45 Jordan Rd.	14
Polito Residence	74 Jordan Rd.	15
Honeyman Residence	75 Deville Cir.	16
Andreana Residence	31 Fleetwood Cir.	17
Wanamaker Residence	4775 Sheridan Dr.	18

Attachment: Savarino-Ltr-Town Board-11-20-23 (COM-2023-132 : Correspondence from Rob Savarino - 4774 & 4780 Sheridan Drive)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
DOC ID: 28242

COMMUNICATION 2023-133 **REFERRED**

Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road

Letters from Sean Hopkins, Esq. providing updates regarding the proposed rezoning of 1350 Eggert Road.

12/4/2023
Referred to Town Attorney & Planning

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

HSM

November 17, 2023

Brian J. Kulpa, Supervisor
Town of Amherst Town Board
5583 Main Street
Williamsville, NY 14221

Re: Rezoning of 1350 Eggert Road from OB-TNB-1 to TI-2.5 [Z-2023-03]
Applicant/Project Sponsor: 1097 Group LLC c/o Ellicott Development Company
File No. 10173.13

Dear Supervisor Kulpa and Councilmembers:

On November 7th, I submitted a letter to the Town Board for the purpose of providing a comprehensive project update including information regarding the informational meeting held with property owners locate within 600 ft. of 1350 Eggert Road at the Harlem Road Community Center on Thursday, November 2nd.

Enclosed is a copy of the letter from Tom Fox of Ellicott Development dated November 10th that was e-mailed to the residents who attended the informational meeting held on November 2nd along with copies of relevant project documentation.

If you have any questions regarding this letter or the status of the pending request to amend the zoning classification of the Project Site from OB-TNB-1 to TI-2.5, please feel free to contact me at 510-4338 or via e-mail at shopkins@hsmlegal.com.

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC

Sean W. Hopkins, Esq.

Enc.
cc: Deborah Bruch Bucki RN PhD, Deputy Supervisor
Jacqualine Berger, Councilmember
Shawn Lavin, Councilmember
Michael Szukala, Councilmember
Francina J. Spoth, Town Clerk
Timothy J. Koller, Deputy Town Clerk
Daniel Howard, Planning Director, Planning Department
Thomas Voigt, Assistant Planner, Planning Department
Thomas M. Fox, Director of Development, Ellicott Development Company [Via mail]
Bill Paladino, Chief Executive Officer, Ellicott Development Company [Via e-mail]

HOPKINS SORGI & MCCARTHY PLLC
Attorneys at Law
5500 Main Street, Suite 343 • Williamsville, New York 14221
Direct: 716-510-4338 • E-mail: shopkins@hsmlegal.com • www.hsmlegal.com

Attachment: Kulpa-Ltr-11-17-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Christopher Wood, P.E., Carmina Wood Design [Via e-mail]
David Sutton, Sutton Architecture PLLC [Via e-mail]

Attachment: Kulpa-Ltr-11-17-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

ELLICOTT DEVELOPMENT

ELLICOTT SQUARE BUILDING
295 MAIN STREET, SUITE 700
BUFFALO, NY 14203-2219

TEL: 716.854.0060
FAX: 716.852.2829
EllicottDevelopment.com

November 10, 2023

Re: Informational Meeting Follow-Up
1350 Eggert Road, Amherst NY
Proposed Infill Development

Dear Neighbors:

Thank you for attending the Information Meeting at the Harlem Road Community Center on Thursday, November 2nd regarding our proposed multi-family infill development at 1350 Eggert Road and related pending application for rezoning of the property to a mixed-use district. We were pleased to see a nice turnout. Your attendance was appreciated, and feedback valued as we look to further refine and advance our plans.

As requested, included here is a copy of the materials that were presented at the Informational Meeting along with a copy of the referenced Traffic Assessment Report prepared by Passero Associates dated October 9, 2023.

The next meeting to be held with respect to our proposed redevelopment and related rezoning application, is expected to be on Monday, December 18th at 7:00 p.m. at Amherst Town Hall, where the Amherst Town Board will hold a public hearing.

As noted at the Informational Meeting, please do not hesitate to contact me with any additional comments or concerns that you may have regarding the proposed development plans. We welcome your feedback. I can be reached by phone at 716-854-0060 or by email at tfox@ellicottdevelopment.com.

Very truly yours,

ELLICOTT DEVELOPMENT COMPANY

THOMAS M. FOX
Director of Development

Attachment: Kulpa-Ltr-11-17-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

November 28, 2023

Brian J. Kulpa, Supervisor
Town of Amherst Town Board
5583 Main Street
Williamsville, NY 14221

Re: Rezoning of 1350 Eggert Road from OB-TNB-1 to TI-2.5 [Z-2023-03]
Applicant/Project Sponsor: 1097 Group LLC c/o Ellicott Development Company
File No. 10173.13

Dear Supervisor Kulpa and Councilmembers:

This letter is being submitted on behalf of the Project Sponsor to provide a project update in advance of the continuation of the public hearing to be held by the Town Board on Monday, December 4th at 7:00 p.m.

Attached as Exhibit "1" is a copy of the Memorandum issued by the Traffic Safety Board dated November 13th confirming that the comprehensive traffic analysis prepared by Passero Associates dated October 9, 2023 that concluded the redevelopment project will not result in any potentially significant adverse impacts on traffic operations within the study area was reviewed by the Traffic-Safety Board during its meeting on November 1st and that the ATSB agreed with the results of the traffic analysis.

Attached as Exhibit "2" is the Memorandum of the Engineering Department dated November 13, 2023 stating it reviewed and agreed with information contained in the stormwater analysis summary letter prepared by Christoper Wood, P.E. dated November 7th and the Preliminary Drainage and Grading Plans providing information regarding the extensive stormwater management improvements to be installed on the Project Site.

The Project Sponsor has made a concerted effort since the Town Board meeting held on August 21st to address the follow up topics identified by the Town Board and detailed information regarding these efforts and modifications to the redevelopment project based on input received is contained in the PowerPoint presentation attached as Exhibit "3" that will be presented during the continuation of the public hearing.

If you have any questions regarding this letter or the status of the pending request to amend the zoning classification of the Project Site from OB-TNB-1 to TI-2.5, please feel free to contact me at 510-4338 or via e-mail at shopkins@hsmlegal.com.

HOPKINS SORGI & MCCARTHY PLLC
Attorneys at Law
5500 Main Street, Suite 343 • Williamsville, New York 14221
Direct: 716-510-4338 • E-mail: shopkins@hsmlegal.com • www.hsmlegal.com

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC

Sean W. Hopkins, Esq.

Enc.

cc: Deborah Bruch Bucki RN PhD, Deputy Supervisor
Jacqualine Berger, Councilmember
Shawn Lavin, Councilmember
Michael Szukala, Councilmember
Francina J. Spoth, Town Clerk
Timothy J. Koller, Deputy Town Clerk
Daniel Howard, Planning Director, Planning Department
Thomas Voigt, Assistant Planner, Planning Department
Thomas M. Fox, Director of Development, Ellicott Development Company [Via mail]
Bill Paladino, Chief Executive Officer, Ellicott Development Company [Via e-mail]
Christopher Wood, P.E., Carmina Wood Design [Via e-mail]
David Sutton, Sutton Architecture PLLC [Via e-mail]

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

EXHIBIT 1

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

MEMORANDUM October 11, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel Ulatowski, Principal Planner
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)

FROM: Scott Marshall, Principal Planner

SUBJECT: REQUEST TO REZONE 3.61± ACRES OF LAND FROM **OB-TNB-1** TO **TI-2.5, Z-2023-03**; PROPERTY LOCATED AT **1350 EGGERT ROAD**. 1097 GROUP LLC, PETITIONER.

TRAFFIC ASSESSMENT:
Received October 10, 2023

REVIEW:

Do you agree with all statements made? Yes, as reviewed by the Amherst Traffic Safety Board on 11/1/23

If you do not, briefly state why: _____

General comments relative to your agency interests: _____

None at this time. Will review again at time of site plan should this project progress.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** November 13, 2023
Christopher P. Schregel

DU/TV/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Rev_Plan_Transmittal_101023.doc
cc: Jeff Burroughs, Town Engineer
Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

EXHIBIT 2

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Amherst

Town of Amherst Planning Department — Erie County, New York

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

MEMORANDUM

November 7, 2023

TO: Tim Koller, Deputy Town Clerk
Brian J. Armstrong, Director of Engineering Services

FROM: Scott Marshall, Principal Planner TV

SUBJECT: REQUEST TO REZONE 3.61± ACRES OF LAND FROM **OB-TNB-1** TO **TI-2.5, Z-2023-03**; PROPERTY LOCATED AT **1350 EGGERT ROAD**. 1097 GROUP LLC, PETITIONER.

GRADING AND DRAINAGE PLAN:
Received November 7, 2023

REVIEW:

Do you agree with all statements made? Yes

If you do not, briefly state why: _____

General comments relative to your agency interests: Please note that during Site Plan Engineering review, calculations must be provided showing attenuation of the 25 year post developed peak flow to that of the 10 year existing peak flow.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 11/13/2023

DU/TV/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Rev_Plan_Transmittal_110723.doc
cc: Jeff Burroughs, Town Engineer
Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

EXHIBIT 3

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Town Board Public Hearing

Request to 1350 Eggert Road from OB-TNB-1 to TI-2.5
[Continuation of Public Hearing held on July 24, 2023]

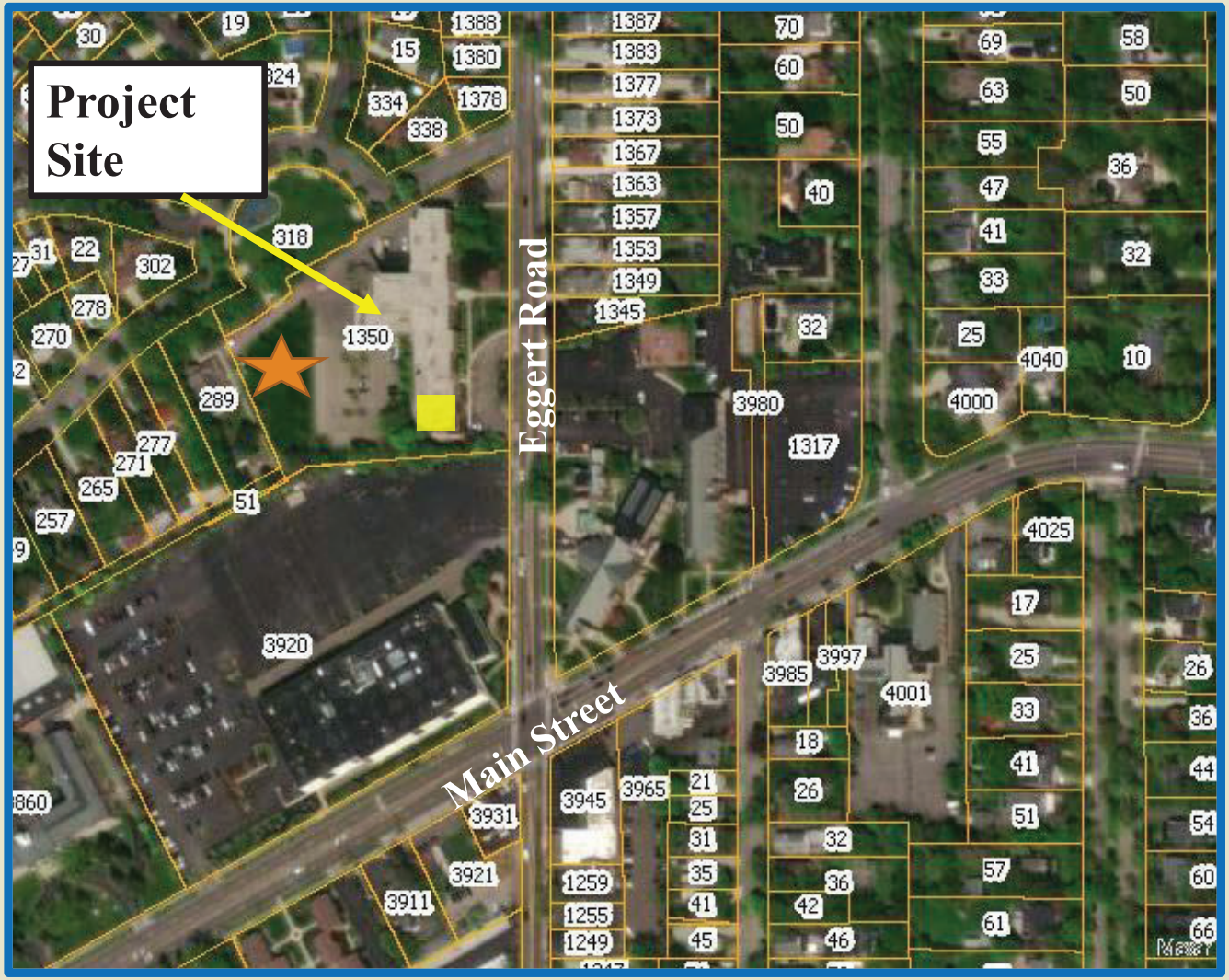
Petitioner: 1097 Group LLC c/o Ellicott Development Co.

