

Prepared for:  
Town of Amherst

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With assistance from:  
EDR

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**Draft**  
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# Town of Amherst



LOCAL WATERFRONT REVITALIZATION PLAN

## Acknowledgements

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NOTE: This page will be completed at a later date.

Draft

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## INTRODUCTION

New York State recognizes that municipal governments are in the best position to determine local waterfront objectives and adapt approaches set up by the State to promote development in a manner that provides protection for its critical resources and reflect specific local needs. Accordingly, the New York State Department of State, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act, has encouraged eligible inland waterfront communities to prepare their own Local Waterfront Revitalization Program (LWRP) that refines and expands the State's program consistent with State policies included in the State law. The Town of Amherst Consistency Review Law and process for determining consistency with State and local LWRP policies is presented in Appendix A.

The LWRP is a comprehensive program that addresses State policies by incorporating local circumstances, goals, and objectives as described in the Town's LWRP Charter in Appendix B. The planning process for the preparation of an LWRP is a voluntary grass roots effort that brings together local and State governments, commerce and industry, environmental interests, private organizations, and community citizens as stakeholders using a Community Outreach Plan as described in Appendix C to assess current opportunities and constraints and to build a consensus on the desired future vision of the community's waterfront. More importantly, the LWRP planning process provides a strategy for achieving that vision and planning goals.

In general, an LWRP is a detailed and realistic effort to promote and protect waterfront resources. By preparing an LWRP, a community can evaluate its waterfront resources and develop and implement a management program for the best use and protection of those resources. Decision makers will then be able to respond with increased knowledge and purpose to future events affecting their waterfront areas and to actively pursue an agreed upon program that addresses mutual concerns in a compatible and coordinated fashion.

One of the components of such waterfront revitalization programs is the identification of long-term uses along the waterfront and specific projects. These uses and projects, in conjunction with an established management program, can significantly increase a community's ability to attract development activities that will take best advantage of the unique cultural and natural characteristics of their waterfront, while also protecting local cultural and natural waterfront resources identified in State policies. As such, the LWRP represents a balance between economic development and environmental protection that permits the beneficial use of waterfront resources, while preventing the loss of valuable resources and public access opportunities to the waterfront and significant waterways.

Once the LWRP is completed and approved by the New York State Secretary of State, the municipality has in place a framework to guide and control local actions proposed within the waterfront area described in the LWRP, and to guide State actions proposed within the same waterfront area. All actions proposed to be undertaken within the local waterfront revitalization area described and covered by the approved LWRP will have to be consistent, to the maximum extent practicable, with the LWRP policies. This consistency provision is a strong tool that assures that State and local governments work in unison, and not at cross purposes, to build a stronger economy and a healthier waterfront environment.



The criteria provided below support a broad application of the LWRP within the Town of Amherst, according to the following guidance for the Waterfront Revitalization Area (WRA) boundary justification as provided by the New York State Department of State:

- The WRA should include land uses that affect or are affected by waterfront issues, problems, and opportunities.
- The WRA should include natural and cultural resources with a physical, social, visual, or economic relationship to the waterfront or the inland waters.
- The WRA should include any areas necessary for the achievement of policies in the LWRP.
- To the extent possible, the boundary should follow recognizable natural or cultural (streets, railroads, etc.) features.

Creating a sound rationale for the development of the waterfront revitalization area boundaries is an important tool for determining what uses and parcels are either included, or excluded, from the waterfront revitalization area. A variety of factors contribute to the development of the boundaries, including natural features, natural and cultural barriers, waterfront relationships and opportunities for economic development and revitalization.

## **SECTION I: WATERFRONT REVITALIZATION AREA BOUNDARY**

### **1.1 WRA BOUNDARY JUSTIFICATION**

Tonawanda Creek and Ellicott Creek are designated inland waterways as defined in New York State Executive Law, Article 42, Section 911, and therefore are the primary components for inclusion in the boundaries for the Waterfront Revitalization Area. Tonawanda Creek includes the center of the waterway extending to the waterfront along the south shore of the creek. Ellicott Creek includes waterfront along both sides of the creek and the creek itself.

The Town of Amherst Local Waterfront Revitalization Area (WRA) is intended to include all land and water features within the Tonawanda Creek and Ellicott Creek subareas that may have a “direct and significant impact” on the community’s waterfront. The preliminary WRA boundary was developed by the Town Planning Department after a series of WAC tours of waterfront areas held in 2018 on August 17, 24, 28 and September 6 and 13. On November 1, 2018 a WAC meeting was held to review the preliminary WRA boundary. The inventory and analysis from these five tours provided additional insight into which areas/parcels should be included within the WRA.

The WAC based the boundary on one or more of the following characteristics:

- Areas having direct contact with, dependent upon, or making use of the community’s waterfront.
- Natural features that are affected by or have an effect on the community’s waterfront, including upland tributaries that have been classified as protected streams by the NYSDEC and have a direct impact on the water quality of Tonawanda Creek and Ellicott Creek.
- Lands having a direct functional, cultural, or historical relationship with the community’s waterfront.
- Lands having a direct aesthetic relationship with the community’s waterfront. This includes land that may be clearly visible from the waterfront or may have waterfront views from landside areas.

The WAC decided to retain areas in the preliminary boundary identified in the Fall 2018 tours as significant/important to the Town water uses. The WAC determined these locations identified in the WAC Tour Summary Packet (see Appendix D) had a direct contact with, dependent upon, making use of the community’s waterfront and at the same time had lands having a direct functional, cultural, or historic relationship with the shoreline. The prominent locations include the Buffalo Niagara Heritage Museum, Erie Canalway Corridor, the existing private marina, Veteran’s Canal Park, Fisherman’s Wharf, and the Town wastewater treatment plant in northern Amherst along the Tonawanda Creek subarea. In the Ellicott Creek subarea, the following locations were deemed significant and included in the WRA: Ellicott Creek dog park, residential properties along the creek, Ellicott Creek Trailway, Weinstein Campus and JCC, the University at Buffalo, Audubon recreation complex and golf course, Park Country Club and Amherst State Park.

The natural features included within the WRA were areas not necessarily in proximity to the water but that have a direct natural/environmental relation to both creeks. Nature View Park, for example, is at the lowest elevation point in the Town and within proximity to Tonawanda Creek. The drainage ditches, state and federal wetlands within the park were deemed significant to the overall hydrologic system within the northern and northwestern portions of the Town. A portion of the future “Muir Woods” project have also

been included within the boundary. This location has significant hydrological connections to the drainage system along North French Road and Interstate 990 into Ellicott Creek. Both these areas are wooded and have important ecological features noted in the Town of Amherst Nature View Park Management Plan. Other natural features including the foreshore and riparian buffers were included for future maintenance and project enhancements. These areas are along both the Empire State Trail bike path and state/town lands abutting the Tonawanda Creek and areas along the Ellicott Creek Trailway bike path on Ellicott Creek.

The WRA boundaries were developed with input from the public. The Town presented the LWRP and boundary identification process and preliminary boundary to the public on December 3, 2018 (see Appendix E). The presentation highlighted the five WAC tours and preliminary boundary developed by the WAC. After the presentation, a small group session with the attendees took place. Town staff and members of the WAC further explained the LWRP process and reasoning for the boundary. The residents confirmed the same WAC locations as significant and agreed that they should be included in the boundary. However, the public considered expanding the boundary in the following areas: east side of North Forest Road, Ransom Creek, former Lehigh Valley Railroad corridor, expand areas north of the Village of Williamsville and all of Muir Woods. The WAC and Planning Department staff considered these expanded locations, but ultimately did not include the areas listed above because it was felt the expanded areas did not meet the necessary characteristics stated previously. The WRA boundary had some minor adjustments made after the December 2018 public meeting (LWRP public meeting #1). After the second public meeting on July 10, 2019 (see Appendix F), there were no comments on expanding or reducing the boundary.

The boundaries in general follow the centerline and/or rights-of-way and along parcel boundaries. In general, the northern WRA subarea follows adjacent to Tonawanda Creek while including the significant areas from the WAC and 1<sup>st</sup> public meeting. These areas include Buffalo Niagara Heritage Village, Oakwood Golf Course / Conservation Area, Nine Mile Island, Nature View Park, public facilities, cemetery, a portion of Niagara Falls Boulevard and residential parcels adjacent to the water. The Ellicott Creek subarea follows along the parcels adjacent to the creek except for Muir Woods and Interstate 990. This subarea expands out in the recreation and open space areas identified by the WAC and first public meeting. These areas include the Northtown Center, Audubon Golf Course, Park Country Club and Amherst State Park. The committee ultimately decided not to expand the WRA boundary into Muir Woods or into the Audubon New Community and Town Center east of John James Audubon Parkway. The WAC and Town were unable to justify an expanded boundary east of North Forest due to the lack of a hydrologic connection and no direct relationship to the community's waterfront.

The Village of Williamsville was originally included in the preliminary WRA. The Village of Williamsville is currently in the process of preparing its own LWRP. The Town will partner with the Village on future planning projects within the WRA. The entire University at Buffalo was originally within the WRA. After the WAC and public meetings, the Town kept a portion of the University at Buffalo directly adjacent to the creek and along Skinnerville Road because the Town has no jurisdiction over NY State property. The Town reduced a portion of the agricultural lands in northern Amherst as a separate planning process is

taking place for Agricultural and Farmland Protection. The Town removed most of the largest farm, the Spoth Farm, from the WRA except for frontage along Tonawanda Creek.

The boundaries purposely follow both natural corridors and green space. A majority of riparian and foreshore areas are included in the WRA boundary. A considerable amount of green space is zoned recreation/community facility and conservation lands. These green space areas consist of large parcels containing the Buffalo Niagara Heritage Museum, Oakwood Golf Course/Conservation Land, Nine Mile Island, Fisherman's Wharf, North Amherst Fire Station Property, Nature View Park, White Chapel Memorial Cemetery, Ellicott Creek dog park, Turtle Island, Northtown Center, Audubon Golf Course, former Westwood Country Club, Park Country Club, and Amherst State Park. Many of these greenspaces are Town owned. However, the Town is working with investors on a potential land swap at the former Westwood Country Club. The proposed Amherst Central Park project described in Section IV has a considerable amount of natural and greenspace along Ellicott Creek. The proposed Amherst Central Park project is a major planning initiative being undertaken by the Town with other public and private sector stakeholders. A planning workshop was hosted by the Town from June 29 to July 2, 2020 to develop project strategies as described in Appendix G.

The WRA includes many large open/green space areas as possible locations for future projects and including these areas now would reduce the need for future expansion of the boundary. The 2018 WAC tours focused on both existing and potential areas in Town to be enhanced, redeveloped, or considered open/green space. After the two public meetings and receiving public comments, the WRA encompasses the areas that Town residents expressed as community waterfront concerns.

The boundary allows for a variety of potential projects (see LWRP Section IV). This includes opportunities for enhanced waterfront access, regional trail connections, parks and recreational land improvement, preserving and enhancing significant cultural and scenic resources, streetscape improvements near the waterfront, community facilities, redevelopment at key waterfront locations, and expansion of open/greenspace near water bodies. The largest project proposed is Amherst Central Park. In May 2019, the WAC reviewed and discussed preliminary project ideas with the Town as well as students from the University at Buffalo. Only one area, the Creekwoods Park community center, from among all areas mentioned for future planning projects is not within the WRA. This future community facility is planned farther inland outside of the WRA within a medium dense residential neighborhood.

The WRA boundary is consistent with the future land use recommendations, goals and policies in the Town's Bicentennial Comprehensive Plan and the Recreation and Parks Master Plan. The enhancement of Town parks, extension of trails and preservation of open space along the creeks within the WRA also aligns with community input. This includes promoting mixed-use and pedestrian-friendly areas in the northwest portion of Town along Niagara and Old Niagara Falls Boulevard and near the North Forest and Maple Road intersection. The proposed projects described later in this LWRP reflect both the design character and desired community aesthetic of future land uses.

## 1.2 DESCRIPTION OF THE WRA BOUNDARY

The Town of Amherst Waterfront Revitalization Area (WRA) includes all lands and waters encompassed by the boundaries as shown on **Map I-1 Proposed Waterfront Revitalization Area** and is comprised of two subareas. These subareas are the Tonawanda Creek Subarea and the Ellicott Creek Subarea.

### Tonawanda Creek Subarea Boundary

*The boundary of the Tonawanda Creek Subarea of the Amherst WRA begins at a point at the intersection of Niagara Falls Boulevard (NYS Route 62) and Creekside Drive, proceeding west to the Town of Amherst municipal boundary along Tonawanda Creek/Erie Canal including Ellicott Island Park (aka Town's Bark Park); then, continues north and then east (upstream) from Ellicott Island Park along Tonawanda Creek/NYS Erie Canal for approximately 10.3 miles to the Town of Amherst eastern town line at Transit Road (NYS Route 78); then, south on Transit Road for approximately 400 feet to Tonawanda Creek Road; then, west on Tonawanda Creek Road for approximately 1.8 miles to the intersection with New Road; then, south on New Road for approximately 1.0 mile encompassing the Oakwood Conservation Area; then, westerly for approximately 2,100 feet, along the southern boundary of the Oakwood Conservation Area; then, southerly along the existing property lines for approximately 800 feet; then, westerly for approximately 1,360 feet along the existing property line to the junction of Tonawanda Creek Road and Hopkins Road, encompassing all parcels to the north and west to Tonawanda Creek/Erie Canal; then, continuing west along Tonawanda Creek Road for approximately 1.6 miles to Campbell Boulevard (NYS Route 270), encompassing all parcels north to Tonawanda Creek/Erie Canal; then, continuing west for approximately 300 feet beyond the intersection of Tonawanda Creek Road and Campbell Boulevard; then, southerly along the western parcel line approximately 270 feet west of Campbell Boulevard; then, southwesterly for approximately 430 feet along the three existing southern property lines located approximately 300 feet south of Tonawanda Creek Road; then, south approximately 3,100 feet along the parcel line located approximately 700 feet west of Campbell Boulevard to the northern boundary line of the existing transmission line utility right-of-way; then, southerly following the western side of the utility right-of-way for approximately 1,600 feet; then, westerly following the northern side of the utility right-of-way for approximately 2,000 feet; then, easterly following the southern side of the utility right-of-way for approximately 2,700 feet to Campbell Boulevard; then, southerly along the eastern boundaries of Nature View Park on the west side of Campbell Boulevard; then, along the southern boundaries of Nature View Park north of N. French Road; then, along the western boundaries of Nature View Park located to the east of Sweet Home Road; then, north to an existing substation that is located approximately 750 feet northeast of the junction of Tonawanda Creek Road and Sweet Home Road, and encompassing all parcels north and northwest to Tonawanda Creek/Erie Canal; then, from the junction of Tonawanda Creek Road and Sweet Home Road southwesterly for approximately 650 feet; then, southeasterly for approximately 325 feet; then, southerly for approximately 700 feet; then, westerly for approximately 700 feet; then, north 525 feet north to Tonawanda Creek Road, encompassing three parcels; then, following Tonawanda Creek Road southwesterly for approximately 1.0 miles to the intersection with Windsor Court and Boxelder Lane, encompassing all parcels north and northwest of Tonawanda Creek Road to Tonawanda Creek/Erie Canal; then, south for approximately 820 feet; then, west for approximately 550 feet to Niagara Falls Boulevard*






# TOWN OF AMHERST

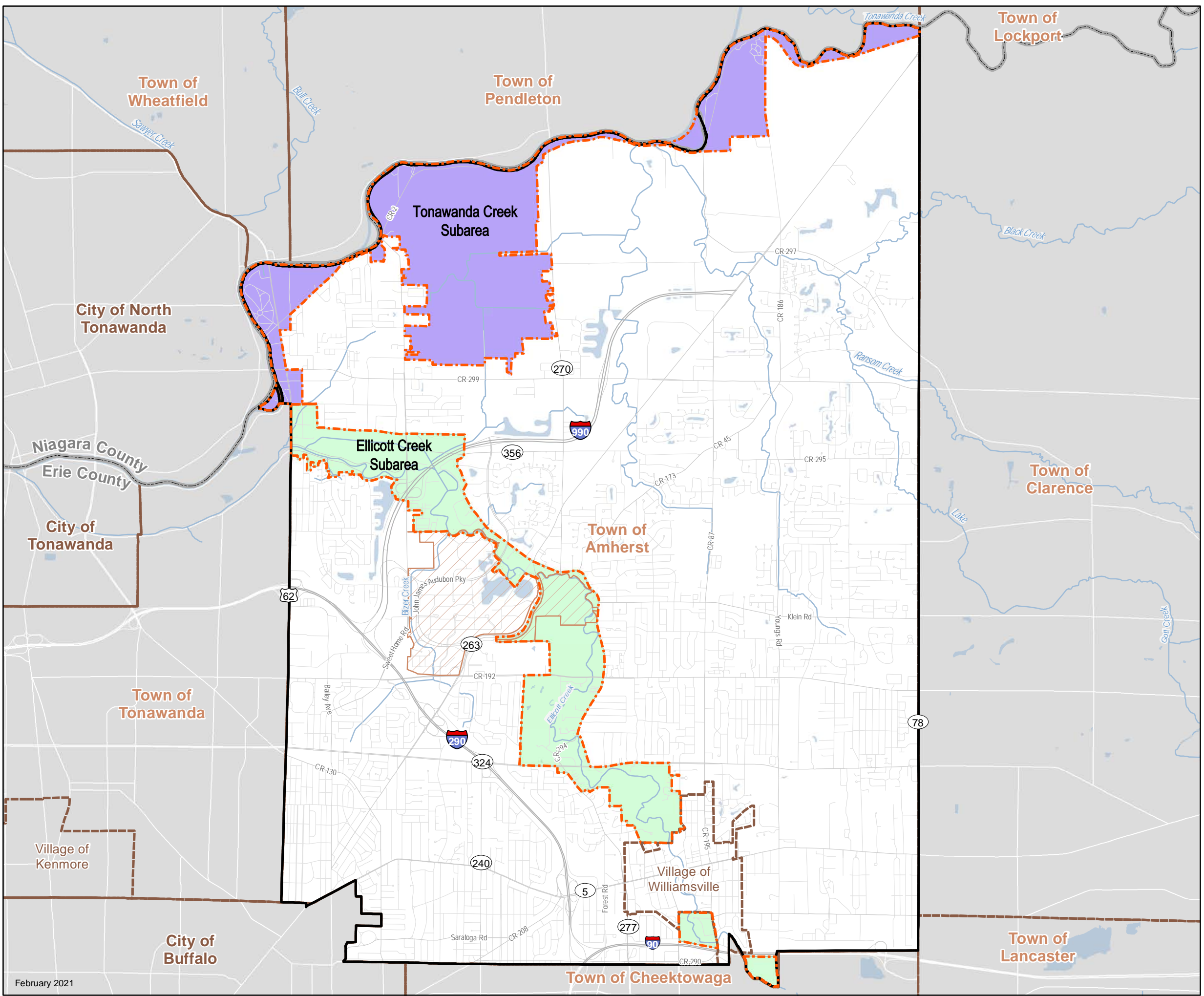
Erie County, New York

## Local Waterfront Revitalization Program

### Map I-1 Proposed Waterfront Revitalization Area

#### Legend

-  University at Buffalo
-  Town of Amherst
-  WRA Boundary
-  Tonawanda Creek WRA Subarea
-  Ellicott Creek WRA Subarea



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



*(NYS Route 62) at a point approximately 250 feet south of the intersection with Tonawanda Creek Road; then, south along Niagara Falls Boulevard for approximately 2,160 feet to the intersection with E. Robinson Road; then, easterly along E. Robinson Road for approximately 800 feet; then, southerly along existing parcel lines for approximately 1,830 feet to Creekside Drive; then, westerly along Creekside Drive for approximately 600 feet to the intersection with Niagara Falls Boulevard (NYS Route 62) at the beginning point.*

### **Ellicott Creek Subarea Boundary**

*The boundary of the Ellicott Creek Subarea of the Amherst WRA begins at a point at the intersection of Niagara Falls Boulevard (NYS Route 62) and Creekside Drive, proceeding east for approximately 1,450 feet on Creekside Drive; then, south along existing parcels lines located approximately 325 feet west of Woodridge Drive for a distance of approximately 1,275 feet, then easterly 300 feet to Commerce Drive; then, continuing east on Commerce Drive for approximately 4,380 feet to the intersection with Sweet Home Drive, then continuing east of the intersection on Dodge Road in a line for approximately 3,080 feet; then, south approximately 1,000 feet to Dodge Road (across I-990), then southwest 300 feet on North Forest Road to Bryant Woods South, then following Bryant Woods South for approximately 1,500 feet; then, southwest following an existing parcel line for approximately 500 feet to North Forest Road; then, southerly on North Forest Road for approximately 3.3 miles to Indian Trail Road; then, southeasterly along Indian Trail Road for approximately 1,700 feet to Sheridan Drive (NYS Route 324); then, east on Sheridan Drive for approximately 3,775 feet; then, 600 feet south along the eastern boundary of Amherst State Park; then, 1,000 feet east to Mill Street; then, south 50 feet along the west side of Mill Street; then, westerly 1,000 feet to the rear of existing parcel lines of properties located approximately 450 feet west of Mill Street; then, following these rear parcel lines south for approximately 800 feet; then, 450 east to Mill Street; then, continuing south on Mill Street for approximately 2,000 feet along the western boundary of the Village of Williamsville; then, west for approximately 250 feet; then, south for approximately 230 feet; then, west for approximately 350 feet; then, south for approximately 500 feet; then, west for approximately 1,750 feet following the northern Village boundaries to Reist Street; then, northwest on Reist Street for approximately 700 feet; then, following a parcel line 330 feet north of Reist Street; then, 325 feet west; then, following existing parcel lines 150 feet north; then, 300 feet west following existing parcel lines to Hetzel Road; then, continuing north on Hetzel Road for approximately 800 feet; then, west following parcel lines for approximately 550 feet; then, north for approximately 1,000 feet; then, west for approximately 650 feet; then, southwest along Goodyear Lane for approximately 500 feet; then, 250 feet northwest to Park Club Lane East; then, 250 feet southwest to North Forest Road (NYS Route 277); then, northwest on North Forest Road for approximately 1,300 feet; then, west for approximately 500 feet; then, north following existing parcel lines for approximately 300 feet to Sheridan Drive (NYS Route 324); then, west on Sheridan Drive for approximately 2,000 feet to Frankhauser Road; then, north on Frankhauser Road for approximately 1,000 feet; then, following the rear parcel lines of properties along the east side of Fairways Boulevard for approximately 3,780 feet to Maple Road; then, continuing on Maple Road east for approximately 1,375 feet; then, north for approximately 1,772 feet (along alienated parkland boundary); then, west for approximately 2,825 feet along the Audubon Golf Course parcel line; then, north*

for approximately 137 feet to the Millersport Highway (NYS Route 263) right-of-way; then, continuing northeast along the Millersport Highway (NYS Route 263) right-of-way for approximately 2,972 feet; then, north for 335 feet to the centerline of Millersport Highway at University of Buffalo Webster Entrance; then, along the Millersport Highway road centerline for approximately 1,700 feet to Ellicott Creek, encompassing the eastern portion of the University of Buffalo campus; then following Ellicott Creek approximately 700 feet to St. Ritas Lane; then, continuing southwest on St. Ritas Lane approximately 900 feet to Frontier Road; then, northwest along Frontier Road for approximately 1,250 feet; then, southwest approximately 330 feet; then, northwest approximately 210 feet northwest to an existing trail along the right-of-way of John James Audubon Parkway; then, northeast approximately 650 feet along the existing trail to the west bank of Ellicott Creek; then, following the west bank of Ellicott Creek for approximately 4,250 feet north and west beyond the confluence with Bizer Creek to Skinnersville Road; then, continuing west along Skinnersville Road approximately 1,775 feet; then, following existing parcel lines north approximately 900 feet; then, east along parcel lines for approximately 450 feet; then, north approximately 250 feet west of Bristol Drive; then, west approximately 750 feet to Sweet Home Drive; then, north approximately 500 feet north to Heron Drive; then, continuing northwest from Heron Drive across I-990 to an existing trail for approximately 600 feet; then, north along the existing trail west of I-990 for approximately 1,050 feet to the south side of S. Ellicott Creek Road; then, along S. Ellicott Creek Road for approximately 2,000 feet west and south of Ellicott Creek to McIntosh Place; then, continuing west on the north side of McIntosh Place for approximately 350 feet; then, north approximately 150 feet; then, west approximately 50 feet; then, south approximately 150 feet; then, west approximately 200 feet following existing parcel lines; then, north approximately 75 feet; then, west approximately 500 north of Rockdale Court; then, south approximately 250 feet; then, west following approximately 400 feet along the rear parcel lines north of Amberwood Drive; then, southwest approximately 100 feet; then, northeast approximately 275 feet following parcel lines to the rear of properties along Grasspointe Drive; then, approximately 175 feet west; then, north approximately 650 feet; then, west approximately 200 feet across Grasspointe Drive; then, following existing parcel lines approximately 325 feet south; then, west approximately 250 feet; then, north approximately 150 feet; then, west approximately 100 feet; then, south approximately 400 feet; then, west approximately 200 feet; then, following rear parcel lines north for approximately 800 feet; then, west approximately 150 feet to Denrose Drive; then, south on Denrose Drive approximately 150 feet; then, west approximately 200 feet; then, south approximately 50 feet; then, west approximately 200 feet; then, north approximately 200 feet; then, west approximately 250 feet, generally following the rear parcel lines of properties fronting along the south side of S. Ellicott Creek Road westward for approximately 1.4 non-linear miles to Niagara Falls Boulevard (NYS Route 62); then north along Niagara Falls Boulevard for approximately 2,700 feet to the intersection with Creekside Drive at the beginning point.



## SECTION II. INVENTORY AND ANALYSIS

### 2.1 COMMUNITY PROFILE

#### 2.1.1 Regional Location

The Town of Amherst is in northern Erie County in the Western Region of New York State. The Town is bordered to the north by Niagara County, and the Erie County towns of Clarence to the east, Cheektowaga to the south, Tonawanda to the west and the Niagara County towns of Wheatfield and Pendleton to the north as shown on **Map II-1 Regional Context**. The Town is an inner ring suburb of the City of Buffalo that is just southwest of Amherst. The Town is the most populous town in Upstate New York. It is also a geographically large municipality with a total land area of approximately 53 square miles. Amherst also encompasses most of the incorporated Village of Williamsville in the southern part of the Town. The Village hosts the municipal offices of the Town which are located along Main Street (NYS Route 5). The Town also includes the hamlets of Eggertsville, Getzville, Snyder, Swormville, and East Amherst.



*Amherst Municipal Building*

Over the past two centuries, Amherst evolved from its original rural pattern of small village and hamlet settlements surrounded by farmland to a “bedroom” suburb of Buffalo in the mid-20<sup>th</sup> century. Today Amherst is a premier residential community and a center of employment and higher education in Western New York. Much of Amherst’s growth in recent decades is due to the development of the State University of New York at Buffalo’s North Campus and the Audubon New Community in the 1970s. Amherst has undergone a fundamental transition from a growing community to one that is mature and largely built out. An important challenge for the future will be in managing change to maintain and enhance the character, identity, and quality of life within the community.

#### 2.1.2 Geographic Setting

Amherst is rich in natural and cultural resources and has significant surface waters including Tonawanda Creek (Erie Canal), Ellicott Creek, and Ransom Creek. The Town includes Amherst State Park and numerous local and regional parks as well as networks of trails and other recreational opportunities. The Town is about five miles east of the Niagara River, Lake Erie and the Canadian border. The Town’s waterways provide diverse recreational opportunities, farmland irrigation, stormwater management, and important aquatic and terrestrial wildlife habitat. Tonawanda Creek forms the northern boundary of the Town and is the dividing line between the Town of Amherst and the Town of Pendleton in Niagara County.

The geographic setting and geologic history of Amherst influenced prehistoric and historic settlement patterns. The Town lies within the Erie-Ontario Lake Plain physiographic province, a nearly level lowland lake plain with few prominent topographic or geologic features. The Town was established on what was







# TOWN OF AMHERST

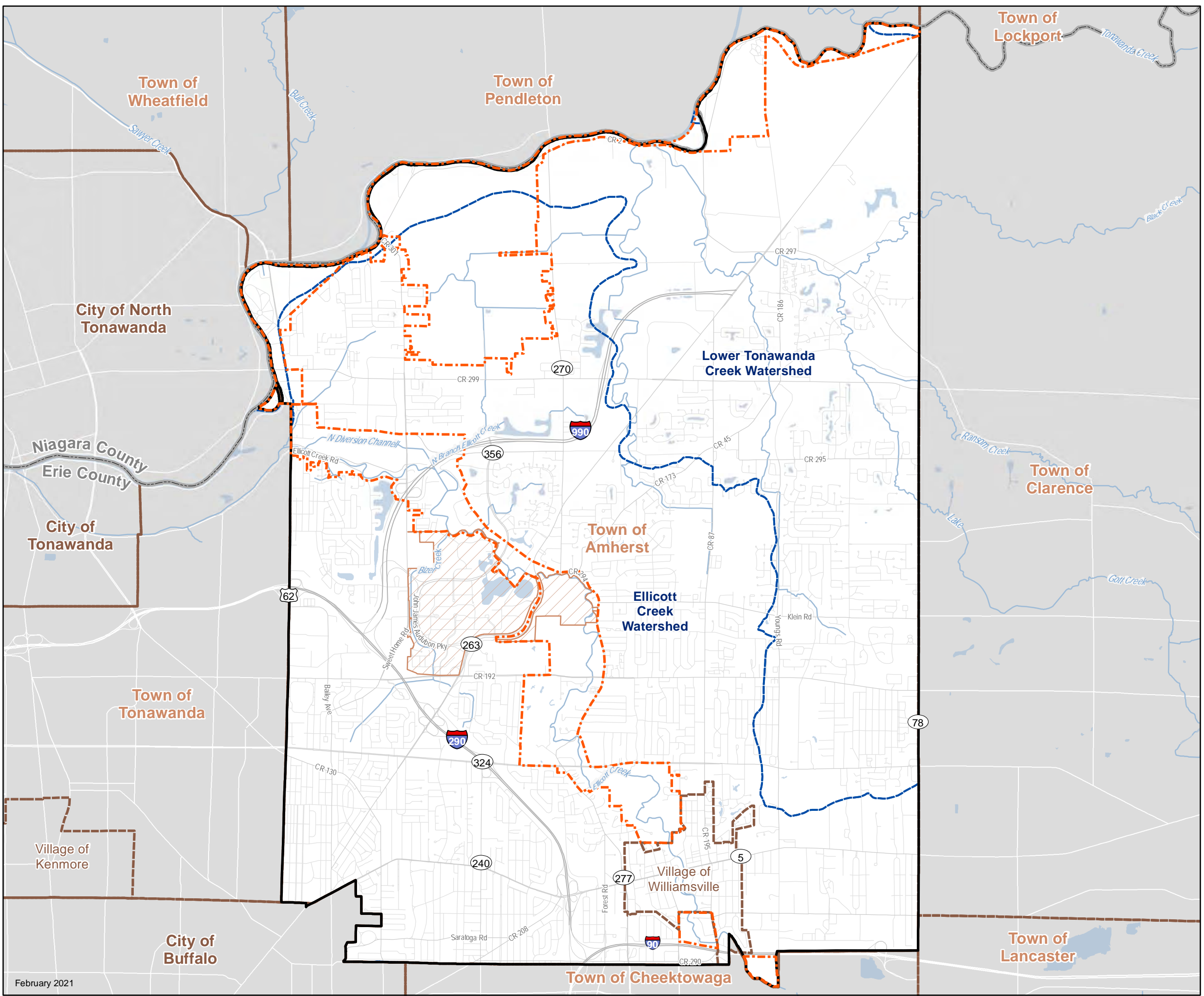
Erie County, New York

## Local Waterfront Revitalization Program

### Map II-1 Regional Context

#### Legend

-  WRA Boundary
-  Watershed Boundary
-  University at Buffalo
-  Town of Amherst
-  Municipal Boundary
-  County Boundary



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



once the site of Lake Tonawanda, an ancient glacial inland sea. As a result of local geology, the area is relatively flat to gently sloping with very little significant relief as shown on **Map II-2 Terrain Relief**. Elevations in the Waterfront Revitalization Area (WRA) range from approximately 565 feet to 595 feet above mean sea level.

The Amherst area is underlain by Onondaga limestone dating to the Late Devonian period. The Onondaga Escarpment borders the Erie-Ontario Lake Plain province on the south, and drainage patterns south of Tonawanda Creek tend to be generally in a westerly direction towards the Niagara River. An escarpment is a long cliff or steep slope separating two comparatively level or more gently sloping surfaces resulting from erosion or faulting (<https://www.merriam-webster.com/dictionary/escarpment>).

Glaciation shaped much of Western New York's topography, including that of Amherst. The Onondaga Escarpment is an east-west hard limestone bedrock formation found in the southern portion of the Town. The Escarpment proved resistant to the effects of glacial scouring and it formed the southern side of a large basin occupied by Lake Tonawanda. Lake Tonawanda eventually receded leaving behind numerous wetlands and deposits of clay and sand throughout much of northern Amherst (Owens et al. 1986).

The most important drainages in the Town of Amherst are Tonawanda Creek, Ransom Creek, and Ellicott Creek. Both Tonawanda Creek and Ellicott Creek are coastal waterbodies and are designated inland waterways as defined in NYS Executive Law, Article 42, Section 911. Tonawanda Creek forms the northern boundary between Amherst and Niagara County. It flows in a westerly direction and drains much of the eastern and northern portions of Amherst. Portions of Tonawanda Creek are channelized as part of the New York State Barge Canal. Ransom Creek also drains the eastern part of Amherst and is a tributary of Tonawanda Creek. Ellicott Creek is one of the largest creeks in the region, draining much of the area that was glacial Lake Tonawanda. Ellicott Creek flows over the Onondaga Escarpment in the southern portion of Amherst at Williamsville, then continues to flow in a northwesterly direction through the Town as a major tributary to Tonawanda Creek west of Amherst.

#### **Regional Climate and Local Soils**

Erie County and Amherst have a humid continental climate that is marked by extreme seasonal changes in temperature with warm summers and cold winters. Precipitation is evenly distributed throughout the year. Temperature and precipitation are highly influenced by proximity to the Great Lakes, especially Lake Erie. Average conditions experienced in Amherst are compared to nationwide averages in Table II-1.

This type of climate in Western New York tends to develop moderately weathered, leached soils. Erie County originally contained native forests of northern hardwoods and pines. Hardwoods tend to take up large quantities of nutrients from the soil and return the nutrients back to the surface each year as leaf litter. Conifers, such as pines, do not use large amounts of nutrients. Because rooting depth is shallow in many of the soils in the region, many trees can be uprooted by weather mixing soil materials and causing erosion.

The Onondaga Escarpment, which parallels NYS Route 5 through the Town as shown on **Map II-3 Bedrock**, marks the approximate boundary between surface soils which are predominantly lacustrine in origin to the north and predominantly glacial till soils to the south. Lacustrine deposits are associated with bodies of water like lakes and are characterized by thin layers of soil that reflect annual deposition of sediments.




# TOWN OF AMHERST

Erie County, New York










## Local Waterfront Revitalization Program

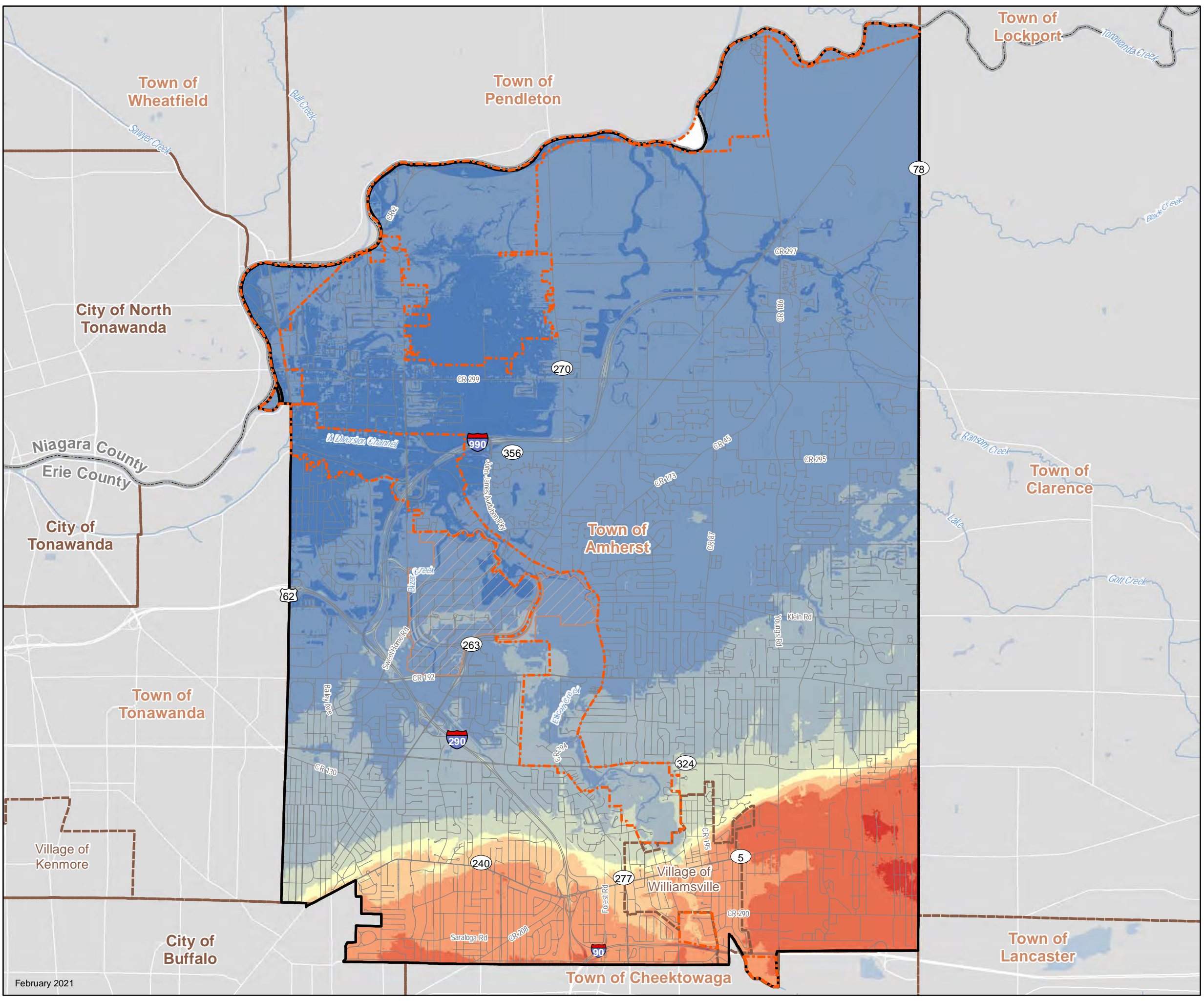
### Map II-2 Terrain Relief

#### Legend

-  University at Buffalo
-  Town of Amherst
-  WRA Boundary

#### Elevation (Feet)

-  708 - 727
-  689 - 708
-  671 - 689
-  652 - 671
-  633 - 652
-  614 - 633
-  595 - 614
-  576 - 595
-  557 - 576



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



# TOWN OF AMHERST

Erie County, New York

## Local Waterfront Revitalization Program

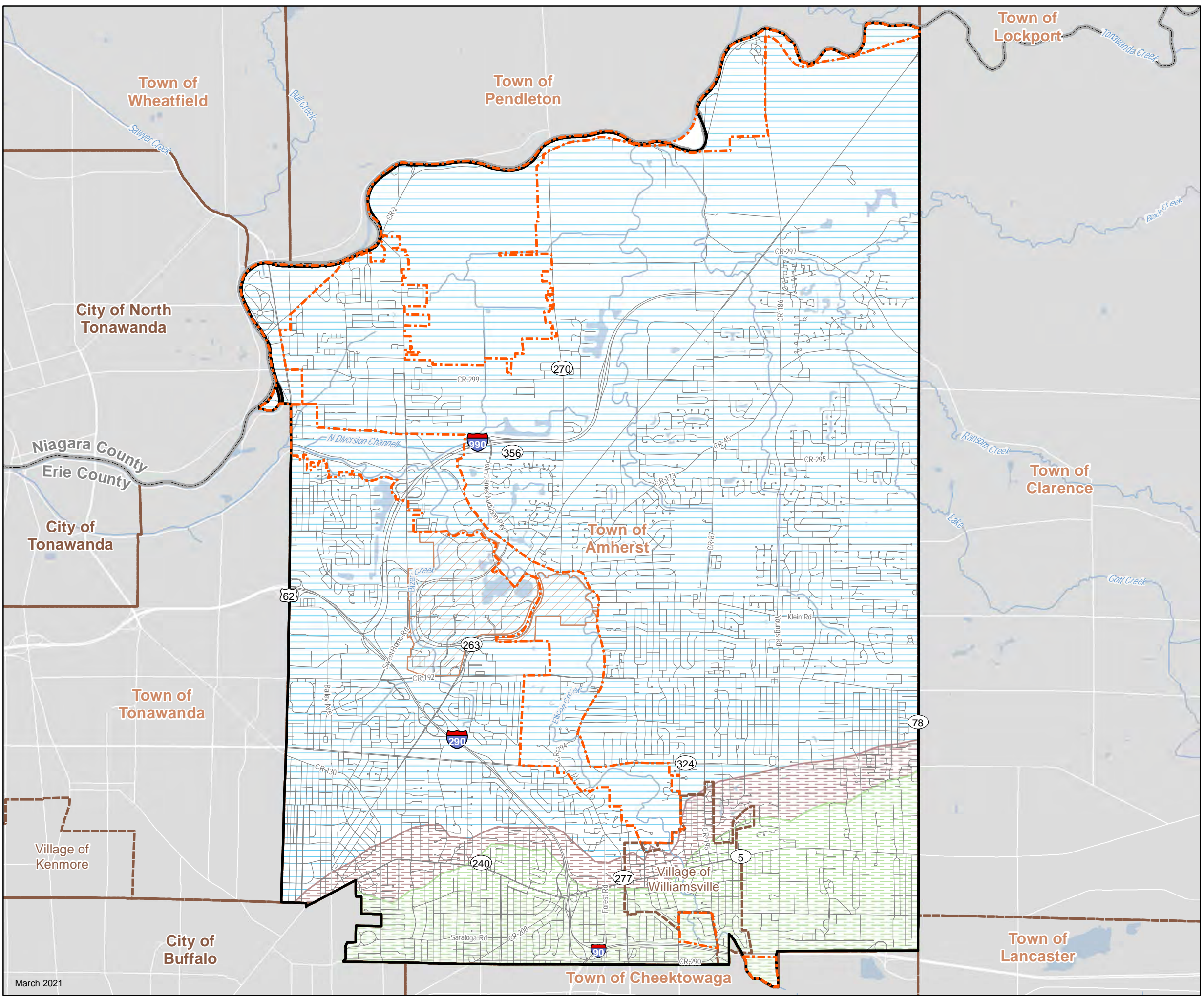
### Map II-3 Bedrock

#### Legend

- University at Buffalo
- Town of Amherst
- WRA Boundary

#### Bedrock

- Dolomite (Dolomite)
- Limestone
- Shale



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



These soils are devoid of coarse particles such as coarse sand or gravel as deposited by glaciers. Soils are more typically at shallow depths to bedrock along and just south of the escarpment. North of the escarpment, soils are generally deeper, with depth to bedrock greater than 10 to 20 feet in most areas.

**Table II-1 - Climate Averages**

Meteorological Variables	Amherst, New York	United States
Rainfall	38.6 in.	38.1 in.
Snowfall	84.2 in.	27.8 in.
Precipitation	161.9 days	106.2 days
Sunny Conditions	157 days	205 days
Average July High	81.1°	85.8°
Average January Low	17.5°	21.7°
Comfort Index (higher=better)	6.4	7.0
UV Index	3.3	4.3
Elevation	597 feet	2,443 feet

Source: [https://www.bestplaces.net/climate/city/new\\_york/amherst](https://www.bestplaces.net/climate/city/new_york/amherst)

There are approximately 55 mapped soil units within the Town of Amherst (ECSWCD, 1972). Five soil units are fine-grained lacustrine soils that include Cheektowaga, Cosad, Lakemont, Niagara, and Odessa. These soils cover about 42 percent of Amherst. These cohesive soils generally show high porosities, low permeabilities, and a natural moisture content associated with low strength, low bearing capacity, and high settlement characteristics. Higher moisture content in these soils tends to be associated with decreasingly favorable conditions for foundations and development (Watson and Burnett, 1995).

### 2.1.3 Population and Demographics

Amherst’s population grew by 2,658 residents between 2010 and 2017, or a growth rate of 0.3 percent per year as shown in Table II-2. The Town’s 65 to 74-year age range grew more than any other age range between 2010 and 2017, with a 33 percent increase in population. The next largest increase in population occurred with young professionals, ages 25 to 34 years, with a 12 percent increase in population. The Town’s population over the age of 65, generally considered retirement age, makes up 19.2 percent of the total population, while residents under the age of 20 make up 24 percent of the total population. The median age in Amherst has stayed relatively consistent, dropping from 40.2 years to 40.1 years.

**Table II-2 - Town of Amherst Population by Age**

Age Range	2010 Population	% of Total Population	2017 Population	% of Total Population	% Change 2010 to 2017
0 to 9 Years	12,436	10.2	11,744	9.4	-6%
10 to 19 years	17,211	14	18,289	14.6	6%
20 to 24 years	12,114	9.9	11,279	9	-7%
25 to 34 years	12,795	10.5	14,365	11.5	12%
35 to 44 years	13,744	11.3	13,089	10.5	-5%
45 to 54 years	16,687	13.6	15,721	12.6	-6%

55 to 64 years	15,559	12.7	16,473	13.2	6%
65 to 74 years	9,454	7.7	12,548	10	33%
75 and over	12,366	10.1	11,516	9.2	-7%
Total Population	122,366	100	125,024	100	2%
Median Age (Years)	40.2	N/A	40.1	N/A	N/A

Source: U.S. Census 2010 Decennial Census, U.S. Census American Community Survey 5-Year Estimates, 2013-2017

Amherst’s population over the age of 65 makes up a larger proportion of the total population (19.2 percent) when compared to Erie County (16.8 percent) and New York State (15.1 percent) as shown in Table II-3. The Town’s young professional age range (25-34 years) is a smaller proportion of total population (11.5 percent) when compared to Erie County (13.8 percent) and New York State (14.6 percent). The median age in Amherst (40.1 years) is slightly lower than Erie County (40.3 years) and higher than New York State (38.4 years).