15.3.b

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Project History:

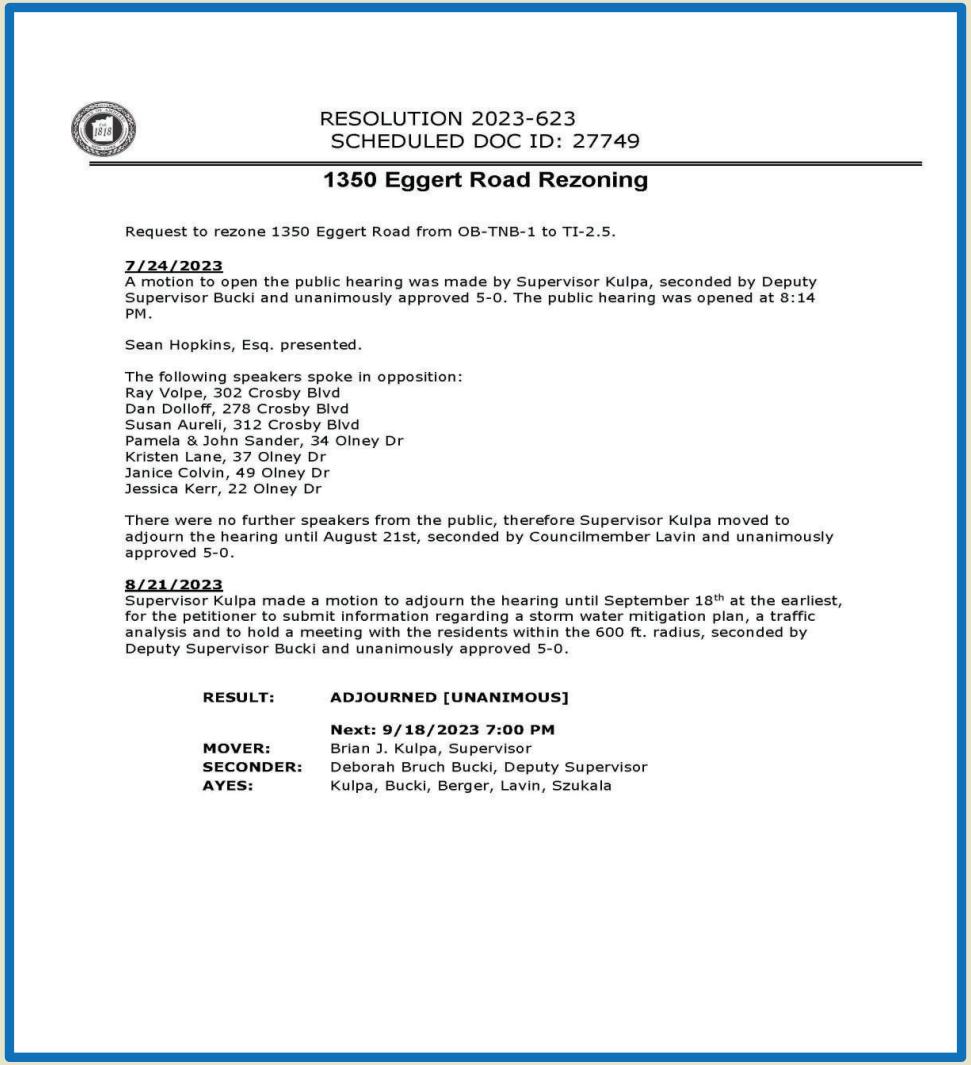
- Size of Project Site: 3.61 acres
- Former Cantalitian School property purchased in 2013
- Rezoning of the Project Site from CF-TNB-1 to OB-TNB-1 by April 28, 2014
- Site Plan for redevelopment of the 3-story former school building as 38 apartments and 5,130 sq. ft. of 1st floor commercial space approved by the Planning Board on June 19, 2014
- Negative Declarations issued by the Town Board, Planning Board and Zoning Board of Appeals
- Property previously donated to the Town of Amherst
- Approximately 5,139 sq. ft. of vacant 1st commercial space to be converted into 3 apartments



Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Town Board Meeting on August 21, 2023:

- Continuation of the public hearing on August 21st was adjourned by the Town Board and the Project Sponsor was asked to submit information regarding a storm water mitigation plan, a traffic analysis and to hold a meeting with residents within 600 ft. of the Project Site.
- All three of the requirements per the resolution adopted on August 21st have been satisfied.



RESOLUTION 2023-623
SCHEDULED DOC ID: 27749

1350 Eggert Road Rezoning

Request to rezone 1350 Eggert Road from OB-TNB-1 to TI-2.5.

7/24/2023
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Bucki and unanimously approved 5-0. The public hearing was opened at 8:14 PM.

Sean Hopkins, Esq. presented.

The following speakers spoke in opposition:
Ray Volpe, 302 Crosby Blvd
Dan Dolloff, 278 Crosby Blvd
Susan Aureli, 312 Crosby Blvd
Pamela & John Sander, 34 Olney Dr
Kristen Lane, 37 Olney Dr
Janice Colvin, 49 Olney Dr
Jessica Kerr, 22 Olney Dr

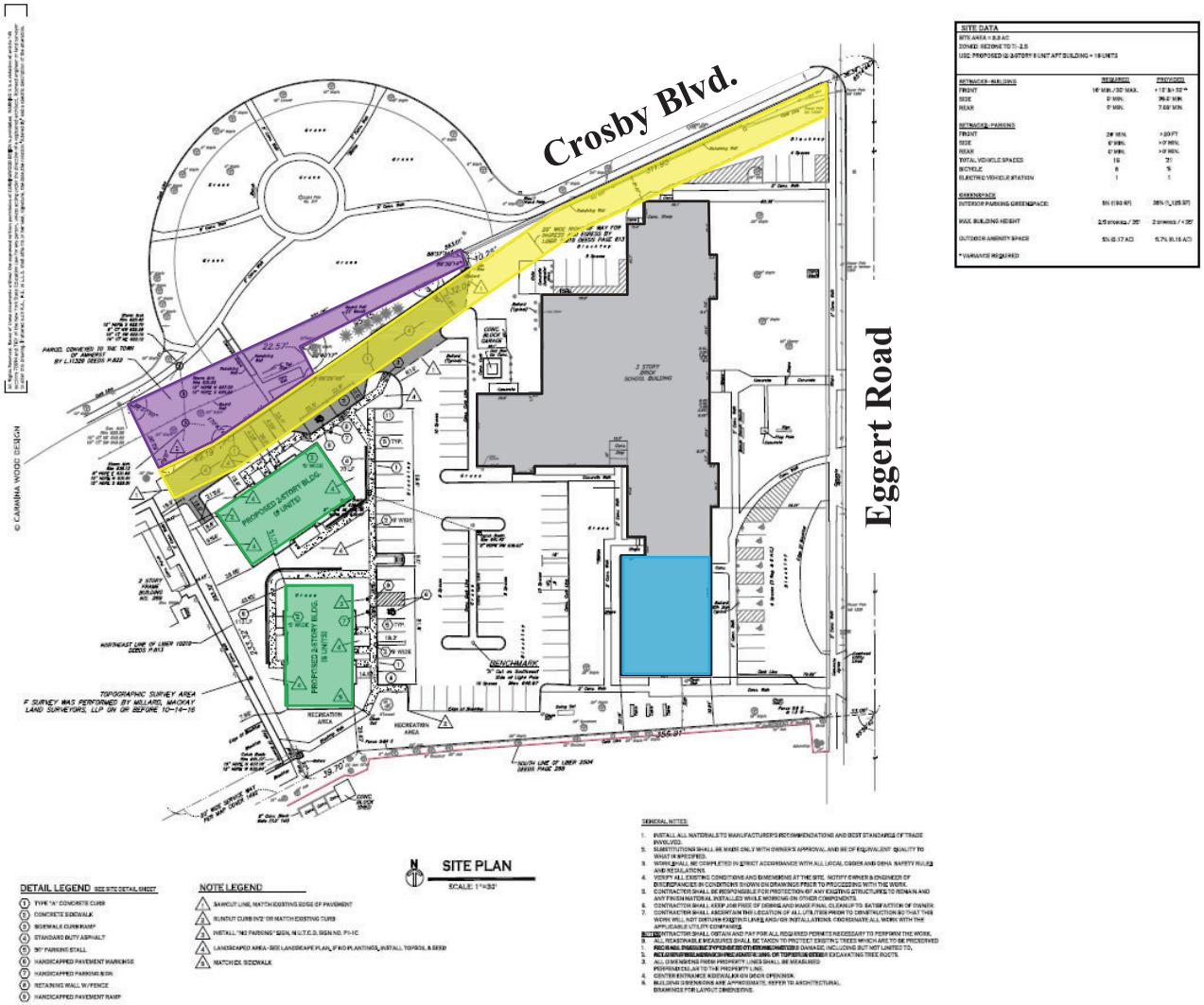
There were no further speakers from the public, therefore Supervisor Kulpa moved to adjourn the hearing until August 21st, seconded by Councilmember Lavin and unanimously approved 5-0.

8/21/2023
Supervisor Kulpa made a motion to adjourn the hearing until September 18th at the earliest, for the petitioner to submit information regarding a storm water mitigation plan, a traffic analysis and to hold a meeting with the residents within the 600 ft. radius, seconded by Deputy Supervisor Bucki and unanimously approved 5-0.

RESULT:	**ADJOURNED [UNANIMOUS]**
	Next: 9/18/2023 7:00 PM
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Deputy Supervisor
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Site Plan:

- **PURPLE:** Property previously donated to the Town of Amherst as park space at top of hill
- **YELLOW:** Existing 20' Access Easement for Group Home at 289 Crosby Boulevard
- **GREEN:** Proposed infill development behind/west of the existing parking area
  - Two 2-story buildings consisting of 8 residential units per building, 16 total
  - Northern building oriented along the 20' internal access driveway
- **BLUE:** Rezoning from OB-TNB-1 to TI-2.5 will accommodate the conversion of approximately 5k sq. ft. of vacant space in the southern portion of existing building into 3 residential units
- Project will require Site Plan Approval from the Planning Board and review and recommendation from the Design Advisory Board



Previous Conceptual Elevation Plan Presented to the Town Board on July 24, 2023:

- Two 2-story buildings comprised of 8 units
- Peak height of slightly less than 32 ft. [R-3 zoning district allows home with a height of 35 ft.]



Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Alternative Concept Plan prepared by Code Studio dated July 21, 2023:

Alternate Concept: Plan View





California Drive development as precedent: front view

Achieves the following:

- Better frames the park / public realm
- Adds greater articulation, entrance features
- More units (12 versus 9)
- Adds functional third story (balances out area lost to tuck-under parking in units facing park)

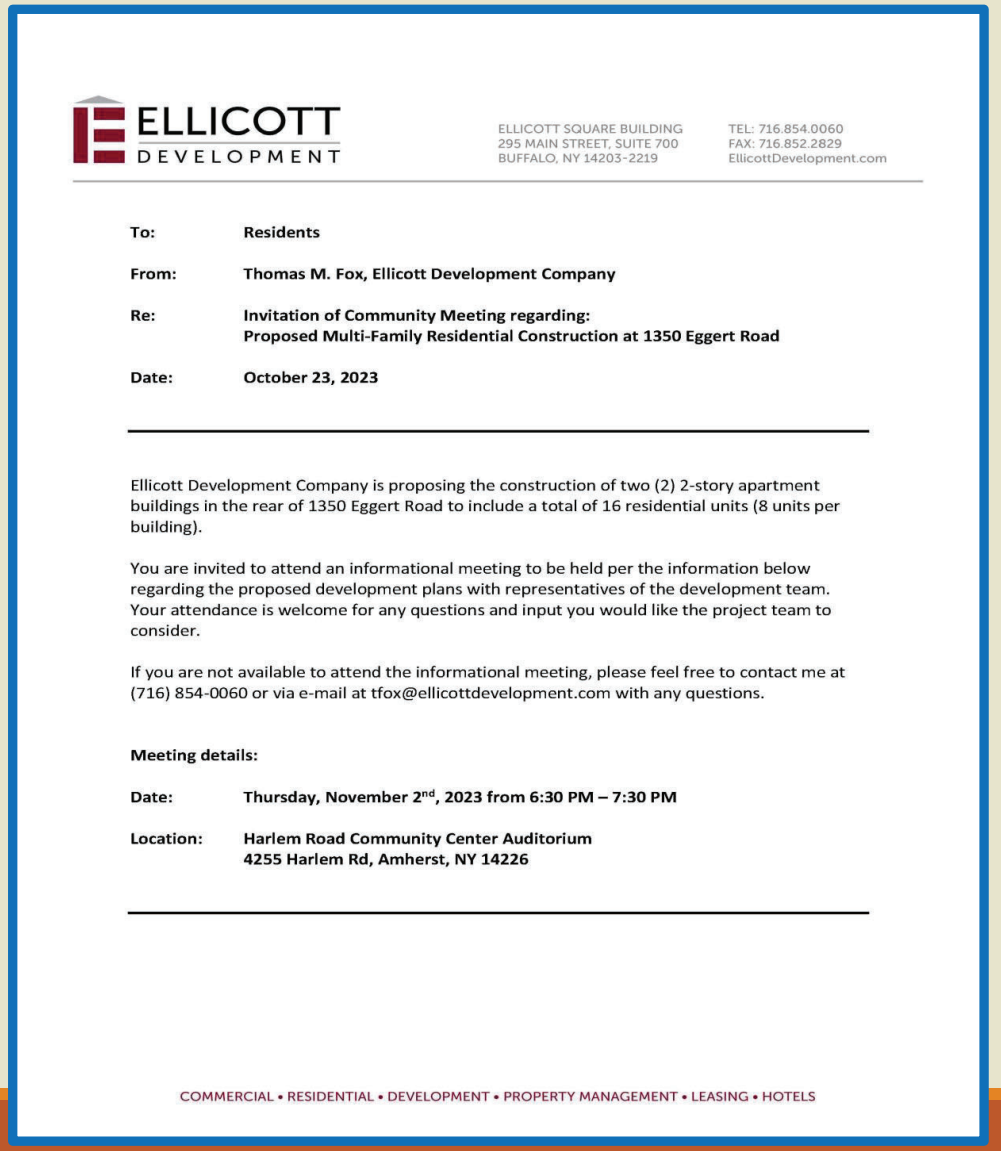
Updated Conceptual Elevation Plan dated August 18, 2023:

- Townhome Style Buildings
- 2½ stories [Mean Roof Height of less than 26 ft. and peak height of slightly more than 28 ft.]
- Project will require Site Plan Approval from the Planning Board and review and recommendation from the Design Advisory Board



INFORMATIONAL MEETING HELD ON NOVEMBER 2, 2023:

- Invite letter with copy of the Concept Site Plan sent to all property owners within 600 ft. of the Project Site on October 23rd
- Informational meeting held at the Harlem Road Community Center on November 2nd
- Meeting was attended by approximately 20 residents
- Updated project plans were presented during the informational meeting
- Follow up communications with residents since the informational meeting held on November 2nd



ELLICOTT DEVELOPMENT

ELLICOTT SQUARE BUILDING
295 MAIN STREET, SUITE 700
BUFFALO, NY 14203-2219

TEL: 716.854.0060
FAX: 716.852.2829
EllicottDevelopment.com

To: Residents

From: Thomas M. Fox, Ellicott Development Company

Re: Invitation of Community Meeting regarding:
Proposed Multi-Family Residential Construction at 1350 Eggert Road

Date: October 23, 2023

Ellicott Development Company is proposing the construction of two (2) 2-story apartment buildings in the rear of 1350 Eggert Road to include a total of 16 residential units (8 units per building).

You are invited to attend an informational meeting to be held per the information below regarding the proposed development plans with representatives of the development team. Your attendance is welcome for any questions and input you would like the project team to consider.

If you are not available to attend the informational meeting, please feel free to contact me at (716) 854-0060 or via e-mail at tfox@ellicottdevelopment.com with any questions.

Meeting details:

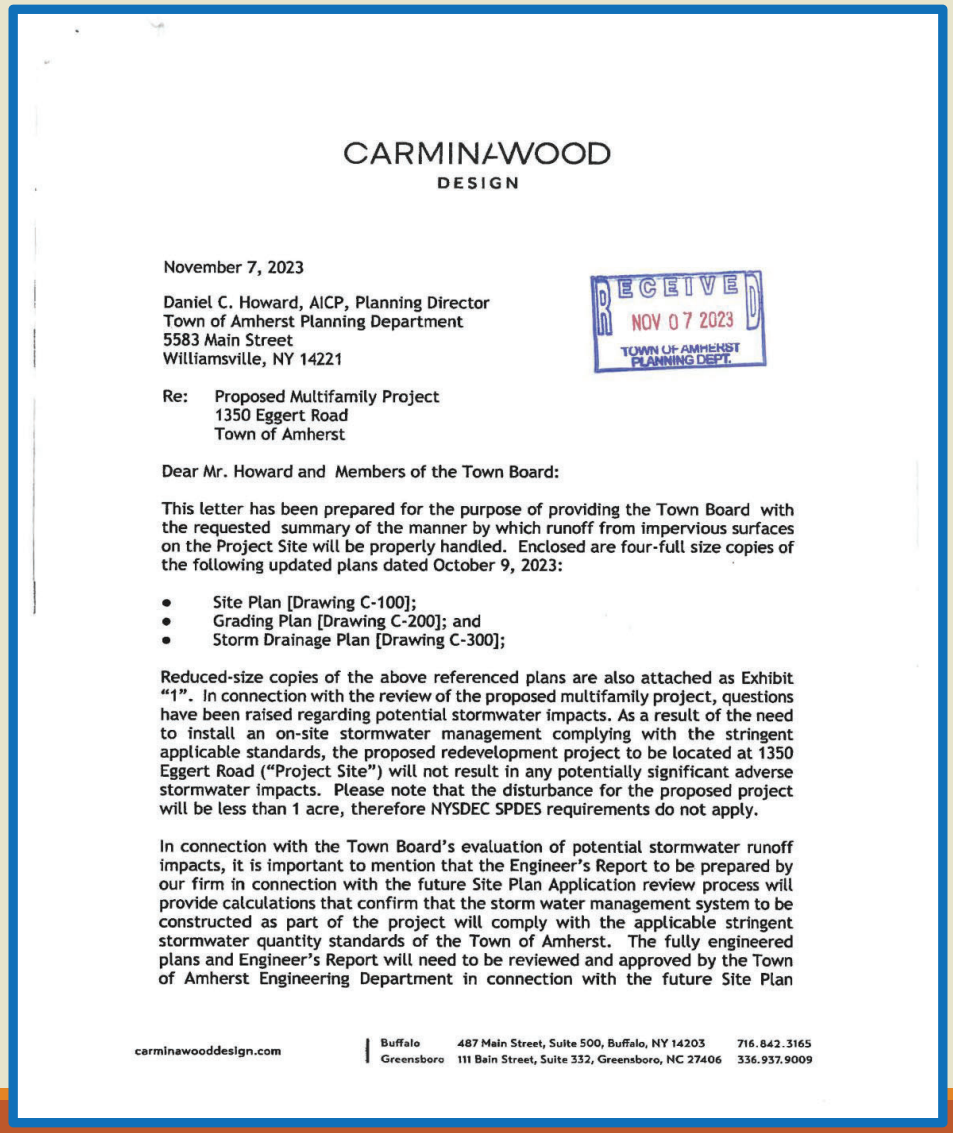
Date: Thursday, November 2nd, 2023 from 6:30 PM – 7:30 PM

Location: Harlem Road Community Center Auditorium
4255 Harlem Rd, Amherst, NY 14226

COMMERCIAL • RESIDENTIAL • DEVELOPMENT • PROPERTY MANAGEMENT • LEASING • HOTELS

STORMWATER MANAGEMENT IMPROVEMENTS:

- Stormwater management improvements to be included in connection the proposed redevelopment project.
- Letter from Christopher Wood, P.E. of Carmina Wood Design dated November 7th with summary of extensive stormwater improvement and preliminary Grading Plan and Storm Drainage Plan.
- Improvements will include regrading along with the addition of catch basins and an underground stormwater management detention area on the Project Site.
- Designed to contain the 1-year, 10-year, 25-year, 50-year and the 100-year 24-hour design storms for the post-development peak rates of runoff, while restricting the outflow rate equal to the 1-year, 10-year, 25-year, 50-year and the 100-year 24-hour design storms for the pre-development peak rates.
- Engineered Plans and Engineer's Report will need to be reviewed and approved by the Engineering Department in connection with the Site Plan review process for the redevelopment project.



CARMINAWOOD
DESIGN

November 7, 2023

RECEIVED
NOV 07 2023
TOWN OF AMHERST
PLANNING DEPT.

Daniel C. Howard, AICP, Planning Director
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Re: Proposed Multifamily Project
1350 Eggert Road
Town of Amherst

Dear Mr. Howard and Members of the Town Board:

This letter has been prepared for the purpose of providing the Town Board with the requested summary of the manner by which runoff from impervious surfaces on the Project Site will be properly handled. Enclosed are four-full size copies of the following updated plans dated October 9, 2023:

- Site Plan [Drawing C-100];
- Grading Plan [Drawing C-200]; and
- Storm Drainage Plan [Drawing C-300];

Reduced-size copies of the above referenced plans are also attached as Exhibit "1". In connection with the review of the proposed multifamily project, questions have been raised regarding potential stormwater impacts. As a result of the need to install an on-site stormwater management complying with the stringent applicable standards, the proposed redevelopment project to be located at 1350 Eggert Road ("Project Site") will not result in any potentially significant adverse stormwater impacts. Please note that the disturbance for the proposed project will be less than 1 acre, therefore NYSDEC SPDES requirements do not apply.

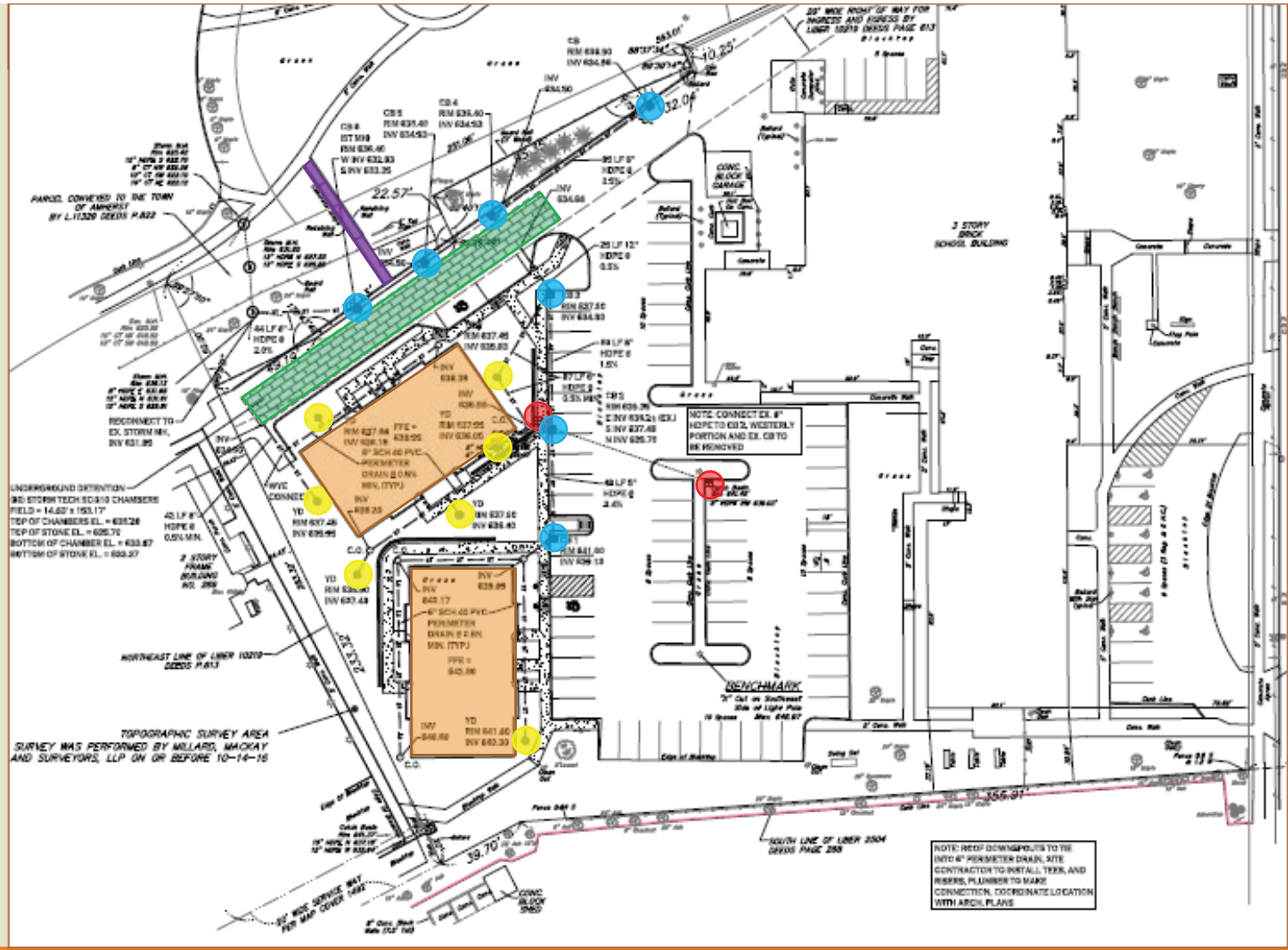
In connection with the Town Board's evaluation of potential stormwater runoff impacts, it is important to mention that the Engineer's Report to be prepared by our firm in connection with the future Site Plan Application review process will provide calculations that confirm that the storm water management system to be constructed as part of the project will comply with the applicable stringent stormwater quantity standards of the Town of Amherst. The fully engineered plans and Engineer's Report will need to be reviewed and approved by the Town of Amherst Engineering Department in connection with the future Site Plan

carminawooddesign.com | Buffalo 487 Main Street, Suite 500, Buffalo, NY 14203 716.842.3165
Greensboro 111 Bain Street, Suite 332, Greensboro, NC 27406 336.937.9009

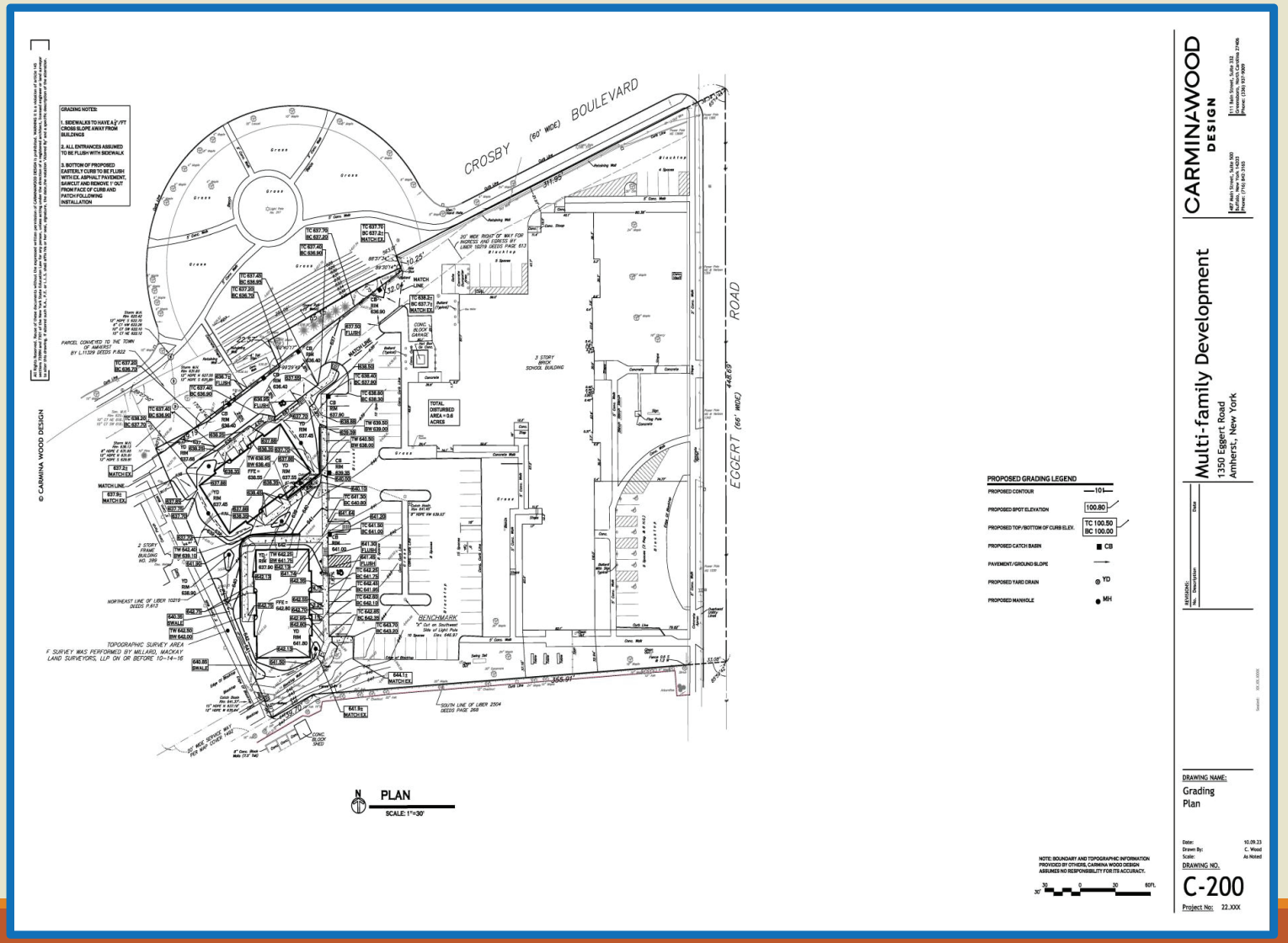
Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Storm Drainage Plan Prepared by Christopher Wood, P.E. of Carmina Wood Design:

- **PURPLE:** Existing path and stair to Eco Park
- **RED:** 2 existing Catch Basins
- **YELLOW:** 7 new Yard Drains in greenspace around the proposed development
- **BLUE:** 7 new Catch Basins in hardscape
- **GREEN:** Proposed Underground Stormwater Detention System under existing driveway

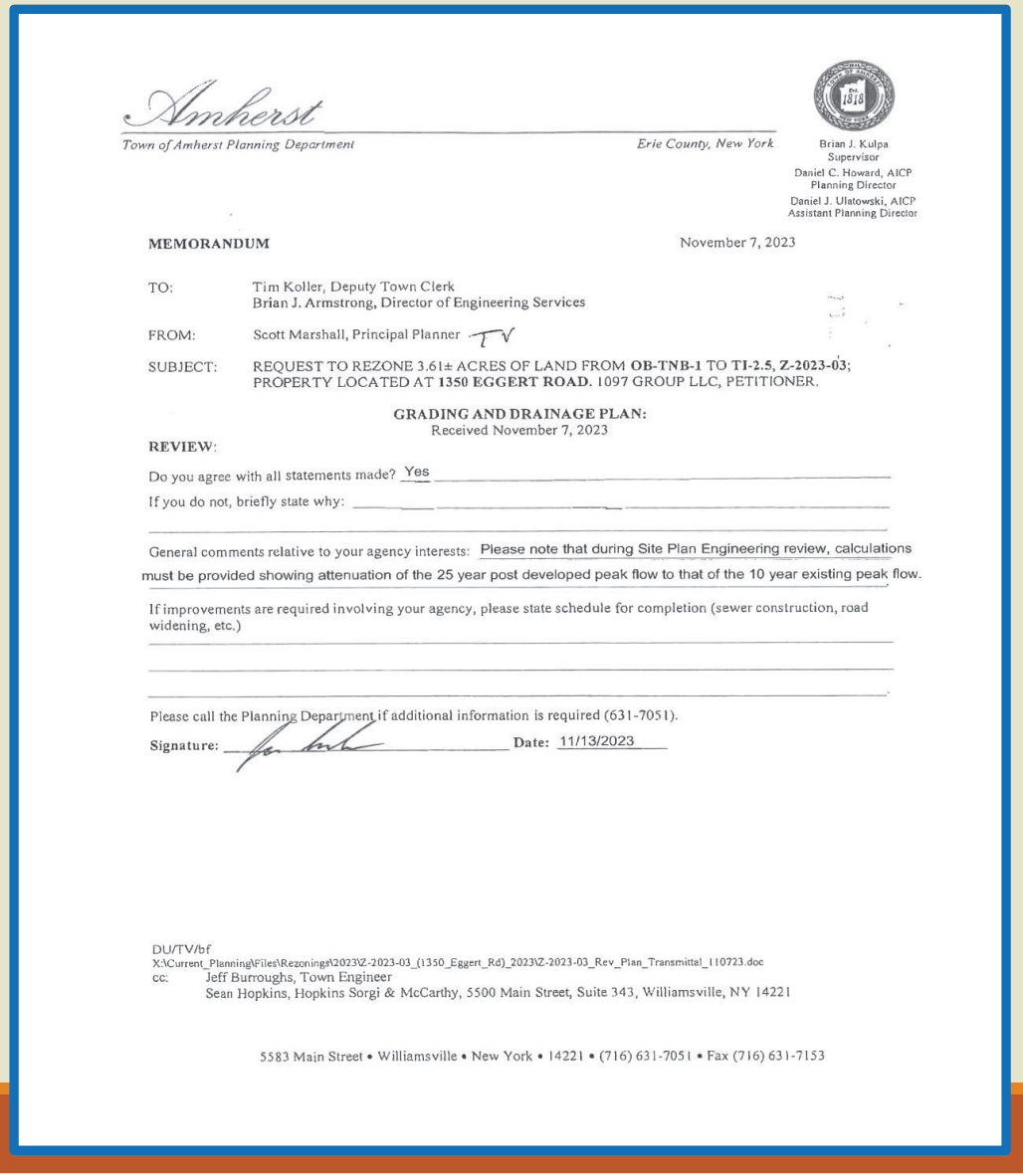


STORM GRADING PLAN:



MEMORANDUM OF THE ENGINEERING DEPARTMENT DATED NOVEMBER 13, 2023:

- Confirmed that the Engineered Plans and Engineer's Report will need to be reviewed and approved by the Engineering Department in connection with the Site Plan review process for the redevelopment project.



Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Daniel J. Ulatowski, AICP
Assistant Planning Director

MEMORANDUM November 7, 2023

TO: Tim Koller, Deputy Town Clerk
Brian J. Armstrong, Director of Engineering Services

FROM: Scott Marshall, Principal Planner TV

SUBJECT: REQUEST TO REZONE 3.61± ACRES OF LAND FROM **OB-TNB-1** TO **TI-2.5, Z-2023-03**; PROPERTY LOCATED AT **1350 EGGERT ROAD.** 1097 GROUP LLC, PETITIONER.

GRADING AND DRAINAGE PLAN:
Received November 7, 2023

REVIEW:

Do you agree with all statements made? Yes

If you do not, briefly state why: ____

General comments relative to your agency interests: Please note that during Site Plan Engineering review, calculations must be provided showing attenuation of the 25 year post developed peak flow to that of the 10 year existing peak flow.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 11/13/2023

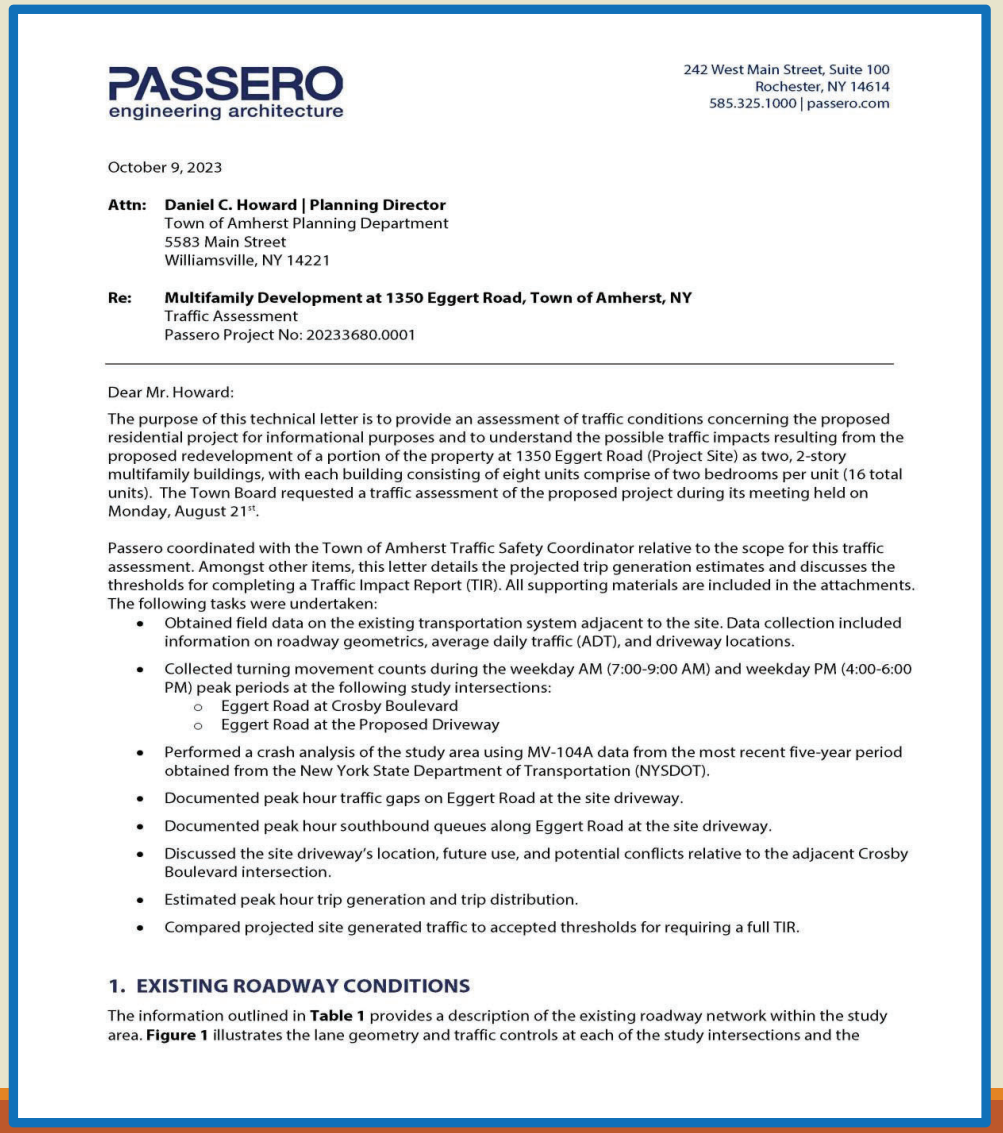
DU/TV/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Rev_Plan_Transmittal_110723.doc
cc: Jeff Burroughs, Town Engineer
Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

5583 Main Street • Williamsville • New York • 14221 • (716) 631-7051 • Fax (716) 631-7153

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

TRAFFIC ANALYSIS PREPARED BY PASSERO ASSOCIATES DATED OCTOBER 9, 2023:

- Scope of analysis based on input received from Chris Schregel, the Town's Traffic Safety Coordinator.
- The proposed 16 residential units will generate only 7 trips during the AM peak weekday hour [2 entering and 5 exiting] and 8 trips during the PM peak weekday hour [5 entering and 3 exiting].
- Gap analysis performed at the intersection of the existing driveway connection to Eggert Road
- Professional Opinion of Passero Associates: For purposes of the environmental review pursuant to the NYS State Environmental Quality Review Act (SEQRA), the proposed project will not result in any potentially significant adverse impacts on traffic operations within the study area.



PASSERO
engineering architecture

242 West Main Street, Suite 100
Rochester, NY 14614
585.325.1000 | passero.com

October 9, 2023

Attn: **Daniel C. Howard | Planning Director**
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Re: **Multifamily Development at 1350 Eggert Road, Town of Amherst, NY**
Traffic Assessment
Passero Project No: 20233680.0001

Dear Mr. Howard:

The purpose of this technical letter is to provide an assessment of traffic conditions concerning the proposed residential project for informational purposes and to understand the possible traffic impacts resulting from the proposed redevelopment of a portion of the property at 1350 Eggert Road (Project Site) as two, 2-story multifamily buildings, with each building consisting of eight units comprise of two bedrooms per unit (16 total units). The Town Board requested a traffic assessment of the proposed project during its meeting held on Monday, August 21st.

Passero coordinated with the Town of Amherst Traffic Safety Coordinator relative to the scope for this traffic assessment. Amongst other items, this letter details the projected trip generation estimates and discusses the thresholds for completing a Traffic Impact Report (TIR). All supporting materials are included in the attachments. The following tasks were undertaken:

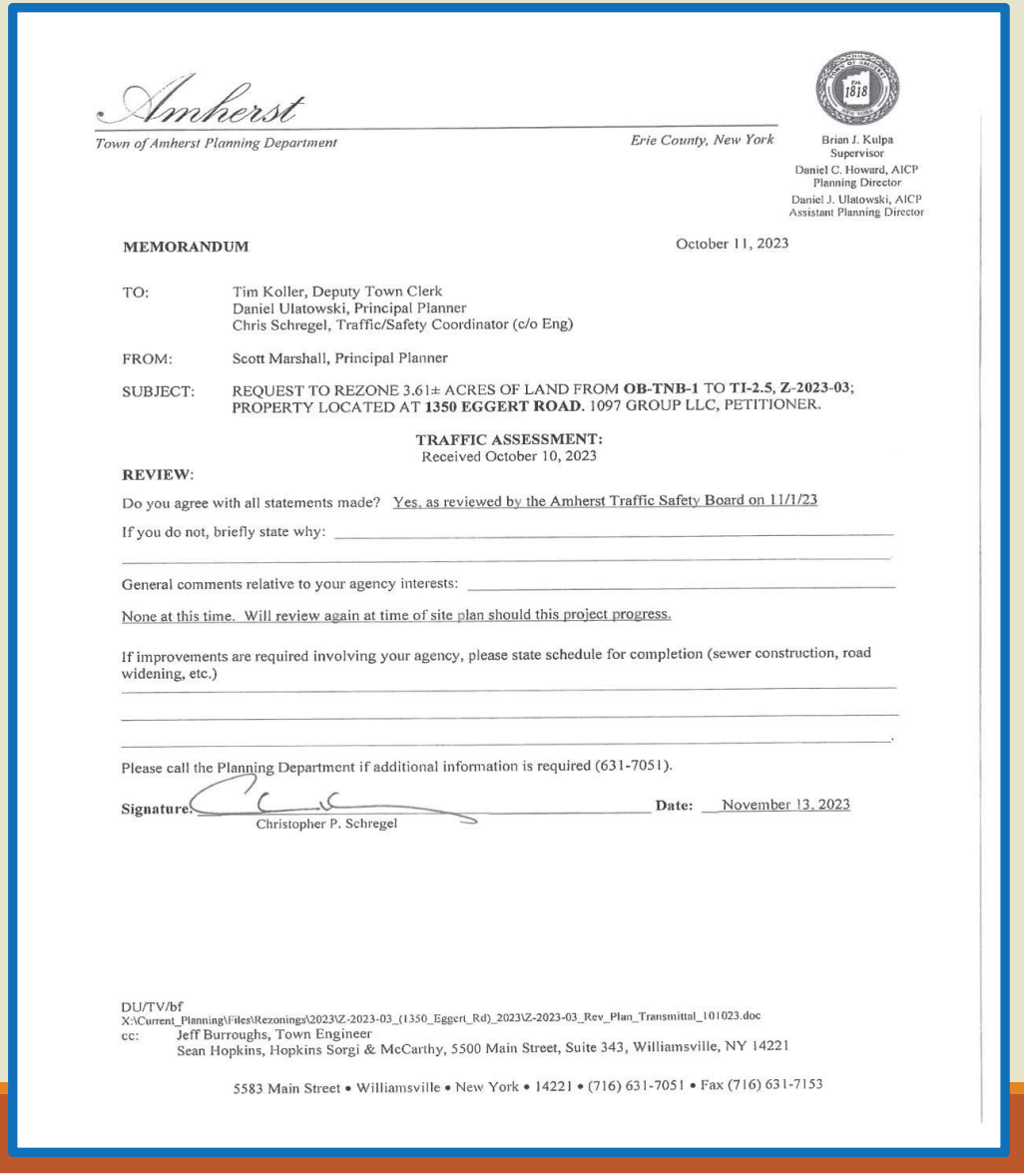
- Obtained field data on the existing transportation system adjacent to the site. Data collection included information on roadway geometrics, average daily traffic (ADT), and driveway locations.
- Collected turning movement counts during the weekday AM (7:00-9:00 AM) and weekday PM (4:00-6:00 PM) peak periods at the following study intersections:
  - Eggert Road at Crosby Boulevard
  - Eggert Road at the Proposed Driveway
- Performed a crash analysis of the study area using MV-104A data from the most recent five-year period obtained from the New York State Department of Transportation (NYSDOT).
- Documented peak hour traffic gaps on Eggert Road at the site driveway.
- Documented peak hour southbound queues along Eggert Road at the site driveway.
- Discussed the site driveway's location, future use, and potential conflicts relative to the adjacent Crosby Boulevard intersection.
- Estimated peak hour trip generation and trip distribution.
- Compared projected site generated traffic to accepted thresholds for requiring a full TIR.