**Table II-3 – Population by Age and Comparative Geographies**

Age Range	Town of Amherst 2017 Population	% of Total Population	Erie County 2017 Population	% of Total Population	New York State 2017 Population	% of Total Population
0 to 9 Years	11,744	9.4	101,230	10.9	2,317,862	11.7
10 to 19 years	18,289	14.6	114,557	12.4	2,414,010	12.2
20 to 24 years	11,279	9.0	65,337	7.1	1,405,547	7.1
25 to 34 years	14,365	11.5	127,189	13.8	2,883,167	14.6
35 to 44 years	13,089	10.5	102,308	11.1	2,485,508	12.6
45 to 54 years	15,721	12.6	127,361	13.8	2,744,981	13.9
55 to 64 years	16,473	13.2	130,196	14.1	2,538,802	12.8
65 to 74 years	12,548	10.0	84,337	9.1	1,675,514	8.4
75 and over	11,516	9.2	71,480	7.7	1,332,837	6.7
Total Population	125,024	100	923,995	100	19,798,228	100
Median Age (Years)	40.1	N/A	40.3	N/A	38.4	N/A

Source: U.S. Census American Community Survey 5-Year Estimates, 2013-2017

### Generational Characteristics

Understanding the generational context of the community is important from a waterfront revitalization perspective because it can indicate the different types of revitalization projects that will meet the expectations or desires of various age groups and potential project users, especially recreational initiatives. The following information on the generational make-up of the Town is summarized from several sources of information including the following (complete citations are provided in the references section):

- Town of Amherst. *Recreation and Parks Master Plan 2018*.
- Richard Fry, *“Millennials Overtake Baby Boomers as America’s Largest Generation”*
- William Strauss and Neil Howe, *“Millennials Rising, the Next Great Generation”*  
*Sneakernomics: “How The ‘Outdoor’ Industry Became The ‘Outside’ Industry”*
- American Planning Association, *“Investing in Place: Two generation’s view on the future of communities: millennials, boomers, and new directions for planning and economic development”*  
Linda Cochran, Anne Roshchadl, and Jodi Rudick, *“Leisure Programming for Baby Boomers”*
- Physical Activity Council, *“Participation Report”*

### **Generation Z**

In Amherst, 19 percent of the population was estimated in 2016 to be born between approximately 2000 and 2015. Characteristics associated with Generation Z include:

- They make pervasive use of technology.
- Generation Z members conduct much of their lives online and enjoy sharing both the intimate and mundane details of life.
- They tend to be acutely aware that they live in a pluralistic society and tend to embrace diversity.
- Generation Z tends to be independent. They do not wait for their parents to teach them things or tell them how to make decisions, they Google it.

### **Millennials**

The Millennial Generation is generally considered to be those born between about 1980 and 1999, and in 2016, the Pew Research Center reported that this generation had surpassed the Baby Boomers as the nation’s most populous age group. Millennials comprised approximately 30 percent of Amherst’s 2016 total population. Millennials are the largest age cohort in Amherst. Understanding some of their general characteristics can help guide decision making in the provision of parks and recreation services to this significant segment of the local population.

In addition to being health conscious, Millennials often look for local and relatively inexpensive ways to experience the outdoors close to home on trails, bike paths, and in community parks. They, along with the Baby Boomer generation, highly value walkability, and in a 2014 study by the American Planning Association, two-thirds noted that improving walkability in a community is directly related to strengthening the local economy. The study also noted that 46 percent of Millennials and Baby Boomers place a high priority on having sidewalks, hiking trails, bike paths, and fitness choices available to them in their community. In fact, these community features were viewed by study respondents to be of higher preference than a great school system, vibrant centers of entertainment and culture, and affordable and convenient transportation choices.

### **Generation X**

This generational group is comprised of individuals born between approximately 1965 and 1980. In 2016, 18 percent of the Town’s population belonged to Generation X. This was the largest single age group in Erie County in 2016. Many members of this generation are in the peak of their careers, raising families, and establishing their connections within the community.



As suggested by the 2017 “Participation Report” from the Physical Activity Council, members of Generation X were “all or nothing” in terms of their levels of physical activity, with 37 percent reported as highly active, and 27 percent reported as completely inactive. As further noted in the report, over 50 percent of Generation X was likely to have participated in fitness and outdoor sports activities. An additional 37 percent participated in individual sports.

**Baby Boomers**

Baby Boomers are defined as individuals born between 1946 and 1964, as stated in “Leisure Programming for Baby Boomers.” They are a generation that consists of nearly 76 million Americans and comprised 24 percent of Amherst’s population in 2016. Boomers are not the largest age cohort in Amherst, trailing behind Millennials by six percent.

As Baby Boomers enter retirement, they will be looking for opportunities in fitness, sports, outdoors, arts and cultural events, and other activities that suit their lifestyles. With their varied life experiences, values, and expectations, Baby Boomers are predicted to redefine the meaning of recreation and leisure programming for mature adults. In the leisure profession, this generation’s devotion to exercise and fitness is an example of its influence on society. When some Boomers entered elementary school in the early 1960’s, President Kennedy initiated the President’s Council on Physical Fitness, making physical education a key component of public education. As Boomers matured and moved into the workplace, they took their desire for exercise and fitness with them and have continued to participate at high rates in their retirement. Boomers are second only to Generation Y and Millennials in participation in fitness and outdoor sports.

**Race/Ethnicity**

Table II-4 reflects the approximate racial/ethnic population distribution for Amherst based on the 2017 American Community Survey 5-Year Estimates from the U.S. Census. Most of the Town’s population identified as Caucasian. The largest minority group, making up 8.9 percent of the population in 2017, was Asian. African American residents are estimated to make up 6.5 percent. As illustrated below in Table II-4, the estimated 2017 racial and ethnic composition of the population of Amherst was generally less diverse than that of the State of New York.

**Table II-4 – Population Racial Distribution**

<b>Race</b>	<b>Amherst Population</b>	<b>Amherst % of Total Population</b>	<b>New York State Population</b>	<b>New York State % of Total Population</b>
White	100,826	80.6	12,638,791	63.8
Black or African American	8,187	6.5	3,100,685	15.7
American Indian and Alaska Native	290	0.2	77,130	0.4
Asian	11,177	8.9	1,652,846	8.3
Native Hawaiian or Pacific Islander	35	0	7,937	0
Other	1,200	1	1,730,813	8.7

Two or more races	3,309	2.6	590,026	3
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Source: U.S. Census American Community Survey 5-Year Estimates 2013-2017

## 2.2 DEVELOPMENT

The Tonawanda Creek/Erie Canal and Ellicott Creek waterways within the Amherst WRA are distinct streamside waterfronts with somewhat different challenges and opportunities relative to revitalization. Each waterfront also has different natural and cultural physical characteristics and ownership patterns that influence existing conditions and future uses. Tonawanda Creek/Erie Canal flows in a west-southwest-south direction for about 10 miles through the Town of Amherst. Ellicott Creek flows in a north-northwest-west direction for about 12 miles through the Town.

### 2.2.1 Tonawanda Creek

The Tonawanda Creek portion of the combined Tonawanda Creek/Erie Canal corridor is comprised of a natural waterway that extends from the easternmost border of the Town westward to the confluence with the Erie Canal channel that merges with the Creek after entering the Town from the north about one-third of a mile west of New Road. Characteristics of this natural section of Tonawanda Creek include:

- Meandering stream segments typically about 100 feet wide with large bends that change direction at approximately 1,000 to 2,000 feet intervals
- Streambanks on both sides of the waterway that are heavily wooded
- Areas adjacent to the stream include rural residential parcels and large flat undeveloped parcels containing woodland and wetlands
- Public use areas that include Buffalo Niagara Heritage Village and Oakwood Golf Course just south of the confluence with the Erie Canal



*Buffalo Niagara Heritage Village is southwest of the Erie Canal.*

Tonawanda Creek flows in a westerly direction and drains much of the eastern and northern portions of Amherst. Tonawanda Creek is one of the largest watershed areas in western New York, comprised of approximately 405,600 acres or 632 square miles. The watershed is approximately 101 miles long and includes parts of Wyoming, Genesee, Niagara and Erie counties, and the Tonawanda native reservation area. The headwaters start in the Town of Wethersfield, Wyoming County where the elevation is more than 1,800 feet. The Creek flows northward from Wyoming County to Batavia where it makes an abrupt westerly change in direction and continues along the boundary of Erie and Niagara counties until it reaches the Niagara River in the cities of Tonawanda and North Tonawanda. Ransom Creek also drains the eastern part of Amherst and is a tributary of Tonawanda Creek.

### 2.2.2 Tonawanda Creek/Erie Canal

The combined Tonawanda Creek/Erie Canal portion of the waterway is an enlarged corridor that differs both visually and physically from the natural Tonawanda Creek portion. Portions of Tonawanda Creek are channelized as part of the New York State Erie/Barge Canal System. Tonawanda Creek and the Erie/Barge Canal along the northern boundary of Amherst were enlarged several times to accommodate increasingly heavier boat traffic. The last major upgrade to the canal system, however, took place in the 1910s when the Erie Canal and portions of Tonawanda Creek were enlarged, rerouted, and renamed the New York State Barge Canal. Today the Erie Canal waterway is an important resource for recreational boating through western NY.

Characteristics of this culturally influenced section include:

- The Canal segment is straighter and typically about 200 feet wide, or twice the width of the natural segment, and deeper depths to accommodate boat traffic as part of the NYS Barge Canal System.
- The southern streambank includes developed sections of the Empire State Trail between New Road following the north side of Tonawanda Creek Road in Amherst westward to Vine Lane. Then after a two-mile gap in the trail, the Empire State Trail exists again along Old Niagara Falls Boulevard to Ellicott Island at the Town's western border.
- Ransom Creek enters the Canal west of Nine Mile Island (a large, wooded camping area in the Niagara County Town of Pendleton).
- Adjacent areas of this stretch of the Canal include agriculture near Campbell Boulevard as well as the Amherst Marina and the North Amherst Fire Station.
- Residential use exists along the Amherst side of the Canal in northwest Amherst but is less dense than residential properties on the Pendleton side of the canal, many of which include Canalside docks.
- Town-owned parcels in Northwest Amherst include Nature View Park and Veterans Canal Park, streamside conditions become less wooded, and views of the waterway increase.
- Land use west of Nature View Park increases in density and transitions quickly to suburban residential neighborhoods and increasingly large commercial uses along Niagara Falls Boulevard (NYS Route 62) southwesterly to the Amherst Town border.



*Recreational boating remains popular along the Erie Canal.*

### 2.2.3 Ellicott Creek

Ellicott Creek enters the Town of Amherst just south of the Village of Williamsville and Interstate 90 (NYS Thruway) in the southernmost part of the Town. Ellicott Creek is one of the largest creeks in the region,

draining much the glacial Lake Tonawanda basin. It crosses over the Onondaga Escarpment in the southern portion of Amherst at Williamsville, flows in a north-westerly direction through the Town, and is a major tributary of Tonawanda Creek. The earliest settlers of Amherst recognized that the area around Main Street and Ellicott Creek in Williamsville was an excellent site for water powered mills. Ellicott Creek sharply drops about 60 feet in Williamsville, then flows northwesterly before discharging into the channelized section of Tonawanda Creek at an elevation of approximately 564 feet (USACE, 1979). The Ellicott Creek basin consists of an area of approximately 110 square miles in Erie, Genesee, and Wyoming Counties. The basin is generally oriented in an east-west direction, having a length of about 25 miles and a width varying between 1.5 to 7.0 miles.

Ellicott Creek is a mostly natural waterway in Amherst although there is an adjacent channelized drainage and flood control component to the stream between I-990 and Niagara Falls Boulevard. Characteristics of the Ellicott Creek waterway include:



*Glen Falls along Ellicott Creek in Williamsville*

- The width of the natural stream channel varies between approximately 50 to 75 feet, and depths vary by location including riffle areas and waterfalls in the southern portions of the Creek around Williamsville. Areas of riffles and waterfalls are created by the stream meandering across the Onondaga Escarpment and through glacial till and bedrock.
- Glen Falls is in an urbanized area of Williamsville about 300 feet north of Main Street.
- Residential development exists along both streambanks in the southern half of the subarea and more commercial and

institutional uses are found in the northern half of the subarea. Streambank areas in residential areas include lawns and treed waterfronts.

- The Creek flows through Amherst State Park and through some open space areas and Town properties east and southeast of the campus of the University at Buffalo.
- The channelized segment of the Creek east of Niagara Falls Boulevard is about 100 feet wide with adjacent walking paths.

#### 2.2.4 Historical Development of Waterfront Areas

The earliest inhabitants of Western New York arrived in the region about 12,000 years ago. Pre-contact archeological sites have been recorded in elevated areas such as Chestnut Ridge Road and the Onondaga Escarpment, and in well-drained areas adjacent to Ellicott Creek, Tonawanda Creek, and Ransom Creek. By the time European missionaries, traders, and soldiers arrived the Iroquoian-speaking Wenro, Neutral, and Erie nations occupied the region.

The first settlement in the Town of Amherst began in 1799. Early settlers and land prospectors developed roads connecting the settlement with the rest of the region and attracting more settlers. The Town of Amherst grew large enough to incorporate in 1818 and continued to grow rapidly with the completion of the Erie Canal in 1825, which runs through a portion of Tonawanda Creek. In the 1830's and 1840's there was a rush of settlers and development near the Erie Canal and along Ellicott Creek between what is now Sweet Home Road and Niagara Falls Boulevard.

By the mid 1800's significant development was occurring in local transportation and agriculture. Canal boats, stagecoaches, and trains passed through Amherst from Buffalo to Batavia, Rochester, and points east on Tonawanda Creek, the Erie Canal, and Main Street. Bordering the northern boundary of Amherst, Tonawanda Creek (the Erie Canal) was channelized and enlarged several times to accommodate increasingly heavier boat traffic.

The rise of urbanization in the late 1800's and early 1900's spurred the growth of suburban residential neighborhoods away from the centers of Buffalo and Williamsville. As automobiles and buses became a dominant form of transportation, developers repaved Main Street, built several model homes and real estate offices, laid utility lines and sidewalks, and constructed many structures which can be found along Main Street today.

After World War II major transportation projects spurred the transformation of the once-rural town into a largely suburban community. Between 1930 and 1950, the population of Amherst outside of the Village of Williamsville had increased dramatically from about 10,000 to about 72,000. The widening of formerly two-lane roads such as Maple Road, and the construction of the I-290 highway (Youngmann Expressway) in 1963 and the I-990 (Lockport Expressway) in the 1980s made it easier to access the northern half of the Town and opened these areas to residential and commercial development.

### [Settlement Patterns and Archaeological History](#)

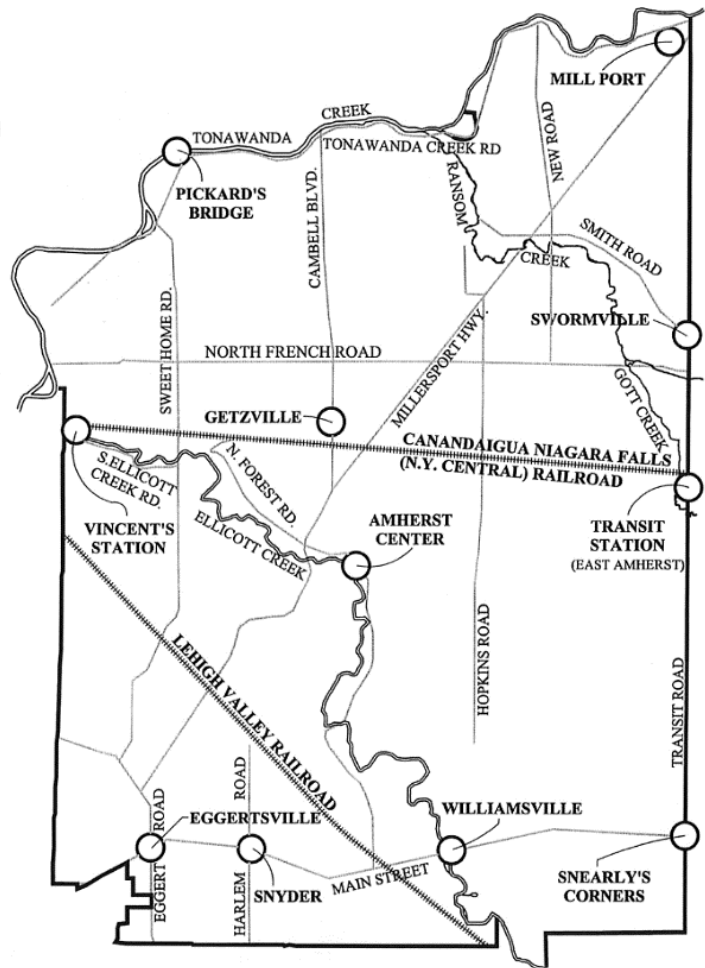
The earliest inhabitants of Western New York arrived about 12,000 years ago, shortly after the last glacial ice retreated. Numerous pre-contact archaeological sites have been recorded in Amherst based on previous reports and studies conducted for various reasons including private and public sector development projects. The known sites are evidence of archaeological sensitivity within Amherst, especially along elevated areas such as Chestnut Ridge and the Onondaga Escarpment, and in well-drained areas adjacent to major drainages like Ellicott Creek, Tonawanda Creek, and Ransom Creek.

The Seneca were the westernmost nation of the Iroquois Confederacy. The Seneca gave up title to most of western New York, including the area that would become the Town of Amherst, at the signing of the Big Tree Treaty in 1797. Joseph Ellicott, an agent for Dutch bankers, began surveying the area during the same year. The earliest settlement in the Town of Amherst began in 1799 when the Holland Land Company sold three hundred acres of land to John Thomson and Benjamin Ellicott, brother of Joseph Ellicott (Smith 1884).

The Holland Land Company realized that the key to increased land sales and settlement was construction and improvement of the primitive transportation system that existed in western New York at the end of the 18th century. Joseph Ellicott allowed farmers to work off a portion of their debts by maintaining and

improving the roads (Koszuta 1969; White 1898). A path called the Great Central Trail, or the Great Iroquois Trail existed roughly on the same alignment as the current Main Street (NYS Route 5) in the Town. It was surveyed by the Holland Land Company in 1798 and became known as the Buffalo Road, serving as the principal route between Buffalo, Williamsville, and settlements to the east, including the Holland Land Office at Batavia (Young 1965).

By 1818, the Town of Amherst had sufficient population to break away from the Town of Clarence, which had formed in 1808. Settlement in Amherst expanded rapidly with the completion of the Erie Canal in 1825, a portion of which lies within Tonawanda Creek at the northern border of Amherst. The Canal brought development and settlers in large numbers to northern Amherst. In the 1830s and 1840s much of the Town was cleared and farmed. Many of the earliest settlers in Amherst settled in the northern part of the Town, especially near the Erie Canal and along Ellicott Creek, between Sweet Home Road and Niagara Falls Boulevard.



*This map of the Town of Amherst shows the major water streams, roads and hamlets as well as the routes of the two railroads constructed through the town in the last half of the 19th century. Courtesy Amherst Museum, Town of Amherst Engineering Department.*

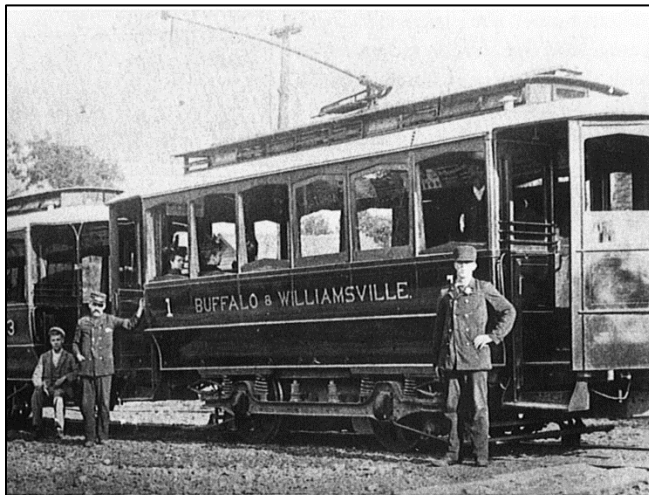
### Mid-Nineteenth Century

By the middle of the nineteenth-century significant developments were occurring in local transportation and agriculture. Main Street was a macadamized toll road by 1840. Canal boats, stagecoaches, and trains passed through Amherst from Buffalo to Batavia, Rochester, and points east on Tonawanda Creek, the Erie Canal, and Main Street. At the time, these routes were the most important thoroughfares in the region.

In northern Amherst, Tonawanda Creek and the Erie Canal were channelized and enlarged several times to accommodate increasingly heavier boat traffic. The last major upgrade to the Canal system took place in the 1910s when the Erie Canal and portions of Tonawanda Creek were enlarged, rerouted, and renamed the New York State Barge Canal. However, the development of the railroad in western New York in the 1850s marked the beginning of the end for the Canal. Areas along the Canal like Pickard's Bridge began to

decline while areas near the new railroads began to see increased development. The railroad arrived in Amherst in 1854 when the Canandaigua and Niagara Falls Railroad was completed through the center of the Town. This former railroad right-of-way is Town-owned and has been considered for several years as a possible pedestrian/bike trail. Because of its relatively small size compared to other larger rail lines, it was referred to as a “peanut of a line” and is commonly known today as the Town’s “Peanut Line”.

By the 1890s, increases in urban population and improved modes of transportation spurred the growth of suburban residential neighborhoods away from the centers of Buffalo and Williamsville and into formerly rural areas (White 1898, Young 1965). By the 1920s, the use of electric street cars began to decline, and automobiles and buses became the dominant form of transportation on a widened Main Street (Young 1965). To entice buyers, developers repaved Main Street, built several demonstration homes and real estate offices, laid utility lines and sidewalks, and constructed many structures which can be found along Main Street today (Grande 2000).



*On April 5, 1893, the Buffalo and Williamsville Electric Railway Corporation began operating trolley cars along Main Street from the Buffalo city line to Williamsville. Ten years later, the four-and-a-half mile line was extended another three miles to Transit Corners. Over the years, a growing number of commuters traveled to work in Buffalo, and on weekends, several thousand people came from the city to enjoy Amherst’s parks and racetrack. Easy access to and from Buffalo encouraged people to build suburban homes in Amherst.  
Courtesy Amherst Museum.*



*The Williamsville Depot, located on South Long Street, was built when the Lehigh Valley Railroad ran a spur from Depew to Niagara Falls in the last years of the 19th century. Freight service brought coal for the residents and construction materials for the builders in Amherst. Passenger service attracted Amherst residents lured by travel promotions to Niagara Falls as well as New York City, Philadelphia, Washington, and Atlantic City.  
Courtesy Amherst Museum.*

## Post-World War II

After World War II major transportation projects spurred the transformation of the once-rural Town of Amherst into a suburban community. The widening and extension of formerly two-lane roads such as Maple Road, and the construction of the I-290 highway in 1963 and the I-990 in the 1980s made it easier to access the northern half of the Town and opened up these areas to residential and commercial development. Between 1930 and 1950, the population of Amherst outside of Williamsville had increased dramatically from about 10,000 to about 72,000 (Burdis 1968).

The population of Amherst grew by 30,000 in the 1950s (Bain 1974). Regional population growth, high savings rates, federal mortgage help, and access to the automobile created a large push to move to the

suburbs (Bain 1974). As a result, there was a growing need for additional housing, commercial buildings, and infrastructure. Amherst evolved into primarily a bedroom community of Buffalo; most residents worked elsewhere in the region but shopped and lived in Amherst.

### 2.2.5 Current Development Patterns

Amherst was predominantly a residential community by the mid-1970s. While residential remains the single most extensive land use in the Town, over the past 45+ years Amherst emerged as a center of regional economic activity that complements the City of Buffalo. Contributing land uses today include significant commercial, retail and office development and the major institutional presence of the North Campus of the University at Buffalo (UB). Continuing the predominant trend of post-World War II growth, more recent development has been away from traditional, denser neighborhoods such as Eggertsville and Snyder towards development in the northern half of the Town. The establishment of UB and the Audubon New Community in the 1970s in the central portion of the Town largely began this northward trend that still exists today.

Major characteristics of the current land use pattern are as follows:

- Except for the southeastern corner of the Town, southern Amherst is comprised of mature neighborhoods with grid-like street systems and traditional scale commercial centers and corridors.
- Central Amherst contains newer, more suburban style subdivisions with curvilinear street systems. Commercial centers range from neighborhood to regional in scale and are generally found along suburban commercial corridors.
- Transit Road and Niagara Falls Boulevard (which form the Town's east and west boundaries, respectively) serve as regional shopping destinations, as do nearby sections of east-west corridors such as Sheridan Drive and Maple Road.
- Northern Amherst remains largely rural in character, with large areas of restricted agricultural land, public open space, sensitive environmental resources such as wetlands and floodplains, rural highways, and (mostly in the northeast) a large proportion of the vacant land remaining in the Town.
- Public and semi-public uses (parks, schools, educational institutions, etc.) are located throughout the Town.

### 2.2.6 Summary of Existing Plans, Projects, and Initiatives

#### Local Plans

[Town of Amherst Bicentennial Comprehensive Plan – Adopted January 2007, Amended September 2019](#)  
The Town of Amherst Bicentennial Comprehensive Plan was adopted in 2007 and developed in recognition of the 200th anniversary of the Town in 2018. The plan reviews the history of comprehensive planning in Amherst which primarily acts as a long-range guide for physical development. It also outlines the goals, objectives, and principles for short-term and medium-term growth. The Plan focuses on the larger context of the Town of Amherst and not on individual neighborhoods, through a planning process



referred to as Values-based planning. The Plan has been updated a few times since its adoption. The most recent update occurred on September 3, 2019 when the Amherst Town Board held a public hearing and approved amendments that mainly included changes to commercial centers as discussed in Chapters 3 and 10 which focus on land use and development, and community facilities and services, respectively.

The Bicentennial Comprehensive Plan suggests important recommendations to many areas within the WRA where projects are proposed, such as North and Northwest Amherst. The Plan highlights the importance of promoting a healthy tax and employment base, increasing economic development partnerships with governmental agencies and private businesses, preventing adverse commercial development impacts on community character and quality of life, and working to promote regional economic development. These goals are important to recommending development of commercial use, business or restaurant projects within the WRA, at locations which could include the Amherst Marina, the Niagara Falls Boulevard/Ellicott Creek area, and Old Niagara Falls Boulevard.

Within Northwest Amherst, the Bicentennial Comprehensive Plan seeks to improve the quality of life for residential neighborhoods, and enhance access to parks, recreational facilities, and pedestrian networks. The focus for North Amherst is to preserve the rural character of the community. The proposed projects in the WRA located in the North and Northwest Amherst areas are consistent with and meet these goals of the Bicentennial Comprehensive Plan.

#### [Town of Amherst Comprehensive Emergency Management Plan, Flood Response Plan Annex – 2019](#)

The Town of Amherst Flood Response Plan is an annex to the Town of Amherst Comprehensive Emergency Management Plan and is specifically used as a guideline for flooding events. Flood plans can enable a flexible response to problems caused by flooding. Although barriers may protect potential flood areas from predictable weather events, flooding can occur at any time. Typical flood events in the Amherst area include, but are not limited to:

- prolonged or excessive rainfall
- rapid snowmelt
- abnormally high creeks and stream levels due to rainfall upstream
- major storms across the region

The Town of Amherst Flood Response Plan brings awareness to areas where flooding has previously occurred and created issues for surrounding neighborhood residents. The areas which are initially monitored are the dam in Williamsville behind Town Hall, the Castle Bridge at the terminus of Willow Brook Lane, and the rear yards in the south end of Lehn Springs. The Flood Response Plan should be reviewed when developing the Lehn Springs Neighborhood Flood Mitigation Project.

#### [Amherst Recreation and Parks Master Plan - 2018](#)

The 2018 Amherst Recreation and Parks Master Plan is a tool intended to help the local government meet the current and future recreation needs of the community. This citizen-driven plan serves as a source of applicable decision-making information and establishes clear goals and actionable objectives to guide staff, advisory committees, and the Town Board in their work to maintain and enhance Amherst's system of parks, open spaces, and recreation facilities over the next ten years.

Since many of the projects proposed in the WRA are park and recreational improvement projects, the recommendations in the Amherst Recreation and Parks Master Plan are important to consider before starting and completing any WRA project. The Master Plan recommends:

- maintaining and improving existing facilities
- developing and implementing a program for site-specific park master planning for enhancing or replacing aged facilities
- improving access to underutilized facilities and open spaces within parks
- updating the ADA Transition Plan to address areas that are not compliant
- integrating parks and recreational facilities into an interconnected open space system of parklands, greenways, and trails
- improving trail connectivity to park areas from neighborhoods
- improving bicycle and pedestrian connections to parks
- embracing the Tonawanda Creek area
- providing comfort features like benches and picnic tables
- developing cultural/historical spaces within parks

These recommendations are all relevant to many WRA projects involving park improvements, enhancing waterfront access, creating pedestrian and bicycle connections, improving trail access, utilizing recreational facilities, and connecting trailheads.

#### [Town of Amherst Stormwater Management Plan – 2018](#)

The Town of Amherst developed a Stormwater Management Plan to comply with the New York State Department of Environmental Conservation General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-0-15-003), Town of Amherst: NYR-20A122. The aim of this program is to control stormwater runoff and prevent the discharge of the pollutants from the Town’s storm sewer system to the waters of the United States in accordance with the requirements of federal Phase II stormwater regulations under the Clean Water Act. The aim of the Clean Water Act, the federal Phase II stormwater regulations and the program proposed in this document is to reduce to the “maximum extent practicable” pollutants in the stormwater discharges.

The Town of Amherst Stormwater Management Plan supplements the regional Erie County Multi-Jurisdictional Hazard Mitigation Plan and is important for assessing any water quality, stormwater management, and erosion control projects within the WRA. Some of the goals mentioned in the Mitigation Plan are to promote disaster resistant development and reduce the possibility of damage and losses due to winter storms, coastal erosion and wave action, and flooding. This plan is important to consider when developing projects that have specific erosion and flooding issues.

#### [Town of Amherst Economic Study - 2016 by Delta Associates](#)

The Amherst Economic Study was conducted to determine the status of the community’s economy and competitive position due to transitioning economic factors in Western NY. The report synthesizes a broad range of quantitative and qualitative information regarding demographic, economy, real estate market, and policy trends that are or could be affecting the Town’s economy in the future. Economic forecasts are provided out to the year 2040 from a baseline year of 2015 and presented at both the town wide and

Planning Analysis Area (PAA) level. Six PAAs are addressed in the study. These same PAAs are defined in the Town's Bicentennial Comprehensive Plan and include NW Amherst, NE Amherst, UB Area, East Amherst, SW Amherst, and Williamsville SE Amherst. Minor adjustments were made to some PAA boundaries to ensure that they match with the current boundaries of census tracts.

The study found that the Town of Amherst remains among the fastest growing communities in Western New York although Amherst's long-term status as the location of choice among major corporate employers is eroding at the same time the Buffalo regional economy has posted sustained job growth over the past few years. The state and regional economic development environments have shifted and strong office development in suburbs like Amherst is now focused on urban environments like Buffalo. Also, the University at Buffalo is a major driver of the economy both for Amherst and for the entire region and this trend will continue. The study recommends that the Town take a more holistic look at its economic development activities and that many older commercial sites in Amherst have become obsolete but provide redevelopment opportunities. The Town is forecasted to add between 9,000 and 16,500 jobs between 2015 and 2040. The study concluded that Amherst is well positioned to be a leader in suburban redevelopment and that there are many potential redevelopment tools that should be considered.

The following is a summary of key issues and opportunities from the economic study:

- Many existing office and industrial buildings/parks in Amherst are ripe for redevelopment and office demand in Amherst will be primarily geared towards back office users.
- The preferred patterns of development will differ by location within Amherst. While providing office space for back office users would result in the addition of jobs and occupied office space, it may not be compatible with higher density mixed-use development that the Town's Comprehensive Plan envisions in several key nodes. The Town must ensure that these disparate models of development occur in appropriate locations based on the availability of land, transportation infrastructure, and proximity to amenities. Remaking older business parks will require allowing higher density and mixed-use developments.
- The Town should consider holding public planning charrettes to discuss the redevelopment of key sites. Major public facilities and amenities should be incorporated into redevelopment projects.
- The Town must improve its relationships with the business and economic development community and tapping the economic development potential of the University at Buffalo.
- The Town will need to be proactive about expanding the transportation options available to the residents and businesses in these areas through better road connectivity, investment in trails and paths, and expansion of public transit service as appropriate.

#### [Town of Amherst Context-Sensitive Highway Design Report - 2009](#)

The Town of Amherst Context Sensitive Highway Design Report was developed to support the Town's Bicentennial Comprehensive policy to "Designate roadway corridors for application of context sensitive design standards to maintain their character." The Town of Amherst Bicentennial Comprehensive Plan identifies several policies to develop and implement a context sensitive approach to the planning and design of transportation improvements throughout the Town. The Plan identifies four corridor types appropriate to different contexts within the Town: Traditional, Suburban, Commercial, and Rural. The Plan

provides general design guidance to describe the desired characteristics of each character corridor. The Context Sensitive Highway Design project was undertaken to designate 'special character roads' and develop design standards for each character corridor that appropriately fit the context of the surrounding neighborhood. Specifically, the project provides an inventory of corridor types, recommended cross-sections, and more specific design guidance for each character corridor to be used as a reference by the Town of Amherst, Erie County, and the New York State Department of Transportation (NYSDOT) in designing transportation improvement projects. The report also provides guidance to project sponsors for incorporating context sensitive design into the project development process.

The report recommends that the Town of Amherst Planning Department, as the lead on this effort, coordinate with the Town Highway Department, Erie County Department of Public Works, and Regional NYSDOT office to ensure that all parties are aware of the Context Sensitive Highway Design Report, to promote coordination of highway reconstruction and maintenance activities, and to ensure compliance with this report and the Town's Comprehensive Plan. Similar coordination should occur with utility companies. These coordination steps will help to identify opportunities to incorporate context sensitive design elements into roadway reconstruction and maintenance projects.

#### [Transit Road Corridor Management Study, Access Management Strategies for Major Corridors - 2004](#)

As a component of the Transit Road Corridor Management Study in the Towns of Amherst and Clarence, Access Management Strategies for Major Corridors was developed to identify techniques and tools to assist these municipalities in supporting land development and preservation goals through access management and in making future land use and transportation decisions regarding various types of highways. The general guidelines identified in this study provide the Town with a menu of techniques and strategies that can be used to encourage efficient access along area roadways in a way that will complement and enhance neighboring land uses.

Many of the LWRP projects in the WRA intersect or are near major corridors and roads. It is important to reference the Transit Road Corridor Management Study to ensure best practices for transportation and access management are being followed throughout the development of such projects. As mentioned in the study, traffic calming techniques such as curb extensions, raised crosswalks, and speed tables can be employed at key intersections and/or mid-block crossings to help accommodate all modes of travel along the commercial corridor, including facilities for bicyclists and pedestrians. This is a key consideration when accomplishing the Amherst Central Park project, specifically when developing a mid-block crossing on Maple Road. With other projects within the WRA that are proposing new parking areas, it is important to note that shared parking requirements will provide developers a way to meet minimum parking standards without providing excessive parking areas that can dominate the landscape. In many of the proposed park projects within the WRA, it is important to obtain right-of-way easements to provide future sidewalk, on-street parking, and bike lane facilities where none currently exist. Due to the high level of transportation activity on Niagara Falls Boulevard, this plan should also be considered when developing the Niagara Falls Boulevard and Ellicott Creek improvements to enhance use of alternative transportation available to support safe pedestrian access wherever possible.

### Master Plan and Final Environmental Impact Statement for Amherst State Park – March 2003

The Master Plan and Final Environmental Impact Statement for Amherst State Park is a small-area plan for the Town of Amherst developed by Environmental Design & Research, P.C. in collaboration with the two co-lead agencies -- the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) and the Town of Amherst. The adoption and implementation of the Master Plan was conducted along with a SEQRA review of the Park, to ensure no adverse environmental impacts or action on the Park, trails, and other recreational and cultural facilities. The Plan outlines the environmental setting and location of the Park, as well as the proposed project, alternatives, and potential environmental impacts and actions.

Many of the recommended suggestions in the Amherst State Park Master Plan and Final Environmental Impact Statement are consistent with proposed Town projects in the WRA. These are mentioned in Section IV of this LWRP and include recommendations such as undertaking a comprehensive survey to identify areas of the Park with significant concentration of invasive plant species, creating an orchard management program based on an existing tree survey and desired species, and developing boardwalk trails with stone dust material for an improved walking surface. Specific initiatives can be used to guide the necessary enhancements for the Amherst State Park Boardwalk Trail and Park Improvements.



*Invasive species such as Japanese Knotweed continue to be a problem in some park locations.*

### Tree Inventory and Community Tree Management Plan – In Progress

In 2018, the New York State Department of Environmental Conservation awarded the Town of Amherst grant funding to develop a Tree Inventory and Community Tree Management Plan through their Community Forestry Program. The program helps communities develop and implement comprehensive tree planting, management, and maintenance. Amherst's Tree Inventory and Community Management Plan will be based on tree inventory data to address environmental issues. This Plan will provide a record of current conditions while guiding the Town in managing projects to achieve the future goals of the community through the following:

- the development of budgets and work plans, including timelines and tasks
- the use of the tree inventory which identifies management needs (i.e. pruning rotations, removal implementation, and prioritization of workload)
- storm preparedness and response planning
- invasive species preparedness and response
- the development of a planting plan to address the unique characteristics of the project location, such as: species diversity, understory plantings, erosion control, and brownfields that could be impacted with planting vegetation that would address local needs

- the development of an urban forest environmental benefit analysis on issues such as: water quality, air quality, reduction of the effects of the urban heat island, energy efficiencies, stormwater management, and health.

Many of the projects within the WRA involve adding and removing different types of tree species within project sites. It is important to consider the Community Management Plan before completing any tree, vegetation, and invasive species management and planning at any project site.

In 2020 the Town passed a Local Law referred to as, “A Local Law Amending Chapter 179 of the Code of the Town of Amherst, Trees.” The Town of Amherst found that there is a direct and important relationship between the existence of trees in the Town and the health, safety, and welfare of the community. Trees preserve air and water quality, provide shelter to people and property, and enhance economic and aesthetic value to property. The law establishes a Tree Board to consist of seven members, five of which are residents, plus the Town’s Forester and Landscape Architect. The Tree Board is charged with the review, development and administration of a written Community Tree Management Plan and creation of a work plan that will be presented annually to the Town Board for the care, preservation, pruning, planting, replanting, removal, or disposition of trees in parks, along streets and in other public areas.

#### [New Mixed-Use Zoning](#)

Imagine Amherst is a project to reimagine and improve commercial and mixed-use centers in the Town so that they work better with surrounding neighborhoods and embody the vision that residents desire. This project updates the Town’s Comprehensive Plan and Zoning Code by introducing revisions to produce the types of development desired by the community. The goal is to advance the community’s future vision for existing commercial and mixed-use centers within the various Amherst neighborhoods.

#### [Regional and Statewide Plans](#)

##### [Bike Buffalo Niagara Regional Bicycle Master Plan – Underway in 2020 by GBNRTC](#)

The GBNRTC is currently preparing a regional bicycle master plan for the Erie and Niagara County region. The project is expected to be completed in 2020. The vision for the regional bike network states: *We envision a modern, well-supported, all-season greenway and on-street bicycle network that provides residents and visitors of all ages and abilities direct, safe and intuitive connections to and from the places they want to go.*

The planning process involves an inventory of existing and funded trails and on-road facilities; identification of key destinations; demand and critical gap analyses; and public engagement. Bikeway typologies are being developed for urban and rural areas. The Plan is developing the regional bike network based on a series of strategies focusing on infrastructure, innovation, connection, and culture. These strategies include:

##### INFRASTRUCTURE Strategies

- Improve connections to key regional destinations using high-quality facilities
- Strive for Vision Zero
- Maintain and Expand Bike Share
- Include bike-related amenities with the implementation of greenway trails

#### INNOVATION Strategies

- Integrate evolving e-bike technology, pedal-assist, and e-bike share
- Promote use of route-finding apps and “smart” info kiosks
- Incorporate automated bicycle count technologies
- Integrate bike infrastructure with high-tech mobility hubs

#### CONNECTION Strategies

- Create safe and seamless regional and bi-national connections
- Integrate bicycling w/ transit
- Connect to public parks, open spaces, and waterways
- Connect to key employment centers and educational institutions

#### CULTURE Strategies

- Establish policies and funding for development of and maintenance of bikeways
- Partner with local advocates
- Promote bike-friendly local and county land use policies
- Establish improved coordination between NYSDOT, GBNRTC and municipalities

#### [Western New York Regional Economic Development Council \(REDC\) Initiative – 2019](#)

The Western New York Regional Economic Development Council (REDC) Initiative is a key component of State investment and economic development. The Western New York REDC was created in 2011 to develop long-term strategic plans for economic growth in the Western Region of New York State.

Some of the goals mentioned in the Western New York REDC plan include investing in infrastructure based on smart-growth principles; investing in downtowns, villages, neighborhoods, and brownfields; protecting water resources; waterfront; and habitats. Many of the projects in the Amherst WRA align with this plan’s focus for future development and growth. A large focus of the projects within the WRA is to improve parks and trails to attract economic opportunity while providing recreational amenities to underserved communities. Accomplishing smart growth by following through with the LWRP projects around Ellicott Creek allows for the expansion of greenspace, enhancing recreational opportunities, and improving connections to the waterfront.

#### [Empire State Trail Plan – 2018](#)

When completed as anticipated by the end of 2020, the Empire State Trail will be a continuous 750-mile route which will span the state from New York City to Canada and Buffalo to Albany, creating the longest multi-use state trail in the nation. Completing the continuous 750-mile trail will require more than 60 construction projects to create new off-road trails where none exist, and to eliminate gaps in existing trail segments. Often these gaps exist due to engineering challenges such as the need for bridges to cross rivers and streams, and facilities to safely cross active railway lines or major state roadways.

The Empire State Trail Plan enhances recreational opportunities and enriches quality of life by creating bicycle and pedestrian connectivity, which is an improvement needed in the Town of Amherst. The goals of the Empire State Trail Plan are to link communities across New York, promote healthy lifestyles by providing safe and enjoyable outdoor recreational opportunities, and allow visitors and trail users to learn about the natural, historic, and cultural resources along the trail. For New York State to achieve the goals

of the Empire State Trail, it is necessary to break down the goals into smaller trail sections. The Empire State Trail Plan guides the development and implementation of the Empire State Trail and Missing Bike Path Connections project proposed in the Tonawanda Creek subarea. The completion of the Empire State Trail is also expected to draw local, regional, and international tourists to many WRA locations, so consideration should be given on how to provide access and attract tourists to local destinations and venues.

#### [Erie County Parks Master Plan Update – 2018](#)

Ellicott Creek Park, located within and adjacent to the WRA, is one of the original five Heritage Parks in the Erie County park system. At 165 acres, the park is centrally located and easily accessed by residents of Tonawanda, Amherst, Buffalo, and North Tonawanda (Niagara County). The park is also a destination along area bike routes, including the Ellicott Creek Bike Path via the Town of Amherst, and the Empire State Trail which connects with the Shoreline Trail. It is one of the four oldest parks in the system, acquired by the County in 1925 due to its attractive landscape setting between Ellicott Creek and the Erie Canal (Tonawanda Creek). This Heritage park is noted for its impressive collection of old stone structures built during the 1930s and its waterfront setting. Ellicott Creek Park is generally flat, which was considered ideal for the development of many field sports and active recreation, such as tennis and ice-skating. The park is bisected by a major floodway corridor (spillway flume) between the two waterways. The park occupies four distinct areas: the area between Ellicott Creek Road and Ellicott Creek, the ‘main’ part of the park between Ellicott Creek and Creekside Drive, the Creekside area, and Ellicott Island.

There is only a small portion of Ellicott Creek Park that is within the Town of Amherst and that is the “dog park” area, also known as the Bark Park, located in the eastern portion of the park near the Town border. The County’s Plan recommends coordinating with the Friends of Ellicott Island Bark Park to maintain and upgrade amenities on Ellicott Island, as well as protecting and enhancing sensitive shoreline conditions.

#### [Erie County Multi-Jurisdictional Hazard Mitigation Plan Update – 2015](#)

The Erie County Multi-Jurisdictional Hazard Mitigation Plan Update represents the collective efforts of the County and 42 fully participating jurisdictions, the public, and other stakeholders. It has been developed by the Erie County Hazard Mitigation Planning Team (the “Planning Team”), with support from outside consultants. It is the foundational document for the Town of Amherst Stormwater Management Plan and should be referenced when developing WRA projects that include flood and hazard mitigation efforts to understand the larger regional context of these efforts.

#### [Statewide Comprehensive Outdoor Recreation Plan \(SCORP\), 2020-2025](#)

The SCORP is established by the NYS Office of Parks, Recreation and Historic Preservation and the NYS Department of Environmental Conservation. This five-year plan provides a statewide recreational planning framework to guide regional and local agencies in planning, policy and prioritization efforts. The SCORP also incorporates citizen input.

The vision for recreation in New York State identified in the SCORP is “to provide a system of safe and enjoyable recreational and interpretive opportunities for all New York State residents and visitors and to protect and improve the quality of the valuable natural, historic and cultural resources.” In meeting this



vision, quality of life will be improved with incentives for a healthier lifestyle and economic vitality. This vision establishes a direction and leadership role for the State in providing a greener environment. Many recommendations in the Plan are relevant for projects in the WRA, including:

- creating deeper visitor experience by improving historical culture
- building sustainable park systems and infrastructure
- promoting outdoor recreation
- attracting new visitors to outdoor recreation facilities
- improving access to outdoor recreation opportunities
- developing interconnected trail systems
- conserving the biodiversity of natural areas

#### [Western New York Regional Sustainability Plan – 2013](#)

The Western New York Regional Sustainability Plan was developed by the Regional Planning Consortium with input from key stakeholders and the public. The plan was developed with a grant from the New York State Energy Research and Development Authority (NYSERDA) under the Cleaner, Greener, Communities (CGC) program established by Governor Cuomo in 2011. The Plan is intended as a guide for integrated, sustainable solutions to improve the quality of life. These solutions include ideas for regional decision-making on land use, housing, transportation, infrastructure, energy, and environmental practices. The WNY Regional Sustainability Plan functions as two phases. The first phase uses grants to create new sustainability plans or to expand the scope of existing sustainability plans. The second phase consists of a competitive \$90 million of State funding to use toward regional projects that support and implement the regional sustainability goals identified during the planning process.

Although the Western New York Regional Sustainability Plan is regionally focused, the goals in this Plan can be used to guide and sustainably develop these projects within the WRA. Specifically, the Regional Sustainability Plan helps to encourage, enhance, and coordinate regional park, greenway, and waterfront planning to connect the public with the region's natural resources and promote economic development and recreational opportunities. This Plan strives to improve regional water quality through a focus on the identification and management of pollution sources and protection of healthy watersheds, improve regional water management systems and increase efficiency of infrastructure. The Plan addresses regional water quantity concerns through a focus on flooding, stormwater/runoff, infiltration, and regional water use. It is also intended to ensure better coordination of water management with land use and conservation planning and decisions regarding where future development occurs, including public access to water resources. These concepts will be utilized when developing and implementing the LWRP, as they help to describe the importance of healthy waterfront development in a community.

#### [The Niagara River Greenway Plan – 2007](#)

The Niagara River Greenway Plan is a comprehensive plan completed by the Greenway Commission that establishes a vision and principles to guide the various stakeholders working toward creating a world-class greenway corridor along the Niagara River. The Greenway is defined by the municipal boundaries of 13 towns, villages, and cities along the Niagara River. The western border of the Town of Amherst with the City of North Tonawanda and the Town of Tonawanda is the eastern boundary of the Greenway. The

plan focuses on the development of a greenway of interconnected parks, river access points and waterfront trails along the right bank of the Niagara River from Lake Ontario to Lake Erie. Upon its completion the Greenway will encompass approximately 35 miles of greenspace. Although Amherst is not one of the original 13 municipalities, the Erie Canal is a component of the Greenway that runs through the cities of Tonawanda and North Tonawanda then eastward through Amherst and across New York State. The Erie Canal is also federally designated as the Erie Canalway National Heritage Corridor. That portion of the Canal that runs through Western New York is also designated as the Western Erie Canal Heritage Corridor. The Erie Canal and multi-use trails represent both water-based “blueway” and land-based systems which connect the Niagara River Greenway to points east. Projects identified in various local and regional plans, including LWRPs will improve the connectivity of the Empire State Trail and the Greenway thereby contributing to the implementation of the Greenway plan.

### 2.2.7 Existing Land and Water Uses

#### Overall Town Land Use Patterns

Over the past two centuries, Amherst has evolved from its historical pattern of small settlements surrounded by farmland, then to a “bedroom” suburb of Buffalo, and to its present status as a premier residential community and a center of employment in Western New York. Significant growth is due in large part to the establishment of the University at Buffalo’s North Campus and the Audubon New Community in the 1970s. In recent years Amherst has undergone a fundamental transition from a rapidly growing community to one that is largely developed. Managing change to maintain and enhance community character and Amherst’s quality of life established over many decades will be a primary challenge for the future.

Major characteristics of the current land use patterns vary by different areas. Land use categories and patterns of development are illustrated on **Map II-4 Existing Land Use**. Except for the southeastern corner of Town, southern Amherst is comprised of mature neighborhoods with grid-like street systems and traditionally scaled commercial centers and corridors. Central Amherst contains newer, more suburban style subdivisions with curvilinear street systems. Commercial centers range from neighborhood to regional in scale and are generally found along suburban or commercial road corridors. Transit Road and Niagara Falls Boulevard (which form the Town’s eastern and western boundaries, respectively) continue as regional shopping destinations, as do nearby sections of east-west corridors such as Sheridan Drive and Maple Road.

The northwestern and particularly the southeastern corners of Amherst have a variety of land uses (e.g., residential, office, and industrial) in some cases located close to each other. Northern Amherst remains largely rural in character, with large areas of restricted agricultural land, public open space, sensitive environmental resources, rural highways, and (mostly in the northeast) a large proportion of the Town’s remaining vacant land. Public and semi-public uses (parks, schools, educational institutions, etc.) are located throughout the Town, generally as isolated rather than as interconnected properties.

Amherst was largely shaped by two different periods of significant development. During the Erie Canal era, settlement resulted in traditional hamlet and village neighborhoods into the mid-1800s. Although growth continued for the next 100 years, a second more substantial period of development came between

# TOWN OF AMHERST

Erie County, New York

## Local Waterfront Revitalization Program

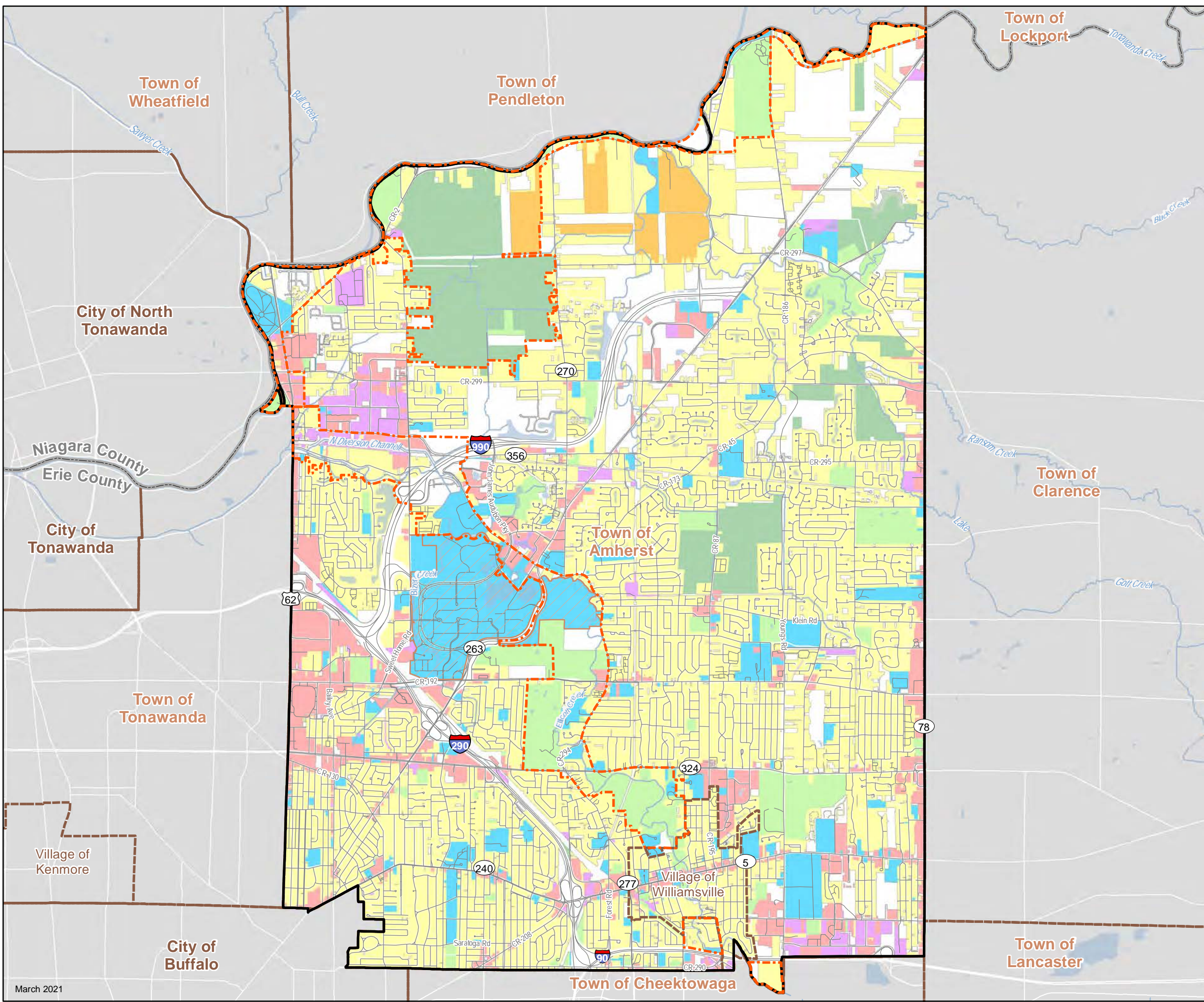
### Map II-4 Existing Land Use

#### Legend

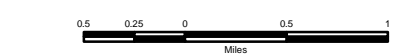
- University at Buffalo
- Town of Amherst
- LWRA Boundary

#### Land Use

- Agricultural
- Residential
- Commercial
- Recreation
- Public and Community
- Services Industrial
- Conservation
- Vacant Land



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



the 1970s and 2000 resulting in suburban single-family neighborhoods and commercial strip development along major roadway corridors. The southern portion of the Town is mostly built-out with areas of traditional development and suburban residential and commercial areas, while the northern part of the Town consists mainly of low-density single-family, agricultural, and open-space properties. Although the Town is often considered to be a residential bedroom community of Buffalo, recent efforts to redevelop key nodes as mixed-use centers and improve trail and alternative transportation networks are underway. These initiatives are intended to transition Amherst into a more dynamic community that fulfills a wider range of resident needs within its own borders.

### [Tonawanda Creek/Erie Canal](#)

The Tonawanda Creek subarea is defined by Tonawanda Creek, which flows east to west separating the Town of Amherst from the Town of Pendleton to the north. Just west of New Road, Tonawanda Creek merges with the Erie Canal. From this point westward, the Creek and Canal co-exist until it eventually meets the Niagara River well west of Amherst. The NYS Empire State Trail follows the southern bank of Tonawanda Creek from New Road through the western edge of Amherst.

The Tonawanda Creek subarea consists of larger parcels with less intensive uses than the rest of the Town. Parcels along the Creek from Transit Road (NYS Route 78) west to Sweet Home Road are a mix of single-family residential and agricultural properties. Residential lots range from about one to five acres, while the agricultural lots range from one to 130 acres with an average size of about 40 acres. The lots tend to be narrow and linear, extending from Tonawanda Creek Road south. This area also contains some agriculture-related commercial businesses, a Town golf course, the Buffalo Niagara Heritage Village, a church, and some public services including the Town of Amherst Wastewater Treatment Facility and the North Amherst Fire Company. Public-facing or publicly owned uses in this area include parcels owned by the Town, Erie County, or the State. These properties present opportunities for increased or enhanced access to the waterfront.

A privately-owned commercial marina is adjacent to Tonawanda Creek at 1900 Campbell Boulevard. The Amherst Marine Center offers services catering to recreational boaters including repair, winterization, and storage.

A variety of parks also occur within the boundary of the Tonawanda Creek subarea. The largest of these, Nature View Park, is a 1,254-acre former agricultural property between Sweet Home Road and Campbell Boulevard. This naturalized area has trails, forests and fields and is managed by the Western New York Land Conservancy.

Amherst Veterans Canal Park is directly adjacent to Tonawanda Creek north of Sweet Home Road. It has Amherst's only public boat, kayak, and canoe launch on the Erie Canal. Facilities include a service building, parking lot, State boat ramp, and dock. The one building on site is currently underutilized and could be opened for public use as a community or interpretive center with restrooms. The University at Buffalo boathouse is located on this property and the rowing team utilizes the park and canal for training.

Nine Mile Island Recreation Center is a camping facility run by a local non-profit group. While the land is located within the Town of Pendleton, the only access point is in the Town of Amherst off Orbit Drive.

Some adjacent areas offer opportunities for small waterfront parklets which could include a few parking spaces accessed directly from Tonawanda Creek Road.

From Sweet Home Road to Niagara Falls Boulevard, parcels become smaller as the road network begins to connect the subarea to single family neighborhoods on more compact parcels and residential neighborhoods containing duplexes and some multi-family apartment complexes. One single family development is currently under construction in an area bounded by Niagara Falls Boulevard, Tonawanda Creek Road, and Tonawanda Creek, suggesting that development in the Town may continue to move north, depending on public sewer availability, and that special consideration and guidance should be given to relationships between new development and the waterfront.

At the western edge of the Town, the Tonawanda Creek subarea includes a cemetery before transitioning to commercial use. The suburban character of the commercial businesses on Niagara Falls Boulevard is very recognizable with name brand businesses and big box stores. The character around Old Niagara Falls Boulevard just to the west of this corridor tends toward smaller, older businesses. An exception is a Delta Sonic car wash center currently under construction between Old Niagara Falls Boulevard and Niagara Falls Boulevard (NYS Route 62). Old Niagara Falls Boulevard contains some underutilized waterfront-facing and adjacent properties which offer great potential to significantly enhance the visual experience along Tonawanda Creek in this area.

#### [Ellicott Creek](#)

The Ellicott Creek subarea is defined by Ellicott Creek, which is a tributary of Tonawanda Creek that flows in a northwest direction through Amherst. Ellicott Creek connects several important places including the Village of Williamsville, Amherst State Park, the former Westwood Country Club, Audubon Golf Course, the State University at Buffalo North Campus, as well as a variety of residential neighborhoods and commercial highway corridors. North of Maple Road the Ellicott Creek Trailway runs parallel to the Creek for almost seven miles.

The Ellicott Creek subarea contains three non-contiguous areas. The first two areas are relatively small and located south of the Village of Williamsville. The first is an industrial area that is close to the Buffalo Niagara International Airport. Businesses include a tool manufacturer, trucking company, and a commercial printer. These businesses are not water dependent, and the Creek does not feature prominently in this area.

The second area is the Lehn Springs residential neighborhood. This neighborhood is bounded by Interstate 90 to the south and the Village of Williamsville to the north. Lehn Springs is a single-family residential neighborhood which has experienced some localized flooding related to the Creek in the recent past.

The third and most significant area within the Ellicott Creek subarea begins north of the Village of Williamsville and extends to the northwest corner of the Town. Just north of the Village, the subarea encompasses Amherst State Park which consists of 77 acres of open space with Ellicott Creek running through the center. The Park is used mainly for passive recreation and includes wooded areas, meadows, old orchards, and formally landscaped grounds. A master plan developed in 2003 describes proposed improvements to the Park; there is an opportunity to advance some of the projects and initiatives in that plan with respect to trails, boardwalks, and invasive species management. Uses around the Park, which

are also within the subarea, are mostly single-family residential neighborhoods, with some larger medium density residential apartment complexes including the St. Mary's Commons senior residence. Also, within the Park is the Town Veterans Memorial, an attractive site commemorating all five service branches. The Park is a heavily used destination and an important recreational fixture for many nearby residents.

Between Sheridan Drive and Maple Road the Ellicott Creek subarea includes the 170-acre vacant Westwood Golf Course and Country Club. Although no longer used, this property has potential to provide important public open space which would connect to other open space and community assets within a dense residential setting. This location is being proposed by the Town as the future Amherst Central Park and is discussed later in this section. The former clubhouse could be retrofitted to provide a variety of potential community benefits. Commercial uses exist at the intersection of Maple Road and North Forest Road.

North of Maple Road, the Audubon Golf Course provides additional open space. The Amherst Parks Department facility is located near this property. The southern terminus of the Ellicott Creek Trailway is located at a parking lot on the west side of North Forest Road. From here, Ellicott Creek flows northward through vacant lands before arriving at the SUNY at Buffalo North Campus.

Although much of the University at Buffalo North Campus is excluded from the WRA boundary, the school has an impact on the land uses around Ellicott Creek. A wide spectrum of residential, commercial and community uses are present around the University campus. This area also contains a convergence of transportation assets which highly influence development patterns and shape the landscape. These include Interstate 990, Millersport Highway (NYS Route 263), and the Audubon Parkway. In addition, a planned extension of the NFTA-Metro Light Rail System may locate a transit-stop just south of the Ellicott Creek subarea boundary where the Audubon Parkway passes by the University campus as illustrated below.

Interstate 990 creates significant neighborhood barriers as it arcs through the WRA creating a large area of office and commercial use to the east, a single-family residential neighborhood to the north and west, and an industrial/commercial area to the west. While the Ellicott Creek Trailway provides some important pedestrian connections between neighborhoods, an expanded trail system and interconnections would provide safer recreation and alternative transportation. This is supported by Policy 3-12 of the Town's Bicentennial Comprehensive Plan, "Designate a town-wide open space and greenway network to be achieved through a variety of mechanisms."

Ellicott Creek divides briefly from this point with a mix of industrial and commercial land uses on the north, large lot single-family residential in the middle, and smaller lot single-family residential to the south. At the westernmost edge of Niagara Falls Boulevard is a suburban commercial corridor. The Ellicott Creek subarea meets the Tonawanda Creek/Erie Canal subarea approximately 0.4 miles north of Ellicott Creek at Creekside Drive. Open space conservation is a priority for this area. New parks such as the proposed Amherst Central Park at 170 acres, kayak launches, trail connections, and enhancements to the Empire State Trail and surrounding lands will work toward achieving the Town's goal for more open space resources. According to Town records, since 2000, over 300 acres of vacant land have been donated to

the public as recreational lands and open space. This number continues to grow yearly as wetland areas included in proposed project sites are donated to the Town by developers.



*Conceptual view of transit-stop of the NFTA-Metro Light Rail System along the Audubon Parkway.*

### 2.2.8 Ownership Patterns

Most land within the Tonawanda Creek subarea is privately owned. Major public landowners include the State of New York, the Town of Amherst, and to a lesser degree, Erie County.

Land owned by the Town of Amherst includes the Amherst Wastewater Treatment Plant, Nature View Park, part of Amherst Veterans Canal Park, the Buffalo Niagara Heritage Village (formerly the Amherst Museum), Oakwood Golf Course, and land along the Canal directly across Tonawanda Creek Road from the Oakwood Golf Course as shown on **Map II-5 Land and Water Public Ownership**. The Town also acquired approximately 19 acres of land along the Erie Canal from the NYS Canal Corporation located between Campbell Boulevard and Ransom Creek. In addition, as shown on Map II-5, the Town of Amherst has purchased the development rights to four parcels of agricultural land within Erie County Agricultural District 17. These four parcels within the WRA are under a permanent easement to the Town of Amherst. Under this agreement, Amherst purchased the development rights, while the owner retains the agricultural rights to the land.

The State of New York is also a significant landowner within the WRA. Much of the State-owned land is located along the Erie Canal and is managed by the New York State Canal Corporation. County-owned land is limited within the WRA. Erie County owns the island portion of Ellicott Creek Park which is off Old Niagara Falls Boulevard.

Within the Ellicott Creek subarea, the Town owns property east of John James Audubon Parkway in the Getzville area south of Dodge Road and at the Audubon Golf Course and Par 3 course west of Ellicott Creek both north and south of Maple Road. The Town also owns small parcels west of Mill Street adjacent to Amherst State Park and land at the southern tip of the State Park adjacent to the Village of Williamsville.








# TOWN OF AMHERST

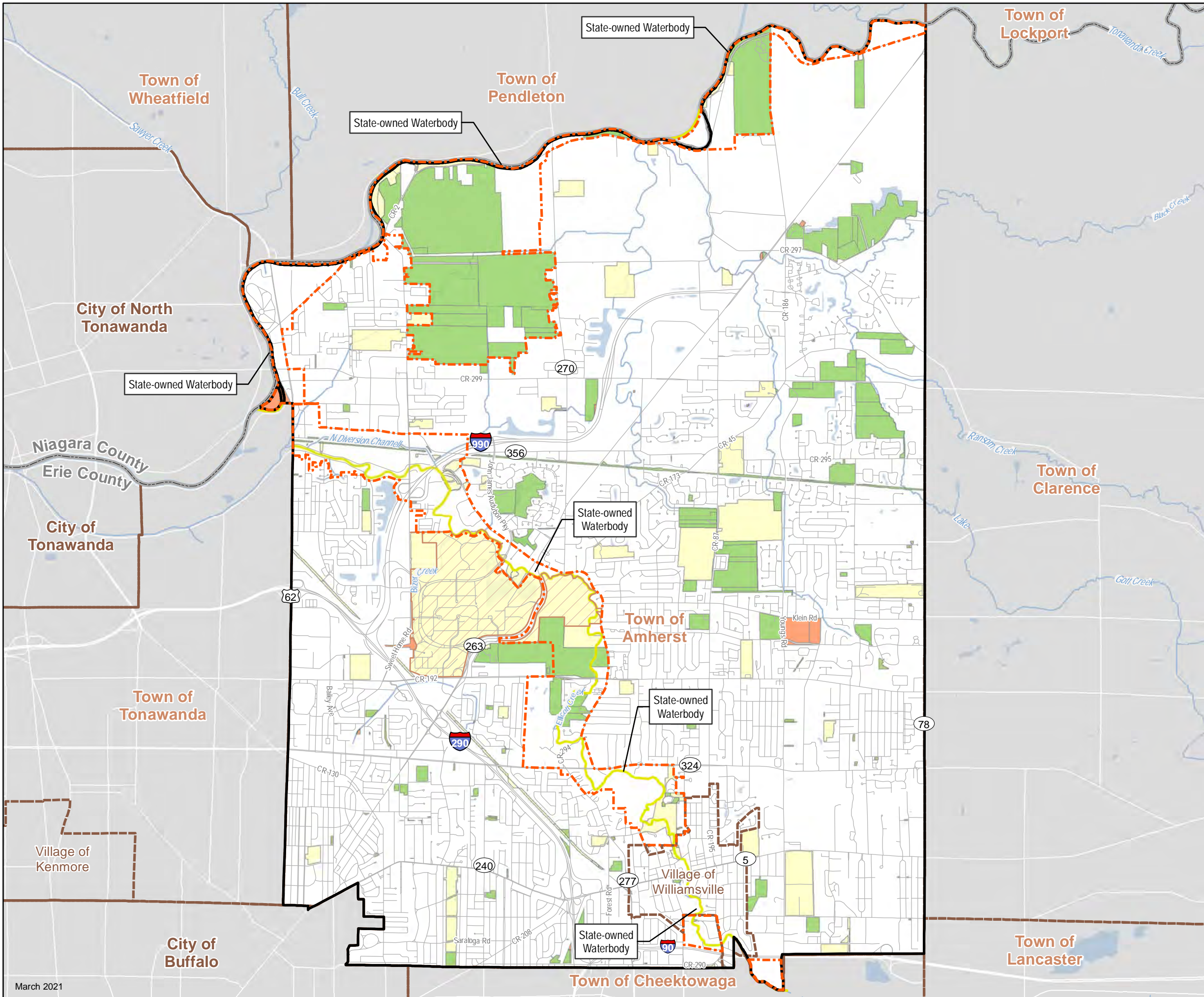
Erie County, New York

## Local Waterfront Revitalization Program

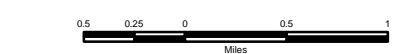
### Map II-5 Land and Water Public Ownership

#### Legend

-  University at Buffalo
-  Town of Amherst
-  WRA Boundary
-  State Owned Waterbody
-  State Owned Parcel
-  County Owned Parcel
-  Town Owned Parcel



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.





### 2.2.9 Zoning

Zoning in the Tonawanda Creek subarea reflects the rural and suburban character of North Amherst as shown on **Map II-6 Existing / Proposed Zoning**. Properties adjacent to the Creek in the northeast portion of the Town are primarily zoned Suburban Agricultural (SA). Other prominent zoning districts within this WRA are Community Facilities (CF) and Recreation Conservation (RC). Some of the CF and RC land comprises narrow, linear stretches of land just south of the Creek where the Empire State Trail is located. The Buffalo Niagara Heritage Village and Oakwood Golf Course, and White Chapel Memorial Park Cemetery are also zoned Community Facilities. On the west end of the subarea, there is a significant portion of commercially zoned land. This area is defined by the big box retail establishments along Niagara Falls Boulevard, and older transitional commercial and residential properties along Old Niagara Falls Boulevard.

Zoning in the Ellicott Creek subarea is more varied to the northwest from just outside of Williamsville to Niagara Falls Boulevard. This subarea begins in an industrial zone on the southern border of the Town. The subarea then includes a portion of an area zoned single-family residential before skipping over the Village of Williamsville, which contains a variety of commercial and residential properties. Northwest of the Village of Williamsville the subarea includes Amherst State Park which is zoned Recreation Conservation District. This area is surrounded by single-family residential districts, some contained within the subarea boundary. This pattern is consistent as the subarea continues north between Sheridan Drive and Maple Road. The Audubon Golf Course and Par 3 course, which extend north and south from Maple Road, are also zoned Recreation Conservation.

Near the University at Buffalo North Campus the subarea includes a classification called “New Community District”. According to the Comprehensive Plan, this district was established in the 1970s to support University related mixed-use centers within a large swath of undeveloped property. The Town is currently in a process of reconsidering the vision for this zone. From here Ellicott Creek briefly splits into two branches, the north branch being the man-made Diversion Channel created in the 1980’s by the US Army Corps of Engineers to reduce flooding. In this area the subarea is zoned industrial (Research Development) to the north, suburban agricultural between the branches, and single-family and low density residential to the south. As the subarea reaches the western boundary of the Town it includes a low-density residential zone and a small strip of commercial zoning which encompasses Niagara Falls Boulevard. A small Community Facilities zone here also accommodates the Ellicott Creek Volunteer Fire Department.

Beginning in 2017 an initiative called *Imagine Amherst* was started with the objective of redefining the shape and functionality of the Town’s commercial centers based on a new community vision. As part of this initiative, the Town developed a new Section 5A in its Zoning Code for new mixed-use districts. New mixed-use zoning districts consisting of both Infill Districts and Retrofit Districts were crafted for the commercial and mixed-use centers identified in the Bicentennial Comprehensive Plan to encourage a mix of land uses that combine to make working, shopping, recreation, and living more convenient.

This section is a hybrid form-based code which effectively changes the Town’s approach to traditional commercial zoning. Instead of separating uses, this new zoning offers eight different types of mixed-use districts which are based on the context of the surrounding built environment. Treatments for use,

# TOWN OF AMHERST

Erie County, New York

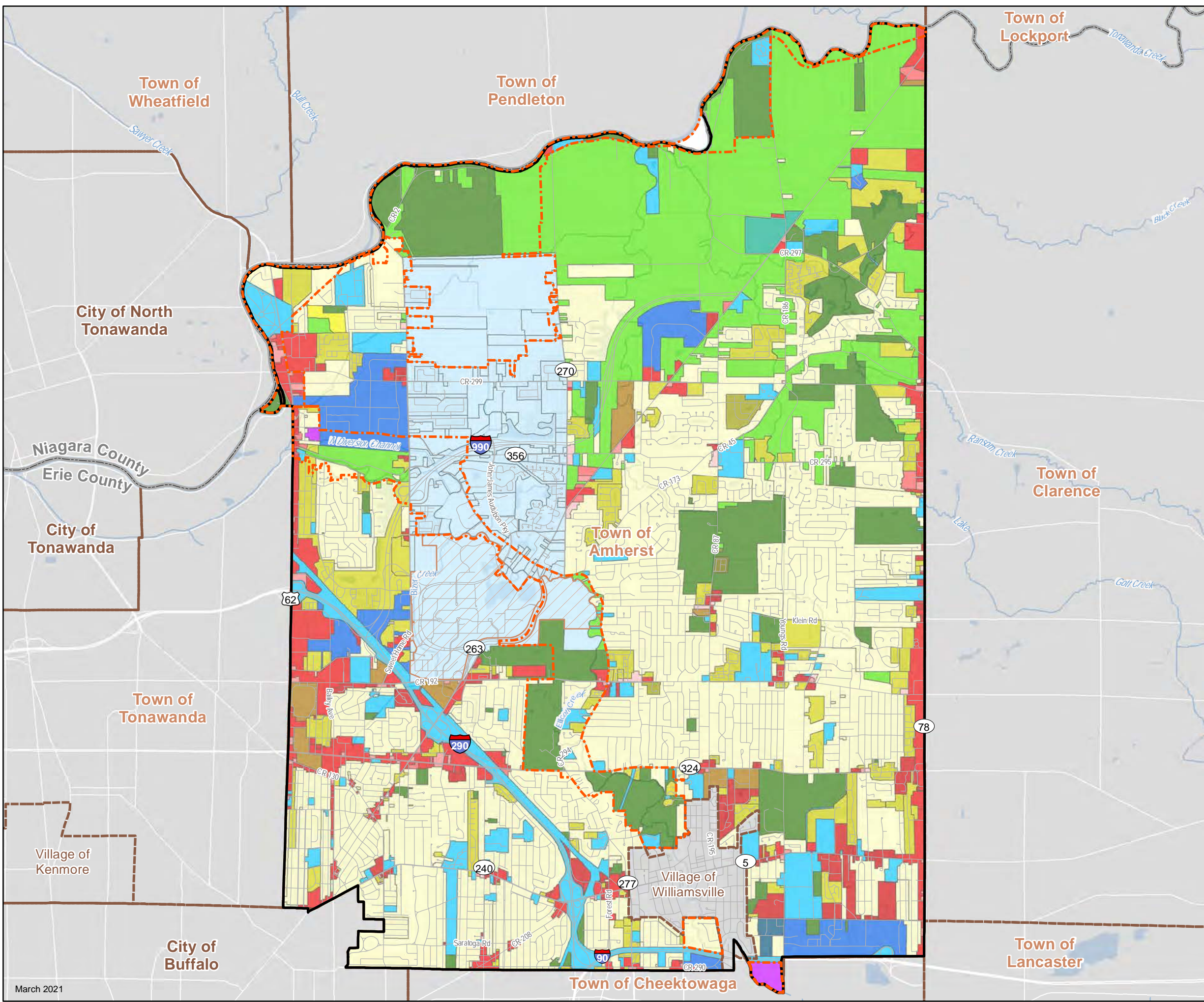
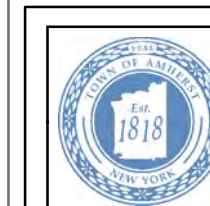
## Local Waterfront Revitalization Program

### Map II-6 Existing Zoning Proposed Zoning

#### Legend

- University at Buffalo
- Town of
- WRA Boundary
- Existing Zoning**
  - Suburban Agricultural
  - Residential District
  - Traditional Residential District
  - Multifamily Residential District
  - Cluster Residential District Three-A
  - Planned Residential District
  - Neighborhood Business District
  - Motor Service District
  - Commercial Service District
  - General Business District
  - Office Building District
  - Shopping Center District
  - Live-Work District
  - New Community District
  - Community Facilities District
  - Research and Development
  - Science Technology
  - General Industrial
  - Traditional Neighborhood Development District
  - Recreation Conservation District
  - Village

This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



materials, street configuration, density and physical configuration are all addressed through this Code update. This will help the Town to achieve an overall vision to encourage mixed-use centers that provide a wider array of goods, services, and experiences in attractive and efficient settings within the bounds of the Town.

These new Mixed-Use Zoning Districts were presented at a public hearing before the Town Board on July 22, 2019 and were adopted by the Town Board at their meeting on September 3, 2019. The new mixed-use districts have been added to the Zoning Code (Chapter 203) and are available for use in the commercial and mixed-use centers. As of this writing, the Town is working to map the new districts as part of the overall Town Zoning Map. No further zoning amendments are proposed at this time.

### 2.2.10 Public Services and Facilities

#### Town Services

Public services and facilities included in the Tonawanda Creek subarea include the Empire State Trail, the Buffalo Niagara Heritage Village, Amherst Veterans Canal Park, and the Town of Amherst Wastewater Treatment Facility.

Public services and facilities included in the Ellicott Creek subarea include the Ellicott Creek Trailway, Amherst Parks Department, Amherst Highway Department, Amherst Engineering Department, and Amherst Refuse Control Office.

In addition to Town-owned parks and recreation facilities, Amherst provides the following services:

#### Police Protection

Amherst is known for its low crime rate and has been rated the “Safest City in America” by researcher Scott Morgan of America’s Safest Cities. The Town’s police force of approximately 150 sworn officers is substantially lower than the number in many communities of the same size. Constructed in 1979, the Town’s police station is considered generally adequate for current space needs.

#### Libraries

The Amherst Main Library at Audubon and three branch libraries are owned and maintained by the Town and operated by the Erie County library system. The Town is presently planning a project to enhance the Main Library by constructing a 6,400 square-foot expansion and partial renovation to the existing 21,000+ square foot library. Additional space will be allocated to the children’s area, a new maker space created, and the community room expanded.

#### Senior Services

The Town’s Center for Senior Services opened in 2000 and is expected to accommodate the facility needs of seniors for the foreseeable future. The Center replaced and consolidated the functions of multiple sites previously located throughout the Town. The consolidation of services at one location was in response to national trends toward providing facilities capable of accommodating the programming needs of two generations of seniors; the need to eliminate administrative costs associated with multiple sites; preferences of seniors; and the increased revenue generating potential of single site service delivery. Van service is available to seniors who are unable to drive to the Center. Senior services planning and programming should continue to address the need for outreach services and accessibility for all seniors.

### Youth Services

The Amherst Youth Board offers varied services in support of the Town's children, youth, and families, including after-school child-care and after-school, evening, and weekend programs. The Town recently purchased the former fire station on Sheridan Drive north of Amherst State Park for a youth center. Over the long term, a potential need has been identified by the Youth Services Department for new facilities in Northeast and Northwest Amherst to serve the increasing number of families in the northern part of Town. If it is determined to be needed in the future, these could be developed as part of joint use facilities in accordance with Comprehensive Plan Policy 9-6 (e.g., in conjunction with construction of new schools).

### Facilities and Services Provided by Others

#### Health Care Facilities

The Millard Fillmore Suburban Hospital is a privately operated health care facility of regional significance located in Amherst. This highly rated facility makes important contributions to the Town's quality of life and economy. The hospital was expanded in 1995 and due to growing demand for health care services from a surrounding suburban population that is increasing in both numbers and age, the hospital was again expanded in 2008. The Hospital is the central feature of the mixed-use activity center located at Maple and Youngs Roads.

#### Fire Protection

The Town of Amherst has no direct role in fire protection services, which are provided by 10 volunteer fire departments that operate a total of 13 fire stations in the Town. The fire stations are generally well distributed within the Town, and no need for new facilities has been identified.

#### Public Schools

The great majority of the Town of Amherst is served by three public school districts: Amherst Central School District, Sweet Home Central School District, and Williamsville Central School District. These districts consistently rank above average in New York State in student performance, make an important contribution to the Town's quality of life, and are potentially key players in the Comprehensive Plan initiative to establish Amherst as a leading national "knowledge-based" community.

### 2.2.11 Abandoned, Deteriorated, Underutilized Areas, Sites, and Buildings

The Old Niagara Falls Boulevard commercial corridor falls within the Tonawanda Creek subarea. This transitional corridor contains some existing and former industrial, commercial, and residential uses and structures which have existed for 50 years or more. Some of the properties have fallen into disrepair.

**Map II-7 Potential Future Waterfront Opportunities** identifies several sites within the subarea of both waterways. For the most part these are waterfront sites located adjacent to the waterway. These include both properties and structures that are considered underutilized by the Town that may afford opportunities for future waterfront uses. This area also lends itself to promoting mixed-use redevelopment.







# TOWN OF AMHERST

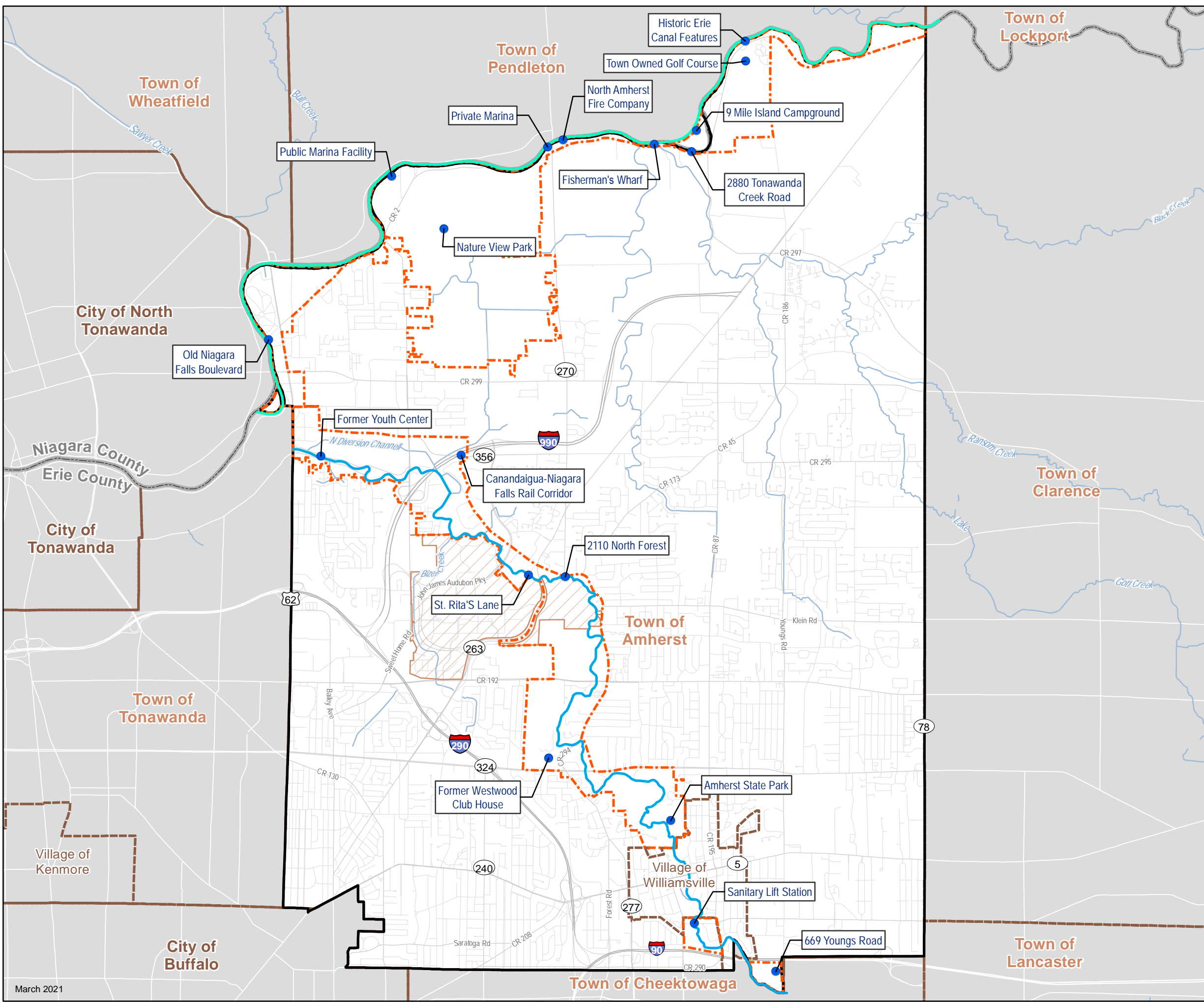
Erie County, New York

## Local Waterfront Revitalization Program

### Map II-7 Potential Future Waterfront Opportunities

#### Legend

-  University at Buffalo
-  Town of Amherst
-  LWRA Boundary
-  Underutilized Site
-  Ellicott Creek
-  Tonawanda Creek



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



Several factors make the Old Niagara Falls Boulevard corridor an interesting potential opportunity for mixed-use redevelopment including adjacency to the Erie Canal. The presence of the Empire State Trail, availability of vacant and underutilized property, low volume of automobile activity, and proximity to residential and commercial activity affords opportunities to create a pedestrian-friendly mixed-use waterfront area with visual and physical connections to the Erie Canal.



*Old Niagara Falls Boulevard offers many types of mixed-use redevelopment opportunities.*



*The Empire State Trail is located just west of Old Niagara Falls Boulevard adjacent to the Erie Canal.*

Along Ellicott Creek the former Westwood Golf Course and Country Club is perhaps the most significant underutilized area within the Town of Amherst at this time. The vast open space area along Maple Road within the Ellicott Creek subarea consists of what is known as the Audubon Recreation Complex that includes the Northtown Center, the Audubon Golf Course and Audubon Par 3 Course.



*The former Westwood Clubhouse provides reuse opportunities possibly as a Town Arts and Cultural Center.*

The Town is pursuing public/private partnerships with potential project stakeholders and prospective developers to create “Amherst Central Park”, a new Town focal point which will include parkland and recreational facilities as well as a mixed-use component to be developed by the private sector. Amherst Central Park will include both the Westwood property and the Audubon Recreation Complex.

The Town envisions using the former Westwood property as a park, preserving the Westwood Clubhouse for reuse possibly as a Town Arts and Cultural Center and developing various indoor and outdoor recreation facilities and sports venues.

The Amherst Central Park project is discussed in more detail in Section IV as one of the Town's most important current community development initiatives. One of the challenges associated with this site involves the site's soil contamination from years of chemical use in landscaping the grounds of the former Westwood golf course.

The Town has held extensive community stakeholder meetings to discuss the proposed project and receive feedback on the site's potential issues and opportunities.



*The existing Westwood pedestrian bridge over Ellicott Creek*

### 2.2.12 Hazards to Navigation

Tonawanda Creek is part of the active Erie Canal System (the former NYS Barge Canal) and is maintained for navigation by the NYS Canal Corporation. Motorized and non-motorized large and small watercraft utilize the waterway primarily for recreational purposes, although some commercial shipments especially for agricultural uses in the area also occur. The navigation channel is well maintained, but boaters need to be aware of some structures like docks or fallen trees due to storm damage or bank erosion.



*Some potential hazards can be a concern to boaters along the Canal like this abutment west of Bear Ridge Road.*

The portion of Ellicott Creek which is in the Town of Amherst is navigable by non-motorized craft only including kayaks and canoes. Areas of the Creek are shallow and occasional debris such as fallen trees or limbs may occur within the waterway creating localized hazards. These hazards may occur from storm events including localized flooding or damage from erosion along the streambanks.

### 2.2.13 Limitations to Development

According to the 2019 Bicentennial Comprehensive Plan Update, “Amherst’s strengths are challenged by several key weaknesses. Although Amherst remains one of the most attractive communities for residential and retail development in Western New York, it will be challenged in the future by several factors, including: a lack of suitable sites for new development, a perception that it is anti-growth, a glut of obsolete commercial buildings and parks, and issues with both regional and local transportation infrastructure.” The lack of greenfield sites for development will encourage future redevelopment and reuse of previously developed properties. An example of this is the Town’s proposed use of properties for the Amherst Central Park project. Redevelopment and reuse will take development stress off of areas that should otherwise be preserved as open space and conservation areas.

Land that remains undeveloped within the Town may be because of development constraints due to the presence of environmentally sensitive features that include wetlands, floodplains and soils unsuitable for development. The *Soil Survey of Erie County, New York*, and prior published soil maps describe the surface soils generally to a depth of 60 inches (USDA, 1986). The fine-grained lacustrine soils which dominate the landscape of the area, however, are recognized as having serious limitations for a variety of engineering activities and land uses (see ECSWCD, 1972; USDA, 1986). Agricultural uses are limited because of generally poor drainage characteristics without artificial drainage, usually surface drainage. Large areas of hydric soils, often indicative of historic or current wetlands, are common as shown on **Map II-8 Soils**.

Seasonal high-water tables (zones of saturation) are recognized as serious limitations. High potential frost action, low permeability (except in sandy soils and sandy layers within lacustrine deposits), high plasticity indices and high liquid limits are common limitations for most urban uses of these soils. North of the escarpment, slow permeability combines with the flat slopes to contribute to ponding and localized drainage problems. These problems are exacerbated in areas prone to localized or regional flooding. The Soil Survey describes the stratified, fine-grained deposits common throughout the study area as “difficult to use for engineering works” and suggests that “sites proposed for embankments and heavy structures or buildings must be investigated for soil strength, settlement characteristics, and the effects of ground water” (USDA 1986).

### 2.2.14 Water-Dependent Uses

Since Tonawanda Creek and Ellicott Creek are inland waterways, there are no existing ports or small harbor developments within the WRA. Commercial fishing and aquaculture do not occur within the Town of Amherst WRA.

#### Tonawanda Creek Subarea

The Tonawanda Creek subarea is used for motorized recreational boating as part of the New York Erie Canal System. It is also used by smaller non-motorized boats including kayaks and the University at Buffalo rowing team. It provides opportunity for fishing and enhances the passive experience of trail users on the Empire State Trail system. **Map II-9 Water Uses** identifies the locations of water-dependent uses within the subareas of both waterways. Most facilities are located within the Tonawanda Creek/Erie Canal subarea due to its navigational opportunities.






# TOWN OF AMHERST

Erie County, New York





## Local Waterfront Revitalization Program

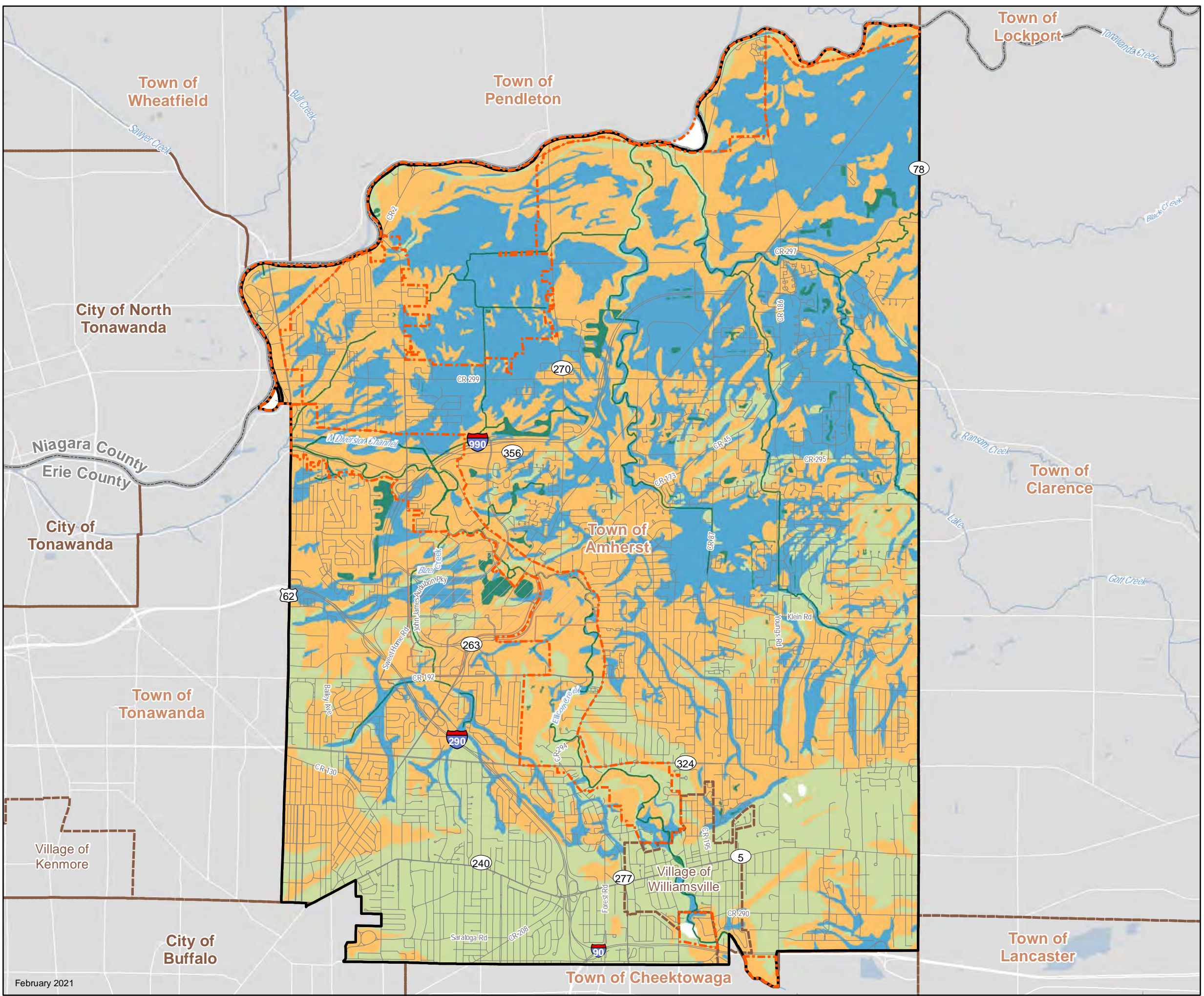
### Map II-8 Soils

#### Legend

-  University at Buffalo
-  Town of Amherst
-  WRA Boundary

#### USGS Soil Type

-  Hydric (saturated by water)
-  Potential For Hydric Inclusions
-  Not Hydric
-  Water



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.