1. EXISTING ROADWAY CONDITIONS

The information outlined in **Table 1** provides a description of the existing roadway network within the study area. **Figure 1** illustrates the lane geometry and traffic controls at each of the study intersections and the

MEMORANDUM OF CHRIS SCHREGEL DATED NOVEMBER 13, 2023:

- Traffic Analysis prepared by Passero Associates reviewed the Traffic-Safety Committee during its meeting held on November 1st
- The Committee agrees with the traffic analysis and will review the redevelopment project once again during the the Site Plan review process.



Amherst

Town of Amherst Planning Department — Erie County, New York

Brian J. Kulpa, Supervisor
Daniel C. Howard, AICP, Planning Director
Daniel J. Ulatowski, AICP, Assistant Planning Director

MEMORANDUM October 11, 2023

TO: Tim Koller, Deputy Town Clerk
Daniel Ulatowski, Principal Planner
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)

FROM: Scott Marshall, Principal Planner

SUBJECT: REQUEST TO REZONE 3.61± ACRES OF LAND FROM **OB-TNB-1** TO **TI-2.5, Z-2023-03**; PROPERTY LOCATED AT **1350 EGGERT ROAD**. 1097 GROUP LLC, PETITIONER.

TRAFFIC ASSESSMENT:
Received October 10, 2023

REVIEW:

Do you agree with all statements made? Yes, as reviewed by the Amherst Traffic Safety Board on 11/1/23

If you do not, briefly state why: _____

General comments relative to your agency interests: _____

None at this time. Will review again at time of site plan should this project progress.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** November 13, 2023
Christopher P. Schregel

DU/TV/bf
X:\Current_Planning\Files\Rezonings\2023\Z-2023-03_(1350_Eggert_Rd)_2023\Z-2023-03_Rev_Plan_Transmittal_101023.doc
cc: Jeff Burroughs, Town Engineer
Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main Street, Suite 343, Williamsville, NY 14221

5583 Main Street • Williamsville • New York • 14221 • (716) 631-7051 • Fax (716) 631-7153

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

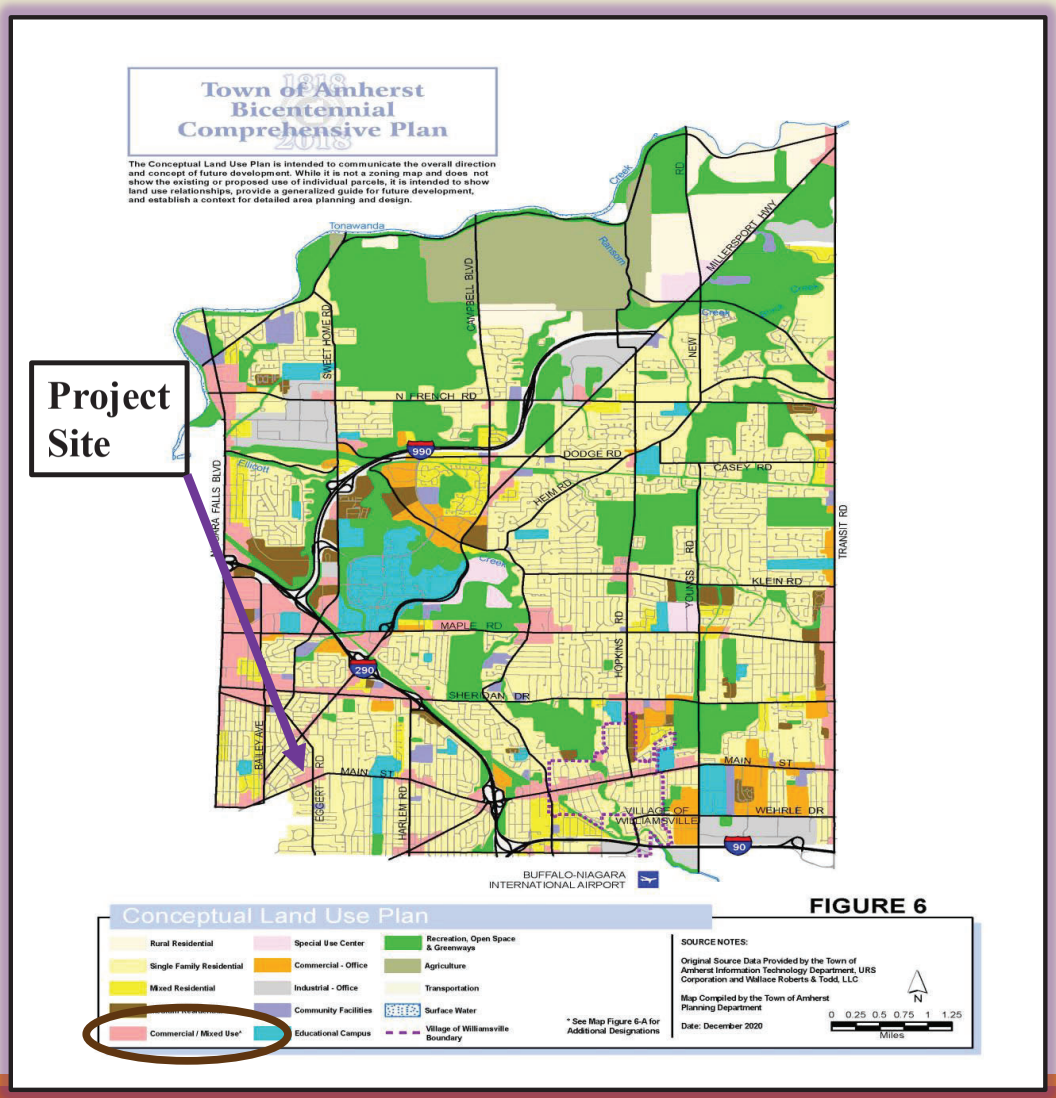
PLANNING BOARD'S FAVORABLE RECOMMENDATION AND CONSISTENCY WITH THE ADOPTED COMPREHENSIVE PLAN:

- The Planning Board held a public hearing on May 18, 2023 and adopted a resolution by a unanimous vote recommending issuance of a negative declaration pursuant to SEQRA and the Town Board's approval of the amending of the zoning classification of 1350 Eggert Road from OB-TNB-1 to TI-2.5
- Planning Board's findings included that the rezoning is consistent with the adopted Comprehensive Plan – The Planning Board's findings included:
  - A. The proposed rezoning and development plan if revised can be consistent with policies of the Comprehensive Plan and the Zoning Ordinance.
  - 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 no longer suitable for uses permitted by the current zoning district versus the proposed district.
  - E. The proposed change does tend to improve the balance of uses or meets a specific demand in the Town.

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Consistency with Comprehensive Plan:

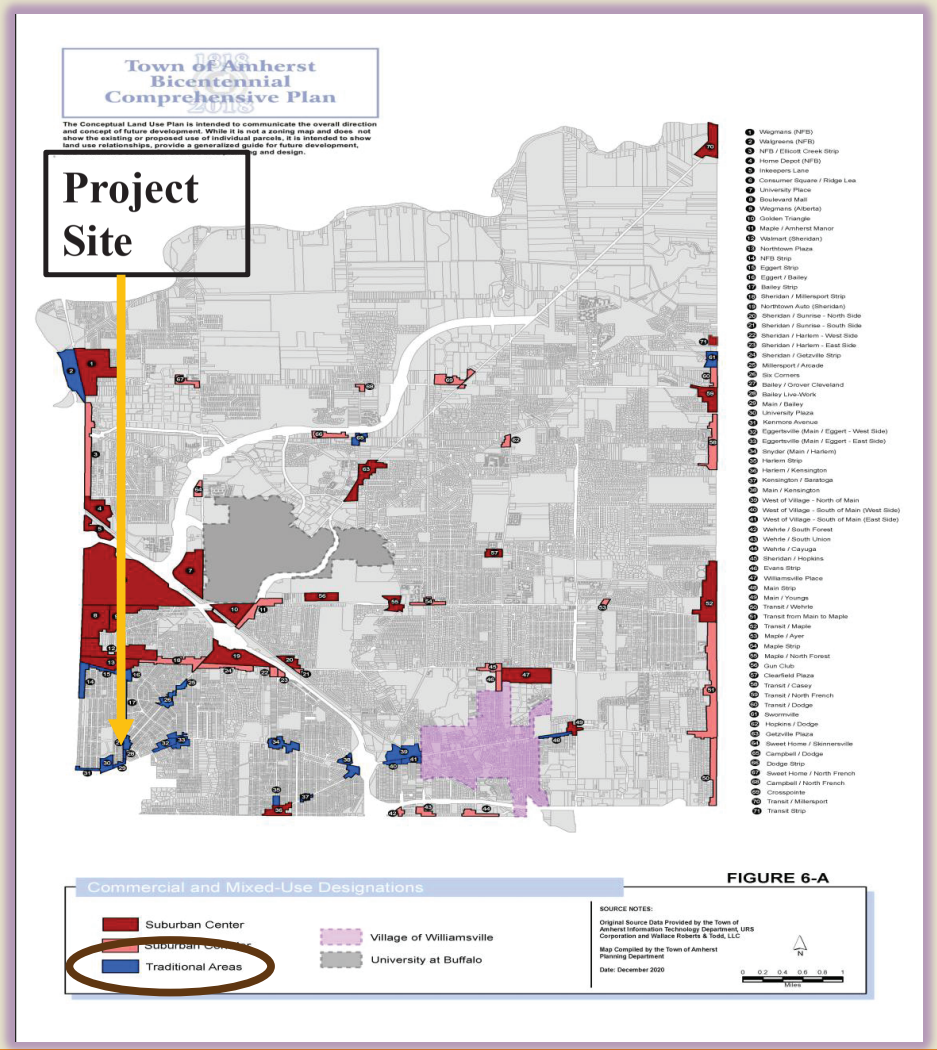
- Project Site is designated as appropriate for Commercial/Mixed-Use per Figure 6 of the Comprehensive Plan



Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Consistency with Comprehensive Plan:

- The Project Site is designated as appropriate for Traditional Area per Figure 6-A of the Comprehensive Plan
- Requested rezoning of the Project Site from OB-TNB-1 to TI-2.5 will accommodate infill redevelopment of a portion of the Project Site
- Traditional Areas described on Pages 3-34 to 3-36 of the Comprehensive Plan
- These areas are likely to experience infill and adaptive reuse of existing structures on developed parcels with a more compact building pattern.



State Environmental Quality Review Act ("SEQRA"):

- Project is an Unlisted action pursuant to SEQRA - Part 1 of the Full Environmental Assessment Form submitted with the Amended Rezoning Application
- Geotechnical Report prepared by Terracon Consultants dated July 28, 2022
- Requested rezoning from OB-TNB-1 to TI-2.5 is consistent with the adopted Comprehensive Plan
- Infill redevelopment to be serviced by private infrastructure
- Redevelopment Project will require review and recommendation from the Design Advisory Board ("DAB")
- Project plans as well as an Engineer's Report and SWPPP to be submitted with future Site Plan Application
- Planning Board recommended issuance of a Negative Declaration on May 18, 2023
- Infill redevelopment of portion of the Project Site will not result in any potentially significant adverse environmental impacts

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Conclusion:

- Requesting that the Town Board issue negative declaration pursuant to SEQRA and approve the requested rezoning 1350 Eggert Road from OB-TNB-1 to TI-2.5
- Questions…

Attachment: Kulpa-Ltr-Date-11-28-23 (COM-2023-133 : Correspondence from Sean Hopkins, Esq. - 1350 Eggert Road)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
DOC ID: 28285

COMMUNICATION 2023-134

RECEIVED & FILED

Letter from Judy Ferraro

From: Judith Ferraro
Subject: Re: 11% tax hike?
Date: November 28, 2023 at 1:19:22 PM EST
To: "Hon. Deborah Bruch Bucki" <dbucki@amherst.ny.us <mailto:dbucki@amherst.ny.us>>, "Kulpa, Brian J." <bkulpa@amherst.ny.us <mailto:bkulpa@amherst.ny.us>>, fspoth@amherst.ny.us <mailto:fspoth@amherst.ny.us>, jberger@amherst.ny.us <mailto:jberger@amherst.ny.us>, slavin@amherst.ny.us <mailto:slavin@amherst.ny.us>, mszukala@amherst.ny.us <mailto:mszukala@amherst.ny.us>

Amherst's Town Board:

Regarding the unprecedented 11% increase in taxes for Amherst residents with the stated reason for "what people want" simply is not true. If people had the facts and choices of taking more money out of their pockets, at a time of economic crisis, in exchange for a mall that the town does not own and should not be involved; LED lights; a transformation of Westwood into an active amusement park. The belief and mantra was always for a passive park to preserve this beautiful, peaceful piece of nature with environmental and historical significance in central Amherst.