# TOWN OF AMHERST

Erie County, New York






## Local Waterfront Revitalization Program

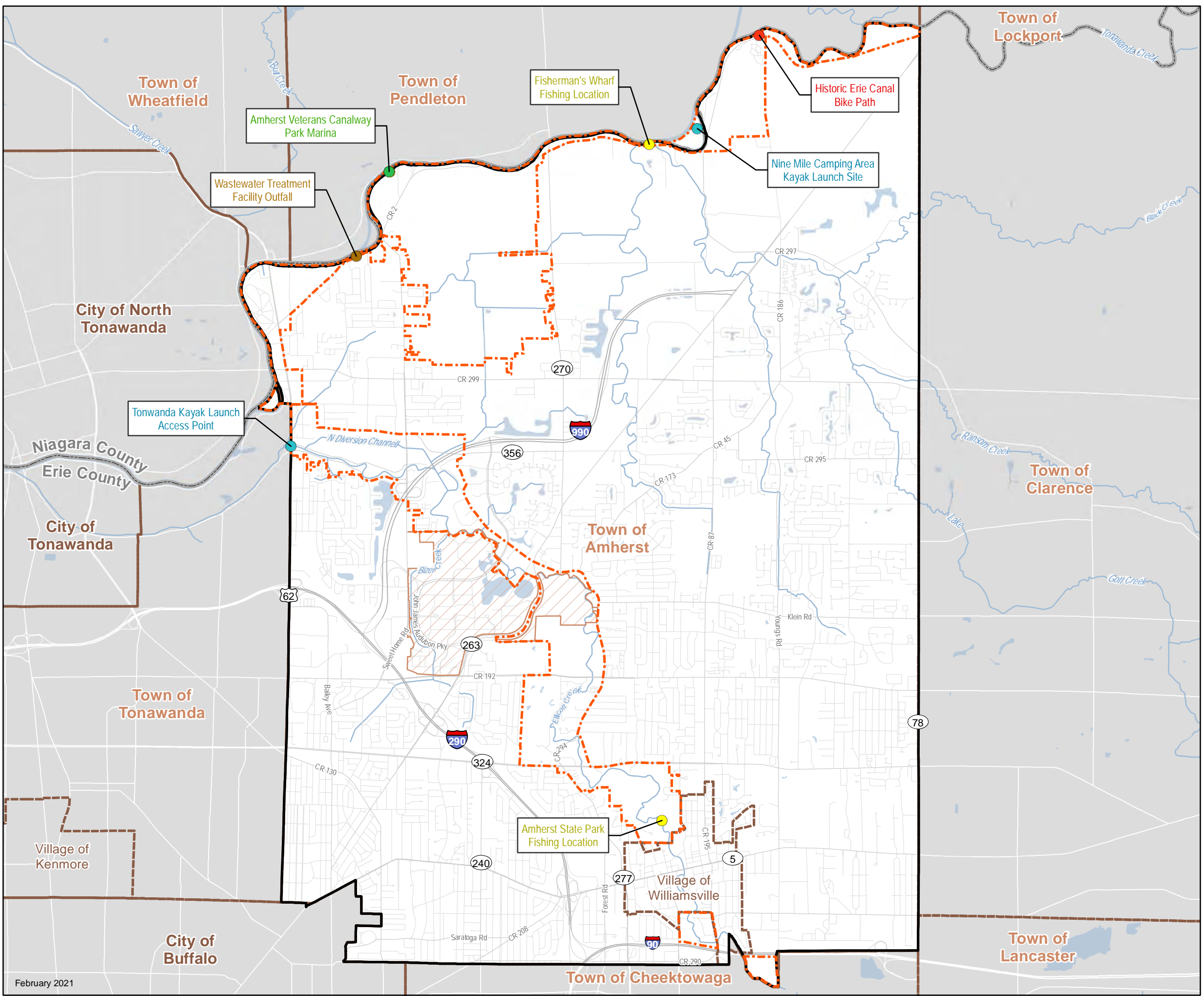
### Map II-9 Existing Water Uses

#### Legend

-  University at Buffalo
-  Town of Amherst
-  WRA Boundary

#### Water Use

-  Cultural / Historic Area
-  Designated Fishing Area
-  Kayak Launch
-  Public Marina
-  Sewage Treatment Outfall



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



Recreational boating has become the major use of the Erie Canal since commercial transportation began to subside in the mid-1900s. Recreational boating uses include chartered boats, privately owned boats, transient boats, and non-motorized boats such as canoes and kayaks.

Boating on the Canal will continue to grow as the economy of the waterfront turns further away from transportation of goods towards recreational use and tourism. In fact, the New York State Canal Recreationway Plan lists the expansion of recreational boating as one of its most important goals (New York State Canal Recreationway Commission 1995). In terms of Canal use near the subarea, the locks at Lockport are the most active in the western section of the Canal. As a result, public access and boat launches are becoming important to the area and to the vitality of the waterfront. However, most locks are not working near capacity, and utilization of the Canal for boating could be significantly increased.

Boat launches within the subarea are located at Veterans Canal Park in northwest Amherst (public), and at the Amherst Marine Center (private). Boats can be rented and boat slips are available for daily or seasonal use at the Marine Center. Kayaks can be launched at the Ransom Creek launch (Fisherman's Wharf) and the Amherst Veterans Canal Park boat ramp.

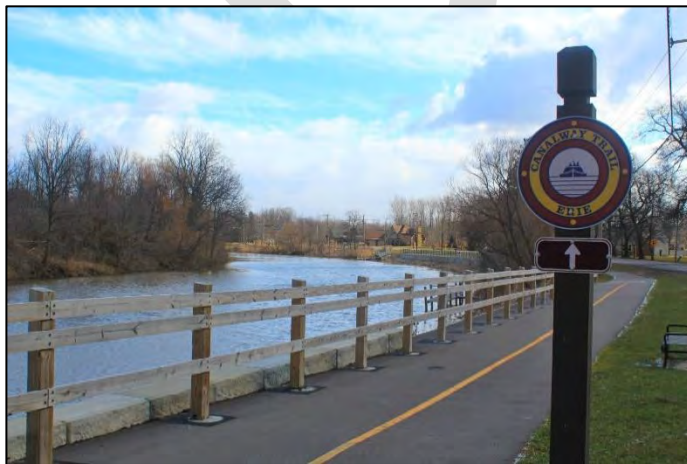
In addition to established boating facilities, many private docks dot the shoreline of the Canal, especially on the Pendleton side. Often these docks use vacant land owned by the New York State Canal Corporation under the terms of a special use permit.

### Ellicott Creek Subarea

Water use along Ellicott Creek includes fishing, canoeing, kayaking and other non-motorized types of watercraft. Ellicott Creek also enhances the experience of those using the Ellicott Creek Trailway and various trails within Amherst State Park.

### 2.2.15 Water Enhanced Uses and Related Issues

The Erie Canal is a historic, navigable waterway which is primarily used today by pleasure boaters traveling between various points in the State's Canal System and between the Great Lakes. In modern times the highest and best use of the Canal is recreation, both on the water and alongside on multi-use trail networks, many of which run parallel to the Erie Canal from Buffalo to Albany.



*The Canalway Trail is now the Empire State Trail.*

In 2017 New York State began reinvesting in the Empire State Trail system by bridging gaps and improving trail use and navigation along the trail. The newly branded Empire State Trail enters Amherst along with the Canal via a dedicated trail bridge next to the vehicular bridge on New Road. From here it follows the Canal on the south side of Tonawanda Creek. For most of the 5 miles of Empire State Trail in Amherst, the trail is located on a narrow strip of greenspace

between Tonawanda Creek Road and Tonawanda Creek. A few on-road interruptions include a 0.25-mile section on Orbit Drive, 0.75 miles on Tonawanda Creek Road west of Campbell Boulevard, a very brief connection on Brenon Road, and a 1.3 mile segment on Tonawanda Creek Road between Vine Lane and Niagara Falls Boulevard. This trail is significant in that it is a transportation and recreation resource used by residents as well as visitors. The Empire State Trail is estimated to have an annual trail traffic volume of approximately 1.6 million visits per year (Parks & Trails New York, 2014). There are opportunities to enhance the public’s experience along Tonawanda Creek by highlighting the historical and cultural importance of the Canal in contributing to the development of New York State and the Town of Amherst.

### 2.2.16 Housing, Economy, Health and Social Services Assets, and Locations of Socially Vulnerable Populations

#### Income and Housing

Table II-5 illustrates the distribution of median household income by earnings bracket in Amherst, Erie County, and New York State in 2017. Although the median income in Amherst was \$72,459, more than 35 percent of households are estimated to have an income over \$100,000. Projections done for the Amherst 2018 Parks Master Plan projected the median income to rise to \$76,930 by 2021.

**Table II-5 – Household Income and Comparative Geographies – 2017**

Household Income Range	Amherst % Occupied Housing Units	Erie County % Occupied Housing Units	New York State % Occupied Housing Units
\$9,999 or Less	6.7	7.6	7
\$10,000 to \$14,999	4	6	5.3
\$15,000 to \$19,999	3.3	5.2	4.6
\$20,000 to \$24,999	4.2	5.2	4.5
\$25,000 to \$34,999	7.4	9.8	8.5
\$35,000 to \$49,999	9.5	12.8	11.3
\$50,000 to \$74,999	16.5	17.5	15.9
\$75,000 to \$99,999	12.6	12.6	11.9
\$100,000 to \$149,999	18.2	14.2	15
\$150,000 or more	17.7	9.1	16.1
Median Household Income	\$72,459.00	\$54,006.00	\$62,765.00

Source: U.S. Census American Community Survey 5-Year Estimates 2013-2017

Amherst has a variety of residential neighborhoods and housing types reflecting the long history of development of the Town through the 20th century. Housing diversity, including from the standpoint of affordability, is a significant issue in Amherst. The potential effects of new development on the character and stability of Amherst’s neighborhoods is also an issue. In past decades, the predominant land use development trend has been conversion of open space and vacant lands into single-family homes, resulting in more suburbanized settings throughout the Town compared to traditional neighborhoods in Eggertsville, Snyder, and Williamsville. More recently, there has also been a pronounced increase in the

amount of multi-family housing, largely to accommodate the demand for off-campus housing by University at Buffalo students. Multi-family housing units account for the majority of new residential units being constructed in the Town. Reasons include a continuing market demand for multi-family units, including student housing, and the fact that large parcels of land that once could be developed as single-family housing subdivisions are limited and difficult to find. Based on Amherst Building Department building permit data of 1,660 residential units permitted during the period from 2016 through 2018 just 231 units or 14 percent of units were single-family houses or duplexes and the remainder were multi-family units.

While not currently a major problem, the deterioration of homes is a potential future threat to the stability of Amherst's older neighborhoods. A substantial proportion of Amherst's housing stock was built prior to 1970 and is now 50 years old or older. Aging housing stock will create the potential for an increase in the number of substandard housing units, particularly if owners lack the means to make the proper investments in property maintenance and repairs.

Approximately two-thirds of Amherst's current housing stock consists of single-family detached homes, with the remainder comprised of a mix of duplexes, townhouses, apartments, and other living arrangements (e.g., dormitories and assisted living). Demographic trends will reinforce the need for a more diverse housing stock to accommodate groups such as the elderly, empty nesters, and students. Housing diversity enhances affordability and, where properly managed, can contribute to neighborhood stability and character.

The Town's neighborhoods are generally in good condition, except for isolated pockets of substandard housing. Nevertheless, there appears to be a perception that older neighborhoods near the City of Buffalo are experiencing decline or, if they are not declining now, are likely to decline in the future. While there is no present basis to predict that significant deterioration will occur in such areas in the future, it is possible that the combination of flat housing values, an aging housing stock, deterioration in older commercial areas, and a continuing emphasis on greenfield development in the Town and surrounding communities could ultimately affect the stability of Amherst's older neighborhoods.

Older commercial areas in Amherst that include traditional business and retail centers are of major importance to the health of Amherst's neighborhoods. Decline in commercial areas affects the visual appearance and image of the Town and can deter investment in nearby residential areas. Revitalizing these areas and reinforcing their traditional role as retail and employment centers with residential uses nearby will stimulate business and investment to provide centers of activity for surrounding neighborhoods. Within the WRA such an area includes vacant and underutilized commercial properties along Old Niagara Falls Boulevard east of Tonawanda Creek/Erie Canal.

Amherst has recently engaged a consultant to conduct a Neighborhood Housing study, which is in progress. The study aims at identifying areas in the Town that require resources to maintain their value and ensure their positive contribution to healthy neighborhoods. As reflected in Table II-6, the total number of housing units and households in Amherst is projected to continue to increase slowly through 2021. Most residents live in owner-occupied housing units, but nearly 30 percent live in rental housing; the large student population adjacent to the University at Buffalo likely contributes to this number. For

the period reviewed, a slow decrease in the overall percentage of owner-occupied housing and an increase in renter-occupied housing is shown.

**Table II-6 – Amherst Housing Profile 2010 to 2021 Trend**

	2010	2016	2021
Total Housing Units	51,179	52,261	53,075
Number of Households	49,733	49,733	50,357
Average Household Size	2.33	2.31	2.29
Owner Occupied Housing	68.2%	66.5%	65.7%
Renter Occupied Housing	27.4%	28.7%	29.2%
Vacant Housing Units	4.5%	4.8%	5.1%

Sources: Town of Amherst; 2018; ESRI Business Analyst; U.S. Census Bureau <https://www.census.gov/>

## Education and Employment

### Education

Amherst has a high concentration of educational resources. In addition to the State University at Buffalo, Daemen College, and Erie Community College, the Town has several top-level parochial and private schools. The Town’s three public school districts are among the best in Western New York. In 2016, approximately 95 percent of Town residents 25 years old or older had attained a high school level education or higher. At the same time nearly 55 percent of Amherst adults had completed a bachelor’s degree or higher, whereas less than 30 percent of adults statewide had completed the same level of education. At the State level just over 14 percent of adults did not complete high school or their GED, compared to just five percent of Amherst’s population. Nearly 29 percent of Amherst adults completed a graduate or professional degree.

The eligible working population of Amherst residents (age 16+) was estimated to be 62,546 in 2016. Of these potential workers, 96.7 percent were estimated to be employed, and 3.3 percent were estimated to be unemployed. Census data indicate most working residents in Amherst (60.1 percent) were employed in the service industry. Ten percent of working residents were employed by the retail industry, and almost nine percent were employed in the finance/insurance/real estate industry. The majority (77 percent) of working residents were employed in white collar occupations, such as professional, management/business/financial, and administrative support jobs. Service jobs employed more residents at approximately 14 percent than blue collar occupations at 9 percent. Within blue collar occupations, transportation/material moving jobs employed the most residents at 3.5 percent.

### Business and Industry

Amherst has led the Western New York region in job creation and commercial development over the past few decades. For many years, the types of jobs locating in Amherst have fallen into the “All Other Employment” category, which excludes Manufacturing, Retail, and Wholesale jobs. These jobs, which number over 50,000, are primarily office jobs. Projections of employment conducted for the Town of Amherst Bicentennial Comprehensive Plan in 2018 showed that approximately 89 percent of jobs over the 20-year period between 2000 and 2020 were expected to be in the “All Other Employment” category. Amherst is expected to continue as a center for office employment in Western New York.

Efficient and affordable office space has been and may continue to be the linchpin of future economic growth in the Town of Amherst. The majority of Amherst's existing office inventory is housed in campus-style office parks developed since 1980, not in urban-style downtowns. Although Amherst has several traditional commercial districts such as the Village of Williamsville and the hamlets of Eggertsville and Snyder, it lacks a downtown area with a critical mass of office space, such as downtown Buffalo. However, the Town is working to redevelop the Boulevard Mall site on Niagara Falls Boulevard to redefine this prime location as a central focal point for Amherst.

Since the Town's industrial and retail sectors are expected to grow more modestly than the office employment sectors, steps must be taken in the coming years to ensure that these sectors remain stable. Manufacturing, retail, and wholesale users alike desire flexible space that allows them to keep up with changing technologies and markets. For this reason, the Town's existing inventory of industrial and retail space must be kept up to date, a process that will include both the rehabilitation of existing buildings as well as the construction of new space that allows flexibility for tenants.

Another element of the Town's economic development program is the preservation of the Town's strong tax base. Although continued commercial development and redevelopment will help to strengthen the tax base, it is equally important that residential property values remain strong. In other words, future commercial development and redevelopment in Amherst must be conducted in a manner that is beneficial to its residential communities, by minimizing negative impacts such as traffic congestion, the reduction of open space and the loss of community character.

Of all the communities in Western New York, Amherst is among the best equipped to accommodate firms as they undergo the transition from start-up to multinational. Amherst's commercial areas bridge the gap from traditional centers to post-World War II highway commercial corridors to modern office parks. Amherst has many positive quality-of-life factors for attracting businesses that offer high-paying jobs that help economic development efforts. These positive factors include:

- low cost of living
- affordable housing options
- good schools and other community facilities
- low crime
- variety of cultural and recreational opportunities
- good transportation network
- presence of the University at Buffalo
- location close to the center of the Buffalo metropolitan area
- location within the New York/Ontario "Golden Horseshoe" (region and world-class city of Toronto, Ontario)

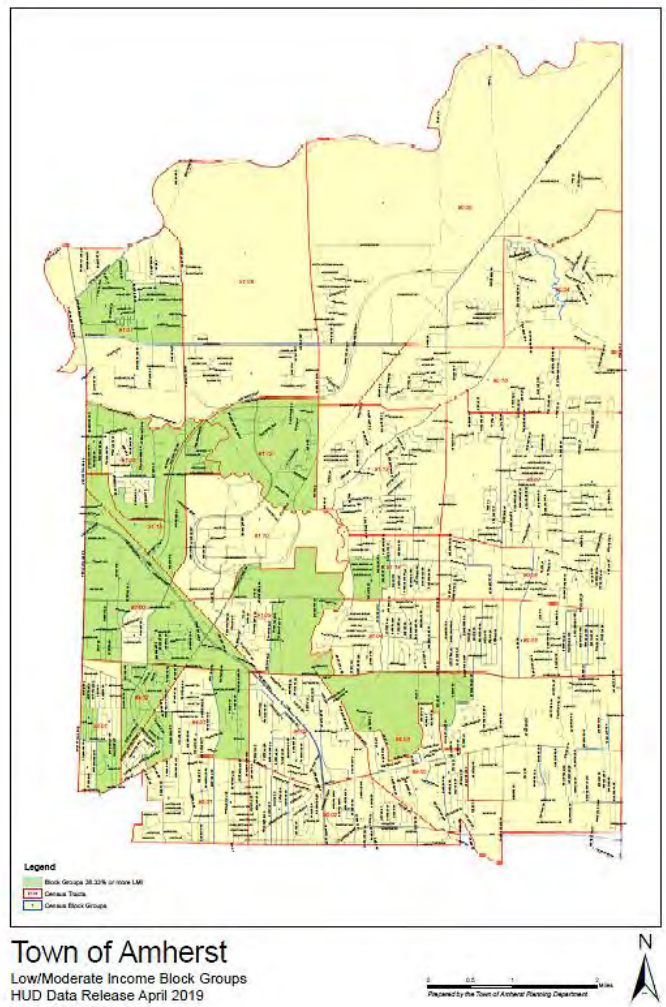
While there is a perception among young professionals that quality job opportunities are limited in the Buffalo area, this perception is not necessarily true. Several leading employers in Amherst interviewed for this LWRP spoke of not being able to find talent locally to fill high-skill, technical jobs. A large part of the problem is communication, as younger workers may not be aware of quality employment opportunities, and employers may not know how to access qualified employees. Improved communication and

collaboration among the Town, large institutions such as the University at Buffalo, and other major employers is needed to address this situation.

### Socially Vulnerable Populations

Low/moderate income census block groups occur within the western and southern half of the Town of Amherst as shown on the accompanying graphic. These block groups include neighborhoods just east of the Tonawanda Creek subarea southeast of Tonawanda Creek Road, east of Niagara Falls Boulevard and north of East Robinson Road in the northwestern corner of the Town.

Low/moderate income block groups occur in several locations within or near the Ellicott Creek subarea. This includes neighborhoods north of the University at Buffalo and west of I-990. These block groups are also located north of Maple Road and between Maple Road and Sheridan Drive south of the University. Block groups also continue southeasterly from Sheridan Drive to the Village of Williamsville. Data also indicate that higher percentages of seniors are located near UB south of Millersport Highway and neighborhoods around the Maple Road and Sheridan Drive corridors.



## 2.2.17 Transportation and Infrastructure

### Highways and Roadways

Amherst's existing transportation network is highly dependent upon private automobiles due to the Town's suburban growth patterns and historic corridor-oriented style of development. Past expansion of development outward from the City of Buffalo led to improvements to highway and local roadway systems to accommodate growth. Automobile dependency has caused congestion along some major roadway corridors and decreased safety for pedestrians and bicycle users.

The WRA is accessed from the south primarily by Interstate 290 – the Youngmann Memorial Highway – which connects to the New York State Thruway (Interstate 90). From I-290 there are three major access routes. Niagara Falls Boulevard (US Route 62) provides access to the western WRA. Interstate-990 (the Lockport Expressway) provides access to the western and central area of the WRA via Sweet Home Road and Campbell Boulevard, respectively. Millersport Highway (NYS Route 263) provides access to the eastern WRA via Hopkins Road and New Road.



From the north, the western portion of the WRA is accessed primarily by Niagara Falls Boulevard. The eastern portion of the WRA can be accessed via NYS Route 78 (Transit Road) from Lockport. The central WRA can be reached via Campbell Boulevard.

Within the WRA, major travel routes consist of Niagara Falls Boulevard, Tonawanda Creek Road, Campbell Boulevard, Hopkins Road, and New Road. Most of the Tonawanda Creek subarea can be accessed through Tonawanda Creek Road in Amherst and Tonawanda Creek Road North in Pendleton, both of which travel along the waterfront providing scenic views and access to recreational resources along the Erie Canal.

Tonawanda Creek Road in Amherst runs in an east-west direction and is the major route across the Tonawanda Creek subarea and north Amherst. It connects the more developed areas near Niagara Falls Boulevard with the north terminus of Millersport Highway. As such, it provides access to Niagara County via intersections with north-south roads that traverse the Erie Canal. This causes parts of Tonawanda Creek Road to be heavily traveled by commuters. Speeding along this roadway can be a problem, especially in areas where there is no safe pedestrian path. This is especially true in the section between Niagara Falls Boulevard and Bear Ridge Road, which includes parts of the Erie Canalway Trail. In addition to the heavy use of some sections of the road, speed limits of 45-50 miles per hour are posted for its length. The higher speed limit is not compatible in some areas where the road is used to connect fragmented portions of the Canal walking and bicycle trail.

Niagara Falls Boulevard is a major thoroughfare in the region providing commuter access to major highways and the cities of Buffalo, Tonawanda, and North Tonawanda as well as to locations in Niagara County. As a result, it is heavily traveled and at peak periods can exceed its carrying capacity, possibly causing commuter traffic to use Tonawanda Creek Road as an early exit.

There is no public transportation within the WRA. However, there are two bus routes that operate nearby:

- Route 34-Niagara Falls Boulevard operates along Niagara Falls Boulevard stopping just short of the WRA at Audubon Industrial Park
- Route 44-Lockport travels between Amherst and Lockport via Millersport Highway

### Utilities and Facilities

Amherst's non-transportation related infrastructure such as water, electric, natural gas, and fiber optic cable has adequate capacity to serve existing and projected future development within the Town.

### Water System

The current condition of the water system in the Town of Amherst is above average and capable of providing adequate fire protection for all property in the Town and adequate potable water supply for residents. The sanitary sewer system has undergone substantial upgrades and is generally capable of operating at a higher level of capacity. In 2011 the Town created the Amherst Consolidated Sanitary Sewer District (CSSD) by combining former districts 1 and 16 into a single district that serves much of Amherst. The district is served through a single water pollution control facility (WPCF), which also serves areas in the Town of Clarence. The Town of Amherst owns and operates the WPCF and collection system. The Erie County Department of Environment and Planning, Division of Sewerage Management operates Sewer District 5, which serves small portions of Amherst adjacent to the Town of Clarence. Sewer District 5 and

Clarence Sewer District 2 serve extensive areas outside of the Town but discharge to the Amherst interceptor sewer network and Amherst WPCF on Tonawanda Creek.

### Water Supply

The Erie County Water Authority supplies most of Amherst with water through a lease agreement. Water is drawn from the Niagara River and treated at the Van de Water Treatment Plant. Current planning indicates ample capacity to accommodate future growth in the community.

### Amherst Utility Cooperative

The deregulation of natural gas and electrical energy created various ways to purchase energy at a lower cost. The Amherst Utility Cooperative (AUC) was formed in 1998 as a way of generating savings through the joint purchase of energy. The AUC purchases natural gas and electricity for the Town of Amherst, the Village of Williamsville, three school districts and three fire companies.

Private utility companies address other infrastructure needs of the residents of the Town of Amherst, for example:

- A lease management agreement with the Erie County Water Authority (ECWA) provides the Town with water.
- National Fuel Gas provides natural gas.
- National Grid and New York State Electric & Gas (NYSEG) provide electrical service.
- The Town has a significant network of Information Technology infrastructure including fiber optic and other telecommunications lines. The Town is served by many providers such as Spectrum, Verizon, Verizon Fios, EarthLink, Viasat and HughesNet.

## 2.3 FISH, WILDLIFE AND WETLANDS

### 2.3.1 New York State Significant Coastal Fish and Wildlife Habitats

There are no known NYS Significant Coastal Fish and Wildlife Habitat Areas that exist within the WRA or that can be affected by the Town of Amherst LWRP.

### 2.3.2 Fish and Wildlife Habitat Not Designated by New York State

The Tonawanda Creek section of the Erie Canal is a popular warm water fishery that supports several game fish including largemouth and smallmouth bass, northern pike, walleye, yellow perch, bullhead, crappie, sunfish, and rock bass. Fishing opportunities are greater on the Tonawanda Creek section of the Canal due to the existence of a natural waterway that can sustain more highly productive fisheries. In fact, the natural portion of the Tonawanda Creek has one of the most diverse fisheries in Western New York, and the confluence of Tonawanda Creek/Erie Canal and Ransom Creek (Fisherman's Wharf) is one of the best fishing locations in the region. Fish stocking does not occur in the Niagara or Erie County sections of the Canal, however brown trout are stocked in Tonawanda Creek in Wyoming County.

Ellicott Creek and Tonawanda Creek are too warm to support natural reproduction of certain fish species. The bedrock creates this warm environment on both creeks. The NYSDEC annually stocks Ellicott Creek and Tonawanda Creek as part of a “Put and Take” program. In the springtime along Ellicott Creek the NYSDEC adds 1,100 rainbow trout at two locations: Glen Avenue bridge and the bridge at Amherst State Park by the historic stairs. These are the only fish species that are stocked annually for sport fishing purposes. Other species may travel from a more suitable habitat in Lake Erie and swim upstream in Tonawanda Creek or Ellicott Creek. There could be runs of steelhead largemouth bass, smallmouth bass, and northern pike or other strays from other sites. Some of these locally stocked trout could be returning from a run into Lake Erie and Lake Ontario, although not many of the locally stocked trout make it to the lake and back. Northern Pike may also move up both creeks to spawn.

### 2.3.3 Fish Consumption

The New York State Department of Health (NYSDOH) administers fish consumption advisories, as appropriate, in response to fish tissue sampling. NYSDOH maintains a general statewide advisory for all freshwater sport fish, recommending only one meal (about one-half pound of fish) per week due to possible unknown contamination. Within the WRA, the NYSDOH advises no more than one meal of carp per month due to PCB contamination in the Erie Canal from Lockport to the Niagara River. The NYSDOH suggests other species may be susceptible to contamination where advisories are posted recommending children under the age of 15 and women of childbearing age not eat any fish from those waterways.

Commercial fishing and aquaculture do not occur within the Town of Amherst WRA.

### 2.3.4 Threatened and Endangered Species

The NYSDEC and the Western New York Nature Conservancy maintain the New York Natural Heritage Program, an inventory of threatened and endangered species, habitats, and natural communities in New York State. Due to the sensitive nature of the information, the Natural Heritage Program disseminates data with care, not giving the exact locations of rare species and habitats. If rare species or habitats are found in the general area where a project is proposed, it is likely that additional permits for land development activities will need to be obtained from the NYSDEC. Each habitat or species is listed in the inventory with its current State, global and legal status. Often the State and global rankings are not the same because species that may be rare in the State of New York may be abundant in other areas.

The inventory lists several occurrences of designated species as shown in Table II-7. The Hopkins Road Swamp is designated as an unprotected natural community. In Tonawanda Creek, there are nine species of mollusks listed as unprotected and two fish species that are listed, one as threatened – the long ear sunfish – and one as unprotected. In Mud Creek, a tributary to Tonawanda Creek and the Erie Canal, there are two species of mollusks listed as unprotected. In addition, the inventory identifies four plant species originally found in the greater Buffalo region which are endangered and one which is threatened. While these are not known to have been documented locally, it is possible that they could be present in undisturbed locations within the WRA.

**Table II-7 - Summary of Threatened and Endangered Species Occurrences in the WRA**

Species	Designation	State Heritage Ranking*	Global Heritage Ranking**	General Location
<b>Natural Communities</b>				
Hopkins Road Swamp	Unprotected	S2/S3	G3/G4	Amherst
<b>Plants</b>				
Blue-Hearts	Endangered	SH	G5	Buffalo
Sarwell's Sedge	Threatened	S1S2	G4G5	Buffalo
Compact Hawthorn	Endangered	SH	G5	Buffalo
Lesser Fringed Gentian	Endangered	S1	G5	Buffalo
Golden Dock	Endangered	S1	G5	Buffalo
<b>Mollusk</b>				
Threeridge	Unprotected	S1	G5	Tonawanda Creek, Mud Creek
Wabash Pigtoe	Unprotected	S2	G5	Tonawanda Creek
Fragile Papershell	Unprotected	S3	G5	Tonawanda Creek, Mud Creek
Black Sandshell	Unprotected	S2S3	G5	Tonawanda Creek
Kidneyshell	Unprotected	S2	G4G5	Tonawanda Creek
Rainbow	Unprotected	S2S3	G5	Tonawanda Creek
Pocketbook	Unprotected	S2S3	G5	Tonawanda Creek
Pink Heelsplitter	Unprotected	S2S3	G5	Tonawanda Creek
Pink Papershell	Unprotected	SR	G5	Tonawanda Creek
<b>Fish</b>				
Longear Sunfish	Threatened	S1	G5	Tonawanda Creek
Brindled Madtom	Unprotected	S1	G5	Tonawanda Creek

**\* State of New York Rankings**

- **S1:** Typically, 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or some factor of its biology making it especially vulnerable in New York State.
- **S2:** Typically, 6 to 20 occurrences, few remaining individuals, acres, or miles of stream, or factors demonstrably making it very vulnerable in New York State.
- **S3:** Typically, 21 to 100 occurrences, limited acreage, or miles of stream in New York State.
- **SH:** Historically known from New York State, but not seen in the past 15 years.

**\*\* Global Rankings**

- **G1:** Critically imperiled globally
- **G2:** Imperiled globally
- **G3:** Rare and local throughout its range
- **G4:** Apparently secure globally

- **G5:** Demonstrably secure globally”

### 2.3.5 Wetlands

#### Wetlands within the WRA

New York State has inventoried and classified several extensive wetland areas within the WRA. The most extensive wetlands within the WRA include a large area of Nature View Park and the southern portion of Oakwood Golf Course. **Map II-10 Wetlands** and Table II-8 shows the location of State (DEC) and federal (NWI) wetlands within the WRA and their context within the Town. The NYSDEC inventories and classifies wetlands in the State. The NYSDEC has regulatory authority over wetlands under the Freshwater Act of 1975. For regulatory purposes, wetlands are classified according to their value and the benefits they provide. Factors used when evaluating a wetland are ecological associations, cover type, and special features such as habitat for endangered species, distribution, location, frequency, and hydrological and pollution control features. State-regulated wetlands are given a ranking of I through IV. Class I wetlands provide the greatest amount of benefit. Permits to alter these wetlands are the most difficult to obtain. Class IV wetlands provide the fewest benefits and permits to modify these wetlands are easier to obtain (*The Freshwater Wetlands Act (FWA), Article 24 of the Environmental Conservation Law, 1975*).

The U.S. Army Corps of Engineers (USACE) and the EPA have regulatory authority of NWI wetlands under the Clean Water Act. Federal wetland delineations are conducted on a case-by-case basis; their locations and extent are not compiled on a single map by the USACE. Wetlands are likely to grow and change over time, creating the potential for future designated or jurisdictional wetland areas. Guidance about wetland information, permits, and regulations should be sought from the appropriate regulatory agency.

**Table II-8 – NYSDEC and NWI Wetland Acreages within the Town of Amherst and WRA**

Wetland Locations	NYSDEC Wetlands	NWI Wetlands <sup>1</sup>
Total Acreage of Wetlands within the Town of Amherst	2361.04 acres	6026.48 acres
Total Wetlands Outside WRA Boundary	1352.39 acres	4062.07 acres
Total Wetlands within Combined WRA Boundary	1008.65 acres	1964.41 acres
Total Wetlands Tonawanda Creek/Erie Canal Subarea	986.63 acres	1512.14 acres
Total Wetlands Ellicott Creek Subarea	22.02 acres	452.27 acres
<sup>1</sup> NWI wetland totals include NYSDEC wetland acreages based on GIS parcel analysis		

#### Benefits of Wetlands

The NYSDEC has identified the following benefits of wetlands:

- **Flood and Stormwater Control:** Wetlands provide critical flood and stormwater control functions. They absorb, store, and slow down the movement of rain and melt water, minimizing flooding and stabilizing water flow.

# TOWN OF AMHERST

Erie County, New York

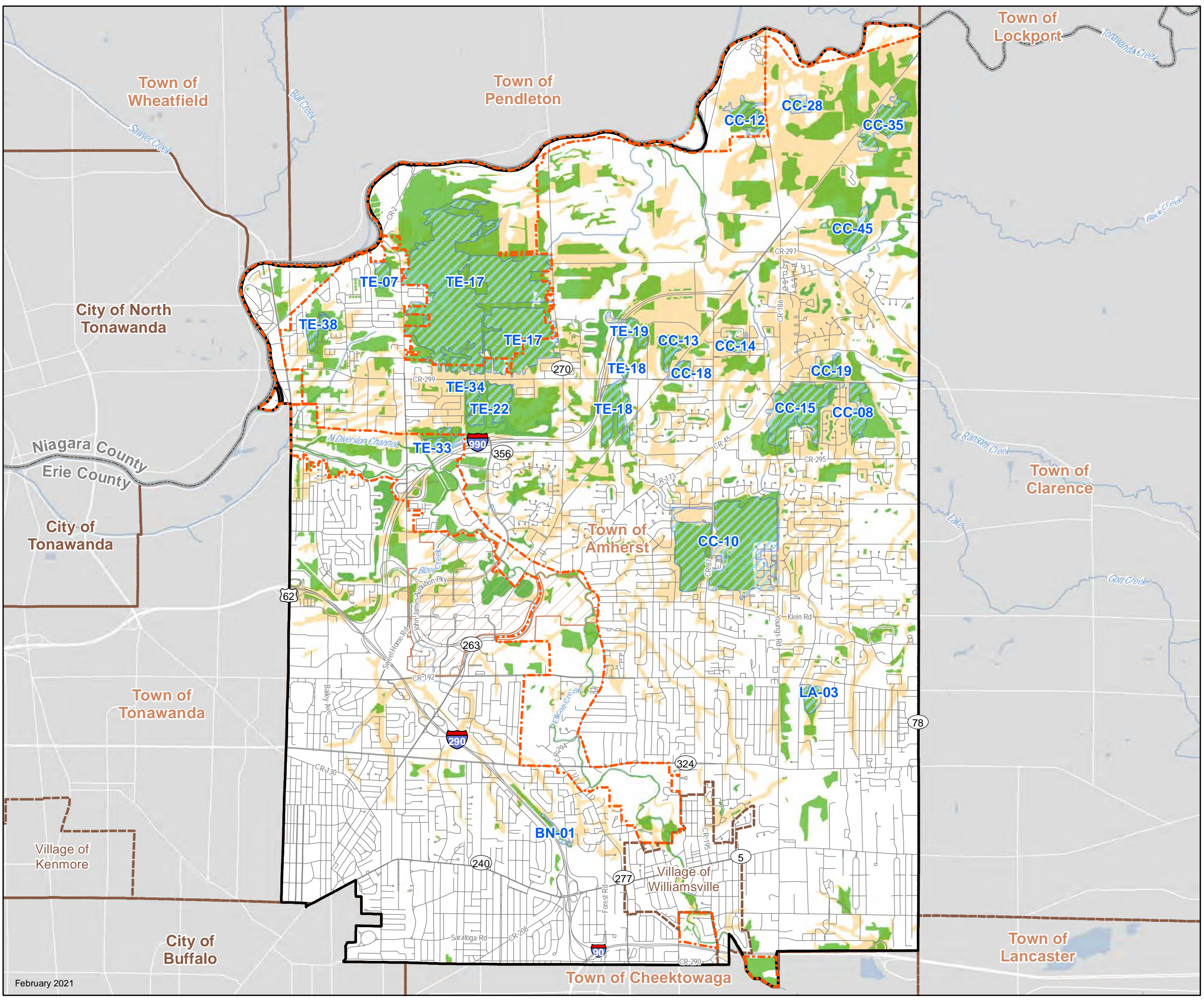
## Local Waterfront Revitalization Program

### Map II-10 Wetlands

#### Legend

- University at Buffalo
- Town of Amherst
- WRA Boundary
- NYSDEC Designated Wetland (with ID #)
- National Wetlands Inventory Mapped Wetland
- Hydric Soil

#### Mapped Wetlands



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.

- **Surface and Groundwater Protection:** Wetlands often serve as groundwater discharge sites; maintaining base flow in streams and rivers; and supporting ponds and lakes. In some places, wetlands are very important in recharging groundwater supplies. Wetlands also improve water quality by absorbing pollutants and reducing turbidity.
- **Erosion control:** Wetlands slow water velocity and filter sediments, protecting streams, lakes, reservoirs and navigational channels. They also buffer shorelines and agricultural soils from water erosion.
- **Pollution Treatment and Nutrient Cycling:** Wetlands cleanse water by filtering out natural and many manmade pollutants, which are then broken down or immobilized. In wetlands, organic materials are also broken down and recycled back into the environment, where they support the food chain.
- **Fish and Wildlife Habitat:** Wetlands are one of the most productive habitats for feeding, nesting, spawning, resting and cover for fish and wildlife, potentially including many rare and endangered species.
- **Public Enjoyment:** Wetlands provide areas for recreation, education and research. They also provide valuable open space, especially in developing areas where they may be the only green space remaining.

### 2.3.6 Natural Protective Features

There are no Natural Protective Features within the Town Amherst.<sup>1</sup> These coastal features include nearshore areas, offshore sandbars, beaches, bluffs, primary and secondary dunes, wetlands, undeveloped floodplains, and vegetation. Natural protective features and other sensitive environmental features add ecological value by buffering damage from natural events to developed areas, specifically absorbing storm energy and managing flood waters.

Within the WRA environmentally sensitive features include wetlands, conservation areas, floodplains, and woodlands. **Map II-11 Sensitive Environmental Features** identify important conservation areas within the Tonawanda Creek subarea in northern Amherst including Nature View Park. Significant natural communities are located east of the Ellicott Creek subarea in central Amherst.

While much of Amherst's natural vegetation has been cleared for development or agriculture, significant amounts of woodland remain, particularly along stream corridors, in wetland and conservation areas, and in the northern part of Town. In addition to providing environmental benefits such as habitat for wildlife and improved air and water quality, woodlands make important contributions to Amherst's visual character.

The last glacial ice sheets retreated from the area about 13,000 years ago. Vegetation returned including large grassy areas, spruce trees, and other tundra species. Spruce-Pine forests dominated the region about 10,000 years ago while tree types like oak, sugar maple, elm, and ash were moving up from the

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<sup>1</sup> NYSDEC List of Coastal Erosion Hazard Areas Communities accessed March 16, 2021 <https://www.dec.ny.gov/lands/87928.html>






# TOWN OF AMHERST

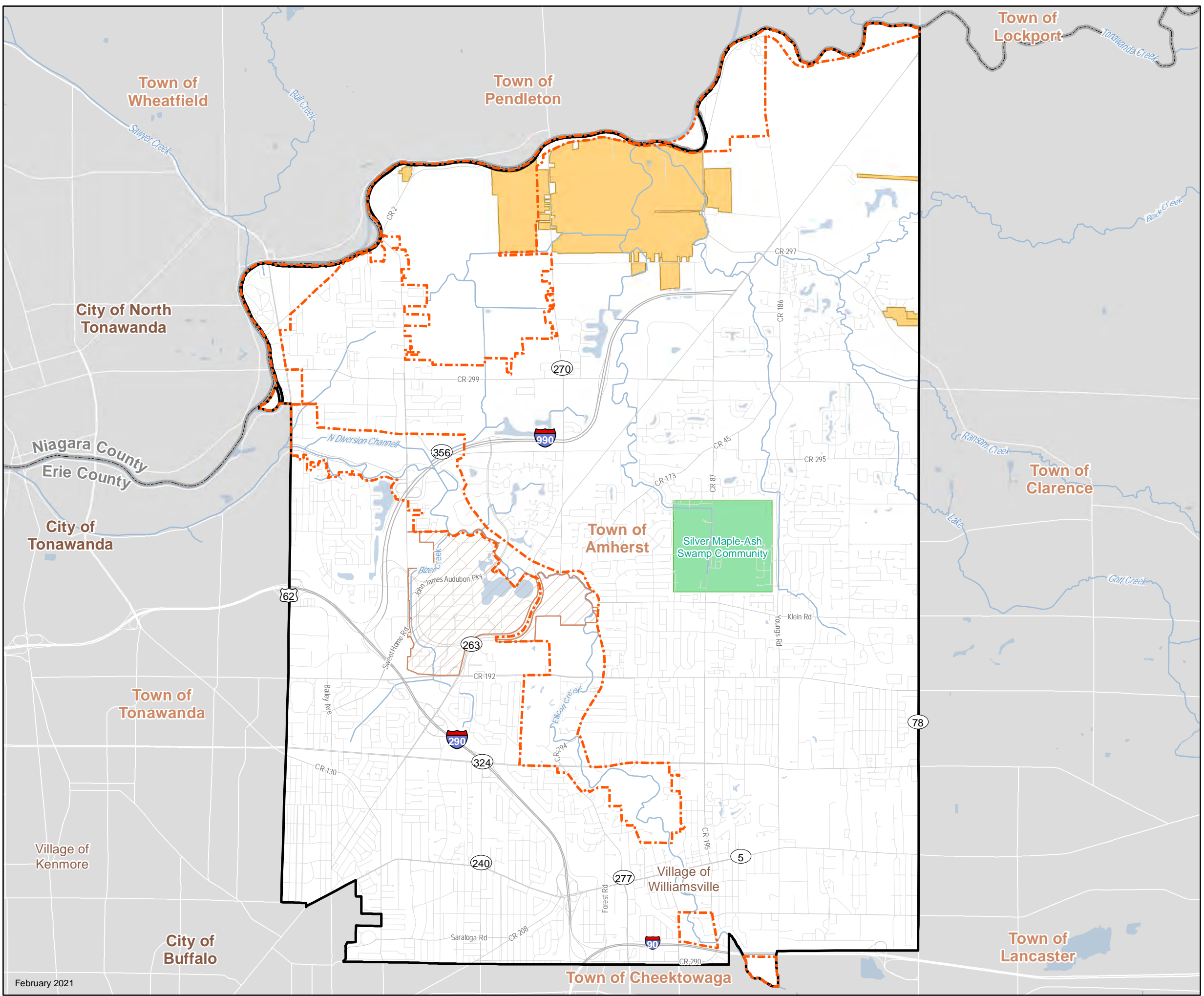
Erie County, New York

## Local Waterfront Revitalization Program

### Map II-11 Sensitive Environmental Features

#### Legend

-  University at Buffalo
-  Town of Amherst
-  WRA Boundary
- Sensitive Environmental Features**
-  Significant Natural Community
-  Erie County Agricultural District



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.





south. The climate in western New York gradually became warmer, and from about 10,000 years ago to just prior to European settlement, the natural landscape changed to a Beech-Maple forest that dominated the poorly drained portions of the Lake Tonawanda plain, including much of northern Amherst. Oak, chestnut, ash, and pine occurred in greater numbers in well-drained areas such as the Onondaga Escarpment in southern Amherst (Miller 1973).

## 2.4 FLOODING AND EROSION HAZARDS

### 2.4.1 Designated Regulatory Floodways

Federal Emergency Management Agency (FEMA) mapping indicates that significant portions of the WRA of both waterways are designated floodways and floodplains as shown on **Map II-12 Floodways and Floodplains**. This is especially true along Ellicott Creek as it meanders through central and southern portions of the Town. Although not directly within the Tonawanda Creek subarea, large areas of floodways and floodplains occur just south of the Creek in northeastern Amherst where most flooding results from Ransom Creek. **Map II-13 Hydrography** shows the extent of surface waters and drainage patterns associated with both waterways within the WRA and Town-wide.

#### Special Flood Hazard Areas

Property owners within the Town of Amherst became eligible to purchase flood insurance through the National Flood Insurance Program (NFIP) in 1974. From 1974 to 1984, the flood insurance program was regulated under the provisions of the emergency program of the NFIP. Under the emergency program, the Town adopted its first official floodplain map on February 27, 1978. On December 18, 1984, the regular program of the NFIP became effective and continues to the present date. The floodplain maps depict the Special Flood Hazard Area (SFHA) which is commonly known as the 100-year floodplain. Updated Flood Insurance Rate Maps (FIRMs) were adopted in association with the regular program in 1984. Since then, there have been major revisions to the FIRMs on September 28, 1990, October 16, 1992 and on June 7, 2019. The current 100-year floodplain covers approximately 14.4 percent of the Town of Amherst; 24 percent is within the 500-year floodplain.

According to the 2015 Erie County Multijurisdictional Hazard Mitigation Plan Update the Town is also one of two municipalities in Erie County eligible for the Community Rating System (CRS) within the NFIP. The Community Rating System is a program under which communities choosing to implement floodplain management actions that go beyond the minimum requirements of the NFIP become eligible for discounts on flood insurance premiums. In Amherst, this program gives a 10 percent reduction in insurance premiums for property owners within Special Flood Hazard Areas, and a 5 percent reduction in premiums for property owners outside the Special Flood Hazard Area.