As leaders of Amherst and having a concern for the well-being of every citizen, at this trying time, what are the cuts that you have offered in your budget? The above is all discretionary spending that no one is clamoring for. Our future is today, not 10 years from now. You are taking the citizenry down a road of destruction for us and our children, both today and the future.

Please rethink your priorities for the citizens, not for the profiteers, always at the trough. Thank you.

Judy Ferraro
Amherst

12/4/2023
Received & Filed

RESULT:	**RECEIVED & FILED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
DOC ID: 28239

COMMUNICATION 2023-135 **REFERRED**

Notice of Claim: Lawrence J. Howard Vs. Town of Amherst

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

Lawrence J. Howard
281 Sundown Trail
Williamsville, New York 14221

November 12, 2023

Town of Amherst
5583 Main St.
Williamsville, New York 14221

RE: Notice of Claim-Driveway Damage

To Whom It May Concern:

Notice is hereby given to the Town of Amherst, due to damage caused to my driveway on the evening of December 27, 2022, by an Amherst Highway Department payloader.

Instead of the snow that was being removed from Sundown Trail, being placed in an appropriate area, the operator of the payloader placed 4 loads of snow at the end of my driveway on the apron area. This not only prevented me from being able to get out of my driveway for days, but due to the weight of the snow, caused sections of the apron area to crack.

I notified the Amherst Highway Department on December 28th, of this problem and was told they would look into it. After 24-hours I returned a call and got no cooperation. Finally after three days of phone calls, I spoke with Superintendent Pat Lucy, who also was uncooperative until I provided pictures showing the tons of snow that had been dumped onto my driveway.

The current estimate to repair the damage is $4,782.00. Demand is hereby made in the amount of $4,782.00 to repair the damage caused by the Amherst Highway Department.

Respectfully,

Lawrence J. Howard

NOV 17 2023 PM1:0(

Attachment: DOC111723-11172023132443 (COM-2023-135 : Notice of Claim: Lawrence J. Howard Vs. Town of Amherst)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
DOC ID: 28240

COMMUNICATION 2023-136 **REFERRED**

Notice of Claim: Robert Giolando Vs. Town of Amherst

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

To: Amherst town Attorney
From: Robert Giolando
Re: 197 Garden Parkway/curb cut for driveway

A: Robert Giolando
197 Garden Parkway, Amherst NY 14221

B. August 5 2022-disintegrated curb
197 Garden Parkway corner of Coventry Road

C. Driveway curb disintegrated. Aggregate crumbled into 3-4 inch rut.

D. Action taken by homeowner: Spent approximately 10 days, 5-6 hours per day, grinding, chiseling with three-pound hammer, pounding out imbedded gravel and dirt with narrow crowbar. High pressure garden hose was used to blow out loose gravel. Shop vac was employed to suck up water and gravel leaving a dry, clean surface. Applied concrete bonding chemical, and half-inch expansion joint was applied. Built framework for concrete. Mixed 8-50 pound bags of high strength concrete, poured and troweled concrete. After concrete cured, applied several coats of clear concrete sealer. Finished up with three layers of caulk applied between new concrete and brand new black top to prevent water from seeping under new concrete.

- Have copies of all receipts for materials purchased
- Have photos of progression of work being done
- Hours of labor calculated to complete job/approximately 42 hours
- Materials purchases totaled $146.15
- Labor cost: $840.00 calculated @ $20/hour
- Grand total: $986.15

Robert Giolando 11/10/2023

LISA PASTELLI
NOTARY PUBLIC STATE OF NEW YORK
ERIE COUNTY
LIC. #01PA6004556
COMM. EXP. 03/23/2026

MAY 15 2023 07 AM 11:30

Attachment: DOC112023-11202023084421 (COM-2023-136 : Notice of Claim: Robert Giolando Vs. Town of Amherst)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
DOC ID: 28230

COMMUNICATION 2023-137 **REFERRED**

Summons and Complaint: Lee Fang Vs. Town of Amherst

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

SUPREME COURT OF STATE OF NEW YORK
COUNTY OF ERIE

Lee Fang,
Plaintiff,

v.

SUMMONS

Index No.: ____/____ 813998/2023
Date Index No. Purchased_____

Town of Amherst,
Defendant.

To the above named Defendant

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the complaint of the plaintiff herein and to serve a copy of your answer on the plaintiff at the address indicated below within 20 days after the service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the complaint.

Dated: November 7, 2023

Lee Fang, Plaintiff
344 Capen Boulevard
Amherst, New York 14226
Phone: (716) 832-2954

The basis for venue:

Plaintiff's Residence is in the County Erie, the State of New York, and
Defendants are located in and have its principal business address in the County of Erie, the State of New York.

RECEIVED 11/9/2023 2:41:29 PM

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

SUPREME COURT OF STATE OF NEW YORK
COUNTY OF ERIE

Lee Fang,
Plaintiff,

v.

Town of Amherst,
Defendant.

COMPLAINT 813998/2023

Index No.: _____/____
Related Case numbers:
Index No.: 812874/2021
4th Dept. Docket No.: CA 22-01408

TO THE SUPREME COURT OF THE STATE OF NEW YORK

The complaint of the plaintiff, Lee Fang, respectfully shows and alleges as follows:

The Basis for Venue

1. The plaintiff herein, Lee Fang, is a resident of the County of Erie, the State of New York, and resides at 344 Capen Boulevard, Amherst, New York 14226.

2. The defendant herein, Town of Amherst (referred to as Defendant hereafter), is located in the County of Erie, the State of New York, and has a principal place of business at 5583 Main Street, Williamsville, New York 14221.

The Basis for Refiling this Complaint

3. On September 17, 2021, Plaintiff filed Summons and Complaint with Supreme Court, Erie County, against Defendant (refer to Index No.: 812874/2021).

4. On February 14, 2022, after motion hearing on February 10, 2022, an order of Honorable Judge Catherine R. Nugent Panepito, J. was entered. The order, among other things, granted Defendant's cross-motion for summary judgment dismissing Plaintiff's Complaint without prejudice.

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

5. On March 9, 2022, Plaintiff filed a Notice of Appeal.

6. On June 9, 2023, after hearing oral arguments on January 9, 2023, the Fourth Department of Supreme Court, Appellate Division (4 to 1) affirmed Honorable Judge Panepito's order, on the ground that "….the court granted the cross-motion for summary judgment dismissing the amended complaint without prejudice and only after securing from defendants' counsel concession that plaintiff's refiling would not be precluded by the statute of the limitation and that accommodations would be offered to hold the hearing in a manner that addressed plaintiff's pandemic-related concerns."

7. On June 14, 2023, upon reading the Fourth Department's decision, Plaintiff requested that the Defendant arrange a virtual §50-h hearing.

8. On June 15, 2023, via its counsel Mr. Michael J. Chmiel of Chelus Herdzik Speyer & Monte PC, Defendant refused to arrange a §50-h hearing arguing that the statuet of limitation has expired and denying that the Defendant has made any concession.

9. On June 30, 2023, in starting the refiling process, Plaintiff served a "Notice of Claim" upon the Defendants via the Clerk's Office of Town of Amherst.

10. On July 31, 2023, via the Clerk's Office of Town of Amherst, Plaintiff served a "Second Notice of Claim – a Letter to Town Attorney Mr. Martin A. Polowy", remind him of the June 30, 2023 served notice of claim and requesting the arrangement of a §50-h hearing.

11. On August 1, 2023, via email, Plaintiff sent the copies of above referenced notice of claim and the second notice of claim to Town Attorney Mr. Martin A. Polowy.

12. On August 31, 2023, via the Clerk's Office of Town of Amherst, Plaintiff served a "Third Notice of Claim – a follow up notice and a clarification to the first and second notice of claims".

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

13. As of today, November 7, 2023, more than 90 days passed since the Notice of Claim served upon Defendants on June 30, 2023, neither the respond to the notice of claim nor the request for a §50-h hearing was received from the Defendant.

14. Pursuant to §50-h (5), Plaintiff respectfully file this Complaint.

Facts

Doctrine of continuing wrong – against Defendant

15. As stated hereafter, Defendant has committed a series of continuing wrongs.

16. Accordingly, pursuant to the doctrine of continuing wrong, the statute of limitation will be tolled to the day when Defendant stops its continuing wrongs.

Defendant's affirmative act of negligence

17. On or about August 17, 2020, Defendant performed a major capital improvement project, repaving the entire Capen Boulevard (referred to as Repaving hereafter).

18. Pursuant to New York State Department of Transportation Specification and Standard Sheets, the Repaving project was (1) to replace pavement without changing then original pavement elevation, and (2) to repair/replace curbs to match then original curb profiles.

19. However, the Repaving project left two construction errors in front of Plaintiff's property. They are:

a. The replaced pavement's elevation was 3.75 inches lower than its then original elevation; and

b. Changing from its then original height of 4 inches, the replaced curbs were 9-inch high on both sides of Plaintiff's driveway.

20. The above referenced construction errors were caused immediately by Defendant's affirmative act of negligence.

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

21. These construction errors have rendered and are continuously rendering Plaintiff's driveway entrance unsafe, because:

a. The 3.75 inches lower pavement's elevation created a 4.5-inch elevation differential at where the new town road pavement meets the driveway apron of Plaintiff's property; and

b. The 3.75 inches lower pavement's elevation caused ponding runoff water in front of the said driveway apron after rains; and

c. The excessive 9-inch high curbs became road hazardous risks on each side of the said driveway apron.

22. Defendant has the sole ownership of the pavement and curbs of Capen Boulevard and has the sole obligation to the maintenances of the same.

23. Therefore, Defendant is, at its own cost, solely responsible for correcting the erroneously constructed town road's pavement and curbs and restoring the elevations of the said pavement and curbs to have the relationship with the elevation of Plaintiff's driveway apron to their then original relationship prior to Repaving Project.

Defendant failed to minimize avoidable consequences

24. Had Defendant fulfilled its obligation and timely remediated the erroneously constructed pavement and nine-inch high curbs, the Plaintiff's concrete drive apron would not have had any need to be replaced.

25. Defendant's sole ownership of the pavement and curbs of Capen Boulevard prevents Plaintiff from remediating the said construction errors on the town road.

26. Defendant repeatedly refused to remediate the said construction errors despite the fact that Plaintiff offered several times to share the costs of remediation long before filing the

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

complaint (Index No.: 812874/2021) on September 17, 2021.

27. To minimize the possibility of subsequent personal injury and/or property damage that may result from the said hazardous pavement and curbs, Plaintiff had no other choice but chamfered the lip of driveway apron.

28. To restore the integrity of the said driveway apron, Defendant is therefore responsible for the costs of replacing the chamfered Plaintiff's driveway apron by the Doctrine of Avoidable Consequences.

29. The cost of removing the chamfered Apron and then installing a new one would be in excess of $1,500 according to former Town Attorney Mr. Stanley J. Sliwa's letter dated October 22, 2020.

30. Since that time, the said cost has been increased due to inflation.

Defendant Violated Plaintiff's right of having a safe entrance to his property

31. On or about August 17, 2020, Defendant was notified the said construction errors and unsafe conditions.

32. Defendants "shall take any and all corrective action with respect thereto as soon as practicable", pursuant to Chapter 139, §139-2 of Amherst Town Code.

33. Since August 17, 2020, Defendant has continuously refused to remediate the said construction errors and unsafe conditions.

34. Defendant's Negligence caused construction errors (damages) have rendered and are continuously rendering the Plaintiff's driveway entrance unsafe and hazardous.

35. As such, Defendant has subjected the plaintiff and his family to the unsafe conditions and fear of hazardous risk at the referenced address on the daily basis for more than one thousand days.

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

36. Therefore, Defendant has deprived and is continuously depriving Plaintiff's constitutional right to have a safe entrance to his property.

Defendant used §50-h hearing to deprive Plaintiff's lawful rights

37. The legislative intention of §50-h hearing is to allow municipality to have the privilege to conduct an earlier investigation.

38. Using §50-h hearing for any purpose other than investigation is abusing, unlawful and shall be barred.

39. During the oral argument before Fourth Department on January 9, 2023, When the Court asked if Defendant really needed Plaintiff's presence to investigate, Defendant via its counsel Mr. Michael J. Chmiel admitted that Defendant would not accommodate those who voiced out aloud.

40. Thus, in the instant case, Defendant used §50-h hearing for the sole purpose of depriving Plaintiff's right to make a lawful claim.

Defendant violated Plaintiff's constitutional rights of equal protection

41. During the period of Covid-19 pandemic, on March 12, 2020, New York State issued NYS Governor's Executive Order 2021.1 that suspended the portion of New York State laws requiring meetings to take place in person, and authorized public meetings to be held virtually. The virtual meeting order was extended continuously via subsequent executive orders and was rescinded by NYS Governor's Executive Order 210 effective June 25, 2021.

42. During this tolling period, former Town Attorney Mr. Stanley J. Sliwa repeatedly demanded that Plaintiff's in-person appearance for §50-h hearing and insisted that no further adjournments would be allowed beyond March 12, 2021.

43. March 12, 2021 is more than three months prior to June 25, 2021 – the effective

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

day of NYS Governor's Executive Order 210.

44. The said Defendant's "in-person hearing" requests were not only unlawful but also violated Plaintiff's constitutional right of equal protection.

First Claim/Cause of Action

Municipal Negligence – Against Defendant

45. Plaintiff incorporates the preceding paragraphs by reference as if fully rewritten herein.

46. By reason of the facts and circumstances stated above, the Defendant as a municipality owes the duty of care to Plaintiff as the resident of the same municipality.

47. By reason of the facts and circumstances stated above, the Defendant has breached its duty of care owing to Plaintiff.

48. By reason of the facts and circumstance stated above, but for Defendant's affirmative act of negligence, Plaintiff would not have suffered the damages that are foreseeable and avoidable.

49. By reason of the facts and circumstance stated above, the Defendant has caused damages to Plaintiff.

Second Claim/Cause of Action

Amendment XIV of US Constitution – Against Defendant

50. Plaintiff incorporates the preceding paragraphs by reference as if fully rewritten herein.

51. Against General Municipal Law and town code, Defendant has continuously subjected the Plaintiff and his family to the unsafe conditions and fear of hazardous risk at the referenced address on the daily basis for more than one thousand days.

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

52. Defendant has continuously deprived Plaintiff's constitutional right to have a safe entrance to his property.

53. During the period of Covid-19 pandemic, while everyone in the State of New York was protected from attending statutory in-person meeting by NYS Governor's Executive Orders, without proper court order, Defendant repeatedly demanded that Plaintiff appears in-person for §50-h hearing and rejected further adjournments beyond March 12, 2021.

54. In doing so, Defendant deprived Plaintiff's constitutional right of equal protection.

55. Defendant used §50-h hearing for the sole purpose of depriving Plaintiff's lawful right to make a claim.

56. At all times relevant hereto, Defendant acted with disregards for the state laws, town codes and people's safety and Plaintiff's lawful right and constitutional right.

Prayer for Relief

WHEREFORE, plaintiff respectfully requests orders and judgments against defendants:

1. Order that Defendant, at its own cost, immediately correct the erroneously constructed town road's pavement and curbs and restore the elevations of the said pavement and curbs to have the relationship with the elevation of Plaintiff's driveway apron to their original relationship prior to Repaving Project.

2. Order that Defendant, at its own cost, immediately remove the chamfered (damaged) existing Apron and install a new reinforced concrete apron in front of plaintiff's property at 344 Capen Boulevard, Amherst, New York 14226.

3. Order that Defendant immediately stop continuing wrongs that violate Plaintiff's constitutional rights and lawful rights.

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

4. Grant judgments, costs and disbursements, together with any other relief that Court finds to be just and proper.

Dated: November 7, 2023

Lee Fang, Plaintiff
344 Capen Boulevard
Amherst, New York 14226
Phone: (716) 832-2954

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

VERIFICATION

I, Lee Fang, being duly sworn, depose and say:

I am the plaintiff in the above-entitled action. I have read the foregoing Complaints and know the contents thereof. The same are true to my knowledge, except as to matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.

Lee Fang, Plaintiff

The 17th day of November, 2023

Felicia Giovino

FELICIA GIOVINO NOTARY PUBLIC

(Print Name)

My commission expires: 02/01/2024

FELICIA GIOVINO
NOTARY PUBLIC STATE OF NEW YORK
ERIE
LIC. #01GI6336383
COMM. EXP. 02/01/2024

Attachment: DOC110923-11092023134137 (COM-2023-137 : Summons and Complaint: Lee Fang Vs. Town of Amherst)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
DOC ID: 28235

COMMUNICATION 2023-138

REFERRED

Summons and Complaint: Tracy M. Benzel Vs. Town of Amherst Et Al.

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ERIE

TRACY M. BENZEL

Plaintiff,

vs.

SUMMONS

JOHN M. REDENBACH

EAST AMHERST FIRE DEPARTMENT, INC.
9100 Transit Road
East Amherst, New York 14051

TOWN OF AMHERST
5583 Main Street
Williamsville, New York 14221

Defendants.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance, on Plaintiff's Attorneys within TWENTY (20) DAYS after the service of this Summons, exclusive of the day of service (or within THIRTY (30) DAYS after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

This action is commenced in Erie County based upon the location of Plaintiff's residence.

DATED: October 30, 2023
Buffalo, New York

LIPSITZ GREEN SCIME CAMBRIA LLP

By: _____
BRITTANY E. MORGAN, ESQ.
Attorneys for Plaintiff
42 Delaware Avenue, Suite 120
Buffalo, New York 14202
Tel No: (716) 849-1333
[BEM: #071698.0001]

NOV 1 [illegible]

Attachment: DOC111523-11152023085922 (COM-2023-138 : Summons and Complaint: Tracy M. Benzel Vs. Town of Amherst Et Al.)

15.8.a

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ERIE

TRACY M. BENZEL,

Plaintiff,

vs.

JOHN M. REDENBACH,
EAST AMHERST FIRE DEPARTMENT, INC.,
and TOWN OF AMHERST

Defendants.

COMPLAINT

Index No.

Plaintiff, above named, by her attorneys LIPSITZ GREEN SCIME CAMBRIA LLP, for her Complaint against the defendants, alleges:

**AS AND FOR A FIRST CAUSE OF ACTION,
AGAINST DEFENDANTS, ABOVE NAMED,
THE PLAINTIFF, TRACY M. BENZEL, ALLEGES:**

1. The plaintiff, TRACY M. BENZEL, at all times hereinafter mentioned, was and still is a resident of the Town of Hamburg, located within the

2. Upon information and belief, at all times hereinafter mentioned, the defendant, JOHN M. REDENBACH, was and still is a resident of the

3. Upon information and belief, the defendant, EAST AMHERST FIRE DEPARTMENT INC., is a municipal corporation duly organized and existing under and pursuant to the laws of the State of New York.

4. Upon information and belief, the defendant, TOWN OF AMHERST, is a municipal corporation duly organized and existing under and pursuant to the laws of the State of New York.

Attachment: DOC111523-11152023085922 (COM-2023-138 : Summons and Complaint: Tracy M. Benzel Vs. Town of Amherst Et Al.)

15.8.a

5. Upon information and belief, at all times hereinafter mentioned, the defendants, EAST AMHERST FIRE DEPARTMENT INC., and/or TOWN OF AMHERST, were the owners of a certain fire truck bearing New York State license plates, Engine3.

6. Upon information and belief, at all times hereinafter mentioned, the defendant, JOHN M. REDENBACH, was the operator of a certain fire truck bearing New York State license plates, Engine3.

7. Upon information and belief, at all times hereinafter mentioned, the defendant, JOHN M. REDENBACH, operated the vehicle alleged to have been owned by the defendants, EAST AMHERST FIRE DEPARTMENT INC., and/or TOWN OF AMHERST with the permission and consent of the defendant-owners.

8. Upon information and belief, at all times hereinafter mentioned, the defendant, JOHN M. REDENBACH, was employed by the defendants, EAST AMHERST FIRE DEPARTMENT INC., and/or TOWN OF AMHERST, and was acting within the scope of his employment.

9. On or about the 6th day of August, 2022 at approximately 7:12 p.m., the plaintiff, TRACY M. BENZEL, was operating her vehicle on Hopkins Road at a point near its intersection with Maple Road, both public highways located within the Town of Amherst, County of Erie and the State of New York, when the vehicle operated by the defendant, JOHN M. REDENBACH, came into contact with the vehicle operated by the plaintiff.

10. Upon information and belief, the alleged incident, hereinbefore described, was caused as a result of the negligent, careless, reckless and unlawful conduct on the part of the defendants.

11. As a result of the alleged incident, the plaintiff, TRACY M. BENZEL, sustained bodily injuries and was painfully and seriously injured, and some of the injuries may result in permanent defects; was rendered sick, sore, lame and disabled; sustained pain and suffering and shock to her nerves and nervous system; was caused to and did seek medical aid and attention; was caused to be confined to hospital, bed and home; was caused to and did incur great medical expense and may incur further medical expense; was caused to be incapacitated from her usual activities and employment, and may be further incapacitated.

Attachment: DOC111523-11152023085922 (COM-2023-138 : Summons and Complaint: Tracy M. Benzel Vs. Town of Amherst Et Al.)

15.8.a

12. Upon information and belief, the plaintiff, TRACY M. BENZEL, has sustained a serious injury as defined by Section 5102 of the New York State Insurance Law, and has suffered basic economic loss as well as other economic loss as special damages.

13. Pursuant to Section 388 of the Vehicle and Traffic Law of the State of New York, the defendant-owners, EAST AMHERST FIRE DEPARTMENT, INC., and/or TOWN OF AMHERST are liable and responsible for the acts of negligence of the defendant-driver, JOHN M. REDENBACH, as set forth above.

14. Upon information and belief, defendants, EAST AMHERST FIRE DEPARTMENT INC., and/or TOWN OF AMHERST, are liable for the actions of defendant, JOHN M. REDENBACH, based on theory of respondeat superior.

15. Upon information and belief, the defendants affirmatively created the dangerous and defective condition described herein.

16. This action falls within one or more of the exceptions set forth in CPLR § 1602.

17. Heretofore, and on or about the 11th day of October, 2022, a Notice of Claim was served on behalf of the plaintiff upon TOWN OF AMHERST, in duplicate, which Notice of Claim sets forth the name and post office address of claimant, TRACY M. BENZEL, the name and post office address of her attorneys, the nature of the claim, the time when, the place where, and the manner in which the claim arose, together with the items of damages and injuries then known to exist, and the said Notice of Claim was served upon TOWN OF AMHERST within ninety (90) days of the date upon which the claim arose. At least thirty (30) days have elapsed since the service of the notice of claim, as aforesaid, and TOWN OF AMHERST have failed and neglected to adjust or pay the said claim.

18. As a result of the foregoing, the plaintiff has sustained general and special damages in an amount that exceeds the jurisdictional limits of all lower courts that would otherwise have jurisdiction.

Attachment: DOC111523-11152023085922 (COM-2023-138 : Summons and Complaint: Tracy M. Benzel Vs. Town of Amherst Et Al.)

Packet Pg. 1248

15.8.a

AS AND FOR A SECOND CAUSE OF ACTION AGAINST THE DEFENDANTS, EAST AMHERST FIRE DEPARTMENT INC., and TOWN OF AMHERST, THE PLAINTIFF, TRACY M. BENZEL, ALLEGES:

19. Repeats, reiterates and realleges each and every allegation contained in paragraphs "1" through "18" of this Complaint with the same force and effect as if fully set forth herein.

20. Upon information and belief, at all times herein mentioned, the defendant, JOHN M. REDENBACH, was employed by the defendants, EAST AMHERST FIRE DEPARTMENT INC., and/or TOWN OF AMHERST as a firefighter.

21. Upon information and belief, the alleged incident hereinbefore described was caused as a result of the negligent, careless, reckless and unlawful conduct on the part of the defendants, CITY OF BUFFALO and BUFFALO FIRE DEPARTMENT, among other things, in failing and omitting to properly train its drivers, in failing and omitting to properly and adequately screen persons with access to or authorization to use the vehicle under its ownership, in failing and omitting to properly supervise its employees, and in negligently hiring the defendant, JOHN DOE.

22. As a result of the alleged incident, the plaintiff, TRACY M. BENZEL, sustained serious injuries as hereinbefore more fully set forth.

23. As a result of the foregoing, the plaintiff has sustained general and special damages in an amount that exceeds the jurisdictional limits of all lower courts that would otherwise have jurisdiction.

WHEREFORE, the plaintiff demands judgment against the defendants, either jointly or severally, in the First Cause of Action in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction; and in the Second Cause of Action in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction; and for such other, further or different relief as the Court may deem just and proper, together with the costs and disbursements of the action.

DATED: October 30, 2023
Buffalo, New York

Attachment: DOC111523-11152023085922 (COM-2023-138 : Summons and Complaint: Tracy M. Benzel Vs. Town of Amherst Et Al.)

15.8.a

LIPSITZ GREEN SCIME CAMBRIA LLP

By: _____
BRITTANY E. MORGAN, ESQ.
Attorneys for Plaintiff
42 Delaware Avenue, Suite 120
Buffalo, New York 14202
Tel. (716) 849-1333
[BEM: #071698.0001]

Attachment: DOC111523-11152023085922 (COM-2023-138 : Summons and Complaint: Tracy M. Benzel Vs. Town of Amherst Et Al.)

Amherst Town Board
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 12/04/23 07:00 PM
Department: Town Clerk
DOC ID: 28238

COMMUNICATION 2023-139 **REFERRED**

Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.

12/4/2023
Referred to Town Attorney

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Bucki, Berger, Lavin, Szukala

FILED: ERIE COUNTY CLERK 10/24/2023 11:24 AM INDEX NO. 813639/2023
NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 10/24/2023

STATE OF NEW YORK
SUPREME COURT COUNTY OF ERIE

MIDFIRST BANK,

Plaintiff,

vs.

STEVEN C. KRYSZAK A/K/A STEVE KRYSZAK A/K/A STEVEN KRYSZAK, AS ADMINISTRATOR CTA OF THE ESTATE OF AUDREY A. KRYSZAK A/K/A AUDREY KRYSZAK, DECEASED;
TOWN OF AMHERST, AS LEAD COMMUNITY FOR THE AMHERST-CHEEKTOWAGA-TONAWANDA HOME CONSORTIUM;
NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE;
CAPITAL ONE BANK (USA), N.A.;
LVNV FUNDING LLC;
FORD MOTOR CREDIT COMPANY LLC;
and **"JOHN DOE"** and **"MARY DOE,"**
(Said names being fictitious, it being the intention of plaintiff to designate any and all occupants, tenants, persons or corporations, if any, having or claiming an interest in or lien upon the premises being foreclosed herein.)

Defendants.

Filed: _____

Index No.: _____

SUMMONS

Mortgaged Premises:
21 Royal Palm Drive
Cheektowaga, (Township of Cheektowaga) NY 14225

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Complaint in the above entitled action and to serve a copy of your Answer on Plaintiff's attorney within twenty (20) days after the service of this Summons, exclusive of the day of service, or within thirty (30) days after completion of service where service is made in any other manner than by personal delivery within the State. The United States of America, if designated as a Defendant in this action, may answer or appear within sixty (60) days of service hereof. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

NOTICE OF NATURE OF ACTION AND RELIEF SOUGHT

THE OBJECT of the above captioned action is for the foreclosure of:

Attachment: DOC111723-111702309382 3 (COM-2023-139 : Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.)

Mortgage bearing the date of March 26, 2009, executed by Audrey A. Kryszak to Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Countrywide Bank, FSB to secure the sum of $89.031.00, and interest, and recorded in the Office of the Clerk of Erie County on April 23, 2009 in Book: 13443 Page: 938.