#### Tonawanda Creek Subarea

Within the Tonawanda Creek subarea, the confluence of Ransom and Tonawanda Creeks creates a large area east of Campbell Boulevard that is susceptible to flooding. In this area, floodwaters from Tonawanda and Ransom Creeks can merge or at least back up Ransom Creek and cause more flooding upstream. According to FEMA, “the last four miles of Ransom Creek have a channel capacity that is often inadequate during periods of heavy flow; moreover, the creek flows slowly and overflows its channel banks” (FEMA







# TOWN OF AMHERST

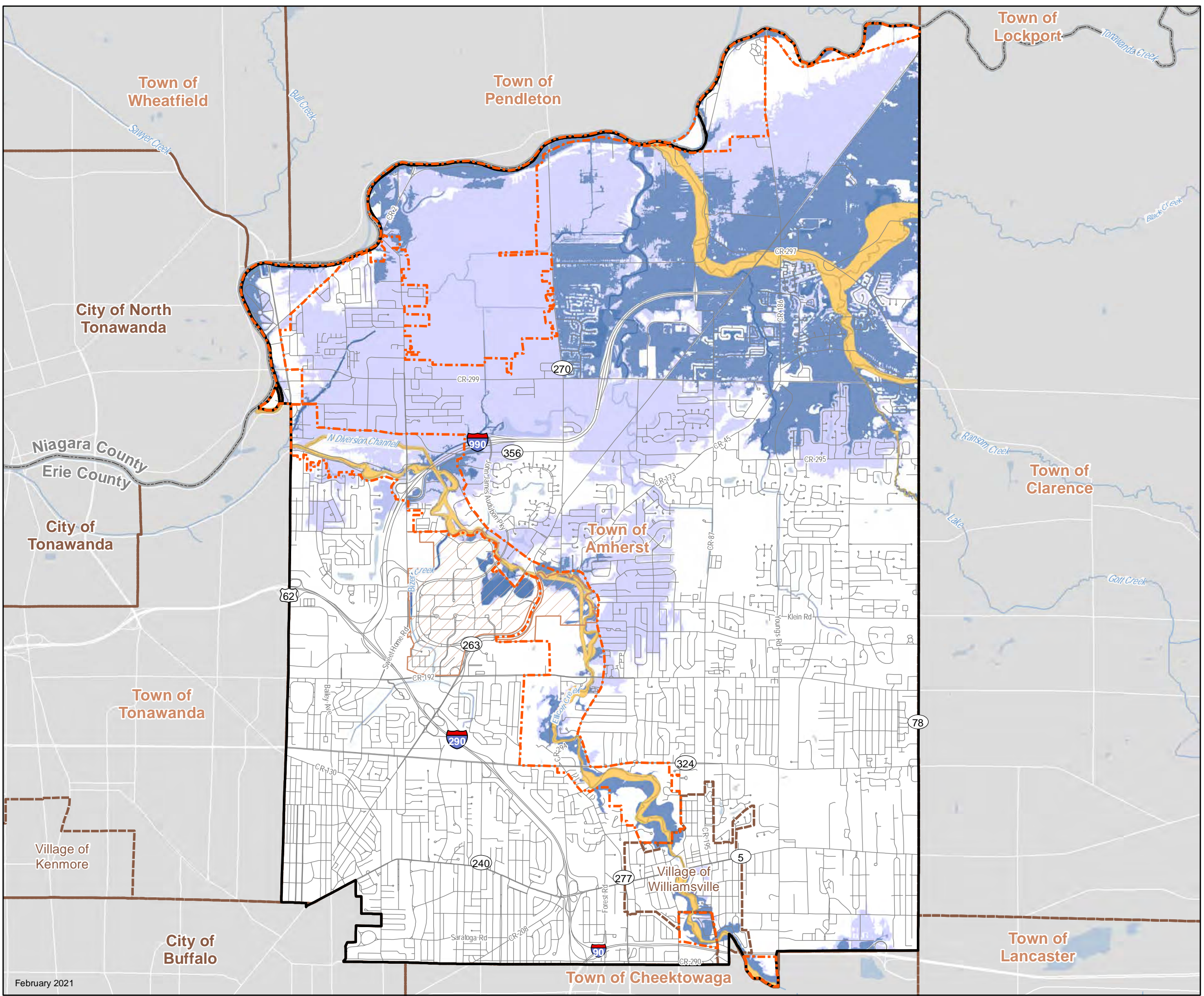
Erie County, New York

## Local Waterfront Revitalization Program

### Map II-12 Floodways & Floodplains

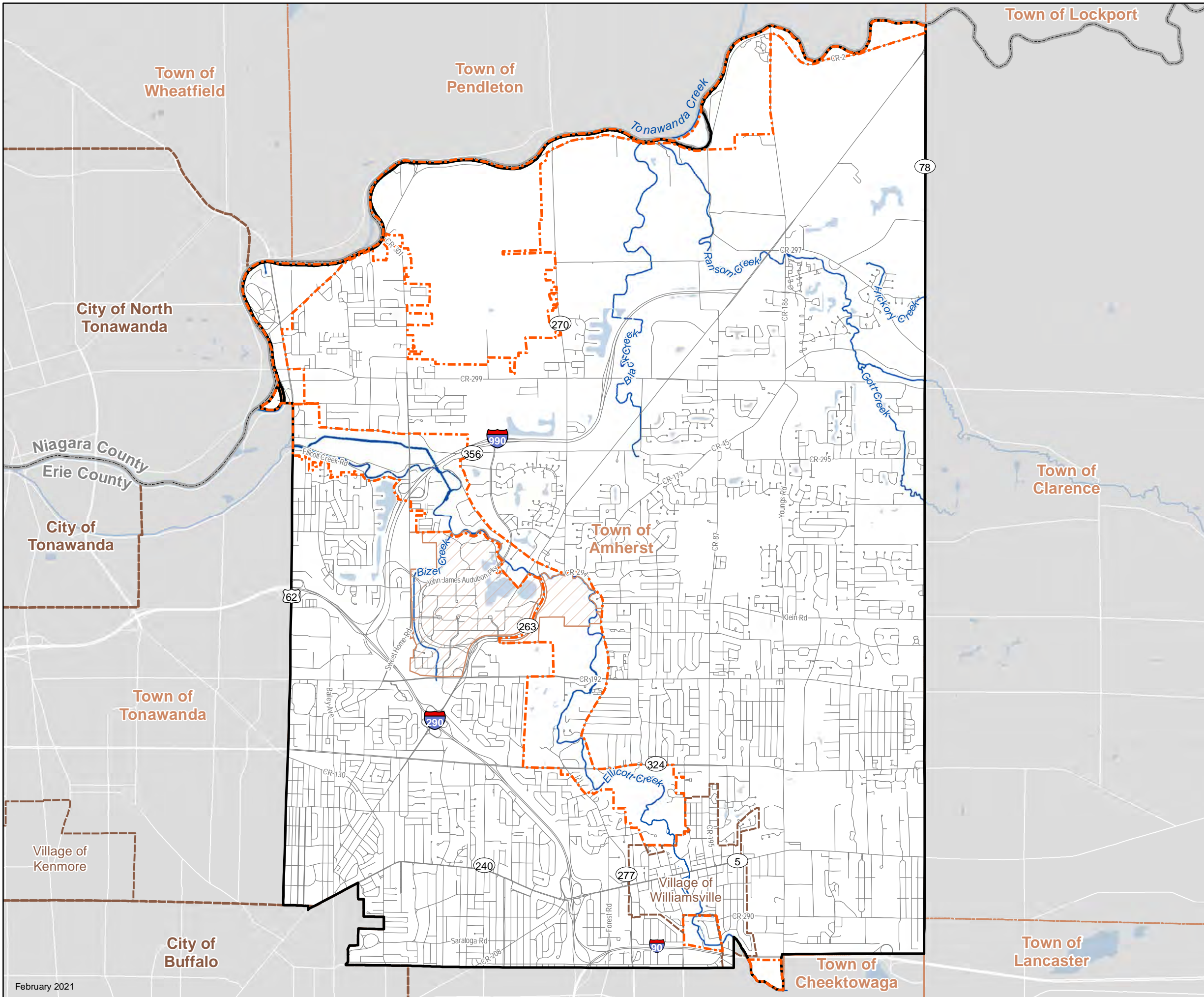
#### Legend

-  University at Buffalo
-  Town of Amherst
-  WRA Boundary
- Mapped Floodplains**
-  FEMA Floodway
-  FEMA 100-year Floodplain
-  FEMA 500-year Floodplain



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.










# TOWN OF AMHERST

Erie County, New York

## Local Waterfront Revitalization Program


### Map II-13 Hydrography


#### Legend


-  University at Buffalo
-  Town of Amherst
-  WRA Boundary
- Hydrography**
-  Stream
-  Waterbody

This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.









1992). West of Campbell Boulevard, the floodplain is close to the banks of Tonawanda Creek. It includes Tonawanda Creek Road and occasionally property on the other side of the road. In addition, most of Nature View Park lies within the Tonawanda Creek floodplain and is characterized by numerous wetlands.

#### Ellicott Creek Subarea

Within the Ellicott Creek subarea floodplains largely follow the path of Ellicott Creek. Areas susceptible to flooding include South Ellicott Creek Road to the east of Interstate 990, areas to the north and east of the Interstate 990 ramp near Durham Drive, sections of Frontier Road and North Forest Road near the University at Buffalo Campus, Foxcroft Lane, the Park Country Club, and Amherst State Park.

### 2.4.2 Flooding and Stormwater Management Overview

#### Local Controls

The Town of Amherst has adopted and implemented several measures aimed at mitigating flooding damages including zoning and code provisions, flood emergency response plans, stormwater and flood mitigation plans, and collaborative efforts across the greater Erie County region.

#### Zoning Provisions for Flood Hazard Reduction

Zoning and code provisions for flood hazard reduction can be found in Section 7-7 of the Town of Amherst Zoning Ordinance. These provisions acknowledge the potential and/or actual damages from flooding and erosion to the residents of the Town. These damages may include:

- destruction or loss of private and public housing
- damage to public facilities
- injury to and loss of human life.

To mitigate these damages, the provisions are designed to:

- regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities
- require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction
- control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters
- control filling, grading, dredging and other development which may increase erosion or flood damages
- regulate the construction of flood barriers which unnaturally divert floodwaters or which may increase flood hazards to other lands
- qualify for and maintain participation in the National Flood Insurance Program.

The law establishes the Areas of Special Flood Hazard within the Town that are subject to these provisions and designates administrative responsibilities for enforcing the provisions. Examples of provisions include special permits needed for construction within floodplains, development requirements for new buildings, construction standards, and considerations for utilities.

### [National Flood Insurance Programs Community Rating System](#)

As part of the Town's participation in the NFIP and CRS programs, the Town sends an annual letter out to all property owners within or near the regulated floodplain. The letter is intended to keep residents up to date on Town initiatives related to its participation in the NFIP and CRS programs. This includes distributing updated Flood Insurance Rate Maps, information relevant to purchasing flood insurance through the programs, contact information to relevant departments within the Town for support, permitting requirements, and general information about flood hazards within the community.

### [Town of Amherst Flood Response Plan](#)

Amherst developed the Town of Amherst Flood Response Plan in 2019 as an annex to the Town's Comprehensive Emergency Management Plan to be used as a guideline in flooding events. The Plan outlines the Town's Flood Threat Recognition System, which identifies Ellicott and Tonawanda Creeks as the two main creeks within the community to be monitored. The Flood Threat Recognition System also identifies upstream communities to collaborate with for flood monitoring, new developments that may impact the flood monitoring system, and processes for reporting flood threats. The Plan also defines types of flood threats, information distribution channels, and roles and responsibilities for each Town department in the event of a flood emergency.

### [Town of Amherst Stormwater Management Plan](#)

The Town of Amherst Stormwater Management Plan was adopted in 2018 to comply with the NYSDEC General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems, Town of Amherst. The aim of the program is to control stormwater runoff and prevent discharge of pollutants from the Town's storm sewer system in accordance with the Clean Water Act. The program has six elements designed to reduce discharge of pollutants:

- public education and outreach
- public involvement and participation
- illicit discharge detection and elimination
- construction site runoff control
- post-construction stormwater management
- pollution prevention/good housekeeping for municipal operations.

Out of this Plan, two components are codified into local law: the Local Law for Stormwater Management and Erosion and Sediment Control, and the Local Law to Prohibit Discharges, Activities and Connections to Separate Storm Sewer Systems. The plan also identifies elements of green infrastructure used to control stormwater such as drywells, stormwater retention ponds, and bio-retention areas. Control measures at construction sites and requirements for Stormwater Pollution Prevention Plans (SWPPPs) are outlined to mitigate erosion within the community when new buildings are constructed.

### [Town of Amherst Bicentennial Comprehensive Plan](#)

The Town of Amherst Bicentennial Comprehensive Plan amended in 2019 identifies the need for flooding and erosion control measures within the Town. Several recommendations such as developing comprehensive stormwater management and erosion prevention plans have been completed. The Plan also acknowledges the impacts that flooding will have on development and recognizes that while

floodways may create gaps in development patterns, they also create opportunities for greenway connections, trails, and open spaces. In addition to policy recommendations the Plan identifies specific areas where flood mitigation efforts are needed like the area west of Lehn Springs Drive.

#### [Town of Amherst Flood Mitigation Plan Report](#)

The Town of Amherst Flood Mitigation Plan Report was completed in 2011 and focuses on identifying primary flooding sources. Within the WRA, these sources are listed as Ellicott Creek, Tonawanda Creek, and Ransom Creek.

#### [Regional Efforts](#)

##### [Resilient New York](#)

The NYSDEC and NYS Office of General Services are in the process of completing a comprehensive flood and ice jam study to identify feasible, practicable, and cost-effective flood resiliency projects in a portion of the Cazenovia, Cayuga, Ellicott and Eighteen Mile Creeks Watersheds. The study will assist communities in increasing their resiliency to future flood and ice jam events.

At a stakeholder workshop held in July 2019, issues identified for Ellicott Creek in Amherst were:

- The Lehn Springs pump station provides access to Ellicott Creek; studies and monitoring should be conducted here.
- Williamsville experiences flooding near North Union Road.
- Channel erosion is occurring from Maple Road to Millersport Highway.
- Federal clearing and snagging occur north of Sheridan Drive on Ellicott Creek.
- Debris and encroachment are issues in the Lehn Springs area

#### [2015 Erie County Multijurisdictional Hazard Mitigation Plan Update](#)

The 2015 Erie County Multijurisdictional Hazard Mitigation Plan identifies all forms of natural disasters that communities in Erie County are susceptible to and proposes measures for intermunicipal cooperation to mitigate damages. The Plan identifies flooding as the primary hazard and notes that two-thirds of all federal disaster declarations that affected Erie County between 1976 and 2009 have involved flooding. Since the year 2000, Erie County has been involved with 15 State disaster declarations caused by severe storms and flooding. Since August 1994, Erie County has experienced 82 flood events causing more than \$24 million in property damage and \$650 in crop damage. Erie County also ranks first out of New York's 62 counties for the threat of winter storms and extreme snow events, which lead to high rates of snowmelt and potential flooding in spring.

The Plan recognizes Amherst as one of two municipalities in Erie County eligible for the NFIP Community Rating System program that results in discounts on flood insurance because the Town is rewarded for implementing and enforcing floodplain measures beyond the minimum requirements of the program and despite being one of the County's most flood prone areas. The other municipality is the City of Lackawanna. Amherst ranks among the top-five communities in Erie County with the greatest number of paid losses through NFIP with 270 paid losses for a total of approximately \$1.2 million. Of the 270 paid losses, 18 are Repetitive Loss Properties and some are located within the WRA. FEMA defines a Repetitive Loss Property (RLP) as any insurable building for which two or more claims of more than \$1,000 were paid

by the NFIP within any rolling 10-year period, since 1978. In Amherst nearly 90 percent of the RLPs were single-family residences and nearly 80 percent of all claims were mitigated and received corrective action to mitigate future losses.

#### [Observed and Projected Climate Change in New York State: An Overview Developed for the Community Risk and Resiliency Act \(CRRRA\) Drafting Teams – 2015](#)

In January 2015, Governor Cuomo released his 2015 Opportunity Agenda, which included goals for a “Climate Smart NY.” The programs and initiatives outlined in Climate Smart NY advance implementation of the Community Risk and Resiliency Act (CRRRA), which requires State agencies to incorporate consideration of future physical climate risks caused by storm surges, sea-level rise, and flooding in certain permitting, funding, and regulatory decisions. Based on the most current information on observed and projected climate change for New York State, the Department of Environmental Conservation (DEC), Department of State (DOS) and its partner agencies (including Department of Agriculture and Markets (DAM); Department of Transportation (DOT); Office of Parks, Recreation and Historic Preservation (OPRHP); Department of Health (DOH); Energy Research and Development Authority (NYSDERA); Environmental Facilities Corporation (EFC); and Dormitory Authority (DASNY)) have developed implementation guidance describing application requirements for applicants in programs covered by CRRRA, and review procedures for agency staff.

Without a dramatic decrease in the global generation of greenhouse gases like carbon dioxide, critical changes can be expected in New York’s climate over the next century:

- Annual average temperatures in are projected to rise 2.2° C to 5° C (4° F to 9° F) by the 2080s.
- The number and duration of extreme heat events are likely to increase.
- Short-term droughts are anticipated to become more frequent.
- Average precipitation is projected to increase five to 15 percent by the 2080s, with most of the increase occurring in winter. Intense downpours will likely become more frequent.
- Extreme weather events are predicted with increasing frequency as a result of the changing climate.
- The probability of extreme lake-effect snows, such as affected western New York in 2014, is likely to increase in the near future.

Other consequences of warming and changes in precipitation include northward expansion of certain invasive species and parasites that threaten native plants, ecosystems, and human beings. Warming also potentially creates significant adverse effects on key New York regional economic activities, including winter sports; and maple syrup, apple, and dairy production. Sustained heavy downpours of rain heighten the risk of localized flash flooding and erosion. Heat waves, defined as three consecutive days with maximum temperatures above 90°F, are associated with heat-related illnesses, which disproportionately affect the elderly and children. Droughts, in addition to having agricultural impacts, also affect water resources. Water-use restrictions, and in some cases, water rationing, occur during drought periods in metropolitan and suburban areas.

## 2.5 PUBLIC ACCESS AND RECREATION

### 2.5.1 Parks and Trails

#### Recreational Resources Overview

The Town of Amherst has an abundance of public parks, recreation, and trail facilities managed by the Youth and Recreation Department and the Highway Department, Parks Division. **Map II-14 Parks and Recreation Sites and Facilities** shows the parks, trails, and open spaces within the Town of Amherst. The Town of Amherst has 64 park and recreation facilities operated and managed within the Town. These 64 sites are part of 1,230 acres of Town-managed parks and recreation sites and 19 miles of bike paths and trails. There are also 6.5 miles of on-road bike lanes, 4 miles of paved walking paths, and over 11 miles of unimproved nature trails. An additional 2,195 acres of conservation land and natural, open space areas in Amherst are also available for public outdoor recreation opportunities and access to nature. Overall, the park system is highly regarded within the community and regionally, offering a wide variety of recreational opportunities with quality maintenance and operations of these facilities.

Like many upstate New York communities, Amherst strives to keep up with the demand for sports fields and facilities within its park system. It has a long-standing relationship with the community youth and adult athletic organizations, and the University at Buffalo (State University of New York). The park facilities are coordinated with the Amherst, Sweet Home, and Williamsville Central School Districts.

Parks and trails in this section are generally listed from north to south within the Amherst WRA. Several sites described in this section are proposed for LWRP projects which are further discussed in Section IV.

#### Empire State Trail – Tonawanda and Ellicott Creek Subareas

The New York State Canal Corporation maintains the Empire State Trail, a 230-mile system of multi-use trails along New York's canals. It is broken into four parts, one of which is the Erie Canal Heritage Trail, a 70-mile segment running from Lockport to Fairport that is designated a National Recreation Trail. Much of the trail is continuous. However, sections of the trail west of Lockport and within the Tonawanda Creek subarea are fragmented. In the subarea, the trail runs along the southern edge of the Canal in Amherst and follows Tonawanda Creek Road for approximately one-half mile west of Campbell Boulevard to connect fragmented portions. In some areas, Tonawanda Creek Road is heavily traveled, often at high speeds.

The trail system is used for hiking, biking, cross-country skiing, and horseback riding in some sections. There are several access and parking areas within the subarea including Amherst Veterans Canal Park, Nature View Park, the North Amherst Fire Company, and Buffalo Niagara Heritage Village. Developed segments of the trail include a section through Veterans Canal Park, a section across the street from Nature View Park, a section from the North Amherst Fire Company to the beginning of Orbit Drive, and a section from the eastern end of Orbit Drive to New Road. Opportunities exist for connecting the trail between these segments.

#### Buffalo Niagara Heritage Village – Tonawanda Creek Subarea

The Buffalo Niagara Heritage Village (BNHV), formerly the Amherst Museum, is located at the intersection of New Road and Tonawanda Creek Road near the northeast corner of the subarea. The Village is a 35-



# TOWN OF AMHERST

Erie County, New York

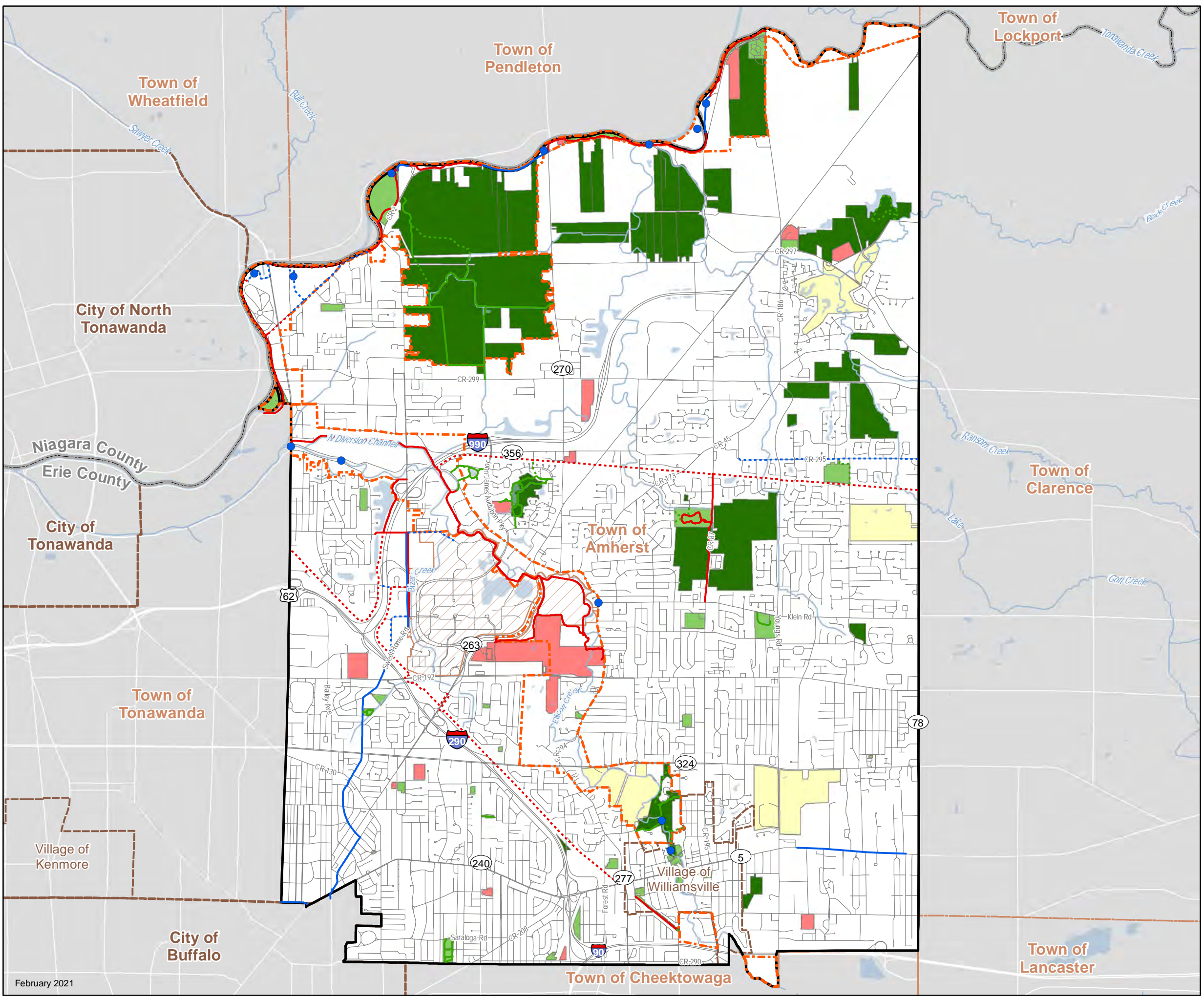


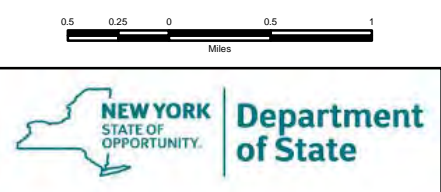

## Local Waterfront Revitalization Program

### Map II-14 Parks and Recreation Sites and Facilities

#### Legend

- University at Buffalo
- Town of Amherst
- WRA Boundary
- Public Waterfront Access
- Existing Walking Trail
- Future Walking Trail
- Existing Multi-Use Trail
- Future Multi-Use Trail
- Existing On-Road Bike Trail
- Future On-Road Bike Trail
- Municipal Athletic Field/Golf Course
- Municipal Park
- Natural/Conservation Area
- Private Golf Course

This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



acre museum that includes 12 historic buildings moved from their original sites, including homes, one-room schoolhouses, a barbershop, and a church; a main exhibit building; a collections storage facility; the Niederlander Research Library; and a Country Store. There are also picnic areas and restrooms on the museum grounds. The BNHV also serves as a community center and hosts several functions and events throughout the year. The Empire State Trail and Tonawanda Creek are within proximity to the Buffalo Niagara Heritage Village. The Buffalo Niagara Heritage Village is committed to making regional history a vital part of the Western New York community and to educating its residents and visitors.

#### [Oakwood Golf Course – Tonawanda Creek Subarea](#)

The Oakwood Golf Course is a 59-acre nine-hole municipal golf course located at 3575 Tonawanda Creek Road in Amherst. The golf course is part of a larger 234.4-acre parcel that includes the Buffalo Niagara Heritage Village. The golf course has a clubhouse with a snack bar and restrooms and is handicapped accessible. Parking is adequate to meet average daily demand. However, on peak days demand for parking exceeds capacity and cars overflow onto grass areas along the road. A significant wetland is located on the southern half of the property.

#### [Oakwood Conservation Area – Tonawanda Creek Subarea](#)

The Oakwood Conservation Area is located near the intersection at New Road and Tonawanda Creek. It contains the Buffalo Niagara Heritage Village, the Oakwood Golf Course, and undeveloped wetlands.

#### [Nine-Mile Island – Tonawanda Creek Subarea](#)

Nine-Mile Island is a Town of Pendleton property which houses a Youth Camp and the Happy Land Day Camp. The property can only be accessed via Orbit Drive off Tonawanda Creek Road in Amherst or by canoe. The property has 17 tent camping sites, a picnic pavilion, a foot trail, and a playground.

#### [North Amherst Fire Company – Tonawanda Creek Subarea](#)

The Town of Amherst maintains recreational facilities at the North Amherst Fire Company at 2200 Tonawanda Creek Road on the Erie Canal. Parking is available for the public wanting to use the Canalway Trail. In addition, the public and members of the volunteer fire department play softball and baseball on site at the Duane Radke Athletic Field.

#### [Amherst Marine Center – Tonawanda Creek Subarea](#)

The Amherst Marine Center stores up to approximately 109 boats each year and has one of the largest lifts in western New York. Its location halfway between the Niagara River and Lockport make it a popular stop for boaters. It is a privately-owned full-service marina located at 1900 Campbell Boulevard. Boats can be rented for a day or extended periods of time for travel along the Erie Canal. Boat slips are available for the season or for day use. The marine center has handicapped access and restrooms.

#### [Fisherman’s Wharf – Tonawanda Creek Subarea](#)

Fisherman’s Wharf is a small State-owned property located at 2655 Tonawanda Creek Road in Amherst at the confluence of Ransom Creek and Tonawanda Creek. It offers an informal setting and includes a roadside pull-off area for vehicles. The park has grills and picnic areas along the Canal and has a favorable ecosystem for recreational fishing; active wildlife and birds also hunt for fish in this area. The Empire State Trail runs along the edge of the waterfront of this park.

### [Amherst Veterans Canal Park – Tonawanda Creek Subarea](#)

Amherst Veterans Canal Park is a 65-acre park owned jointly by the Town of Amherst and the State of New York. It is located at 1040 Tonawanda Creek Road along the Erie Canal. Park facilities are handicapped accessible. Activities include biking, hiking, roller blading, cross-country skiing, snow shoeing, fishing, and boating. In addition, the NYS Canal Corporation permits the University at Buffalo Crew Team to use the park as its training base. The University maintains a small Quonset hut that is used for equipment storage on the park property.

Park facilities include:

- the Empire State Trail
- parking facilities
- a public boat launch
- a restroom/park building
- picnic shelter, picnic tables and grills
- a Canal overlook with benches
- floating wooden and rubber docks for fishing and kayaking
- a shelter for the University at Buffalo’s Crew Team equipment.

### [Nature View Park – Tonawanda Creek Subarea](#)

Nature View Park is a 1,263-acre undeveloped park owned by the Town of Amherst. The Park has a conservation easement which is managed by the Western New York Land Conservancy. The Park is a nature preserve, with extensive wetland areas, an informal network of hiking trails and a trailhead near Tonawanda Creek Road at Brenon Road. Park activities are limited to hiking, snow shoeing, and cross-country skiing. Within the subarea, facilities include the trailhead from Tonawanda Creek Road, with an unpaved parking area with capacity for approximately 20 vehicles. A second parking area is located on Sweet Home Road across from Glenhaven Drive, outside the subarea; that lot was added in 2017 and has parking for 14 vehicles.

### [West Canal Park – Tonawanda Creek Subarea](#)

Although not within the Amherst subarea, West Canal Park is a 28-acre park owned by Niagara County that is located about one-quarter mile east of the Niagara Falls Boulevard bridge over Tonawanda Creek. The park is important because of its proximity to the Amherst waterfront. Facilities include three public boat launches, a kayak launch, a picnic area, picnic pavilions, restrooms, and a playground. Activities include boating, picnicking, and fishing. A branch office of Niagara County Parks is also located at the Park.

### [Manor Lanes Bowling Alley – Tonawanda Creek Subarea](#)

The Manor Lanes Bowling Alley is located at 100 Tonawanda Creek Road. This long-standing facility is located at the entrance to the newly constructed Evergreen single-family subdivision, on land that was formerly the Evergreen Golf Course.

#### [White Chapel Memorial Park and Cemetery – Tonawanda Creek Subarea](#)

White Chapel Memorial Park and Cemetery is located at 3210 Niagara Falls Boulevard near the intersection of Niagara Falls Boulevard and Tonawanda Creek Road. It is a 108-acre burial ground with walking paths for visitors.

#### [Ellicott Island Park – Tonawanda Creek Subarea](#)

Ellicott Island Park is owned by Erie County, located west of the intersection of Niagara Falls Boulevard and Creekside Drive on an island in Tonawanda Creek. A volunteer non-profit organization called Friends of Ellicott works with Erie County to provide and maintain an environmentally sensitive off-leash dog park. This has earned the island the colloquial title of Ellicott Island Bark Park.

The Park contains a parking area off of Creekside Drive and Old Niagara Falls Boulevard, a pedestrian bridge for access, pavilions, picnic tables, a small playground, beach access, historic park structures built by the New Deal Works Progress Administration during the 1930s, and local art in addition to its off-leash dog park designation.

#### [Ellicott Creek Park – Ellicott Creek Subarea](#)

Ellicott Creek Park is a 165-acre park owned by Erie County, located between Tonawanda Creek/Erie Canal and Ellicott Creek. One section of the Park – Ellicott Island – is accessible from Amherst within the subarea via a parking lot at the intersection of Creekside Drive and Old Niagara Falls Boulevard. A footbridge from the parking lot crosses to the island over the original channel alignment of Tonawanda Creek. The parking area is generally in poor condition.

Several facilities are available on the Island, including picnic tables, picnic pavilions, shelters, restrooms, and walking and skiing paths. The bridge to the island does not meet current ADA guidelines for handicapped accessibility. Other activities include ice skating and fishing. Facilities can be reserved through Erie County.

#### [Irving M. Shuman Campgrounds – Ellicott Creek Subarea](#)

The private Irving M. Shuman Campgrounds are located north of the University at Buffalo between Ellicott Creek and North Forest Road. This campground is owned and maintained by the adjacent Menorah Campus/Jewish Community Center. There is an access point and drop off area to the campgrounds from the Weinberg retirement community off North Forest Road and a parking area with a pedestrian bridge access point at Chabad of Buffalo at 2450 North Forest Road. The campground contains tennis courts, basketball courts, pavilions, a ropes course, a baseball diamond, an amphitheater, and walking paths.

#### [Northtown Center – Ellicott Creek Subarea](#)

Northtown Center is the Town's flagship recreation facility and is located south of the University at Buffalo at 1615 Amherst Manor Drive. It is a primary asset in Amherst, attracting close to 2 million visits annually. USA Hockey development camps are hosted at this facility. The Center contains a large ice-skating facility including three NHL regulation ice pads, one Olympic size ice pad, a full-service skating shop, restaurant, and training facility. Surrounding the ice-skating facility is a large parking area, the Alix Rice Peace Park Skatepark, and Bob Jones Field which contains eight baseball diamonds, a football field, and a soccer field.

#### Audubon Recreation Complex – Ellicott Creek Subarea

The Audubon Recreation Complex is a 240-acre park located off Maple Road between Millersport Highway and North Forest Road. The complex contains Northtown Center, an Amherst Parks Department building, the Amherst Audubon Golf Course, Audubon Par 3 golf course, and a driving range. Parking for the golf courses is located at 500 Maple Road.

#### Westwood Country Club – Ellicott Creek Subarea

The Westwood Country Club is a now unused country club site located south of the Audubon Recreation Complex between Maple Road and Sheridan Drive. The site comprises more than 170 acres and contains a vacant clubhouse and parking area off North Forest Road. The main clubhouse building was constructed in the 1920's, and multiple additions were built over the decades. The site was identified in the 2018 Town of Amherst Recreation and Parks Master Plan as an opportunity to maintain green space within the Town.

#### Amherst Highway Department Baseball Diamond – Ellicott Creek Subarea

The Amherst Highway Department is located at 1042 North Forest Road, immediately east and across Ellicott Creek from the Audubon Golf Course. The location contains a baseball diamond between North Forest Road and the Highway Department main building

#### The Park Country Club – Ellicott Creek Subarea

The private Park Country Club is located at 4949 Sheridan Drive immediately adjacent to Amherst State Park. It contains tennis courts, pools, a large clubhouse, and golf course. Ellicott Creek traverses the country club and forms a portion of its eastern and northern borders.

#### Amherst State Park – Ellicott Creek Subarea

Amherst State Park is a vital open space feature located in the Ellicott Creek subarea just north of the Village of Williamsville. This 77-acre park was formerly owned by the St. Mary of the Angels religious order. The 4-story Motherhouse (now senior apartments), its accessory buildings and the adjacent “orchard” which served the religious order are designated local historic landmarks and are listed on the State and National Registers of Historic Places. The Motherhouse was completed in the late 1920s and the “orchard” was planted soon after the building’s completion.



*The historic “Motherhouse” located at Amherst State Park.*

### 2.5.2 Parks Level of Service Findings

The Town of Amherst Recreation and Parks Master Plan completed in 2018 included a level of service analysis. Key findings from this analysis are:

- Parks are well distributed throughout Amherst. Smaller neighborhood parks are generally located in the southern portion of Town, while larger park spaces (community parks and nature/conservation areas) are located to the north.
- Residential areas with lower levels of service tend to be in the northern quarter of the Town.
- Access to most athletic facilities and community parks is currently via automobile due to major pedestrian barriers like major road corridors, limited sidewalks, or a lack of trail connectivity.
- Overall connectivity (by foot or bicycle) within and between parks is limited. The existing system of multi-use paths, sidewalks, and trails has potential to be expanded to provide better pedestrian and bicycle connections within the Town.
- Increasing the outdoor recreational capacity around Tonawanda Creek and larger nature areas in the northern portion of the Town presents opportunities to expand and connect trails; install educational, interpretive, and wayfinding signage; and improve locations for parking.
- There is potential for specialty park areas and amenities like dog parks, skate parks, fitness trails, pickleball, etc.
- There is potential for improved aquatic facilities.

### 2.5.3 Recreation and Community Programs

#### Related Divisions

The Town of Amherst offers a range of year-round recreation programs and activities for all ages and abilities. These services are primarily provided by the following departments and divisions:

- **Youth and Recreation Department:** operates sports and recreation facilities, community centers, and provides recreation programs, camps, after school programs, year-round special events, and community services for youths and adults. The Youth and Recreation Program Guide is produced seasonally and details program and activity offerings. The guide is available online at: [www.amherstyouthandrec.org](http://www.amherstyouthandrec.org).
- **Amherst Center for Senior Services:** provides a variety of health, arts, fitness, education, and recreation programs for community members over the age of 55. The Center for Senior Services also produces a seasonal program and activity guide, which is available through the Town of Amherst website: <http://www.amherst.ny.us>.
- **Highway Department – Parks Division:** does not provide programs, but provides regular park maintenance (including landscaping, mowing, and repair of site amenities) and critical support for special events.

The Youth and Recreation Department and Amherst Center for Senior Services generally operate independently to provide programming and services, but regularly partner to host community events including the annual Holiday Happening.

### Youth Sports and Activities

The Youth and Recreation Department provides year-round youth sports programs including archery, tennis, athletics, football, floor hockey, basketball, swimming, and aquatics. The Department also operates the traveling Imagination Station and Playmobile that brings arts, crafts, and games geared toward youth under the age of 12 to park and playground sites around Amherst during the summer. In addition to the variety of programs offered by the Youth and Recreation Department, independent youth sports leagues and organizations have a strong presence in the community. These leagues offer team sports throughout the year including basketball, baseball, football, soccer, and lacrosse.

### Adult Sports and Fitness

The Youth and Recreation Department provides year-round sports and recreation programs for active adults. Most programs are for age groups 16+, 18+, or 30+ years of age. Coed, as well as men's and women's programs, are offered. Pick-up style team sports programs are offered in basketball, kickball, volleyball, tennis, pickleball, archery, horseshoes, and aquatics.

### Senior Programs and Services

The Amherst Center for Senior Services offers a variety of programs for resident and non-resident members over the age of 55. The range of programs offered throughout the year include arts and crafts, computers and technology, dancing, history and language courses, music, physical fitness and wellness, driver education, and other special events. Adult programs offered by the Youth and Recreation Department are also open for seniors and active adults.

### Camps, Childcare, and Activities for Young Children

The Amherst Youth Board offers varied services in support of the Town's children, youth, and families, including after-school childcare and after-school, evening, and weekend programs. The Youth and Recreation Department offers year-round family room and toddler open gym times, as well as preschool services, tiny tots tennis, special needs programs, and after school programs. Camp programs are offered throughout the year, including during seasonal school recess periods. The Department's traveling Playmobile and Imagination Stations have been fixtures in the community for generations. Staff and materials travel between park sites in the community at scheduled times throughout the summer months and provide alternative means for families and younger children to engage in recreation close to home.

### Family and Community Services

In addition to providing recreation and sports programs, the Youth and Recreation Department also offers and/or coordinates family services, counseling, and other community services programs. These initiatives include the Amherst Task Force for Healthy Community and Healthy Youth, the Be-A-Friend Program, and Family Assessment and Support Team (FAST). Special programs for teens are also provided and include:

- **Youth Engaged in Service (YES):** provides the opportunity for young people ages 12-20 to experience personal growth and gain an understanding of their community. YES volunteers meet and help community members in need, including children, senior citizens, low-income families, persons who are mentally and/or physically challenged, and charitable organizations.
- **Amherst Youth Consortium:** includes high school and college students who have pledged to be substance-free and to be visible role models who live healthy lifestyles. They work to engage

children, youth, and adults in activities which promote wellness, asset building, and good decision making.

- **Youthwork\$:** connects Amherst youth ages 12-20 years with residents in need of assistance with around-the-home jobs such as gardening, light housework, childcare, leaf raking, or snow shoveling.

### Special Events and Community Activities

The Youth and Recreation Department is responsible for coordinating and managing special events held annually throughout the community. In 2017, special events and programs hosted by the Department included:

- Amherst Teen Idol
- Independence Day Celebration
- Egg Hunt
- Middle School Activity Nights
- Valentine Variety
- Open Gym Events
- Winterfest
- Nation Program Series
- Summer Blast
- Summer Concert Series
- Summer Outdoor Movie Series
- Summer Book Club

### Partnerships with Organizations and Third-Party Vendors

- Big Brothers Big Sisters (Be-A-Friend)
- Catholic Charities
- School Intervention Service
- Family Services Program
- Child & Family Services
- Search Institute
- Amherst Skating Club
- Amherst Youth Hockey
- Performax Hockey Systems
- USA Hockey
- Front Row Sports
- Performance Sports Training
- WNY Roller Hockey League
- Amherst Girls Softball
- Amherst Adult Slow Pitch
- Softball
- Central Amherst Little League
- Connie Mack Little League
- Lou Gehrig Youth Baseball and Softball
- Mel Ott Little League
- Mathewson McCarthy Babe Ruth Baseball
- Amherst Youth Basketball
- Sweet Home Junior Football
- Williamsville Junior Football
- Amherst Lacrosse
- Amherst Soccer Association

### Participation Trends

Youth and Recreation Department programs and activities in 2017 saw strong rates of participation. Registration data and participation estimates for the year included:

- 2,114 individuals registered for Youth and Recreation Department programs
- 5,000+ local team sports leagues and partner organization registrations
- 2,500+ estimated participants at Special Events (no registration)
- 37,167 participants in open ice/skating sessions



- 100,000+ program participants and visitors estimated for all Amherst parks and recreation facilities.

Unorganized/free play recreation opportunities are purposefully unstructured and do not require registration, and therefore participation numbers are not known.

#### 2.5.4 Boat Launches

The NYSDEC and NYS Canal Corporation list two public boat launches within the Tonawanda Creek subarea, at Veterans Canal Park and the Ransom Creek Kayak Launch (Fisherman's Wharf). Two additional public boat launches are located across Tonawanda Creek just outside the subarea at the Tonawanda Botanical Gardens (in North Tonawanda) and the West Canal Park & Marina (in Pendleton). The Amherst Veterans Canal Park is a hard surface launch ramp with parking for 20 cars and trailers. The Ransom Creek Kayak Launch is a beach landing with a nearby parking area for 12 cars about 150 feet away from the launch site.

The Amherst Marine Center is located along Tonawanda Creek about one-half mile east of Nature View Park at the northwest corner of the intersection of Tonawanda Creek Road and Campbell Boulevard. The marina has boat slips available for daily or seasonal use. In 2003 a public boat dock was planned for construction in the general area of the Buffalo Niagara Heritage Village. Grant funding was received, but the project was not initiated since dredging of the Canal, an expensive undertaking, was required prior to the dock's construction.

In addition to established boating facilities, many private docks dot the shoreline of the Canal, especially on the Town of Pendleton side of the Canal. Often these docks use vacant land owned by the New York State Canal Corporation under the terms of a special use permit.

#### 2.5.5 Fishing Access

The Town of Amherst 2018 Recreation and Parks Master Plan conducted an analysis of outdoor recreation activities to estimate the percentage of adults within Amherst that participated in outdoor activities. The analysis found that 12.1 percent of all adults within Amherst participated in fishing, ranking the activity below hiking (12.4 percent) and above road biking (11.8 percent). Given the popularity of fishing in the area, Erie County partnered with Niagara and Chautauqua Counties in 2017 to release an interactive fishing map that directs interested residents to hotspot locations for certain fish species like northern pike, steelhead trout, bass, etc. as well as locations for bait and tackle shops, boat charters, and more. The map can be found at <https://wnyfishing.mrf.com/view.aspx>. The community can continue building upon recreational fishing opportunities by creating more access points for fishing within the WRA and ensuring water quality and aquatic habitats are maintained to protect this highly popular activity.

#### 2.5.6 NYSDEC Recognized Fishing Access Sites within the WRA

##### Amherst Veterans Canal Park

The Amherst Veterans Canal Park has a small fishing dock west of the boat launch. The location is a known fishing spot for northern pike.

### Fisherman's Wharf

Fisherman's Wharf has numerous fishing access points along its waterfront between the North Amherst Fire Station and Ransom Creek. The location is a known location for northern pike, carp, channel catfish, and largemouth bass.

### Ellicott Creek Park

Ellicott Creek Park has numerous fishing access points along Tonawanda Creek near Creekside Drive. The location is a known location for northern pike.

## 2.5.7 NYSDEC Recognized Fishing Access Sites Near the WRA

### North Tonawanda Botanical Gardens

The North Tonawanda Botanical Gardens is located across Tonawanda Creek from the subarea south of White Chapel Memorial Park. It contains fishing access points on either side of the boat launch in the park.

### West Canal Park

West Canal Park is located across Tonawanda Creek from the subarea east of the intersection of Niagara Falls Boulevard and Lockport Avenue in Pendleton. The site has numerous fishing access points along with benches to the east of the boat ramp. The location is a known hotspot for largemouth bass.

### Mayors Park in Tonawanda

Mayors Park is located across Tonawanda Creek from the subarea west of Ellicott Creek Park. The site has fishing access areas near its pavilions and is a known hotspot for largemouth bass.

### Walton Woods Park

Walton Woods Park is located just outside the Ellicott Creek subarea boundary north of the University at Buffalo and contains Lake Audubon and Walton Pond. There is a small fishing access point along the Walton Woods Trailway on Lake Audubon near the Amherst Senior Center.

## 2.5.8 Beaches

There are no formal public recreational beaches or beach access points within either the Tonawanda Creek/Erie Canal subarea or Ellicott Creek subarea.

## 2.6 HISTORIC AND SCENIC RESOURCES

### 2.6.1 Cultural and Historic Resources

The WRA, including that portion that includes the Erie Canal, contains a rich heritage with several sites of historic and archeological significance to the State, the Western New York Region as well as the Town of Amherst. In 2000 the National Park Service, through an act of Congress, established the Erie Canalway National Heritage Corridor encompassing the entire 524 miles of the NYS Canal System. In 2014 the entire NYS Canal System (formerly known as the Barge Canal System) was listed on



the National Register of Historic Places. In 2016 the State Canal System was also designated as a National Historic Landmark. In 2017 the Canal System celebrated its Bicentennial, almost simultaneously with the Town of Amherst Bicentennial in 2018. **Map II-15 Historic and Cultural Features** identifies historic resources within the Town including National, State and locally designated properties and districts.

### Local History

The earliest inhabitants of Western New York arrived in the region about 12,000 years ago. By the time European missionaries, traders, and soldiers arrived the Iroquoian-speaking Wenro, Neutral, and Erie nations occupied the region. With the 1797 Big Tree Treaty the Seneca gave up title to most of Western New York, including the area that would become the Town of Amherst.

European settlement of the region began in the late 1700s. The Town of Amherst was officially created in 1818 by the New York State Legislature. The region emerged as a booming community in the mid-1800s as Buffalo became an important center for trade. Originally, an overland route to Buffalo ran through Amherst, but the development of the Erie Canal truly allowed area merchants and farmers access to new markets. The Erie Canal also brought an influx of new residents that were attracted to the area and the commercial potential of living on the Canal. Some of the WRA's earliest and most important historical structures are from settlements in this time period.

Pickard's Bridge was a significant early settlement along the Erie Canal in Pendleton that dates back to the mid-1800s. The focal point of this settlement was Kramer's General Store (recently demolished) that served customers on both sides of the Canal in Pendleton and Amherst as well as Canal boaters. The Village of Pendleton, located at the confluence of the Erie Canal and Tonawanda Creek, was the first settlement in the Town of Pendleton just across the Canal from the Town of Amherst. Wendelville was an early hamlet located on both sides of the Canal near Campbell Boulevard. It was founded around the completion of the Erie Canal and had a post office and hotel which served Canal travelers. Remnants of this early settlement can still be seen today on either side of the Canal.

In the late 1800s, the area experienced an increase in commercial farming, especially in the low-lying areas near Tonawanda Creek, which were drained and put into agricultural production. By the early 1900s, the region's main crops were grain, oat, corn, wheat, rye, and some fruits. Limestone quarrying and the various mills also became important industries for the Town of Amherst. During this time, economic expansion began spreading out from Buffalo reaching Amherst and, as a result, farmland began to be sold for the development of housing.

In the early to mid-1900s Amherst became a suburban community serving the needs of the regional population center, Buffalo. By the early 1960's, the character of the Town began to change as Amherst became a major community of its own. The population increased dramatically from 1950 to 1970 and development came with it. While still considered a suburb of Buffalo, Amherst is now a major population center that hosts various businesses, industries and the North Campus of the State University of New York at Buffalo.








# TOWN OF AMHERST

Erie County, New York

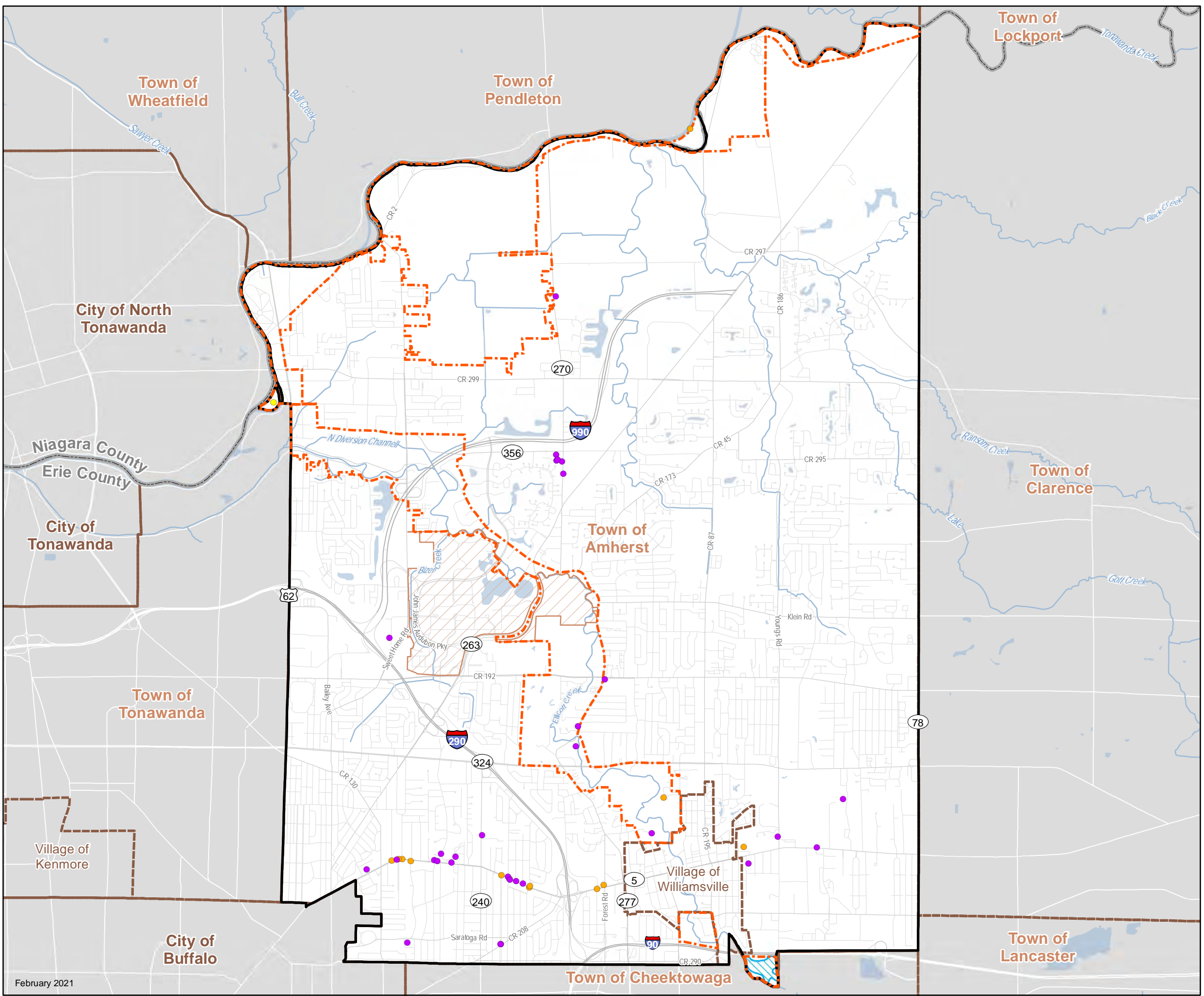
## Local Waterfront Revitalization Program

### Map II-15 Historic and Cultural Features

#### Legend

-  University at Buffalo
-  Town of Amherst
-  WRA Boundary
-  State and National Register of Historic Places
-  Eligible for State and National Register
-  Local Designated Historic Property/District
-  DEC-Designated Prehistoric Site

#### Historic and Cultural Features



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



Historic Resources

The history of Amherst is strongly linked to the Erie Canal and as a result there are numerous historic sites within the waterfront area that have significant ties to the Canal. Amherst has completed two surveys of its historical resources within Town limits, the *Reconnaissance Level Survey of Historic Resources* (1997, updated 2011) and the *Intense Level Survey of Historic Resources* (1998, updated 2018). Designated historic properties within the Town are listed in Table II-9. Properties followed by an asterisk\* are listed on both the State and National Registers of Historic Places.

**Table II-9 - Designated Historic Properties in Amherst**

	PROPERTY and ADDRESS	DATE OF DESIGNATION
1	One-room Schoolhouse 1323 North Forest Road @ Maple Road	6/2/97
2	Mennonite Meeting House * 5178 Main Street @ North Forest Road	12/7/98
3	Haussauer House 1000 North Forest Road	8/16/99
4	St. Mary of the Angels Motherhouse * 400 Mill Street	5/15/00
5	Hedstrom Gatehouse 4230 Main Street @ Getzville Road	2/23/04
6	Street Furniture <i>Walls:</i> Westfield Road @ Main Street * High Park @ Main Street * Ivyhurst Road @ Main Street * Lebrun Road @ Main Street * Getzville Road @ Main Street Roycroft Boulevard @ Main Street * Roycroft Boulevard @ Kensington Avenue – south Roycroft Boulevard @ Kensington Avenue – north Darwin Drive @ Main Street * Smallwood Drive @ Main Street * Lamarck Drive @ Main Street * Lafayette Boulevard @ Main Street * 6330-6350 Main Street Getzville Road (Main Street to Elmhurst Road) <i>Signs:</i> Audubon Drive, Burbank Drive, Burroughs Drive, Darwin (all at Main Street) <i>Posts:</i> 4017 & 4025 Main Street	3/1/04
7	Goodyear Water Tower 6420 Main Street (rear)	9/20/04
8	Coplon Mansion ( <i>Daemen College</i> ) 4380 Main Street @ Getzville Road	2/26/07
9	Williamsville South High School * ( <i>not locally designated</i> )	5/27/08

	5950 Main Street	
10	Rosary Hall ( <i>Daemen College</i> ) 4380 Main Street @ Getzville Road	4/8/13
11	Buffalo Academy of the Sacred Heart ( <i>main building only</i> ) 3860 Main Street	1/21/14
12	58 Youngs Road	6/16/14
13	The Park School Stone House 4635 Harlem Road	9/6/16
14	4030 Rensch Road	11/1/16
15	38 Richfield Road	9/5/17
16	23 Four Seasons West	9/5/17
17	Stimm House 895 North Forest Road	12/11/17
18	Hamlet of Getzville Historic District 175 Campbell Boulevard (portion) 260 Campbell Boulevard (portion) 1-7 Center Street (portion)	3/5/18
19	Country Club of Buffalo Stone House 250 Youngs Road	4/1/19
20	Gethsemane Cemetery Stone Chapel 203 Reist Street	4/1/19

\* Listed on State and National Registers of Historic Places

Table II-10 identifies additional sites that have been considered as potentially eligible for inclusion on the National Register of Historic Places based on some preliminary investigation previously undertaken as well as other sites for which eligibility could but has not yet been determined.

**Table II-10 - Potential National Register Eligibility**

Property Location	Eligibility for the National Register					
	State Inventory	Other Sites	Eligible	Potentially Eligible	Unknown	Not Eligible
Jacob Kramer Farmhouse (215 Brenon Road)	√			√		
Farmstead (1899 Campbell Boulevard)	√			√		
Farmstead (3049 Tonawanda Creek Road)	√			√		
Farmhouse (1830 Campbell Boulevard)		√			√	

Farmhouse (2571 Tonawanda Creek Road)		√			√	
Farmhouse (2695 Tonawanda Creek Road)		√			√	
Farmhouse (2861 Tonawanda Creek Road)		√			√	
Residence (355 Orbit Drive)		√			√	
White Chapel Memorial Park Cemetery (3210 Niagara Falls Boulevard)		√			√	
Farmhouse (1591 Tonawanda Creek Road)		√			√	
Farmhouse (2331 Tonawanda Creek Road)		√			√	
Agricultural Complex (2715 Tonawanda Creek Road)		√			√	
Agricultural Complex (1851 Tonawanda Creek Road)		√			√	
Residence (1961 Tonawanda Creek Road)		√			√	

Source: Town of Amherst and Pendleton 2006.

### The Buffalo Niagara Heritage Village

The Buffalo Niagara Heritage Museum (formerly the Amherst Museum), located at the intersection of Tonawanda Creek Road and New Road, has numerous historic buildings that have been relocated from various sites within the Town to recreate a nineteenth-century settlement. Buildings within the complex are listed in Table II-11.

**Table II-11 - Historic Structures Located at the Buffalo Niagara Heritage Village in Amherst**

Building	Date	Description
Lavocat House	c.1840	Formerly located on New Road between Millersport Highway and Tonawanda Creek.
Williamsville School #9	c.1880	Originally located at New and Smith Roads. Example of late 19 <sup>th</sup> -century vernacular schoolhouse architecture.
Elliott House	c.1851	Originally located at the corner of Garrison Road and Park Drive in Williamsville.
Barbershop	c.1908	Originally located on Transit Road in Swormville.
Sweethome Common School #15	c.1847	A small one-room schoolhouse originally located on Sweet Home Road, near Tonawanda Creek Road.
Hoover House	c.1880	Originally located at the intersection of Dodge and Glen Oaks Roads. Example of Victorian vernacular Italianate architecture.

Schmitt Log House	c.1838	Originally in the “French Settlement” area near Ellicott Creek Road and Niagara Falls Boulevard.
Rubeck General Store	c.1840	Originally located near Dann and Smith Roads. Example of a typical small structure built by the earliest residents of Western New York.
Bigelow House	c.1860	Originally located near New and Smith Roads in East Amherst.
Trinity Evangelical Lutheran Church	c.1854	Originally located on Transit Road near Muegel Road. Features original stained-glass windows and pews.

Source: Buffalo Niagara Heritage Village <http://bnhv.org/explore/>

### 2.6.2 Archeological Resources

Pre-contact archeological sites have been recorded in elevated areas like the Onondaga Escarpment, and in well-drained areas like Ellicott Creek, Tonawanda Creek, and Ransom Creek. Early settlers in the region were small bands of Paleo-Indians that hunted big game like mastodon and caribou by utilizing the chert found in the Onondaga Escarpment. Archeological excavations at and near the Onondaga Escarpment have uncovered stone tools and projectile points. Typical archaeological sites associated with Paleo-Indians include short-term hunting camps and workshops where the prehistoric people manufactured stone tools. The escarpment, large drainages near the escarpment, and areas north and south of the escarpment such as Main Street and southern portions of Amherst State Park are archeologically sensitive to these site types.

Archeological resources are present within the WRA because of the historic nature of the Erie Canal and its importance in the settlement and development of New York State. In addition, much of the area along Tonawanda Creek and Ransom Creek was used by Native Americans as fishing and hunting camps. Areas within the WRA are known to be archeologically sensitive. As a result, proposed projects within the WRA will likely have to undergo a Phase 1 Archeological Survey in order to obtain necessary permits for new development projects. Consultation with the NYSOPRHP will be needed to confirm the need for archeological studies in project areas. Especially sensitive areas include:

- Niagara Falls Boulevard west to Tonawanda Creek
- The area around Brenon Road in Amherst
- Between Brenon Road and Campbell Boulevard in Amherst
- The area from Nine-Mile Island to the confluence of the Canal and Tonawanda Creek

#### Amherst State Park

A Phase 1 Archeological Survey was conducted by Environmental Design & Research in 2017 for the Amherst State Park Pedestrian Safety Trail Project. The survey consisted of 58 shovel tests at 50-foot intervals along the proposed centerline of the trail route. Pre-Contact Native American artifacts were



recovered including one sherd of prehistoric ceramic, two bifaces, four cores, and 159 chert flakes. Additionally, 117 historic-period and/or modern artifacts were recovered including two pieces of nineteenth-twentieth-century ceramics, one white earthenware, and one redware sherd. One newly recorded Pre-Contact Native American archaeological site, the Ellicott Creek Site, was identified during the survey. The Ellicott Creek Site is near the Village Glen Tennis Club along Ellicott Creek and is bordered to the south by Glen Ave. The Phase I Archeological Survey concluded that future trails and projects in this section of Amherst State Park include design elements that will minimize site disturbances to potential archeological sites.

### 2.6.3 Underwater Sites or Structures

No underwater sites or structures are known to exist in either waterway within the WRA.

### 2.6.4 Scenic Resources

#### Scenic Areas of Statewide Significance

There are no NYS Scenic Areas of Statewide Significance within the combined WRA of either waterway. No Scenic Areas of Statewide Significance will be affected by the Town of Amherst LWRP.

#### Scenic Resources of Local Significance

The Town of Amherst has identified scenic views that are representative of the important visual characteristics along both waterways within the WRA. Scenic views of the waterways combined with various forms of natural, cultural, rural and agricultural landscapes contribute to the character and charm of the Tonawanda Creek and Ellicott Creek waterfronts. The following is a list of some scenic resources and scenic areas within the WRA that are considered locally important. These include:

- Ellicott Creek Park
- the area along the Erie Canal west of Old Niagara Falls Boulevard
- Canalside areas along Tonawanda Creek Road in Northwest Amherst
- Veterans Canal Park
- Brenon Road neighborhood
- agricultural properties and active farmland in Northern Amherst
- intersection of Campbell Boulevard and Tonawanda Creek Road
- confluence of Ransom Creek and Tonawanda Creek (Fisherman's Wharf)

The Town of Amherst is identifying locally important views along both waterways to better protect and enhance waterfront character through Town initiatives. The Town involved the LWRP Waterfront Advisory Committee in a scenic view selection exercise by asking members to rate approximately 45 photographs considered to be representative of the important visual characteristics contributing to the importance of the views. The top 16 views were then selected from the total 45 photographs, the locations of which are shown as scenic view locations identified on **Map II-16 Scenic Resources**. This map also illustrates the visual relationship between important views and the locations of proposed projects that are discussed in Section IV of this LWRP.

# TOWN OF AMHERST

Erie County, New York

## Local Waterfront Revitalization Program

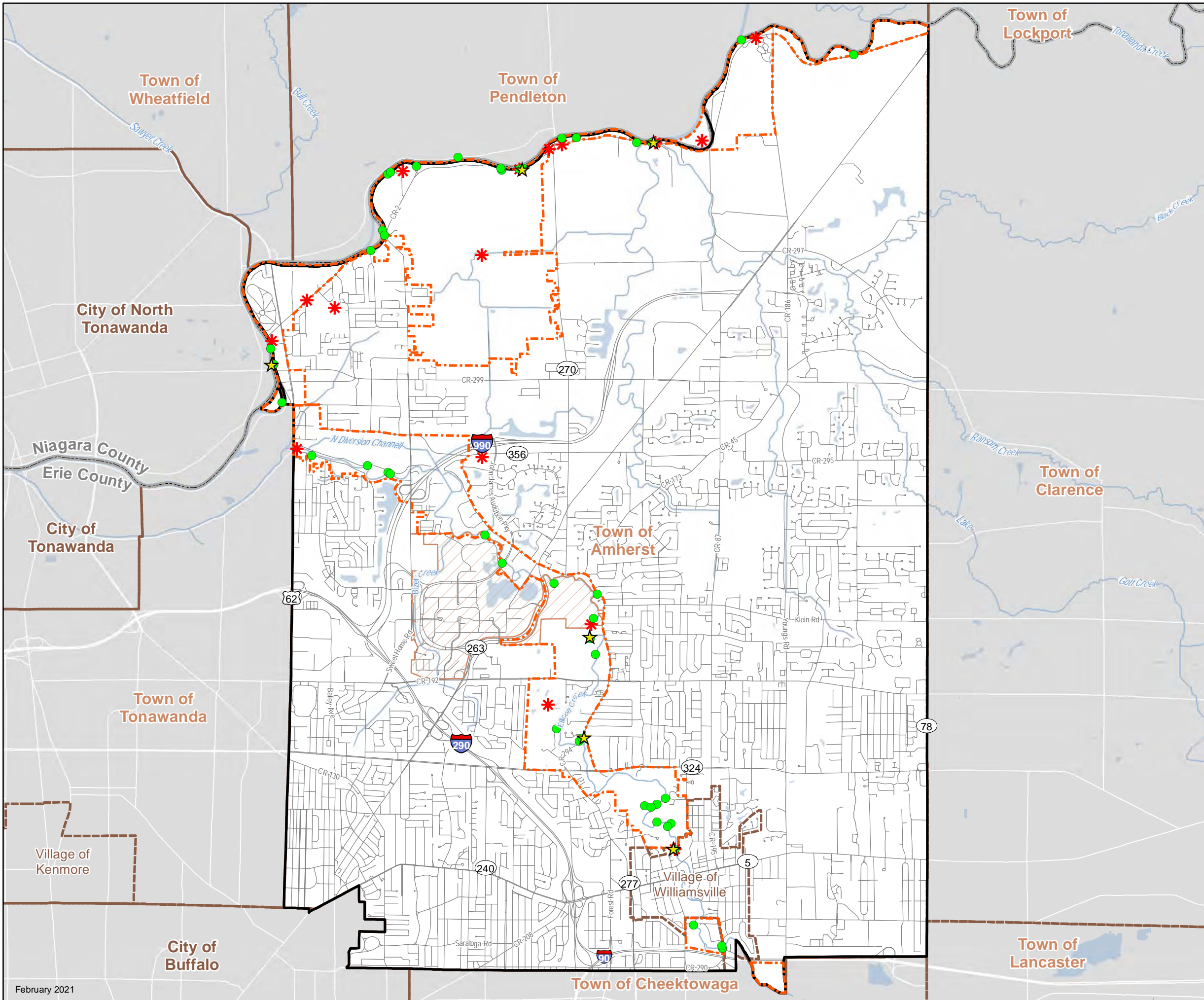
### Map II-16 Scenic Resources

#### Legend

- University at Buffalo
- Town of Amherst
- WRA Boundary

#### Scenic Resources

- Local Scenic View identified in Section II (2.6.4) of LWRP
- Other Identified Scenic Views
- LWRP Proposed Project Location



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



Each view was rated from 1 to 5 with 1 being the least scenic or common to 5 being the highest quality composition, focal point (a focal point in the view attracting one’s attention), historic/cultural significance, and picturesque weather/seasonal scenes. These photographs and the results of the scenic view selection exercise are provided in Appendix K. Some of the highly rated views are provided below to illustrate visual character. Each view was rated by the contributing factors based on landscape of both waterways within the WRA. The scoring sheet and tabulated matrix are in Appendix K.



*Erie Canal at Tonawanda Creek Rd. & Empire State Trail*



*Fisherman’s Wharf at Convergence of  
Tonawanda and Ransom Creeks*



*Erie Canal at Old Niagara Falls Boulevard*



*Ellicott Creek at Amherst State Park*



*Ellicott Creek at University at Buffalo Bike Path*



*Ellicott Creek at Indian Trail Rd. and North Forest Rd.*

The results of the scenic view selection exercise suggest the importance of protecting and enhancing stretches of each waterway corridor rather than just focusing on individual viewpoints. In some locations aesthetics may be enhanced through a variety of initiatives including tree preservation, tree plantings, vegetation management such as control of invasive species, shoreline clean-up and stabilization, debris removal, and opening up views along roadways, trails and pathways to and from the waterfront.

## 2.7 AGRICULTURAL LANDS

Agriculture has played a significant role in the history of Amherst, and the Town's Comprehensive Plan envisions its continued importance in defining the character of North Amherst and its role in the local economy. Agriculture and agricultural lands are no longer a dominant form of land use within the Town of Amherst. Existing agriculture is largely located in northern Amherst in an area roughly bordered by Tonawanda Creek Road on the north, Schoelles Road to the south, Hopkins Road on the east, and along both sides of Campbell Road to the west.

Approximately 1,404 acres of land are within Erie County's Amherst Agricultural District #17 (<https://agriculture.ny.gov/system/files/documents/2020/01/agdistrictprofile.pdf>) as shown on **Map II-17 Agricultural Districts**. Six farms participate in the Agricultural District and account for approximately 1,127 farmed acres. Existing agriculture located along Tonawanda Creek Road includes the Donald Spoth Farms and Greenhouse, Hi-Way Garden Center and Ben Brook Farm. The latter two are both located west of Campbell Boulevard.



Existing farmland in Amherst along Tonawanda Creek.

Source: [http://www.amherst.ny.us/graphics/dept\\_15/farmland/190916\\_aerial.JPG](http://www.amherst.ny.us/graphics/dept_15/farmland/190916_aerial.JPG)

The Spoth Farm is located near Fisherman's Wharf and is a multigenerational historic farm comprised of more than 650 acres, the largest remaining multi-purpose farm in Amherst. The farm is located west of Ransom Creek and is the largest hemp farm in Western New York using about 102 acres. Historically, Canal barges would load and unload their wares east of Ransom Creek near the Spoth Farm.

The farm is one of only 30 licensed hemp growers in the State. It is also a large water user requiring 500,000 gallons of water per day from Ransom Creek. Corn grown at the farm is sent to an ethanol plant in Medina NY. The farm also works with Plant Science Laboratories in Buffalo which prepares dehydrated fruit for Wegmans supermarkets.

# TOWN OF AMHERST

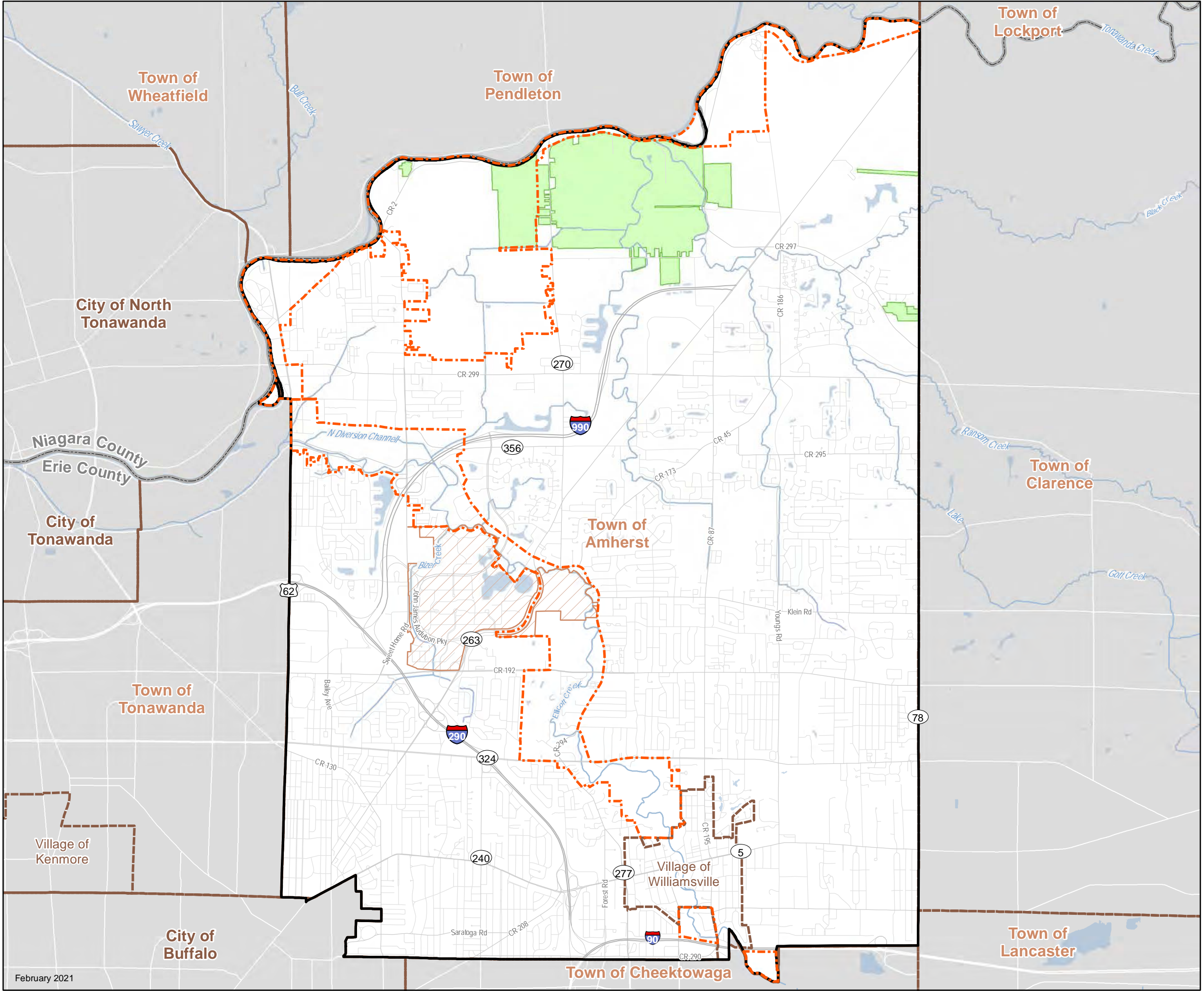
Erie County, New York

## Local Waterfront Revitalization Program

### Map II-17 Agricultural Districts

#### Legend

-  University at Buffalo
-  Town of Amherst
-  WRA Boundary
-  Erie County Agricultural District



This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



The Town is currently preparing a Farmland Protection and Agricultural Development Plan to address current issues and opportunities associated with agriculture including agriculture-related businesses and agritourism in Amherst. The Town recognizes and understands that its agricultural lands face challenges to adapt to contemporary trends, opportunities and pressures. The Farmland Protection and Agricultural Development Plan will establish goals and strategies that support and protect agriculture in Amherst.

When complete, the Plan will include agri-business and agritourism components to focus on maintenance and growth of local agricultural markets and to introduce innovative and sustainable efforts to support producers, manufacturers, and suppliers in the local and regional economy. Situated at the border of Erie and Niagara Counties, Amherst's agricultural resources enjoy a geographic advantage for markets and cooperation with regional suppliers and manufacturers. This Plan will identify collaborative opportunities with farming sectors, such as hemp and hops, to position Amherst with value-added agricultural resources and enable it to grow as a significant producer and market for the region.

## 2.8 ENERGY AND ICE MANAGEMENT

### 2.8.1 Major Energy Generating Facilities and Transmission Networks

There are no major energy generating facilities within the Town of Amherst. Within the WRA major utility lines that intersect the creeks are described below. **Map II-18 Public Services, Utilities and Infrastructure** identifies major natural gas and electric transmission corridors as well as the Town's Wastewater Treatment Plant and the location of bridges across both waterways.

#### Tonawanda Creek Subarea

- National Grid 115kV leading to a substation off Tonawanda Creek Road in a west to east orientation.
- National Grid 115KV intersecting the Creek between Campbell Boulevard and Orbit Drive in a north to south orientation.

#### Ellicott Creek Subarea

- Two 115kV lines traversing in a west to east orientation intersecting the Creek north of I-990 and North Ellicott Creek Road.
- National Grid 115kV line intersecting the Creek in a north to south orientation near North Forest and Reist Street.

### 2.8.2 Underwater Cables and Pipelines

Known utility crossings exist at the following locations:

#### Tonawanda Creek Subarea

- National Fuel Gas Supply Line intersecting the Creek between Campbell Boulevard and Bear Ridge Road in a north to south orientation.

# TOWN OF AMHERST

Erie County, New York

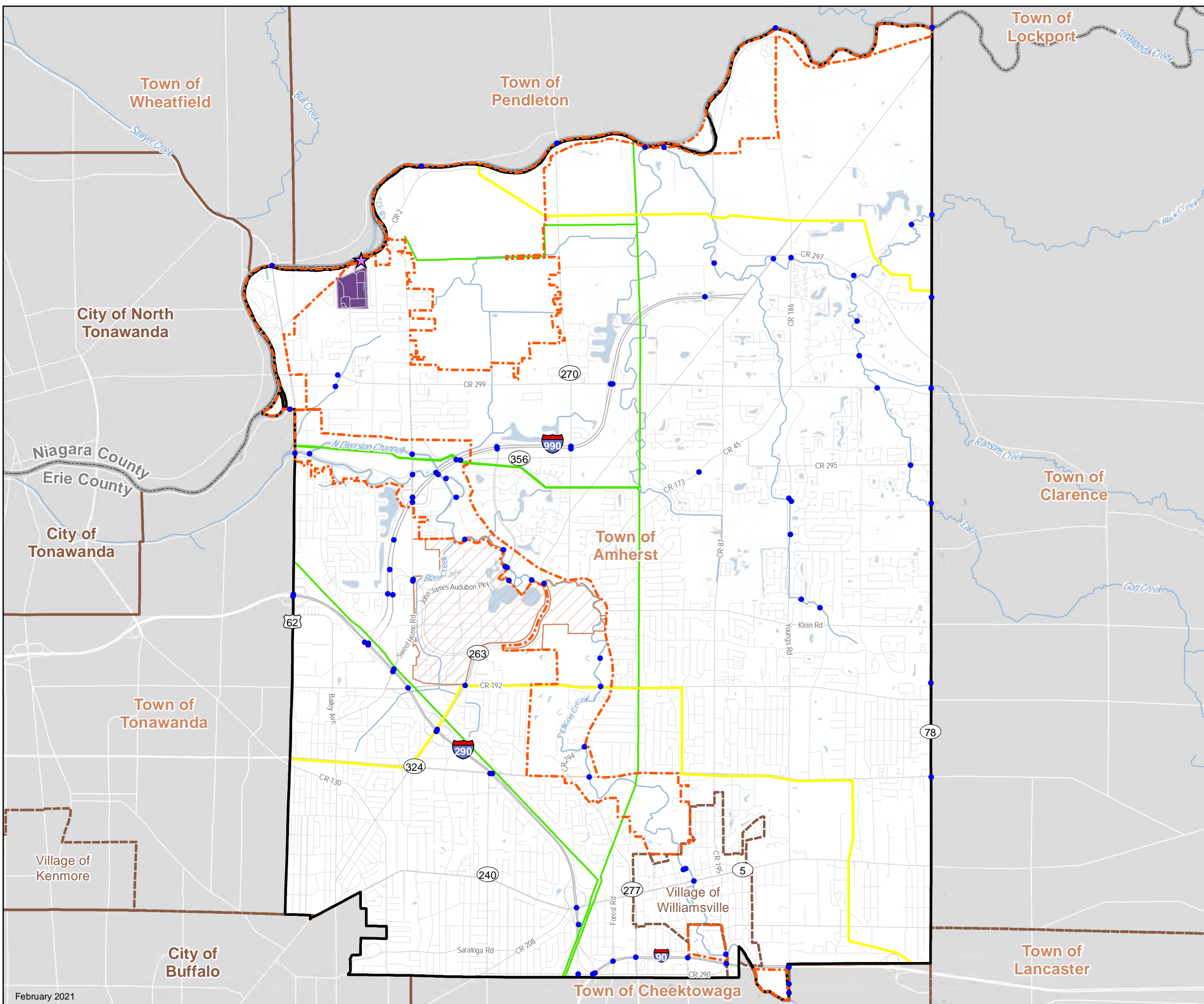
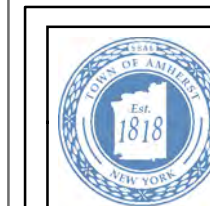
## Local Waterfront Revitalization Program

### Map II-18 Public Services Utilities and Infrastructure

#### Legend

- Stream
- Waterbody
- University at Buffalo
- Town of Amherst
- WRA Boundary
- Bridge
- Wastewater Treatment Facility Outfall
- Natural Gas Transmission Line
- Electric Transmission Line
- Wastewater Treatment Facility

This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.



#### Ellicott Creek Subarea

- National Fuel Gas Supply Line intersecting the Creek in a west to east orientation just south of Maple Road.

#### 2.8.3 Ice Management

Routine ice management practices are not undertaken by the Town of Amherst along either waterway within the WRA. However, the Town Highway Department will respond to occasional ice jams that may occur that could result in drainage and localized flooding issues. Ice jams are not identified as a local profiled hazard in Amherst according to the Erie County Multi-jurisdictional Hazard Mitigation Plan.

## 2.9 WATER AND AIR RESOURCES

### 2.9.1 Water Quality Classifications and Use Standards

#### Water Classifications

All waters in New York State are assigned a letter classification that denotes their best uses. Letter classes such as A, B, C, and D are assigned to fresh surface waters, and SA, SB, SC, I, and SD to saline (marine) surface waters (<https://www.dec.ny.gov/chemical/23853.html>). Best uses include source of drinking water, swimming, boating, fishing, and shell fishing. The letter classifications and their best uses are described in regulation [6 NYCRR Part 701](#). The classification of individual bodies of surface water is in regulation [6 NYCRR Chapter X](#) (Parts 800 - 941).

- **Class AA fresh surface waters**  
The best usages of Class AA waters are a source of water supply for drinking, culinary or food processing purposes; primary and secondary contact recreation; and fishing. The waters shall be suitable for fish, shellfish, and wildlife propagation and survival. This classification may be given to those waters that, if subjected to approved disinfection treatment, with additional treatment if necessary, to remove naturally present impurities, meet or will meet NYSDOH drinking water standards and are or will be considered safe and satisfactory for drinking water purposes.
- **Class B fresh surface waters**  
The best usages of Class B waters are primary and secondary contact recreation and fishing. These waters shall be suitable for fish, shellfish, and wildlife propagation and survival.
- **Class C fresh surface waters**  
The best usage of Class C waters is fishing. These waters shall be suitable for fish, shellfish, and wildlife propagation and survival. The water quality shall be suitable for primary and secondary contact recreation, although other factors may limit the use for these purposes.
- **(T) and (TS) standards**  
Waters with classifications A, B, and C may also have a standard of (T), indicating that it may support a trout population, or (TS), indicating that it may support trout spawning (TS). Special requirements apply to sustain these waters that support these valuable and sensitive fisheries resources. Certain waters of the state are protected based on their classification. Streams and small water bodies located in the course of a stream with a classification of AA, A, or B, or with a



classification of C with a standard of (T) or (TS) are collectively referred to as "protected streams," and are subject to the stream protection provisions of the Protection of Waters regulations.

- **Class D fresh surface waters**

The best usage of Class D waters is fishing. Due to such natural conditions as intermittency of flow, water conditions not conducive to propagation of game fishery, or stream bed conditions, the waters will not support fish propagation. These waters shall be suitable for fish, shellfish, and wildlife survival. The water quality shall be suitable for primary and secondary contact recreation, although other factors may limit the use for these purposes.

## 2.9.2 WRA DEC Stream Classifications

All surface waters in New York are classified by the NYSDEC according to their best possible use. Water classifications are based on current and potential water use; physical, chemical, and biological assessments; stakeholder input; and economic data. Once a classification is designated for a stream or a stretch of stream, water quality standards for that specific classification are assigned to the stream. Water quality assessments are then made against those water quality standards to ensure that the stream is attaining its designated use.

### Tonawanda Creek Subarea Stream Classifications

- Tonawanda Creek/Erie Canal – Tonawanda Creek is designated as a Class A, B, or C stream depending upon location.
- From the Niagara River to Lockport which includes the entire stretch of the Canal within the WRA, the Erie Canal and Tonawanda Creek are designated Class C. The primary use is for fishing. Water quality should be suitable for fish propagation and survival. Water quality should also be suitable for primary contact (swimming) recreation, and secondary contact (boating) recreation. However other factors may limit these uses.
- Upstream from the confluence of the Erie Canal and Tonawanda Creek, Tonawanda Creek is designated a Class B stream. The best uses for Class B streams are primary and secondary contact recreation and fishing. Water quality should be suitable for fish propagation and survival.
- Ransom Creek – Ransom Creek within the WRA is designated a Class C stream, with similar characteristics as Tonawanda Creek/Erie Canal as described above.

### Ellicott Creek WRA Stream Classifications

- Ellicott Creek – Ellicott Creek is designated as a Class B waterbody, suitable for public bathing, general recreation use, and support of aquatic life, but not as a water supply.

## 2.9.3 WRA Water Quality

Water quality monitoring data collected at 12 sites during 1993 and 1994 are the basis for the Niagara River-Lake Erie Drainage Basin Biennial Report issued in 1997. Water quality reports for waterways within the WRA are revised as new testing is completed as described below. The results are used by the NYSDEC in the selection process for the state Priority Waterbodies List (PWL). The PWL is a listing of surface waters in New York that cannot fully support their designated use classification or have potential problems that

will damage their environmental quality. Waters are listed according to the degree to which their designated use is affected, such as “*Precluded*,” “*Impaired*,” “*Stressed*,” or “*Threatened*.” These listings are based on varying levels of documentation which are also noted. The range of documentation levels are as follows:

- **Known** – Based on water quality monitoring data, such as the intensive basin study, that conclude the use of the waterbody is restricted.
- **Suspected** - Based on public perception, citizen complaints and anecdotal evidence. Actual studies have yet to conclude the waterbody is impaired.
- **Possible** - Based on an assessment of land uses and activities within the watershed. Little documentation of impairment exists.

Water quality assessments are made in New York State on a rotating basis by major basin. The most recent water quality assessment in the Niagara River/Lake Erie Basin was completed in 2008. Water quality assessments are based on sediment studies and biological (fish tissue, macroinvertebrate studies), chemical (water column chemistry), and physical monitoring (temperature, flow rates). After a water quality assessment is made, management and restoration strategies are developed in order to address water quality issues within the basin.

General water quality issues within the Niagara River Basin include total nitrogen export, fish consumption advisories due to contamination of fish tissue, contaminated sediments, agricultural runoff (nutrients, sediments, pesticides), and atmospheric deposition of nitrogen. Waters within the WRA listed on the 2008 Priority Waterbodies List and reported to the Environmental Protection Agency (EPA) in the New York State Water Quality Report are:

- **Erie Canal/Tonawanda Creek** – The Erie Canal is *impaired*, from the Niagara River to Lockport, due to PCB contamination from contaminated sediments. This listing is based on “known” water quality monitoring and, as a result, a fish consumption advisory exists for carp.
- **Tonawanda Creek** – The Tonawanda Creek Water Quality Report was revised based on testing done between 1998 and 2010. The creek is *impaired* for fish consumption due to toxic organics contamination attributed to historic/past discharges and contaminated sediments. This assessment is “known.” Aquatic life support and recreational uses are assessed as *stressed*. The stream is stressed primarily due to silt and sediment from streambank erosion, although nutrients have also been listed as a possible cause of contamination. This assessment is “suspected”, and updated sampling in the specific reach needs to be conducted to verify conditions.
- **Ransom Creek** – The Ransom Creek Water Quality Report was revised based on testing done between 1998 and 2005. A three mile stretch of Ransom Creek in the Town of Clarence is *impaired*. Although this part of the stream is not in the Tonawanda Creek subarea, Ransom Creek enters the subarea after flowing through the contaminated stretch. The creek is *impaired* for fishing, fish propagation, and fish survival due mostly to nutrients from failing home and commercial septic systems in Clarence Hollow. Other causes of impairment include ammonia, sedimentation, pathogens, and oxygen demand. Urban runoff, construction, and

hydromodification are additional sources of pollution in this stretch. This assessment is based on “known” water quality studies.

- **Ellicott Creek** – The Ellicott Creek Water Quality Report was revised based on testing done between 1998 and 2015. The portion of Ellicott Creek in the subarea is assessed as an *impaired* waterbody for aquatic life. This listing is based on “known” biological sampling that shows significant impacts. This same testing has assessed recreational fishing as *impaired*, but additional testing is needed to elevate this assumption from a “suspected” to “known” confidence level. There are no current advisories for fish consumption. However, due to the presence of impacts/contaminants in the stream further testing is needed and fish consumption is considered *unassessed*. Public bathing uses are “suspected” as *stressed*, and additional bacteriological sampling is needed to fully evaluate public bathing and other recreational use.

#### 2.9.4 Discharge or Pollutants and Management of Solid Waste

##### Wastewater Treatment Facilities

The Town of Amherst Wastewater Treatment Plant (WWTP) is located just south of the Erie Canal along Tonawanda Creek Road in northwest Amherst about one-half mile west of Nature View Park. The Town is the owner-operator of this Publicly Owned Treatment Works (POTW). The Town’s POTW consists of over 530 miles of sanitary sewers, 43 lift stations and grinder pumps, and a tertiary treatment plant and provides services to multiple out-of-district customers including the Village of Williamsville, Erie County Sewer District #5 and the Town of Clarence. Funding for the operation and maintenance of the POTW is raised via tax levy, bond issuance, user fees (for out-of-district customers) and fund balance.

Wastewater from the Town of Amherst is treated at the WWTP. The WWTP has a design capacity of 36 million gallons per day and serves approximately 115,000 people. Sewage is treated at the tertiary level and discharged into Tonawanda Creek, a Class C stream at the point of discharge. The plant complies with all its permits, which are based on current available technology and water quality standards.

The Town’s publicly owned sewers vary in age and materials of construction – from vitreous clay tile pipe laid from the early 1920s with masonry manholes to large reinforced concrete pipe interceptors constructed in the early- to mid-1970s. From the 1970s to the present, the Town has continued to grow and, in general, the newer sections of the POTW are constructed with PVC pipe and precast concrete manholes.

Amherst Sewer District 16 serves much of the Amherst WRA. It is composed of a network of sewers that gradually flows north and west toward the Amherst WWTP. However, a large portion of the Amherst WRA, from Campbell Boulevard to New Road, does not have sewers and relies on on-site disposal systems. Much of the unsewered region lies within the 100-year floodplain for Ransom and Tonawanda Creeks, including a section where both creeks flood. Additionally, most of the soils in the area are not well drained. There are no official plans to extend the sewer service area, as evidenced in Figure 11 – *Future Sanitary Sewer Service* in the Town of Amherst Bicentennial Comprehensive Plan. However, the Town may be petitioned to extend service to property near the Millersport Highway-New Road intersection in the near future for a potential development project.

## Stormwater

The Town of Amherst has an extensive system of open ditches, closed pipes, detention ponds, and creeks in place to manage stormwater runoff. Although this system is in place, stormwater drainage is a concern to many residents as localized nuisance flooding from rain events affects certain areas of the Town. The water quality impacts of stormwater runoff are another important issue. In 2011 the Town consolidated its three stormwater drainage management districts (1, 16, and 26) into a single district. The Town coordinates stormwater management efforts with other governmental agencies, including adjacent municipalities and other municipalities within the watersheds, Erie County, FEMA, EPA, the US Army Corps of Engineers, and the NYSDEC. Amherst participates in the WNY Stormwater Coalition, Tonawanda Creek Watershed Committee, and the Erie County Water Quality Committee with a focus on watershed-based management planning to protect and improve water quality and stormwater management.

Flooding and stormwater drainage are concerns within the subarea, especially in northeastern Amherst near Ransom Creek. As a result, several improvements were recommended and are planned in the Amherst Capital Improvement Program. Stormwater is primarily managed using a system of ditches, several of which run through the subarea and discharge into Tonawanda Creek. Amherst also makes use of hydric soils and underground storm sewer pipes to manage stormwater overflow. One prominent ditch within the subarea is located just west of Ransom Creek and Fisherman's Wharf. Ransom Creek also serves as a major stormwater drainage channel.

While it appears that there are no ditches feeding into Ransom Creek within the subarea, much of east Amherst and the hamlet of Swormville drains directly or is channeled into Ransom Creek just outside of the subarea. This large area is quite developed, has level topography and much of it is within the 100-year floodplain. Importantly, some of the ditches that empty into Ransom Creek are draining areas where there is no sanitary sewer service. The Amherst Engineering Department plans to address flooding issues in Ransom Creek over the next few years.

Several other areas within the subarea utilize the Amherst ditch system. The ditch system makes use of the extensive hydric soils in Nature View Park. Several ditches run in and out of the Park, much of it eventually draining into Ellicott Creek. Other parts of Nature View Park drain into ditches that run across Tonawanda Creek Road and empty into Tonawanda Creek near the point where Bear Ridge Road crosses over the Canal. Just outside of the subarea, several ditches drain the area between Millersport Highway and Tonawanda Creek.

The Town of Amherst Highway Department maintains mapping of the Town's ditch system. The Department obtains properties or easements whenever possible to ensure proper maintenance of the system.

## Nutrient Runoff Law

In 2012 New York State passed the Nutrient Runoff Law that restricts the sale or use of phosphorus fertilizer (Section 17-2103) and provided for local municipal fertilizer regulation (Section 17-2105). Phosphorus fertilizer is fertilizer in which the available phosphate (P205) content is greater than 0.67 percent by weight, excluding compost. Under the law no person shall apply or authorize any person by

way of service contract or other arrangement to apply any phosphorus fertilizer on lawn or non-agricultural turf, except when:

- a. A soil test indicates that additional phosphorus is needed for growth of that lawn or non-agricultural turf; or
- b. The phosphorus fertilizer is used for newly established lawn or non-agricultural turf during the first growing season.

The regulation prohibits application of phosphorus fertilizer to lawn or non-agricultural turf between December first and April first, annually. It also prohibits phosphorus fertilizer on any impervious surface including parking lots, roadways, and sidewalks. If this occurs, the fertilizer must be immediately contained and either legally applied to lawn or non-agricultural turf or placed in an appropriate container. It also restricts application on any real property within twenty feet of any surface water, except that this restriction shall not apply where a continuous natural vegetative buffer, at least ten feet wide, separates an area of lawn or non-agricultural turf and surface water, and except that, where a spreader guard, deflector shield or drop spreader is used to apply fertilizer, such application may not occur within three feet of any surface water. This does not apply to newly established lawn or non-agricultural turf during the first growing season.

§ 17-2105. Local fertilizer regulation provides for a local government to enact more stringent standards for the application of fertilizer for lawn and non-agricultural turf than established in this law, provided, however, that any local government that enacts such standards after January 1, 2011 must demonstrate to the department prior to enactment that additional or more stringent standards are necessary to address local water quality conditions.

The Agriculture and Markets Law was amended by adding section 146-g Retail Sale. to read as follows:

Any retailer who sells or offers for sale to consumers specialty fertilizer in which the available phosphate (P205) content is greater than 0.67 percent, shall:

- a. Display such phosphorus-containing specialty fertilizer separately from non-phosphorus specialty fertilizer; and post in the location where phosphorus-containing specialty fertilizer is displayed a clearly visible sign which is at least eight and one-half inches by eleven inches in size and states that: "Phosphorus runoff poses a threat to water quality. Therefore, under New York law, phosphorus-containing fertilizer may only be applied to lawn or non-agricultural turf when:
  1. A soil test indicates that additional phosphorus is needed for growth of that lawn or non-agricultural turf; or
  2. The fertilizer is used for newly established lawn or non-agricultural turf during the first growing season."<sup>2</sup>

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<sup>2</sup> NYSDEC Nutrient Runoff Law accessed March 16, 2021 <https://www.dec.ny.gov/chemical/74956.html>

### Solid Waste Management

The Amherst Refuse Control Office contracts with private companies to collect solid waste from residential uses in the Town of Amherst. Commercial and industrial institutions and larger apartment complexes are required to use private collection services. The Refuse Control Office and the Town Highway Department are responsible for the collection, recycling, and hauling of solid waste, as well as spring brush pick-up and fall leaf pick-up. No significant concerns regarding the quality of service have been raised. Most of the solid waste collected by the Town is transported to American Refuel, a waste-to-energy company in Niagara Falls. Yard waste is transported to a privately owned and operated organic recycling center located in northeast Amherst. C.J. Krantz operates a private compost facility in northeast Amherst where yard waste from municipal and private sources is composted and available to Town residents.