That Mortgage Electronic Registration Systems, Inc., as mortgagee, as nominee for Countrywide Bank, FSB duly assigned said Note and Mortgage to MidFirst Bank, a Federally Chartered Savings Association by Assignment dated September 8, 2021 and recorded on September 16, 2021 in the Office of the Clerk of Erie County in Book: 14015 Page: 4366.

The relief sought in the within action is a final judgment directing the sale of the Mortgaged Premises described above to satisfy the debt secured by the Mortgage described above.

Plaintiff designates Erie County as the place of trial. The basis of venue is the County in which the Mortgaged Premises is situated.

Section: 92.14
Block: 7
Lot: 25

Attachment: DOC111723-111702309382 3 (COM-2023-139 : Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.)

FILED: ERIE COUNTY CLERK 10/24/2023 11:24 AM INDEX NO. 813639/2023
NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 10/24/2023

DATED: October 23, 2023
Rochester, New York

NOTICE
YOU ARE IN DANGER OF LOSING YOUR HOME

If you do not respond to this summons and complaint by serving a copy of the answer on the attorney for the Mortgage company who filed this foreclosure proceeding against you and filing the answer with the court, a default judgment may be entered and you can lose your home.

Speak to an attorney or go to the court where your case is pending for further information on how to answer the summons and protect your property.

Sending a payment to your Mortgage company will not stop this foreclosure action.

YOU MUST RESPOND BY SERVING A COPY OF THE ANSWER ON THE ATTORNEY FOR THE PLAINTIFF (MORTGAGE COMPANY) AND FILING THE ANSWER WITH THE COURT.

BY: _____
Molly L. Chapman, Esq.
DAVIDSON FINK LLP
Attorneys for Plaintiff
400 Meridian Centre Blvd., Ste. 200
Rochester, New York 14618
Tel: (585) 760-8218

WE ARE ATTEMPTING TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Attachment: DOC111723-111702309382 3 (COM-2023-139 : Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.)

FILED: ERIE COUNTY CLERK 10/24/2023 11:24 AM INDEX NO. 813639/2023
NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 10/24/2023

STATE OF NEW YORK
SUPREME COURT COUNTY OF ERIE

MIDFIRST BANK

Plaintiff,

vs.

STEVEN C. KRYSZAK A/K/A STEVE KRYSZAK A/K/A STEVEN KRYSZAK, AS ADMINISTRATOR CTA OF THE ESTATE OF AUDREY A. KRYSZAK A/K/A AUDREY KRYSZAK, DECEASED;
TOWN OF AMHERST, AS LEAD COMMUNITY FOR THE AMHERST-CHEEKTOWAGA-TONAWANDA HOME CONSORTIUM;
NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE;
CAPITAL ONE BANK (USA), N.A.;
LVNV FUNDING LLC;
FORD MOTOR CREDIT COMPANY LLC;
and **"JOHN DOE"** and **"MARY DOE,"**
(Said names being fictitious, it being the intention of plaintiff to designate any and all occupants, tenants, persons or corporations, if any, having or claiming an interest in or lien upon the premises being foreclosed herein.)

Defendants.

Filed: _____

Index No.: _____

VERIFIED COMPLAINT

Mortgaged Premises:
21 Royal Palm Drive
Cheektowaga, (Township of Cheektowaga) NY 14225

The plaintiff herein, by **Davidson Fink LLP**, its attorneys, complains of the defendants above named, and for its cause of action, alleges:

AS AND FOR ITS SECOND CAUSE OF ACTION

FIRST: Plaintiff, with an office at 999 NW Grand Blvd., Oklahoma City, OK 73118, is authorized to do business in this State or qualifies as a "foreign bank" pursuant to the relevant statutes and, as such, has standing and capacity to bring this action in the courts of the State of New York.

SECOND: Upon information and belief, that at all times hereinafter mentioned, the defendant(s) set forth in **Schedule A** reside or have a place of business at the address set forth therein and are made defendants in this action in the capacities therein alleged and for the purpose of foreclosing and extinguishing any other right, title or interest said defendants may have in the subject premises.

Attachment: DOC111723-111702309382 3 (COM-2023-139 : Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.)

FILED: ERIE COUNTY CLERK 10/24/2023 11:24 AM INDEX NO. 813639/2023
NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 10/24/2023

Attachment: DOC111723-111702309382 3 (COM-2023-139 : Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.)

THIRD: That the United States of America, The People of the State of New York, The State Tax Commission of the State of New York, the Industrial Commissioner of the State of New York, and all other agencies or instrumentalities of the Federal, State or local government (however designated), if made parties to this action and if appearing in **Schedule B**, are made parties solely by reason of the facts set forth in said schedule, and for no other reason.

FOURTH: That heretofore, the defendant(s), Audrey A. Kryszak, deceased, for the purpose of securing to plaintiff or its assignor, its successors and assigns, the sum of $89,031.00, duly made a certain bond, note, loan agreement, extension agreement, consolidation agreement, or recasting agreement, as the case may be, wherein and whereby they bound themselves, their heirs, executors, administrators and assigns, and each and every one of them, jointly and severally, in the amount of said sum of money, all as more fully appears together with the terms of repayment of said sum or rights of the plaintiff in said bond, note or other instrument. A copy of said instrument, or an affidavit regarding same, is attached hereto and made a part hereof.

FIFTH: That as security for the payment of said indebtedness, a mortgage was executed, acknowledged and delivered to the plaintiff or its assignor, whereby the mortgagor or mortgagors therein named, bargained, granted and sold to the mortgagee named therein, its successors and assigns, the premises more particularly described therein (hereinafter called "mortgaged premises"). under certain conditions with rights, duties and privileges between or among them as more fully appears in said mortgage, a copy of which is attached hereto and made a part hereof.

SIXTH: That the said mortgage was duly recorded (and the mortgage tax due thereon was duly paid) in the proper County Clerk's Office at the place and time which appears thereon.

SEVENTH: That the defendant(s), so named, have failed and neglected to comply with the terms and provisions of said mortgage, bond/note/loan agreement, and said instrument(s) secured by said mortgage by omitting and failing to pay items of principal and interest or taxes, assessments, water rates, insurance premiums, escrow and/or other charges, all as more fully appears in **Schedule C** and accordingly the plaintiff hereby elects to call due the entire amount secured by the mortgage described in paragraph FIFTH hereof. The default has continued beyond the applicable grace period set forth in the mortgage, and by reason thereof, plaintiff has elected and hereby elects to declare immediately due and payable the entire unpaid balance of principal.

EIGHTH: That **Schedule C** sets forth the principal balance due and the date (and rate) from which interest accrued and all other items and charges arising from said default which are now due.

NINTH: That in order to protect its security, the Plaintiff has paid, if set forth in **Schedule C,** or may be compelled to pay during the pendency of this action local, taxes, assessments, water rates, insurance premiums, inspections and other charges affecting the mortgaged premises, and the plaintiff requests that any sums thus paid by it for said purposes (together with interest thereon), should be added to the sum otherwise due and be deemed secured by the said mortgage and be adjudged a valid lien on the mortgaged premises.

TENTH: That each of the above-named defendants has, or claims to have, some interest in, or lien upon said mortgaged premises or some part thereof, which interest or lien, if any, has accrued subsequent to the lien of plaintiff's mortgage.

ELEVENTH: That the plaintiff is now the sole, true and lawful owner and/or holder of the said bond/note/loan agreement and mortgage securing the same and there are no pending proceedings at law or otherwise to collect or enforce said bond/note and mortgage. Copies of Assignment(s) of Mortgage, if any, are attached hereto and made a part hereof.

TWELFTH: That Schedules, Exhibits and other items attached to this Complaint are expressly incorporated and made a part of the Complaint for all purposes with the same force and effect as if they were completely and fully set forth herein wherever reference has been made to each or any of them.

THIRTEENTH: That by reason of the foregoing, there is now due and owing to the plaintiff upon said bond, note, loan agreement, assumption agreement, extension agreement or consolidation agreement the amount set forth in **Schedule C**.

FOURTEENTH: That if the security for the indebtedness consists of more than one parcel, plaintiff respectfully requests that the judgment of foreclosure provide for the sale of the parcels in a particular order to the extent necessary to satisfy the indebtedness or that if the mortgage so states, the mortgaged premises may be sold in one parcel.

FIFTEENTH: The plaintiff shall not be deemed to have waived, altered, released or changed the election hereinbefore made by reason of the payment or performance, after the date of the commencement of this action, of any or all of the defaults mentioned herein; and such election shall continue and remain effective until the costs and disbursements of this action, and

Attachment: DOC111723-111702309382 3 (COM-2023-139 : Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.)

all present and future defaults under the note and mortgage and occurring prior to the discontinuance of this action are fully paid and cured.

SIXTEENTH: Pursuant to the Fair Debt Collection Practices Act, this action may be deemed to be an attempt to collect a debt on behalf of the plaintiff. Any information obtained as a result of this action will be used for that purpose.

SEVENTEENTH: At the time this proceeding is commenced, the plaintiff is the owner and holder of the subject mortgage and note, or has been delegated the authority to institute a mortgage foreclosure action by the owner and holder of the subject mortgage and note.

EIGHTEENTH: If applicable, Plaintiff has complied with all of the provisions of section five hundred ninety-five-a of the banking law and any rules and regulations promulgated thereunder, section six-l or six-m of the banking law, for loans governed by those provisions, and section thirteen hundred four of the real property actions and proceedings law, and HAMP Supplemental Directive 10-02.

NINETEENTH: Plaintiff has complied with all of the provisions pursuant to RPAPL §§ 1304 and 1306.

TWENTIETH: That there is no other action pending regarding this claim.

AS AND FOR ITS SECOND CAUSE OF ACTION

TWENTY-FIRST: Plaintiff repeats and realleges with the same force and effect as if fully set forth at length herein the allegations stated and contained in the FIRST CAUSE OF ACTION marked and numbered FIRST through TWENTIETH, inclusive.

TWENTY-SECOND: By mutual mistake of plaintiff and defendants, the legal description of the mortgage document recorded on April 23, 2009 in Book: 13443 Page: 938 must be reformed as it contains minor scrivener errors.

TWENTY-THIRD: Plaintiff has no adequate remedy at law unless said legal description be reformed so that the paragraph of the description hereinafter set forth read as follows:

All that certain parcel of land situate in the Township of Cheektowaga, County of Erie and State of New York being known and designated as part of Lot 4, Township 11 and Range 7 of the Holland Land Company's Survey, being in Map Cover No. 2169 being Subdivision Lot 148 and being more fully described by a metes and bounds description in Book 11135 Page 3771 in the Erie County Records.

Attachment: DOC111723-111702309382 3 (COM-2023-139 : Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.)

FILED: ERIE COUNTY CLERK 10/24/2023 11:24 AM INDEX NO. 813639/2023
NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 10/24/2023

WHEREFORE, plaintiff demands judgment:

1. Adjudging and decreeing the amounts due the plaintiff for principal, interest, costs and reasonable attorney's fees, if provided for in the said bond/note/loan agreement or mortgage; and

2. That the defendant(s) and all persons claiming by, through or under them, or either or any of them, subsequent to the commencement of this action and every other person or corporation whose right, title, conveyance or encumbrance is subsequent to or subsequently recorded, may be barred and forever foreclosed of all right, claim, lien, interest or equity of redemption in and to said mortgaged premises;

3. That the said mortgaged premises, or such part thereof as may be necessary to raise the amounts due for principal, interest, costs, reasonable attorney's fees, allowances and disbursements, together with any monies advanced and paid, may be decreed to be sold according to law;

4. That out of the monies arising from the sale thereof, the plaintiff may be paid the amounts due on said bond/note/loan agreement and mortgage and any sum which may have been paid by the plaintiff to protect the lien of plaintiff's mortgage as herein set forth, with interest upon said amounts from the dates of the respective payments and advances thereof, the costs and expenses of this action, additional allowance, if any, and reasonable attorney's fees, if provided for in said bond, note, loan agreement or mortgage, so far as the amount of such money properly applicable thereto will pay the same;

5. The premises are being sold subject to:

(a) All common charges, if any, which are at the time a lien on the premises, together with such interest or penalties as may have lawfully accrued thereon to the date of payment;

(b) Covenants, restrictions and easements of record and zoning regulations and ordinances of the City, Town and Village in which said premises lie;

(c) Rights of the public and others in and to any part of the mortgaged premises that lies within the bounds of any street, alley or highway;

(d) Any state of facts that an accurate survey, currently dated, might disclose;

(e) Any state of facts an inspection would disclose, it being understood that the property is sold in an "as is" and "where is" condition;

Attachment: DOC111723-111702309382 3 (COM-2023-139 : Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.)

(f) Any and all tenancies, possessory interests and/or leases affecting said premises which are not extinguished by this foreclosure action;

(g) The right of redemption of the United States of America, if any;

6. That if the proceeds of said sale of the mortgaged premises aforesaid be insufficient to pay the amount found due to the plaintiff with interest and costs, the officer making the sale be required to specify the amount of such deficiency in his report of sale so that plaintiff may thereafter be able to make application to this Court, pursuant to Section 1371 of the Real Property Actions and Proceedings Law, for a judgment against the defendant(s) referred to in paragraph FOURTH of this Complaint for any deficiency which may remain after applying all of such moneys so applicable thereto, **except that this shall not apply to any defendant who has been discharged in bankruptcy from the subject debt;**

7. That either or any of the parties to this action may become a purchaser upon such sale;

8. That this Court, if requested, forthwith appoint a Receiver of the rents and profits of said premises with the usual powers and duties;

9. That the plaintiff may have such other or further relief, or both, as may be just and equitable.

10. Upon its Second Cause of Action: to reform the description made a part of the mortgage document recorded on April 23, 2009 in Book: 13443 Page: 938 to contain the language set forth in the paragraph TWENTY-THIRD herein.

Plaintiff specifically reserves its right to share in any surplus monies arising from the sale of subject premises by virtue of its position as a judgment or other lien creditor excluding the mortgage being foreclosed herein;

DATED: October 23, 2023
Rochester, New York

BY: _____

Molly L. Chapman, Esq.
DAVIDSON FINK LLP
Attorneys for Plaintiff
400 Meridian Centre Blvd., Ste. 200
Rochester, New York 14618
Tel: (585) 760-8218

Attachment: DOC111723-111702309382 3 (COM-2023-139 : Summons and Verified Complaint: Midfirst Bank Vs. Town of Amherst Et Al.)