### 2.9.5 Air Quality

The Western NY region is in attainment with all EPA air pollutant standards. The Town of Amherst has no specific air quality designation within the region. On a Statewide basis, except for ozone downstate, all criteria contaminants meet the National Ambient Air Quality Standards (NAAQS) in New York State. EPA has designated the New York-Northern New Jersey-Long Island, NY-NJ-CT downstate area as nonattainment for the 2008 and 2015 ozone standards. This area consists of the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, and Westchester (<https://www.epa.gov/green-book>).

Degraded air quality is related to several causes; the primary contributor to local air quality in Amherst is automobile use which is directly tied to local land use and transportation patterns. Social dependency on the automobile will continue to impact air quality for the foreseeable future. However, strategies are available that can help reduce the number of automobiles on the road and vehicle miles traveled. These strategies include proposed projects within the waterfront areas that provide for alternative modes of transportation via pedestrian pathways, multi-use trails and bicycling. Additional strategies in the future may include consideration of adopting a Complete Streets Policy within the Town that would further promote the use of alternative modes of transportation.

## **2.10. KEY WATERFRONT REVITALIZATION ISSUES AND OPPORTUNITIES**

### 2.10.1 Tonawanda Creek/Erie Canal Subarea

Issues and opportunities relevant to local waterfront revitalization have been identified during the preparation of this LWRP and through input received from stakeholders during community outreach associated with previous planning initiatives by the Town of Amherst. These initiatives include but are not limited to preparation of the Bicentennial Comprehensive Plan, most recently amended in late 2019, and preparation of a Draft Joint LWRP with the Town of Pendleton in 2006 which was not finalized. Many of the issues and opportunities identified in these documents remain relevant to existing conditions in both the Tonawanda Creek/Erie Canal and Ellicott Creek subareas.

### Management and Ownership of Canal Corporation Land

The New York State Canal Corporation owns and manages the canal bottom and shoreline along the length of the Erie Canal. In some locations its ownership is quite narrow, limited to the canal bank, while in others it extends inland for a considerable distance. Issues focused on these lands including the following:

- **Identification of NY State/Canal Corporation Property** - The Town of Amherst and private landowners do not always know the limits of Canal Corporation property, causing uncertainty as to responsibilities for management of the shoreline area as well as the rights to its use.
- **Appropriate Management of Canal Shoreline Areas by the Canal Corporation** - Much of the land owned by the Canal Corporation is not actively or adequately managed, largely the result of inadequate funding from the State. Shoreline erosion is occurring in places.

### Water Quality and Aquatic Habitat

- **PCB Contaminated Sediment in the Erie Canal** - Despite significant water quality improvements in recent decades, some water quality issues remain within the subarea. PCB contaminated sediments in the Erie Canal are and will continue to be a threat to water quality, wildlife, and water uses, leading the State to designate the Canal as an *impaired* water body.
- **Silt and Sedimentation from Streambank Erosion** - Silt and sediment from streambank erosion adversely affect water quality and wildlife habitat in the Erie Canal, Tonawanda Creek, and Ransom Creek (a major tributary to Tonawanda Creek).
- **Pollutant Loads from Urban Runoff** - Urban runoff high in silt, sediment, and nutrients is the major source of pollutants in waters of the Erie Canal and Tonawanda Creek. Runoff flows from suburban development areas in Amherst, Pendleton, and Clarence, carrying contaminants from many sources, such as roads, parking areas, construction sites, septic systems, and lawn chemicals.
- **Pollutant Loads from Boat Discharges** - Few opportunities for disposing of sanitary waste are available for boaters along the Erie Canal in Erie and Niagara Counties. Illegal discharge is sometimes the only option for boaters, contributing untreated waste directly to recreational waters.
- **Habitat Impacts from Invasive Plants** - Increasingly there are problems with invasive plant species in the Erie Canal, particularly Eurasian Milfoil, brought into the area on the propellers and bottoms of boats traveling through the Canal. In addition, in 2019 the U.S. Army Corps of Engineers treated a section of the Canal adjacent to Old Niagara Falls Boulevard with a herbicide to control and eradicate the aggressive aquatic plant, hydrilla.

### Boater Access and Services

- **Limited Public Access for Boaters** - Two locations along the Erie Canal within the Tonawanda Creek subarea provide facilities where the public is permitted to launch boats. One is free (Amherst Veterans Canal Park) and one requires a fee (Amherst Marine). Most of the shoreline is owned by the NYS Canal Corporation and has been leased to private individuals who do not allow the public to use their shoreline for launching or for docking. Amherst Veteran's Canal Park

also has a kayak launch. The Ellicott Creek subarea does not have a boat or kayak launch site.

- **Limited Marine Services and Moorings** - There is only one location within the subarea – the private Amherst Marine Center - where boaters travelling the Erie Canal can obtain marine services and supplies or rent a temporary mooring.

#### Attractions

- **Few Attractions to Draw Boaters, Residents and Tourists** - There are only a few attractions within the subarea to draw boaters, residents or tourists to the waterfront. Amherst Veterans Canal Park Fisherman’s Wharf and the Empire State Trail provide the only opportunities for active or passive recreation along the water. Some sites, such as the North Amherst Fire Hall, have significant water frontage but no clearly identified or designated access for pedestrians. Public golfing opportunities exist, though not near or oriented toward the water. The Buffalo Niagara Heritage Village is an attraction but is presently only accessible by car or bicycle. There are no lodging facilities within the subarea.
- **Opportunity to Enhance Cultural/Historic Features** – With the Tonawanda Creek-Erie Canal area among the first settled, there are several locations that have the potential to be highlighted as cultural or historical assets, such as the proposed Pickard Settlement Historic District in northwest Amherst, recommended for designation in the Town’s *Updated Reconnaissance Level Survey of Historic Resources* (2011). Currently there is no identification of these areas. Measures to draw attention to these areas could include historic landmark designation of eligible properties or signage to inform the public of their significance.
- **Lack of Land Zoned to Support New Attractions** - Potential future development of new attractions along the waterfront – such as restaurants, lodging, and commercial uses – is currently limited to areas with appropriate zoning. Commercial development is permitted within the subarea at only a few locations such as the existing Amherst Marine site, the commercial corridor along Niagara Falls Boulevard and Old Niagara Falls Boulevard.

#### Public Safety

- **Hazards to Public Safety on the Water** - Hazards to public safety on the water include underwater obstructions, overhead obstructions, and floating debris. Emergency access for emergency medical services could be improved to better enable both summer (water) and winter (ice/snow) rescues.
- **Hazards to Public Safety on the Land** - There is some concern for public safety on the land within the subarea regarding security on remote sections of trails as well as the proximity of some trail sections to the road. Vehicle speeding can pose a particular concern on Tonawanda Creek Road. The Town of Amherst has just built a new footbridge that is now ready for use in 2020 replacing a deteriorated foot bridge over Ransom Creek at Fisherman’s Wharf, which is part of the Canalway Trail. Volunteer firefighters and emergency medical personnel indicate that there is a need to clarify first responder responsibilities, particularly for emergency calls to Nine-Mile Island, which while located within the Town of Pendleton, can only be accessed from the Town of Amherst.



### Recreation Facilities

- **Need for Improvements and Extensions of the Empire State Trail** - The *New York State Canal Recreationway Plan* recommends a continuous trail along the Erie Canal from Albany to Buffalo. In Amherst, the Town has made considerable progress with constructing portions of the Trail and is currently designing several additional segments as well as planning improvements to the existing trail to enhance public safety and to make more parking available.
- **Need for Additional Recreational Amenities and Public Access to the Waterfront** – There are several choice spots for waterfront access along Tonawanda Creek/Erie Canal that could afford new opportunities for passive recreation such as fishing or birdwatching. This can be accomplished through signage, safe parking areas, and improved pathways to allow access and enhance appreciation of these scenic areas. New amenities such as benches can be added to increase the public’s enjoyment at these locations.
- **Long-Term Financial Support for the Empire State Trail** - Long-term management of the Empire State Trail – including trail maintenance and the provision of public safety services – will require a permanent source of funding from both the Town of Amherst and the Town of Pendleton. Coordination is needed among the different governmental entities such as the NYS Department of Environmental Conservation, NYS Canal Corporation, Erie County and the Town of Amherst.

### Preservation of Rural Character

- **Conversion of Rural Land to Suburban and Urban Uses** - The rural character of lands along the Erie Canal and Tonawanda Creek in Amherst is changing. While farming is the traditional land use in north Amherst and remains prominent, it may be threatened by low-density residential development and other forms of non-agricultural use such as solar or wind energy projects. The public has expressed considerable concern regarding the loss of rural character that has occurred as farms have been subdivided and lots developed with single-family homes. These issues are also addressed in the Town of Amherst Bicentennial Comprehensive Plan but need to be discussed as demand and regulations change.

### Shoreline Conditions

- **Private Docks** - Some small docks are found along the Erie Canal shoreline. Most are located on land leased by private individuals from the New York State Canal Corporation and are designed to serve a single landowner. This leads to some concern regarding the shoreline conditions along the Erie Canal within the subarea. This practice effectively enables individuals who hold the lease to construct docks, make shoreline changes, and manage adjacent uplands on a property-by-property basis without adequate oversight by the Canal Corporation.
- **Hardening of the Shoreline** - Much of the Erie Canal shoreline has been hardened by the placement of rock and/or construction of rip-rap, bulkheads, and walls of various types and materials. While offering protection from wakes and shoreline erosion, these treatments may have adverse habitat impacts and to some are considered aesthetically distasteful.
- **Mowing along the Shoreline Buffer** - Many property owners and lessees maintain the area adjacent to the Erie Canal shoreline by mowing. There is varied opinion on the appropriateness

of this practice. While mowing appeals to many residential property owners, this practice is not necessarily the most prudent in terms of wildlife habitat protection and water quality management.

- **Poor Shoreline Forest Management Practices** - Forest management practices are generally lacking along most of the Erie Canal shoreline. The woodland is characterized by young secondary growth forest, with an understory that more often than not has been invaded by non-native exotic plants.

### North Amherst

North Amherst is the largest of the six focal planning areas described in the Bicentennial Comprehensive Plan, extending east from the Northwest Amherst focal planning area to Transit Road generally north of North French Road, the Lockport Expressway (I-990), and Dann Road. The physical image of North Amherst is very different from other portions of the Town. Its low-density housing, rural roads, farms and open spaces stand in contrast to the denser, more urban or suburban uses and commercial services found in the southern portions of the Town. Low-density housing in a rural setting extends along Tonawanda Creek Road, New Road, Schoelles Road, Hopkins Road, and Campbell Boulevard. Denser, suburban housing developments are located along and just north of North French Road west of I-990. The remainder of the area is primarily open space, parkland, and agricultural land. The focal area lacks centers of commercial services.

Key issues and opportunities include:

- its rural “green” character, as defined by undeveloped land, open spaces, and agricultural uses
- the presence of extensive natural resources and floodplain areas
- growth and increase in size of designated wetlands
- the role of public sewer as a primary determinant of new development because much of North Amherst is not served by public sewer
- the Oakwood Golf Course, Tonawanda Creek, and Nature View Park represent the primary public amenities in the area, encompassing large amounts of land. Existing and new trails following Tonawanda Creek could greatly help to physically connect these assets (see Land Use and Development Policy 3-13 of the Comprehensive Plan). As part of the LWRP three waterfront activity centers are proposed in the North Amherst.
- the majority of the roads in North Amherst are rural in character. As scenic roadways, many are narrow with closely planted landscaping and trees. In some cases, surface drainage systems are located at the edge of the roadway in the form of ditches with standing water. These characteristics should be considered when evaluating any street improvements or potential addition of bicycle lanes (see Comprehensive Plan Transportation Policy 6-1 regarding context-sensitive roadway design).
- As noted above, the majority of the North Amherst focal planning area is comprised of low-density, single-family residential, agricultural, or park/open space uses. These characteristics contribute to a physical environment that is unique and an essential part of Amherst’s character. As noted by residents, the rural character and low-density housing in North Amherst reflects the ability to choose between radically different styles of living all within one town. A variety of

lifestyle and housing choices ranging from urban to suburban to rural is one of the cornerstones of the Comprehensive Plan Vision Statement.

- The concept plan for North Amherst emphasizes stabilization and preservation of rural character. Major strategies include controlling the location and density of new development, initiating context-sensitive improvements (where applicable) to maintain the visual character of rural roads, and providing easy physical connections between the recreation amenities in the area through an extended network of pedestrian and bicycle lanes. Growth is directed to the intersection of New Road and Millersport Highway and east of Millersport Highway to Transit Road where sewer service can be extended.

Specifically, the concept plan for North Amherst includes the following initiatives:

- Extend trails along Tonawanda Creek and Tonawanda Creek Road. Mile markers and a signage program should be integrated within the system to guide users to specific amenities and uses.
- Develop “Rural Character” roadway standards for the area’s rural roads (Comprehensive Plan Policy 6-1). These should include coordinated guidelines for landscaping and tree cover, building setbacks, site drainage, limited road widths, and potential bicycle lanes where applicable. Conservation development through clustering of homes (consistent with soil limitations on on-site sewage disposal) should also be explored to preserve views and open space.
- As recommended by Natural and Cultural Resources Policy 4-13, develop a management plan to enhance the Buffalo Niagara Heritage Village as an educational/interpretive resource for residents and visitors. This plan should address connection of the museum to an area-wide trail system and to the Old Pendleton Waterfront Activity Area.
- Develop design standards for the replacement of bridges over the Erie Canal.

### Northwest Amherst

Northwest Amherst is generally bounded by Tonawanda Creek to the north, Sweet Home Road to the east, the Ellicott Creek Diversion Channel to the south, and Old Niagara Falls Boulevard to the west. In relationship to the rest of the Town, this area is defined by distinctive physical features such as its two waterways and the large Nature View Park that create a challenging set of urban design issues. The Bicentennial Comprehensive Plan includes these issues in its discussion of the Northwest Amherst Focal Area Plan. The key opportunities that can positively impact the future of Northwest Amherst relate to open space and recreation and the form and scale of new development. The unique features here provide some of the strongest civic amenities the Town has to offer. Specifically, the historic Erie Canal and Nature View Park are regional-scale open space assets and are both on the doorstep of Northwest Amherst. The LWRP will play an important role in the development of these recreational assets. Issues related to these amenities include:

- condition, ownership, and value of housing stock, particularly in the vicinity of the Wastewater Treatment Facility
- a fragmented land use pattern, including the proximity of residential neighborhoods to higher intensity, non-residential development
- a lack of pedestrian connectivity to centers of activity

- a lack of community identity and a clearly defined activity center
- the availability of vacant parcels for development, suggesting the potential for change
- the lack of a defining center. In addition to the local population, commercial uses on Niagara Falls Boulevard serve a high volume of commuters who use the corridor daily to reach regional employment centers and destinations. This area is highly automobile-oriented and solidly commercial, factors which have precluded creation of a central node that characterizes some neighborhoods.
- new housing developments in recent years continue to add to the residential concentration in Northwest Amherst and consume the few large tracts of undeveloped land. The Evergreen Subdivision on the north side of Tonawanda Creek Road has transformed an underutilized golf course; this development is bordered on the north by Tonawanda Creek/Erie Canal lands. The Canal Corporation's "blue line" is being preserved along the shoreline for potential public access at this location; continuation of the "blue line" should be a priority as other waterfront lands are developed as well. Another dense residential subdivision, Briar Hollow, is approved for land on the south side of Tonawanda Creek Road south of the terminus of Daisy Lane. This subdivision will have direct access to Creekwoods Park and will also preserve 30+ acres of wetland.
- Access ways to recreational and open space resources should be strongly considered in new housing developments and the designs of additional streets. Open space should be considered as a theme for the future development of the area through provision of new open spaces and greenways, buffers from uses such as the Wastewater Treatment Facility, strong neighborhood connections, and a marketable identity.
- As new development or revitalization occurs in Northwest Amherst sensitive designs are warranted to reinforce the established neighborhoods. These should include appropriate densities, physical form, and scale in relation to established uses; strong physical access to open space and recreation; and appropriately scaled commercial uses located in centers to serve residential development.
- The concept plan for Northwest Amherst is based on integrating parks and pedestrian networks with existing and future housing developments and providing enhanced access to open space and recreation amenities. Neighborhood-based improvements relating to parks and schools should serve as the foundation for the area's future, increasing the attractiveness and marketability of the area for a mix of incomes.

As discussed in the Bicentennial Comprehensive Plan, the concept for Northwest Amherst includes the following initiatives and strategies:

- Improve connections to Nature View Park, Sweet Home Road, and Tonawanda Creek Road. These "neighborhood connector streets" should receive priority consideration for tree planting and other improvements.
- Create a system of landscaped "buffers" that protect housing values and provide passive open space for neighborhood residents. These buffers should be considered surrounding the Wastewater Treatment Facility and behind the commercial uses on Niagara Falls Boulevard.

- Better control noise, odor, and visual impacts on nearby residences caused by the Wastewater Treatment Facility. This should include enhancing and extending the existing berm as part of the landscaped buffer system.
- Develop connections to fill in gaps for missing trail segments along the Canal.
- Establish site design guidelines for enhanced landscaping in conjunction with improved access management for commercial uses along Niagara Falls Boulevard to enhance the entry to Amherst from the north. To be implemented over time as uses are introduced/redeveloped, or through public/private partnerships with existing property owners, the guidelines should specify the location and amount of landscaping, appropriate locations for signage, pedestrian facilities, and the number and location of curb cuts.
- Develop Old Niagara Falls Boulevard along the Erie Canal as a Waterfront Activity Area. Streetscape/pedestrian improvements should be implemented to take advantage of this waterfront location. Redevelopment of appropriately scaled commercial uses should be encouraged (e.g., rehabilitation of the long-vacant restaurant and boating-oriented services).
- Initiate traffic calming measures and combine with character corridor design guidelines for arterial and collector streets, including Sweet Home Road and Tonawanda Creek Road. Typical traffic calming measures include “bumpouts” at intersections, changes in pavement texture at pedestrian crossings, increased planting, re-striping of the road to delineate on-street parking areas if applicable, and potential reduction of lane widths. Depending upon the character of each street, a traffic study may be needed to arrive at the appropriate solution.

### 2.10.2 Ellicott Creek Subarea

#### University (UB) and Audubon Amherst

The University focal planning area identified in the Bicentennial Comprehensive Plan is located in west-central Amherst centered on the North Campus of the University at Buffalo (UB). Although the University itself is not included within the subarea the University focal planning area and surrounding development contain some of the largest economic engines in the Town of Amherst. Most notably, the University at Buffalo’s North Campus is in the heart of the focal area and is expecting a significantly larger student population due to internal restructuring of the academic programs and the locations where they are offered. To accommodate these changes, the University over the years has implemented a master plan with the objective of increasing housing on the North Campus by 40 percent. This effort is reflected in new housing developments at the periphery of the traditional campus core adjacent to the academic spine and sports stadiums.

These and other changes in land use affect issues and opportunities associated with Ellicott Creek and its waterfront areas. Recognizing the need for additional commercial services for the students, the University is also planning a redevelopment initiative concentrated on Lee Road with a mix of housing, retail venues, a recreation and wellness center, and a hotel and conference center to create a new campus “Main Street.” The once insular campus is slowly extending to its edges, which provides the opportunity for more interaction and shared services with the Town of Amherst. This expansion is providing the potential for

the development of student housing not accommodated on-campus and student-related retail/personal services in proximity to the campus.

Although much of the area is fully developed, there is no center for commercial services adjacent to the University. An opportunity to create a mixed-use center on the large University-owned parcel east of Millersport Highway currently exists. Its location along Ellicott Creek and near adjacent neighborhoods creates the potential for a center on this site to draw from both University students and employees as well as neighborhood residents. Approved in September 2009, the University adopted a new physical master plan to implement the recently completed “UB 2020” academic plan. This effort, called “BuildUB,” is seeking to implement many of the concepts recommended above. Preliminary discussions with the University indicate they are seeking to soften the hard edges of the north campus to better integrate it into the Amherst community. The existing commercial-retail, student/senior housing, and research-development uses currently planned along the Sweet Home Road corridor in the area directly west of the North Campus may present a real opportunity to integrate populations of varying ages in the Town with University planning and private efforts to create a second University related mixed use activity center.

Key issues and opportunities identified in the Bicentennial Comprehensive Plan for this focal planning area include:

- impacts of the ongoing expansion of the North Campus student population on the area surrounding the campus due to increased traffic, demand for off-campus housing and services geared towards students
- need for coordination between the Town and University on growth/edge issues
- potential for research/economic development spin-off from University activities
- The vacant property owned by the University east of Millersport Highway is one of the largest vacant properties in the Town potentially available for development.
- Surrounding the University are uses that provide employment and services, many of which serve the Western New York Region and the local community.
- A concentration of commercial services is located to the south along Maple Road.
- The Audubon Recreation complex, the Audubon Golf Course, and Northtown Center are located east of Millersport Highway and north of Maple Road.
- Approximately 3,000 beds of student housing (private) located along Sweet Home and Chestnut Ridge Roads directly west of the North Campus are either developed, under construction, or have received site plan approval.
- The Audubon Industrial Park and other employment/business parks are located within and adjacent to the University focal planning area. Although these uses are viable and critical to the economic prosperity of the Town, they currently do not benefit from their proximity to one another. Instead, they are relatively isolated from other uses and assets. There is limited physical or social networking within this area, which impacts the possibility of it becoming an integrated, mixed-use district.
- Connecting the uses is a somewhat disjointed network of roads and highways. Millersport Highway directly connects the North Campus to the University’s south campus to the southwest.

John James Audubon Parkway is a main link into the North Campus, but neither the Parkway nor Millersport Highway is distinguished as a campus loop road or gateway as they pass through the University. Sweet Home Road exhibits peak hour traffic problems as a collector road. Finally, there are few connections through local streets to adjacent neighborhoods, many of which house students attending the University. The problem has been further compounded by UB's prohibiting vehicular connections between some recent non-University developments and the campus. The present state of the road network reveals the limited physical connections between uses in the area and encourages automobile travel to fulfill daily needs.

- The concept plan for the University focal planning area is centered on physical networking and shared resources. All the existing institutions, offices, and neighborhoods can be viewed as "portals" that offer amenities and services that can potentially benefit the entire area. The objective is to find the physical linkages between them that will promote mutually reinforcing initiatives and social networks.
- A long-term objective should be to set up a coordinating council among area entities (the Town, UB, and other major uses) to discuss ways of sharing services that benefit multiple institutions or uses. These services could be administered in existing facilities or in new, publicly accessible centers of community activity that are integrated with other commercial uses. The proposed "University Village" would be a good location for a facility of this kind. A coordinated marketing and outreach program should also be considered.
- In the short term the concept plan encourages the physical improvement of the area's roads and gateways. This strategy includes finding new connections between nearby neighborhoods and the University, providing alternative methods of transportation (transit, bicycle, and pedestrian), and extending the greenway trail along Ellicott Creek. Key physical gateways, such as critical intersections and highway interchanges, should be improved to reflect the dynamic mix of uses present in the area. There are constraints on North Forest Road for pedestrian and bicycle safety due to the road width and configuration that need to be addressed.

Specifically, the concept for the University focal area includes the following initiatives and strategies:

- Enhance pedestrian and physical connections to the University from surrounding neighborhoods by developing sidewalks/multi-use trails along North Forest Road and by improving the intersections at Millersport Highway/Audubon Parkway and North Forest Road/Audubon Parkway.
- Employ access management techniques and traffic calming measures on Sweet Home Road.
- As part of development of a more integrated pedestrian/ bicycle network, enhance safety for pedestrians and bicyclists at entrances to the UB campus from Maple Road, Millersport Highway, and North Forest Road. A potential connection exists at St. Rita's Lane. The intersection at Millersport Highway and North Forest Road should be improved.
- The corridor along Sweet Home Road between Ellicott Creek and Maple Road is the focus of major off-campus university-related activities. Mixed-use, moderate density offices and university-related residential uses have evolved within this corridor. This pattern is punctuated by a small commercial node centered on the Skannersville Road Extension.

- Work with UB to promote development of a new, mixed-use “University Village” east of Millersport Highway (see discussion in Section 3.3). Uses should include research and office, university-related activities, housing, open space, and public trails and rights-of-way along Ellicott Creek. Housing should be designed to appeal to members of the academic community and “knowledge workers” drawn to an attractive, stimulating environment with a mix of activities.
- Strive for improved physical connections between surrounding neighborhoods and the North Campus.
- A secondary campus “loop road” should be considered adjacent to the Ellicott Creek but outside of the floodplain to organize the main activities along an attractive environmental feature.
- Enhance physical connections to the University from surrounding neighborhoods by establishing a linkage or linkages across Ellicott Creek from North Forest Road. Klein Road could be extended across North Forest to provide a means of access to the proposed mixed-use center from the east, while extensions of Stahl Road and Heim Road would provide additional pedestrian and possibly vehicular linkages to the center.
- Designate Millersport Highway and the Audubon Parkway from North French Road to Maple Road as a Campus Boulevard. Streetscape, landscaping, and signage should be distinctive and high quality, reflecting UB and its programs and services.
- Extend the Audubon Parkway north to the North Audubon Parkway property Research and Development Park, thus increasing the accessibility of this center to UB and other surrounding uses.
- Work with UB and the Niagara Frontier Transportation Authority (NFTA) to encourage alternative transportation systems to better serve and connect uses in the area. The NFTA is currently working with the Towns of Amherst and Tonawanda to extend Buffalo’s transit system north to the Muir Woods site. The route under consideration would link the University at Buffalo’s North and South campuses and include Audubon Parkway in Amherst. Similarly, expanded services should be explored for the Weinberg Campus to extend the mobility of resident senior citizens.
- Encourage re-use or redevelopment of properties in the Maple Road/North Forest Road commercial center and other locations along Maple Road and Millersport Highway. The Amherst IDA should be involved in this effort through programs such as tax abatements.
- Build programmatic connections between UB, Sweet Home High School, and other institutional, governmental, and business resources as part of the “knowledge-based” Comprehensive Plan key initiative. This strategy should link mutually reinforcing existing programs and create new ones in a way that fulfills the educational/training and job placement needs of residents as well as students.

#### [Amherst Central Park Project](#)

The Town of Amherst has been moving forward with its proposal to create the Amherst Central Park project including holding outreach sessions and meetings with the community and stakeholders. The Town has identified the following goals and opportunities through many meetings and discussions with local constituents and preliminary analysis of site conditions. These include:



- most of the Westwood property would become a park
- improved ball diamonds and fields
- Westwood Clubhouse preserved as a Town Arts and Cultural Center
- develop a sports and wellness facility
- indoor field house for Town/school district use
- definition of a future for municipal golf programs
- enhanced pedestrian and bicycle connections on-site and to surrounding neighborhoods

The Town of Amherst has obtained approval from the NYS Legislature to alienate 93± acres in the west portion of the parkland currently known as the Audubon Recreational Complex, which consists of the Northtown Center and Audubon Golf Course. The alienation process will enable the Town to develop this acreage for non-recreational use. Facilitating a land swap and partnering with private sector developers will be the most cost-effective way to achieve these goals for the Town.

Preliminary opportunities identified include:

- The Audubon Recreational Complex that consists of approximately 260± acres of designated Town parkland.
- The Town plans to retain a golf course either on site or elsewhere within the Town. It is possible that some portions of the existing golf course will remain, possibly reduced to a nine- or six-hole facility. New football and softball fields will be replaced in kind with proceeds derived from the sale of Audubon. The hockey facility will functionally stay the same. Proceeds of this transaction will also be used to offset the construction of a fifth ice pad at the facility.
- The Town has identified Westwood and portions of the Muir Woods site as opportunities to replace parkland acreage. With the designation of this property as parkland upon acquisition, there will be an additional area of between 300 and 400 acres added to the Town's inventory of parkland.
- The Town seeks to make the majority of the former Westwood Country Club a park, improve existing ball diamonds, preserve all or portions of the Westwood Clubhouse as an arts/cultural/community center, create a world-class sports and wellness facility anchored by the Northtown Center hockey complex, coordinate the construction of an indoor field house to be used by the Town and school districts, and better define the future for its municipal golf programs.

### [Amherst State Park](#)

Amherst State Park is an important asset to the character and quality of life within the Town of Amherst. The Park, located along Ellicott Creek, provides passive recreational opportunities via trails through the area. The overall vision for Amherst State Park is to provide an opportunity for the public to appreciate the unique environmental and cultural resources that exist within the Park. Park development and management is aimed at protecting these resources while increasing opportunities for their appreciation and enjoyment by the public. Consequently, the State Park focus is on passive, low intensity recreation, educational and conservation uses. The Park's plan specifically includes an organized system of access and

circulation, an interpretive education program and limited day use facilities sensitively incorporated into the assemblage of ecological and cultural communities.

Issues and opportunities, many of which are discussed in the *Master Plan and Final Environmental Impact Statement for Amherst State Park*, include:

- The overall intent of the Park’s Master Plan is to provide comprehensive recommendations for both the short- and long-term environmental protection and recreational development of the Park. In accordance with the agreement between the Town of Amherst and the NYSOPRHP, passive recreational uses should be incorporated in the Master Plan with emphasis being placed on both the preservation of unique natural and cultural resources and the provision of a limited level of development to accommodate recreational use. In general, it is recommended that the Master Plan concentrate on improving and expanding the existing activities in the Park while adding selected new facilities based on recreational demand and identified recreational needs and deficiencies. The overall goal of the plan is to strike a balance between the development for recreational use and the preservation of scenic, natural and cultural resources.
- Various Park design and management alternatives were considered, including no action, "minimum development" and "maximum development" alternatives, as defined by public input. Alternatives for treatment of the north end of the Park where there is the greatest potential for conflict with adjacent property owners were also addressed.
- In general, the Master Plan identifies opportunities for improved circulation and access to the Park. A hierarchal path system designates primary and secondary trails. The main entrance to the Park is off Mill Street while a pedestrian access point is off Reist Street. Developing opportunities for nature and cultural interpretation throughout the Park is proposed.
- Reist Mill Area - The Reist Mill area is located on the west side of the Park and offers a point of entrance to the Park for residents to the west. The area is defined on the north and east by the floodplain area; on the south by the new Motherhouse property; and on the west by a private residence across Reist Street. The Reist Mill was destroyed by fire in 2008. The stone foundation was preserved and remains protected under a layer of soil and lawn. An interpretive sign detailing the history of the mill is part of the historic interpretation discussed in the Master Plan.
- Energy efficient and vandal resistant design principles will be utilized in the development of plans for all proposed structures or facilities. Facilities proposed within the Ellicott Creek floodplain should be capable of withstanding occasional flooding/inundation.
- Upgrade and expand the trail system in the park. Providing access to significant environmental and scenic areas will be a priority of the Master Plan. Improving handicap accessibility throughout the Park will also be addressed. Connect the Park to surrounding neighborhoods and focus on the “gateway” between Amherst and the Village of Williamsville.
- Encourage year-round, four-season use of the Park, focusing on opportunities for winter use.
- Ensure that Park programs and facilities are accessible by all segments of the population.
- Improve access to Ellicott Creek. The Ellicott Creek subarea does not have a boat or kayak launch site.

- Encourage local public input in the development and operation of selected facilities or programs within the Park.
- Preserve and protect significant fish and wildlife habitats and stands of mature trees.
- Provide a safe, efficient pedestrian and vehicular traffic system, with adequate parking.
- Protect and enhance wetlands and floodplains.
- Preserve and protect the remnants of the Reist Mill stone foundation. Provide interpretive historical signage depicting the history of the Mill.
- Ensure enhanced access to the Park for police and emergency response personnel.
- Existing and former roadways within the Park offer opportunities for restricted (emergency, handicapped, special event) vehicular access to Ellicott Creek.
- The existing bridge over Ellicott Creek provides a pedestrian connection between the east and west sections of the Park and a scenic overlook on the creek.
- The existing boiler house and garage for the former Motherhouse are not located on State Park property and are no longer being considered for uses associated with the Park.
- Remnant structures associated with the Sisters' use of the property (gazebo, fountain, stairways) present opportunities for adaptive reuse and interpretive education.

#### Village of Williamsville

The Village of Williamsville is not within the WRA, however the Village core's proximity to Glen Park, Island Park and Ellicott Creek provides unique opportunities to reinforce the connections between the community, especially commercial activity along Main Street, Ellicott Creek and the parks. The Village is a population and business center that includes the Town and Village municipal buildings, numerous existing downtown venues and waterfront locations associated with Ellicott Creek including the historic Williamsville Water Mill Complex. The complex was listed on the National Register of Historic Places in 1983. The site was originally built solely as a sawmill in 1801. By 1903 the Water Mill Complex had grown to include the Water-Lime works and Williamsville Cement Company. After 1908 the mill produced apple cider and is now home to the Williamsville Farmers Market.

Williamsville is undertaking its own LWRP. As the two communities share the Ellicott Creek waterway, opportunities exist for mutually beneficial projects that can enhance the entire region.

#### Lehn Springs Neighborhood

Within the Lehn Springs neighborhood just outside the Village of Williamsville is a Town-owned parcel that contains a lift station. This neighborhood is directly adjacent to Ellicott Creek, and the Creek's floodway extends into some of the adjacent lots. Although the Creek flood gates are manipulated to control water flow, periodic "inconvenience" flooding does occur on these residential properties. Adjusting/removing the gates to lower water in the channel or protecting the bank edge with landscaping or berm could mitigate the flooding.

Issues in this area include a lack of public connection to Ellicott Creek and to the former Lehigh Valley Railroad corridor, a trail that runs through the Village of Williamsville and ends at South Cayuga Road. There is potential for the Town to improve the lift station parcel to allow Creek access and provide an

educational opportunity for the public to understand the engineering of the Creek and flood gates.

#### South of I-90

Privately owned property addressed as 669 South Youngs Road is the only land within Amherst that lies south of I-90. This property is outside the public sewer district, which has limited its development potential. A site plan for a pump station to serve a future office development was submitted to the Town several years ago but has not been finalized. Ellicott Creek directly abuts this parcel, and some floodway extends onto it. This parcel is one of a few locations zoned General Industrial (GI) within Amherst.

Opportunities for this area include creation of a pocket park with Creek access, connection from the Williamsville “Memory Trail” north along South Cayuga Drive up to Wehrle Drive, and a trail along South Cayuga through Town offices to connect to Glen Avenue.

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## SECTION III: WATERFRONT REVITALIZATION POLICIES

### 3.1 INTRODUCTION TO STATE COASTAL POLICIES AND IMPLEMENTATION

The following introduction to this Section is excerpted from the State of New York Coastal Management Program and Final Environmental Impact Statement, Section 6, August 1982, with changes made to incorporate routine program changes approved in 1983, 2001, and 2017.

The Coastal Management Program has a dual role. In one respect, it acts as an advocate for specific, desired coastal actions. In another respect it serves as a coordinator of existing State programs, activities, and decisions which affect the coastal area. The need for this double function became clear during the analysis of the State's coastal area. This analysis resulted in the identification of ten specific issues which were not then being adequately addressed by existing State law or regulations.

The first and most obvious problem was that government agencies, assigned disparate responsibilities and programs, were not required to coordinate, and as a result, decisions affecting the appropriate uses of the State's coastal resources were inconsistent. Obviously, there was a need to coordinate decision-making within and between each level of government. With the passage of the Waterfront Revitalization and Coastal Resources Act, Section 919 of that Act provided the authority to solve this problem.

The nine other issues which required additional attention include: promoting waterfront revitalization; promoting water dependent uses; protecting fish and wildlife habitats; protecting and enhancing scenic areas; protecting and enhancing historic areas; protecting farmlands; protecting and enhancing small harbors; enhancing and protecting public access; and providing solid and useful data and information on coastal resources and flooding hazards. Each of these items necessitated a specific action. The last problem coping with erosion and flooding hazards required passage of the Coastal Erosion Hazard Areas law. The Waterfront Revitalization of Coastal Areas and Inland Waterways law gave the Coastal Management Program the authority to further advocate each of these activities.

#### Coordination

In the past, agencies usually pursued single purpose programs without considering their interrelationships or combined effect on the coastal area. The Coastal Management Program provides the basis for coordinating these programs, in part by spelling out the 44 policies discussed below. For the first time, all State agencies are required to advance these policies toward their logical conclusion, not allowing one policy to override another. More specifically, the use of this particular set of additional criteria as embodied in the 44 policies requires agencies to take into account the interrelationships that exist and/or should exist in the coastal area, not just interrelationships evident in a single ecosystem, i.e., wetlands, but the coastal area as a whole. This approach assures that future actions in the coastal area will, at a minimum, not interfere with the State's long-term commitment to achieving for society the most beneficial use of coastal resources.

## Policies

While the distinction can never be complete, for the most part, each of the 44 policy statements either promotes the beneficial use of coastal resources, prevents their impairment, or deals with major activities that substantially affect numerous resources. In all cases State agencies are required to adhere to each policy statement as much as is legally and physically possible.

The policies designed to promote the use of coastal resources are summarized as follows:

- revitalize underutilized waterfronts (Policy 1)
- facilitate water dependent uses (Policy 2)
- expand the State's major ports (Policy 3)
- expand the State's commercial fishing industry (Policy 10)
- expand public access and water related recreation (Policies 9, 19, 20, 21,22)
- develop coastal energy resources (Policy 27, 29)
- redevelop the existing built environment (Policies 1, 4, 5)
- expedite permitting procedures (Policy 6)

Use of all coastal resources is, however, constrained by the realization that to assure a reasonable quality of life for the long term, the coastal resources essential to society must be carefully husbanded. This frugal use necessitates strong protection measures for certain fragile or rapidly diminishing resources. These resources identified as being in need of protection are as follows:

- significant fish and wildlife habitats (Policies 7, 8)
- the traditional character and purposes of small harbors (Policy 4)
- historic and cultural resources (Policy 23)
- exceptional scenic areas (Policy 24)
- agricultural land (Policy 25)
- dunes, beaches, barrier islands and other natural protective features (Policy 12)
- water and air resources (Policies 31, 31, 33, 26-28, 40, 41, 42, 43)
- wetlands (Policy 44)

Supplementing the above are a few policies which address major activities. These policies clearly state that in undertaking these activities, special care must be taken not to impair valued coastal resources.

- siting energy facilities (Policy 27)
- dredging for navigation, mining, and excavation in coastal waters (policy 15)
- managing solid wastes (Policy 39)
- ice management practices (policy 28)
- siting and building structures in erosion hazard areas (policies 11, 13, 14, 16, 17)
- adequate consideration of State and public interests for all major coastal activities (Policy 18)

The policies in this Section of the document constitute all the policies of the program and provide a source of information for all State agencies. All of the Program's policies are derived from existing laws and regulations administered by State agencies. Many of the Program's policies are carried out by programs administered by the NYS Department of Environmental Conservation. For example, the Department operates regulatory programs which provide protection to tidal and freshwater wetlands (Policy 44), restrict development and other activities in flood and erosion hazard areas (Policies 11-17), and protect air and water resources (Policies 30-35 and 40-43). Other agencies, such as the Office of Parks, Recreation and Historic Preservation, Public Service Commission, and the State Board on Electric Generation Siting and the Environment administer programs which provide coastal recreational facilities, regulate the siting of energy transmission facilities and regulate the location of electric power plants.

Other Program policies are based upon the provision of Article 42 of the Executive Law. These policies carry out the intention of the State Legislature that there be "a balance between economic development and preservation that will permit the beneficial use of coastal resources while preventing the loss of living marine resources and wildlife, diminution of open space areas or public access to the waterfront, shoreline erosion, impairment of scenic beauty, or permanent adverse changes to ecological systems" (Executive Law, §912(1)). Executive Law, Article 42, requires that actions directly undertaken by State agencies within the State's coastal area be undertaken in a manner consistent with this new, second group of policies. In addition, the procedures of the State Environmental Quality Review Act (Environmental Conservation Law, Article 8) will ensure that all State agency actions will be consistent with these policies.

It is important to note that no policy applies to the exclusion of the others. In applying these policies to a given action, all policies relevant to the action are to be adhered to. 19 NYCRR Part 600 and 6 NYCRR Part 617 dictate the only circumstances under which a policy need not be fully adhered to.

The following pages contain an explicit statement of State policy, followed by a more detailed explanation of that statement. In many instances, the explanation is followed by guidelines to be used by agencies in their decision making.

An integral part of the Local Waterfront Revitalization Program is the application of the State-established waterfront policies by the local communities. This allows communities, like Amherst, to identify their own waterfront issues and utilize local approaches to address them. Once the LWRP is accepted by the Department of State, the policies possess the legal authority for any activity occurring within the designated LWRP boundary.

The policies identified below include those 44 Policies established by New York State, followed by additional text on local applicability as appropriate under certain policies. This section includes the State Coastal Policies and which local policies are applicable within the Town of Amherst Waterfront Revitalization Area described in Section I of this LWRP. These policies are organized and grouped under 11 headings:

- Development Policies (1-6)
- Fish and Wildlife Policies (7-10)

- Flooding and Erosion Hazards Policies (11-17)
- General Policy (18)
- Public Access Policies (19 and 10)
- Recreation Policies (21 and 22)
- Historic and Scenic Resources Policies (23-25)
- Agricultural Lands Policy (26)
- Energy and Ice Management Policies (27-29)
- Water and Air Resources Policies (30-43)
- Wetlands Policy (44)

## 3.2 DEVELOPMENT POLICIES

### Policy 1

**Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.**

#### Explanation of Policy

State and local agencies must ensure that their actions further the revitalization of urban waterfront areas. The transfer and purchase of property; the construction of a new office building, highway or park; the provision of tax incentives to businesses; and establishment of enterprise zones, are all examples of governmental means for spurring economic growth. When any such action or similar action is proposed, it must be analyzed to determine if the action would contribute to or adversely affect a waterfront revitalization effort.

It must be recognized that revitalization of once dynamic waterfront areas is one of the most effective means of encouraging economic growth in the State, without consuming valuable open space outside of these waterfront areas. Waterfront redevelopment is also one of the most effective means of rejuvenating or at least stabilizing residential and commercial districts adjacent to the redevelopment area.

In responding to this policy, several other policies must be considered: (1) Uses requiring a location abutting the waterfront must be given priority in any redevelopment effort. (Refer to Policy 2 for the means to effectuate this priority); (2) As explained in Policy 5, one reason for revitalizing previously dynamic waterfront areas is that the costs for providing basic services to such areas is frequently less than providing new services to areas not previously developed; (3) The likelihood for successfully simplifying permit procedures and easing certain requirements (Policy 6) will be increased if a discrete area and not the entire urban waterfront is the focus for this effort. In turn, ease in obtaining permits should increase developers' interest to invest in these areas. Further, once this concentrated effort has succeeded, stabilization and revitalization of surrounding areas is more likely to occur.

Local governments through waterfront revitalization programs have the primary responsibility for implementing this policy. Though local waterfront revitalization programs need not be limited to



redevelopment, local governments are urged to identify areas as suitable for redevelopment and establish and enforce redevelopment programs.

1. When a State or local action is proposed to take place in an urban waterfront area regarded as suitable for redevelopment, the following guidelines will be used:
  - a. Priority should be given to uses which are dependent on a location adjacent to the water (see Policy 2);
  - b. The action should enhance existing and anticipated uses. For example, a new highway should be designed and constructed so as to serve the potential access needs for desirable industrial development;
  - c. The action should serve as a catalyst to private investment in the area;
  - d. The action should improve the deteriorated condition of a site and, at a minimum, must not cause further deterioration. For example, a building could not be abandoned without protecting it against vandalism and/or structural decline;
  - e. The action must lead to development, which is compatible with the character of the area, with consideration given to scale, architectural style, density, and intensity of use;
  - f. The action should have the potential to improve the existing economic base of the community and, at a minimum, must not jeopardize this base. For example, waterfront development meant to serve consumer needs would be inappropriate in an area where no increased consumer demands were expected, and existing development was already meeting demand;
  - g. The action should improve adjacent and upland views of the water, and, at a minimum, must not affect these views in an insensitive manner;
  - h. The action should have the potential to improve the potential for multiple uses of the site.

If a State or local action is proposed to take place outside of a given deteriorated, underutilized urban waterfront area suitable for redevelopment, and is either within the relevant community or adjacent waterfront community, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated, underutilized urban waterfront area in question. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

#### Local Applicability

The Town's 2019 Bicentennial Comprehensive Plan, specifically Section 3.0 - Land Use and Development, identifies local goals and policies related to this and other DOS waterfront revitalization policies. The Town has amended its Zoning Ordinance to encourage mixed-use development and encourages redevelopment

consistent with Comprehensive Plan and Smart Growth principles. Relevant land use and development policies as stated in the Comprehensive Plan include:

Policy 3-8: Consider tax incentives for reinvestment, revitalization, and redevelopment of commercial properties and housing in older areas with less emphasis on new “greenfield” development.

Policy 3-9: Rezone and/or provide incentives for reuse of underutilized/obsolescent properties for economically viable uses.

Policy 3-10: Tailor commercial zoning districts to the unique physical characteristics of older commercial areas in need of revitalization.

Policy 3-11: Target capital investments to improve the aesthetic character of key locations within the Town.

Policy 3-12: Initiate public capital investment projects to encourage/support private investment.

Policy 3-16: Improve the predictability and consistency of the rezoning and other development approval processes through the application of clear town wide land use policies.

Policy 3-17: Set clear standards for development quality to increase the level of certainty in the development review and approval process.

While the Town has some established waterfront amenities, it recognizes the need to apply the above policies to a greater extent within the WRA in order to maximize these outstanding natural resources. The projects identified in this LWRP highlight locations that will benefit from improvement, particularly those that foster water-dependent uses.

## **Policy 2**

### **Facilitate the siting of water dependent uses and facilities on or adjacent to inland waters.**

#### Explanation of Policy

There is a finite amount of waterfront space suitable for development purposes. Consequently, while the demand for any given piece of property will fluctuate in response to varying economic and social conditions, on a statewide basis, the only reasonable expectation is that long-term demand for waterfront space will intensify.

The traditional method of land allocation, i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to the State's coastal waters. To ensure that such "water-dependent" uses can continue to be accommodated within the State, State agencies will avoid undertaking, funding, or approving non water dependent uses when such uses would preempt the reasonably foreseeable development of water dependent uses; furthermore, agencies will utilize appropriate existing programs to encourage water dependent activities.

Water dependent activities shall not be considered a private nuisance, provided such activities were commenced prior to the surrounding activities and have not been determined to be the cause of conditions dangerous to life or health and any disturbance to enjoyment of land and water has not materially increased.

A water dependent use is an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

The following uses and facilities are considered as water-dependent:

1. Uses which depend on the utilization of resources found in inland waters (for example: fishing, mining of sand and gravel, aquaculture activities);
2. Recreational activities which depend on access to inland waters (for example: swimming, fishing, boating, wildlife viewing);
3. Uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short-term storage facilities);
4. Structures needed for navigational purposes (for example: dams, locks, lighthouses);
5. Flood and erosion protection structures (for example: breakwaters, bulkheads);
6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards);
7. Uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants, fish processing plants, pumped storage power plants);
8. Uses that rely heavily on the waterborne transportation of raw materials or products which are difficult to transport on land, thereby making it critical that a site near to shipping facilities be obtained (for example: coal export facilities, cement plants, quarries);
9. Uses which operate under such severe time constraints that proximity to shipping facilities become critical (for example: firms processing perishable foods);
10. Scientific/educational activities which, by their nature, require access to inland waterway (for example: certain meteorological and scientific activities);
11. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first aid stations, short-term storage facilities). Though these uses must be near the given water dependent use they should, as much as possible, be sited inland from the water dependent use rather than on the shore.

In addition to water dependent uses, those uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water dependent uses. A water-enhanced use is defined as a use or activity which does not require a location adjacent to or over coastal waters, but whose location on land adjacent to the shore adds to the public use and enjoyment of the water's edge. Water enhanced uses are primarily recreational, cultural, retail, or entertainment uses. A restaurant which uses good site design to take advantage of a waterfront view is an example of a water-enhanced use.

If there is no immediate demand for a water dependent use in a given area but a future demand is reasonably foreseeable, temporary non-water dependent uses should be considered preferable to a non-water dependent or enhanced use which involves an irreversible or nearly irreversible commitment of land. Parking lots, passive recreational facilities, outdoor storage areas, and non-permanent structures are uses or facilities which would likely be considered as "temporary" non-water-dependent uses.

In the actual choice of sites where water-dependent uses will be encouraged and facilitated, the following guidelines should be used:

1. Competition for space - competition for space, or the potential for it, should be indicated before any given site is promoted for water dependent uses. The intent is to match water dependent uses with suitable locations and thereby reduce any conflicts between competing uses that might arise. Not just any site suitable for development should be chosen as a water dependent use area. The choice of a site should be made with some meaningful impact on the real estate market anticipated. The anticipated impact could either be one of increased protection to existing water dependent activities or else the encouragement of water dependent development.
2. In-place facilities and services - most water dependent uses, if they are to function effectively, will require basic public facilities and services. In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors:
  - a. The availability of public sewers, public water lines and adequate power supply;
  - b. Access to the area for trucks and rail, if heavy industry is to be accommodated; and
  - c. Access to public transportation, if a high number of person trips are to be generated.
3. Access to navigational channels - if commercial shipping, commercial fishing, or recreational boating are planned, the locality should consider setting aside a site, within a sheltered harbor, from which access to adequately sized navigation channels would be assured.
4. Compatibility with adjacent uses and the protection of other inland waterway resources – water dependent uses should be located so that they enhance, or at least do not detract from, the surrounding community. Consideration should also be given to such factors as the protection of nearby residential areas from odors, noise and traffic. Affirmative approaches should also be employed so that water dependent use and adjacent uses can serve to complement one another. For example, a recreation-oriented water dependent use area could be sited in an area already oriented towards tourism. Clearly, a marina, fishing pier or swimming area would enhance, and in turn be enhanced by, nearby restaurants, motels and other non-water-oriented tourist activities. Water dependent uses must also be sited so as to avoid adverse impacts on the significant inland waterway resources.
5. Preference to underutilized sites: The promotion of water-dependent uses should serve to foster development as a result of the capital programming, permit expediting and other State and local actions that will be used to promote the site. Nowhere is such a stimulus needed more than in those portions of the State's waterfront areas which are currently underutilized.

6. Providing for expansion - a primary objective of the policy is to create a process by which water dependent uses can be accommodated well into the future. State agencies and localities should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the near future.

In promoting water dependent uses, the following kinds of actions will be considered:

1. Favored treatment to water dependent use areas with respect to capital programming. Particular priority should be given to the construction and maintenance of port facilities, roads, railroad facilities, and public transportation within areas suitable for water dependent uses.
2. When areas suitable for water dependent uses are publicly owned, favored leasing arrangements should be given to water dependent uses.
3. Where possible, consideration should be given to providing water dependent uses with property tax abatements, loan guarantees, or loans at below market rates.
4. State and local planning and economic development agencies should actively promote water dependent uses. In addition, a list of sites available for non-water dependent uses should be maintained in order to assist developers seeking alternative sites for their proposed projects.
5. Local and State agencies should work together to streamline permitting procedures that may be burdensome to water dependent uses. This effort should begin for specific uses in a particular area.
6. Local land use controls, especially the use of zoning districts exclusively for waterfront uses, can be an effective tool of local government in assuring adequate space for the development of water dependent uses.

#### Local Applicability

Included within the Town's Bicentennial Comprehensive Plan are Focal Planning Areas that provide detailed recommendations for portions of the Town that are located within the WRA. Focal Planning Areas are smaller geographic areas of the Town that present special planning challenges and opportunities. Four of six Focal Planning Areas are within the WRA and discussed in detail in the plan. These areas include:

- North Amherst along Tonawanda Creek/Erie Canal
- Northwest Amherst along Tonawanda Creek and a section of Ellicott Creek
- The University area that includes portions of Ellicott Creek near the State University at Buffalo
- The Williamsville area that includes Ellicott Creek and Amherst State Park.

These focal planning areas identify opportunities as waterfront activity locations such as along Tonawanda Creek/Erie Canal where mixed-use development is encouraged to celebrate the waterfront and the area's heritage, attract local residents and visitors, and provide access to the water, including boating services. Town policies in these areas are focused on mixed-use development, investment in infrastructure including utilities and streetscaping, public/private partnerships, and transportation alternatives.

The Northwest Amherst concept plan emphasizes enhanced opportunities for residential neighborhoods to access parks, recreational facilities, and pedestrian networks along the Erie Canal as a waterfront activity area. Opportunities include mixed-use redevelopment along Old Niagara Falls Boulevard which is an area that faces the waterfront. Streetscape and pedestrian improvements can be implemented to take advantage of this waterfront location. Redevelopment of appropriately scaled commercial and mixed uses is encouraged through local zoning (e.g. rehabilitation of a long-vacant restaurant and boating oriented services).

North Amherst is the largest and most rural of the six planning areas. The North Amherst concept plan emphasizes preservation of rural character. This is a portion of the Town containing significant environmentally sensitive resources including wetlands and floodplains mostly associated with Ransom Creek, which flows into Tonawanda Creek. Major strategies include controlling the location and density of new development, initiating context-sensitive improvements where applicable to maintain the visual character of rural roads, and providing physical connections between the recreation amenities in the area through an extended network of pedestrian trails and bicycle lanes. The concept plan for this area includes improvements as waterfront activity areas near the Buffalo Niagara Heritage Village and Picard's Bridge near the Amherst Marine Center.

The University Focal Planning Area includes the North Campus of the University at Buffalo. The concept plan encourages the physical improvement of the area's transportation alternatives and gateways to support the area as an important economic engine for the Western New York region. This strategy includes finding new physical connections between nearby neighborhoods and the University, providing alternative methods of transportation (transit, bicycle, and pedestrian), and extending the greenway trail along Ellicott Creek to link the University with surrounding neighborhoods.

Section 4.0 of the Bicentennial Comprehensive Plan, Natural and Cultural Resources, identifies goals and policies related to this and other DOS waterfront revitalization policies. Relevant policies include:

Policy 4-1: Establish greenway corridors along streams as part of a town-wide open space system.

Policy 4-2: Provide conservation development options to encourage dedication of significant habitat as permanent open space.

Policy 4-3: Acquire land or development rights on land with environmental resources of local significance, consistent with the open space plan or determined to be in the public interest.

The Town of Amherst Zoning Ordinance was revised by the Town in order to support the policies and recommended land uses and actions contained in the Bicentennial Comprehensive Plan. Any changes to the zoning of land within the WRA to respond to future waterfront opportunities will be made by the Town, and all changes will be in conformance with future updates of the Comprehensive Plan. All land

use and development actions undertaken within the WRA are required to be in conformance with the Town of Amherst Zoning Ordinance and therefore, consistent with the Comprehensive Plan.

### **Policy 3**

**Further develop the State's major ports of Albany, Buffalo, New York, Ogdensburg, and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities, of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people.**

#### Explanation of Policy

The aim of this policy is to support port development in New York, Albany, Buffalo, Ogdensburg, and Oswego. Under the current conditions this policy does not apply to the Town of Amherst.

### **Policy 4**

**Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.**

#### Explanation of Policy

This policy recognizes that the traditional activities occurring in and around numerous smaller harbors throughout the State's inland waterways contribute much to the economic strength and attractiveness of these harbor communities. Thus, efforts of state agencies shall center on promoting such desirable activities as recreational and commercial fishing, ferry services, marinas, historic preservation, cultural pursuits, and other compatible activities which have made smaller harbor areas appealing as tourist destinations and as commercial and residential areas. Particular consideration will be given to the visual appeal and social benefits of smaller harbors which, in turn, can make significant contributions to the State's tourism industry.

The following guidelines shall be used in determining consistency:

1. The action shall give priority to those traditional and/or desired uses which are dependent on or enhanced by a location adjacent to the water.
2. The action will enhance or not detract from or adversely affect existing traditional and/or desired anticipated uses.
3. The action shall not be out of character with, nor lead to development which would be out of the character with, existing development in terms of the area's scale, intensity of use, and architectural style.
4. The action must not cause a site to deteriorate, e.g., a structure shall not be abandoned without protecting it against vandalism and/or structural decline.

5. The action will not adversely affect the existing economic base of the community e.g., waterfront development designed to promote residential development might be inappropriate in a harbor area where the economy is dependent upon tourism and commercial fishing.
6. The action will not detract from views of the water and smaller harbor area, particularly where the visual quality of the area is an important component of the area's appeal and identity.
7. In applying the above guidelines, the information in harbor management plans being developed by local governments pursuant to Article 42 of the Executive Law and local laws that would implement them shall be considered.

#### Local Applicability

Under the current conditions this policy does not apply to the Town of Amherst which does not have an inland harbor or maritime commerce.

#### **Policy 5**

**Encourage the location of development in areas where public services and facilities essential to such development are adequate.**

#### Explanation of Policy

By its construction, taxing, funding and regulatory powers, government has become a dominant force in shaping the course of development. Through these government actions, development, particularly large-scale development, in the shorefront area will be encouraged to locate within, contiguous to, or in close proximity to, existing areas of concentrated development where infrastructure and public services are adequate, where topography, geology, and other environmental conditions are suitable for and able to accommodate development.

The above policy is intended to accomplish the following:

- strengthen existing residential, industrial and commercial centers;
- foster an orderly pattern of growth where outward expansion is occurring;
- increase the productivity of existing public services and moderate the need to provide new public services in outlying areas;
- preserve open space in sufficient amounts and where desirable
- foster energy conservation by encouraging proximity between home, work, and leisure activities.

For any action that would result in large scale development or an action which would facilitate or serve future development, a determination shall be made as to whether the action is within, contiguous to, or in close proximity to an area of concentrated development where infrastructure and public services are adequate. The following guidelines shall be used in making that determination:



1. Cities, built-up suburban towns and villages, and rural villages in the shorefront area are generally areas of concentrated development where infrastructure and public services are adequate.
2. Other locations in the shorefront area may also be suitable for development, if three or more of the following conditions prevail:
  - a. Population density of the area surrounding or adjacent to the proposed site exceeds 1,000 persons per square mile;
  - b. Fewer than 50% of the buildable sites (i.e., sites meeting lot area requirements under existing local zoning regulations) within one-mile radius of the proposed site are vacant;
  - c. Proposed site is served by or is near to public or private sewer and water lines;
  - d. Public transportation service is available within one mile of the proposed site; and
  - e. A significant concentration of commercial and/or industrial activity is within one-half mile of the proposed site.
3. The following points shall be considered in assessing the adequacy of an area's infrastructure and public services:
  - a. Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development;
  - b. Development's water needs (consumptive and firefighting) can be met by the existing water supply system;
  - c. Sewage disposal system can accommodate the wastes generated by the development;
  - d. Energy needs of the proposed land development can be accommodated by existing utility systems;
  - e. Stormwater runoff from the proposed site can be accommodated by on-site and/or off-site facilities; and
  - f. Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop, or conduct business in the area as a result of the development.

It is recognized that certain forms of development may and/or should occur at locations which are not within or near areas of concentrated development. Thus, this development policy does not apply to the following types of development projects and activities.

1. Economic activities which depend upon sites at or near locations where natural resources are present, e.g., lumber industry, quarries.
2. Development which, by its nature, is enhanced by a non-urbanized setting, e.g., a resort complex, campgrounds, second home developments.

3. Development which is designed to be a self-contained activity, e.g., a small college, an academic or religious retreat.
4. Water dependent uses with site requirements not compatible with this policy or when alternative sites are not available.
5. Development which because of its isolated location and small scale has little or no potential to generate and/or encourage further land development.
6. Uses and/or activities which because of public safety consideration should be located away from populous areas.
7. Rehabilitation or restoration of existing structures and facilities.
8. Development projects which are essential to the construction and/or operation of the above uses and activities.

In certain urban areas where development is encouraged by this policy, the condition of existing public water and sewage infrastructure may necessitate improvements. Those State and federal agencies charged with allocating funds for investments in water and sewer facilities should give high priority to the needs of such urban areas so that full advantage may be taken of the rich array of their other infrastructure components in promoting waterfront revitalization.

#### Local Applicability

The Town's Bicentennial Comprehensive Plan and current land use regulations emphasize the implementation of Smart Growth principles throughout the community. The Town implements policies that are intended to direct development and redevelopment to areas that are already served by infrastructure and community facilities to promote the preservation of open space, environmentally sensitive resources and rural character.

Section 7.0 of the Bicentennial Comprehensive Plan, Infrastructure, identifies goals and policies related to this and other DOS waterfront revitalization policies. Relevant policies include:

Policy 7-3: Give priority to repairs to existing infrastructure systems, rather than extensions to serve new greenfield development.

Policy 7-4: Redefine the boundaries of the Consolidated Sanitary Sewer District in the northern part of the Town to exclude rural and agricultural areas designated for protection and include areas designated for more intensive development and promote the importance of proper maintenance of private disposal systems or septic systems to limit sewer extensions into protected areas.

Figure 11 within the Infrastructure section of the Bicentennial Comprehensive Plan is entitled "Future Sanitary Sewer Service". It clearly delineates the areas currently within the Town Consolidated Sanitary Sewer District (CSSD), while also showing the limit of future expansion. The majority of the Tonawanda Creek sub-area of the WRA is included in the area that is either outside the current sewer service area or

recommended to be deleted from service. This reinforces the Town's desire to maintain the rural character of the north portions of Amherst. In contrast, the entire Ellicott Creek sub-area is within the CSSD.

For projects within the CSSD, the Town ensures that adequate infrastructure and services are available to serve proposed project development through the Site Plan Review process under Part 8, Section 8-7 of the Zoning Ordinance. The adequacy of public services and facilities are also considered through compliance with the State Environmental Quality Review Act (SEQRA) as implemented under Chapter 104 of Town Code, Environmental Quality Review.

### **Policy 6**

**Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.**

#### Explanation of Policy

For specific types of development activities, and in areas suitable for such development, State agencies and local governments participating in the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will make every effort to coordinate and synchronize existing permit procedures and regulatory programs, as long as the integrity of the regulations' objectives is not jeopardized. These procedures and programs will be coordinated within each agency. Also, efforts will be made to ensure that each agency's procedures are synchronized with other agencies' procedures at each level of government. Finally, regulatory programs and procedures will be coordinated and synchronized between levels of government, and if necessary, legislative and/or programmatic changes will be recommended.

When proposing new regulations, an agency will determine the feasibility of incorporating the regulations within existing procedures, if this reduces the burden on a particular type of development and does not jeopardize the integrity of the regulations' objectives.

#### Local Applicability

Policy 3-15 in the Comprehensive Plan addresses the need for the Town to have efficient procedures in implementing land use activities. It charges the Town to "Improve the predictability and consistency of the rezoning and other development approval processes through the application of clear town-wide land use policies."

The Town routinely monitors and updates its Comprehensive Plan, policies and development review and approval procedures to incorporate:

- User-friendly regulations that are readily understandable and clearly convey the Town's objectives to both developers and residents,
- Opportunities for informal interaction (developers/town staff, developers/neighbors) in the conceptual planning stages before development plans are finalized and applications are filed, and

- Use of digital technologies to allow for electronic submissions of applications and dissemination of information.

Town land use and development policies focus on explicit guidelines and standards to address community character and a sense of place for areas with special characteristics including waterfront activity locations. The Town will continue to establish guidelines and standards to improve predictability by clearly stating what is required from developers and property owners to reduce the potential for protracted review processes with costly plan revisions. The level of certainty will also increase for neighbors of proposed development projects. To maximize the effectiveness of the Comprehensive Plan as a guide for Town decision-makers, both the land use policies and the development regulations that implement the policies are periodically reviewed and revised as deemed necessary to more effectively achieve Comprehensive Plan objectives and the community's vision.

Whenever a proposed action is located in the waterfront area, the Town shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards summarized in Section I. below. No action in the waterfront area shall be approved, funded or undertaken by the Town without such a determination.

The procedure described below shall be followed:

1. When the Town receives a request to approve, fund or undertake an action within the WRA, the Planning Department shall require the applicant to complete a WAF. The Planning Department will assist each applicant (Town department or outside entity) with a preliminary evaluation of the action and with preparation of the WAF. The Planning Department shall ensure the applicant submits a completed application, EAF, and any other information deemed necessary for a consistency determination to be made.
2. The Planning Department shall be responsible for coordinating with other agencies, including the NYS Department of State, the review of actions in the Town waterfront area for consistency with the LWRP. The WAF and supporting documentation are forwarded to the DOS and other all pertinent agencies by the Planning Department.
3. Proposed actions that require site plan review and a Consistency Determination will be integrated into the Town's site plan application process for concurrent project review by the Planning Board. It is anticipated that the concurrent review process will facilitate the review and consistency determination process. The process is illustrated as a Flow Chart in Appendix A.
4. The Planning Department will ensure the action is scheduled on an upcoming Planning Board agenda for Board review.
5. The DOS will submit its recommendation for LWRP consistency, which will be included as an integral part of the Planning Board's determination.

6. Upon review of supporting documents including the WAF and the DOS recommendation, the Planning Board shall consider whether the proposed action is consistent with the LWRP policy standards summarized in Section I. herein, and the LWRP projects, including physical, legislative, regulatory, administrative, and other actions included in the program.
7. Actions that do not require site plan approval but do require Consistency Review shall also be coordinated by the Planning Department, scheduled for a Planning Board agenda, and reviewed for consistency.
8. The Planning Board determination shall indicate whether the proposed action is consistent or inconsistent with one or more of the LWRP policy standards and objectives and shall elaborate in writing the basis for its opinion. The Planning Board shall, along with its consistency determination, make any suggestions to the applicant concerning modification of the proposed action, including the imposition of conditions, to make it consistent with LWRP policy standards and objectives.
9. If the Planning Board's determination is that the action is inconsistent with the LWRP, and the applicant makes a contrary determination of consistency, the applicant shall elaborate in writing the basis for its disagreement and explain the manner and extent to which the action is consistent with the LWRP policy standards. The Planning Board then has the option of reconsidering the application.

### 3.3 FISH AND WILDLIFE POLICIES

#### Policy 7

**Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.**

##### Explanation of Policy

This policy applies only to significant fish and wildlife habitats designated by the State and located in the State's coastal area. Under the current conditions this policy does not apply to the Town of Amherst.

#### Policy 8

**Protect fish and wildlife resources in the waterfront revitalization area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.**

##### Explanation of Policy

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law [S27-0901(3)] as "waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly

contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or otherwise managed." A list of hazardous wastes (NYCRR Part 371) is provided by DEC.

The handling (storage, transport, treatment and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the State's air, land and waters. Such controls should effectively minimize possible contamination of and bio-accumulation in the State's fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

Other pollutants are those conventional wastes generated from point and non-point sources and not identified as hazardous wastes but controlled through other State laws.

#### Local Applicability

The Town regulates waste management and hazardous waste under Chapter 169, Sections 169-10 and 169-11 of Town Code. The Town of Amherst also developed a Stormwater Management Plan in 2018 to comply with the New York State Department of Environmental Conservation General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-0-15-003), Town of Amherst: NYR-20A122. The aim of this program is to control stormwater runoff and prevent the discharge of the pollutants from the Town's storm sewer system to the waters of the United States in accordance with the requirements of federal Phase II stormwater regulations under the Clean Water Act. The plan's purpose is to reduce to the "maximum extent practicable" pollutants in the stormwater discharges through six program elements that include:

1. Public Education and Outreach
2. Public Involvement / Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post-Construction Stormwater Management
6. Pollution Prevention / Good Housekeeping for Municipal Operations

The Stormwater Management Plan is updated on an annual basis in order to take into consideration the latest technologies and information to maintain compliance with the NYSDEC GP-0-15-003 General Permit. Certain components of the plan are codified into local laws such as the Local Law for Stormwater Management and Erosion and Sediment Control and Local Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems under Chapter 172 of Town Code. Under these laws, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the Municipal Separate Storm Sewer Systems (MS4) that person is required to take all necessary steps to ensure the discovery, containment,

and cleanup of such release. In the event of such a release of hazardous materials, that person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services.

MS4s are areas with a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and storm drains) that are not a combined sewer or part of a publicly owned treatment system and are owned or operated and regulated by a municipality or authorized agency. MS4s may be small, medium, or large with the medium or large MS4s being principally determined by population size. Medium MS4s are all municipal separate storm sewers that are located in an incorporated place with a population of more than 100,000 but less than 250,000 as in the case of the Town of Amherst.

### **Policy 9**

**Expand recreational use of fish and wildlife resources in the waterfront revitalization area by increasing access to existing resources, supplementing existing stocks, and developing new resources.**

#### Explanation of Policy

Recreational uses of coastal fish and wildlife resources include consumptive uses such as fishing and hunting, and non-consumptive uses such as wildlife photography, bird watching, and nature study.

Any efforts to increase recreational use of these resources will be made in a manner which ensures the protection of fish and wildlife resources in the waterfront revitalization area and which takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound management considerations. Such considerations include biology of the species, carrying capacity of the resources, public demand, costs and available technology.

The following additional guidelines should be considered by State and local agencies as they determine the consistency of their proposed action with the above policy:

1. Consideration should be made by local and State agencies as to whether an action will impede existing or future utilization of the State's recreational fish and wildlife resources.
2. Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the habitat area.
3. The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis, consulting the significant habitat narrative (see Policy 7) and/or conferring with a trained fish and wildlife biologist.
4. Any public or private sector initiatives to supplement existing stocks (e.g., stocking a stream with fish reared in a hatchery) or develop new resources (e.g., creating private fee-hunting or fee-fishing facilities) must be done in accord with existing State law.

### Local Applicability

Currently the New York State Department of Environmental Conservation stocks sections of Ellicott Creek in Amherst with trout which can be supported by local water quality. Fishing occurs within the WRA in a number of locations, such as near bridges, at private boat docks and other waterfront activity areas. Fisherman's Wharf, an area along Tonawanda Creek (Erie Canal) at its confluence with Ransom Creek, is locally known as a prime fishing spot; this location is further described as a project proposed in Section IV of this LWRP. The level of fishing is limited to casual and occasional use and does not appear to be adversely affecting aquatic habitats or the capacity of surface water resources. The anticipated increase in public access to the waterfront may increase fishing access in some areas which will be monitored by Town staff as part of their routine maintenance and operations of community facilities at or near the waterfront. The Town will also consult with the NYSDEC regarding monitoring and assessing the use of fishing locations to identify potential issues or opportunities consistent with the goals and objectives of this LWRP.

### **Policy 10**

**Further develop commercial finfish, shellfish, and crustacean resources in the inland waterway area by encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities, increasing marketing of the State's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.**

### Explanation of Policy

Commercial fishery development activities must occur within the context of sound fishery management principles developed and enforced within the State's waters by the New York State Department of Environmental Conservation and the management plans developed by the Regional Fisheries Management Councils (Mid-Atlantic and New England) and enforced by the U.S. National Marine Fisheries Service within the Fishery Conservation Zone. (The Fishery Conservation Zone is the area of coastal waters extending from the three-mile State waters boundary to the 200-mile offshore boundary of the U.S. waters. The Conservation Zone is authorized by the U.S. Fishery Conservation and Management Act of 1976.) Sound resource management considerations include optimum sustained yield levels developed for specific commercial fish species, harvest restrictions imposed by State and federal governments, and the economic, political (uses conflicts), and technological constraints to utilizing these resources.

The following additional guidelines should be considered by State and federal agencies as they determine the consistency of their proposed action with the above policy:

1. A public agency's commercial fishing development initiative should not preempt or displace private sector initiative.
2. A public agency's efforts to expand existing or create new on-shore commercial fishing support facilities should be directed towards unmet development needs rather than merely displacing existing commercial fishing activities from a nearby port. This may be accomplished by taking into consideration existing State or regional commercial fishing development plans.



3. Consideration should be made by State and Federal agencies whether an action will impede existing utilization or future development of the state's commercial fishing resources.
4. Commercial fishing development efforts should be made in a manner which ensures the maintenance and protection of the renewable fishery resources.

#### Local Applicability

This policy applies to commercial fishing. Under the current conditions this policy does not apply to the Town of Amherst.

### **3.4 FLOODING AND EROSION HAZARDS POLICIES**

#### **Policy 11**

**Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.**

#### Explanation of Policy

On waterfront lands identified as coastal erosion hazard areas, buildings and similar structures shall be set back from the shoreline a distance sufficient to minimize damage from erosion unless no reasonable prudent alternative site is available as in the case of piers, docks, and other structures necessary to gain access to coastal waters to be able to function. The extent of the setback will be calculated, taking into account the rate at which land is receding due to erosion and the protection provided by existing erosion protection structures, as well as by natural protective features such as beaches, sandbars, spits, shoals, barrier islands, bay barriers, nearshore areas, bluffs, and wetlands. The only new structure allowed in coastal erosion hazard areas is a moveable structure as defined in 6 NYCRR Part 505.2(x). Prior to its construction, an erosion hazard areas permit must be approved for the structure. Existing non-conforming structures located in coastal erosion hazard areas may be only minimally enlarged.

In coastal lands identified as being subject to high velocity waters caused by hurricane or other storm events walled and roofed buildings or fuel storage tanks shall be sited landward and no mobile home shall be sited in such area. In areas identified as floodways, no mobile homes shall be sited other than in existing mobile home parks.

Where human lives may be endangered by major storms, all necessary emergency preparedness measures should be taken, including disaster preparedness planning.

#### Local Applicability

The Town established and amended Provisions for Flood Hazard Reduction by Local Laws No. 13 and No. 14 of 2019. The Town Board finds that the potential and/or actual damages from flooding and erosion may be a problem to the residents of the Town of Amherst and that such damages may include: destruction or loss of private and public housing, damage to public facilities, both publicly and privately owned, and injury to and loss of human life. It is the purpose of the local laws to promote the public health,

safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Regulate uses which are dangerous to health, safety and property due to water or erosion hazards
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters
4. Control filling, grading, dredging and other development which may increase erosion or flood damages
5. Regulate the construction of flood barriers which will unnaturally divert flood waters, or which may increase flood hazards to other lands, and
6. Qualify and maintain for participation in the National Flood Insurance Program.

The Town also established requirements for a Floodplain Development Permit for all construction and other development to be undertaken in areas of special flood hazard in the community for the purpose of protecting its citizens from increased flood hazards and insuring that new development is constructed in a manner that minimizes its exposure to flooding. It is unlawful to undertake any development in an area of special flood hazard, as shown on the Flood Insurance Rate Map, without a valid floodplain development permit.

## **Policy 12**

**Activities or development in the waterfront revitalization area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.**

### Explanation of Policy

Beaches, dunes, barrier islands, bluffs, and other natural protective features help safeguard shorefront lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of shorefront features, improperly designed structures, inadequate site planning, or other similar actions which fail to recognize their fragile nature and high protective values, lead to the weakening or destruction of those landforms. Activities or development in, or in proximity to, natural protective features must ensure that all such adverse actions are minimized. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

### Local Applicability

Along with the provisions to reduce flood hazards and requirements for a floodplain development permit discussed under Policy 12, the Town in 1982 adopted a local law which expands the State's SEQRA list of actions classified as Type I, which are those actions likely to have a significant effect on the environment. In addition to the Type I actions enumerated under SEQRA in Section 617.4 of Title 6 of the New York

Codes, Rules and Regulations, the Town included as Type I actions those actions affecting wetlands, as defined in Article 24 of the Environmental Conservation Law (the Freshwater Wetlands Act); floodways, as indicated by the Army Corps of Engineers or the Federal Flood Insurance Administrator; or within 100 feet from the water's edge on each bank of a flowing watercourse. These regulations further enable the Town to protect the natural function of these resources to store floodwaters, preserve infiltration and improve water quality.

### **Policy 13**

**The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.**

#### Explanation of Policy

Erosion protection structures are widely used throughout the State's waterfront areas. However, because of improper design, construction and maintenance standards, many fail to give the protection which they are presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss.

#### Local Applicability

The Town's Stormwater Management Plan complies with new regulatory programs at the federal and state levels. The plan is comprehensive in scope in order to address multiple issues related to stormwater management and water resource protection in an integrated manner. In addition, the stormwater management plan addresses the goals, objectives, and policies of the Comprehensive Plan, including policies set forth in the Natural and Cultural Resources Element for the protection of water resources and quality. As discussed under Natural and Cultural Resources Policy 4-6 in the Comprehensive Plan, the Town coordinates stormwater management efforts with other governmental agencies, including adjacent municipalities and other municipalities within the watersheds, Erie County, FEMA, EPA, the Army Corps of Engineers, and the NYSDEC. Amherst participates in the WNY Stormwater Coalition, Tonawanda Creek Watershed Committee and the Erie County Water Quality Committee with a focus on watershed-based management planning to protect and improve water quality and stormwater management.

Through its collaboration with the Western New York Stormwater Coalition the Town hosts educational seminars for interested parties on an annual basis, informing them of the changing stormwater management program and regulations as well as ways to comply with the new regulations. Consistent with Town policies, future stormwater management projects will be designed to provide the additional sustainable benefits of open space, improved water quality, and preservation of riparian vegetation, trees, and woodlands as green infrastructure rather than sole reliance on more conventional structural practices.

The Town will implement flood mitigation measures as recommended in the *Town Flood Mitigation Plan Report* and the *Ransom Creek Improvement Study*. Recommendations include improving the hydraulic

efficiency of the creek and ditch channels in the lower reaches to drain storm water from the local watersheds more quickly, as well as flood damage reduction through floodplain management planning and retrofitting. More specific flood mitigation recommendations include utilization of vacant land for additional flood storage capacity. The “Best Management Practices” discussed under Natural and Cultural Resources Policy 4-7 in the Comprehensive Plan will be incorporated into future stormwater management projects and developments on an on-going basis.

#### **Policy 14**

**Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.**

##### Explanation of Policy

Erosion and flooding are processes which occur naturally. However, by our actions, humans can increase the severity and adverse effects of those processes, causing damage to, or loss of property, and endangering human lives. Those actions include: the use of erosion protection structures such as groins, or the use of impermeable docks which block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; the failure to observe proper drainage or land restoration practices, thereby causing runoff and the erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased causing damage to otherwise hazard-free areas.

##### Local Applicability

The Town’s Provisions for Flood Hazard Reduction as discussed under Policy 11 are designed among other objectives to:

- Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters
- Control filling, grading, dredging and other development which may increase erosion or flood damages
- Regulate the construction of flood barriers which will unnaturally divert flood waters, or which may increase flood hazards to other lands

#### **Policy 15**

**Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural inland waterway processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.**

##### Explanation of Policy

Inland Waterway processes, including the movement of beach materials by water, and any mining, excavation or dredging in nearshore or offshore waters which changes the supply and net flow of such

materials can deprive shorelands of their natural regenerative powers. Such mining, excavation and dredging should be accomplished in a manner so as not to cause a reduction of supply, and thus an increase of erosion, to such shorelands. Offshore mining is a future alternative option to land mining for sand and gravel deposits which are needed to support building and other industries.

#### Local Applicability

Under the current conditions this policy does not apply to the Town of Amherst. This policy applies to mining, excavation or dredging. Any dredging of the Erie Canal would require State permits and consultation with State agencies including the NYS Canal Corporation.

### **Policy 16**

**Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.**

#### Explanation of Policy

Public funds are used for a variety of purposes on the State's shorelines. This policy recognizes the public need for the protection of human life and existing investment in development or new development which requires a location in proximity to the coastal area or in adjacent waters to be able to function. However, it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural protective features and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds.

#### Local Applicability

As stated under Policy 13 the Town coordinates stormwater management efforts with other governmental agencies, including adjacent municipalities and other municipalities within the watersheds, Erie County, FEMA, EPA, the Army Corps of Engineers, and the NYSDEC. Amherst participates in the WNY Stormwater Coalition, Tonawanda Creek Watershed Committee and the Erie County Water Quality Committee with a focus on watershed-based management planning to protect and improve water quality and stormwater management. Through collaboration with these groups and the Western New York Stormwater Coalition the Town is able to identify alternative measures for stormwater management and erosion control.

The Town's Stormwater Management and Erosion & Sediment Control regulations establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within the Town by achieving the following objectives:

- Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-02-02 or as amended or revised

- Require land development activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-02-01 or as amended or revised
- Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, streambank erosion and maintain the integrity of stream channels
- Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality
- Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable
- Reduce stormwater rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

### **Policy 17**

**Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.**

#### Explanation of Policy

- This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the inland waterway or coastal area, as well as the costs of protection against those hazards which structural measures entail.
- "Non-structural measures" shall include, but not be limited to: (1) within coastal erosion hazard areas identified under Section 0104 of Coastal Erosion Hazard Areas law (Environmental Conservation Law Article 34), and subject to the permit requirements on all regulated activities and development established under that law, (a) the use of minimum setbacks as provided for in Section 0108 of Environmental Conservation Law Article 34; and (b) the strengthening of coastal landforms by the planting of appropriate vegetation on dunes and bluffs, the installation of sand fencing on dunes, the reshaping of bluffs to achieve an appropriate vegetation on dunes and bluffs, the installation of sand fencing on dunes, the reshaping of bluffs to achieve an appropriate angle of repose so as to reduce the potential for slumping and to permit the planting of stabilization vegetation, and the installation of drainage systems on bluffs to reduce runoff and internal seepage of waters which erode or weaken the landforms; and (2) within identified flood hazard areas, (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation about the base flood level.
- This policy shall apply to the planning, siting, and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined if one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and

to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.

– In determining whether or not non-structural measures to protect against erosion or flooding will afford the degree of protection appropriate, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

#### Local Applicability

The Town encourages the use of non-structural measures to minimize damage to natural resources and property from flooding and erosion through the implementation of various regulations and procedures.

- The Town's Stormwater Management regulations under Chapter 172-26 of Town Code states that performance and design criteria must meet the technical standards of The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, referred to as the "Design Manual") and New York Standards and Specifications for Erosion and Sediment Control (Empire State Chapter of the Soil and Water Conservation Society, most current version or its successor, referred to as the "Erosion Control Manual"). The Town promotes the use of green infrastructure, enhanced landscaping, reduction in impervious surfaces and other non-regulatory best management practices addressed in these manuals through its Site Plan Review, Special Use Permit and SEQRA compliance procedures.
- The Town's Engineering Department reviews the Stormwater Pollution Prevention Plans (SWPPPs) for all development projects that will result in one acre or more of land disturbance; the Department also reviews erosion control plans for those projects.
- The Town of Amherst has for several years been designated a 'Tree City USA' and has a Division of Forestry, certified arborists, and a newly appointed Tree Board established under the Town's new Tree Law in Chapter 179 of Town Code. The new law was adopted in 2019 and creates the Tree Board, a Management Plan to ensure tree canopy sustainability, and requires Tree Removal Permits under specific circumstances.
- Town Code Chapter 179, Tree Law, requires the Division of Forestry (the Town's Landscape Architect) to review all site plans, tree removal permits, and development plans to ensure natural measures are used whenever possible to minimize damage to natural resources as construction occurs.
- The Town also encourages preservation of natural vegetation and instituting limits on clearing native vegetation for new construction as a cost-effective method of managing stormwater volume and quality. Chapter 203 Section 7-2-4 of the Zoning Ordinance promotes the use of existing vegetation to count as buffer screening between uses for proposed projects. Fines are administered if vegetation is unlawfully damaged or destroyed on public property. Developers will be encouraged to establish maximum areas to be cleared at a time.

- Low impact development is noted in the Town's Comprehensive Plan as an alternative to conventional stormwater management, since vegetation provides stability to soils that would otherwise erode, filters potential contaminants and provides habitat. The Town is also aggressively pursuing opportunities to restore natural vegetation along natural and cultural corridors such as waterfronts and instituting measures for planting trees in the community under the direction of the Tree Board. The Tree Board embodies a long-term vision of the Town's needs, values and goals for its tree resources. The Tree Board will help to frame the future tree inventory through the Community Tree Management Plan, which will assess and address the health and longevity of the Town's trees in order to promote diverse and sustainable tree resources for the future.

### 3.5 GENERAL POLICY

#### Policy 18

**To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the waterfront revitalization area must give full consideration to those interests, and to the safeguards which the State has established to protect valuable inland waterway resource areas.**

#### Explanation of Policy

Proposed major actions may be undertaken in the waterfront revitalization area if they will not significantly impair valuable inland waterway resources, thus frustrating the achievement of the purposes of the safeguards which the State has established to protect those waters and resources. Proposed actions must take into account the social, cultural, economic and environmental interests of the State and its citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydro-electric power generation, and recreation.

#### Local Applicability

The Town ensures protection of inland waterway resources through its Site Plan Review, adherence to SEQRA compliance procedures and requirements for Type I and Unlisted actions, and other permitting processes such as, but not limited to, Floodplain Permits, Stormwater Pollution Prevention Plans, Erosion and Sedimentation Control Plans and consistency with the principles and policies contained within the Town's Comprehensive Plan and requirements of the Zoning Ordinance. In addition, all development plans for lands within 100 feet of a flowing watercourse, which the Town identifies as Type I actions under the SEQR provisions, are reviewed by the State Department of Environmental Conservation and/or the U.S. Army Corps of Engineers, as applicable. In many cases, projects do not obtain final approval until they receive required permits from these agencies.



## 3.6 PUBLIC ACCESS POLICIES

### Policy 19

**Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.**

#### Explanation of Policy

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or facility, and the protection of natural resources. The imbalance among these factors is the most significant in the State's urban areas. Because this is often due to access-related problems, priority will be given to improving physical access to existing and potential shorefront recreation sites within the heavily populated urban shorefront areas of the State and to increasing the ability of urban residents to get to shorefront recreation areas by improved public transportation. The particular water-related recreation resources and facilities which will receive priority for improved access are public beaches, boating facilities, fishing areas and waterfront parks. In addition, because of the greater competition for waterfront locations within urban areas, the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will encourage mixed use areas and multiple use of facilities to improve access. Specific sites requiring access improvements and the relative priority the program will accord to each will be identified in the Public Access Planning Process.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. The existing access from adjacent or proximate public lands or facilities to public water related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access, or unless such actions are found to be necessary by the public body having jurisdiction over such access as the result of a reasonable justification of the need to meet system-wide objectives.

The following is an explanation of the terms used in the above guidelines:

- a. Access - the ability and right of the public to reach and use public inland waterway lands and waters.
- b. Public water related recreation resources or facilities - all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.
- c. Public lands or facilities - lands or facilities held by State or local government in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.

- d. A reduction in the existing level of public access - includes, but is not limited to, the following:
    - (1) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
    - (2) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting system-wide objectives.
    - (3) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
    - (4) There are substantial increases in the following: already existing special fares (not to include regular fares in any instance) of public transportation to a public water-related recreation resource or facility; and/or admission fees to such a resource or facility except where the public body having jurisdiction over such fares determines that such substantial fare increases are necessary and an analysis shows that such increases will significantly reduce usage by individuals or families and incomes below the State government established poverty level.
  - e. An elimination of the possibility of increasing public access in the future includes, but is not limited to, the following:
    - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities
    - (2) Sale, lease, or other transfer of public lands that could provide public access to a public water-related recreation resource or facility
    - (3) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities
2. Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:
- a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
  - b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

3. The State will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all members of the public.
4. In their plans and programs for increasing public access to public water-related resources and facilities, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation, within the boundaries of the Federal-Aid Metropolitan urban area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.

#### Local Applicability

It is the Town's intent to provide safe and convenient public access to its inland waterways, one of the prime objectives in undertaking this LWRP. As is evident in the projects proposed in Section IV, this will be accomplished through both public and private sector initiatives and partnerships to identify and implement alternatives to increase accessibility for passive and active recreational pursuits. The Town has and will continue to identify opportunities for acquisition of lands for public purposes for new parks, greenway corridors, boating facilities and waterfront uses accessible to the public as indicated in Policies 3-13, 3-15, 4-1 and 6-8 of the Comprehensive Plan.

In order to ensure that there are appropriate and adequate recreation and open space facilities within the Town of Amherst, Chapter 155 of Town Code, Recreation and Open Space, which was adopted in 1989 and amended in 1998, establishes that a fee be charged in connection with all land developments to provide funds for those purposes. The fee consists of two elements: one relating to recreation and the other to open space facilities. The amount of the fee imposed relates to the effect the proposed development will have upon the need for such facilities. In addition, the Code provides the developer an option for dedicating a parcel of land for open space or recreation purposes in lieu of the payment of fees. By providing a dedicated funding source for recreation and open space, this chapter helps implement the LWRP policies that natural areas, recreation, open space, and agricultural lands will be maintained and enhanced and that public access to and use of public lands and waters will be improved. One way this would be accomplished is by providing additional physical public access and recreation facilities at public sites throughout the waterfront revitalization area.

An applicant for site plan or subdivision approval may propose the dedication of a parcel of land within the WRA for which development approval is being sought for open space or recreation purposes in lieu of the payment of the fees as established by the Town. If the Planning Board determines that the land offered for dedication to the Town is suitably located for open space or recreation purposes and that the value thereof is at least equal to the amount of the recreation and open space fees which would otherwise be due, it can recommend to the Town Board that it accept an offer of dedication. If the Town Board accepts the offer of dedication, the open space and recreation fees otherwise required shall be waived. The Planning Board may recommend to the Town Board the establishment of conditions in connection with

the acceptance of the offer of dedication. The Town Board shall have the right, in any event, to establish conditions in connection with such dedication as it deems appropriate.

## **Policy 20**

**Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner compatible with adjoining uses.**

### Explanation of Policy

In inland waterway areas where there are little or no recreation facilities providing specific water-related recreational activities, access to the publicly-owned lands along the inland waterway at large should be provided for numerous activities and pursuits which require only minimal facilities for their enjoyment. Such access would provide for walking along a beach or a city waterfront or to a vantage point from which to view the seashore. Similar activities requiring access would include bicycling, bird watching, photography, nature study, beachcombing, fishing and hunting.

For those activities, there are several methods of providing access which will receive priority attention from the Waterfront Revitalization of Coastal Areas and Inland Waterways Program. These include: the development of a waterfront trails system; the provision of access across transportation facilities to the waterfront; the improvement of access to waterfronts in urban areas; and the promotion of mixed and multi-use development.

While such publicly-owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly-owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile inland waterway resources.

The regulation of projects and structures, proposed to be constructed in or over lands underwater, is necessary to responsibly manage such lands, to protect vital assets held in the name of the people of the State, to guarantee common law and sovereign rights, and to ensure that waterfront owners' reasonable exercise of riparian rights and access to navigable waters shall be consistent with the public interest in reasonable use and responsible management of waterways and such public lands for the purposes of navigation, commerce, fishing, bathing, recreation, environmental and aesthetic protection, and access to the navigable waters and lands underwater of the State.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. Existing access from adjacent or proximate public lands or facilities to existing public inland waterway lands and/or waters shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or nearby public lands or facilities to public inland waterway lands and/or waters be eliminated, unless such actions are demonstrated to be of overriding regional

or Statewide public benefit or, in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access.

The following is an explanation of the terms used in the above guidelines:

- a) (See definitions under first policy of "access", and "public lands or facilities").
  - b) A reduction in the existing or anticipated level of public access - includes, but is not limited, to the following:
    - (1) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
    - (2) Pedestrian access is diminished or blocked completely by public or private development.
  - c) An elimination of the possibility of increasing public access in the future - includes, but is not limited to, the following:
    - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public inland waterway lands and /or waters
    - (2) Sale, lease, or other conveyance of public lands that could provide public access to public inland waterway lands and/or waters
    - (3) Construction of private facilities which physically prevent the provision of convenient public access to public inland waterway lands and/or waters from public lands and facilities
2. The existing level of public access within public inland waterway lands or waters shall not be reduced or eliminated.
- a) A reduction or elimination in the existing level of public access - includes, but is not limited to, the following:
    - (1) Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities
    - (2) Access is reduced or blocked completely by any public developments
3. Public access from the nearest public roadway to the shoreline and along the inland waterway shall be provided by new land use or development, except where (a) it is inconsistent with public safety, military security, or the protection of identified fragile inland waterway resources; (b) adequate access exists within one-half mile; or (c) agriculture would be adversely affected. Such

access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access way.

4. The State will not undertake or directly fund any project which increases access to a water- related resource or facility that is not open to all members of the public.
5. In their plans and programs for increasing public access, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the Federal-Aid Metropolitan Urban Area but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary but not served by public transportation.
6. Proposals for increased public access to inland waterway lands and waters shall be analyzed according to the following factors:
  - a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
  - b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the inland waterway lands or waters. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.

In making any grant, lease, permit, or other conveyance of land now or formerly underwater, there shall be reserved such interests or attached such conditions to preserve the public interest in the use of state-owned lands underwater and waterways for navigation, commerce, fishing, bathing, recreation, environmental protection, and access to the navigable waters of the state. In particular, the granting of publicly owned underwater or formerly underwater lands to private entities will be limited to exceptional circumstances only.

#### Local Applicability

The Amherst Recreation and Parks Master Plan (2018) is intended to help the Town meet current and future recreation needs of the community. This was a citizen-driven plan for decision making and establishes clear goals and actionable objectives to guide staff, advisory committees, and the Town Board to maintain and enhance Amherst's system of parks, open spaces, and recreation facilities over the next ten years. Key objectives include developing new recreation amenities and opportunities for residents with a focus on expanding trails and opportunities for walking and biking. The plan specifically addresses recreational opportunities including recommended actions along the waterfront of Tonawanda Creek/Erie Canal and other parks and recreation resources within the WRA. Recommendations address the importance of upgrading facilities and resources to accommodate universal access in compliance with the Americans with Disabilities Act (ADA). Many of these recommendations are being undertaken by the Town and through public/private partnerships to increase public access, for example, as a condition of approvals of proposed development projects at or near waterfront properties.

### 3.7 RECREATION POLICIES

#### Policy 21

**Water dependent and water enhanced recreation will be encouraged and facilitated and will be given priority over non-water-related uses along the shorefront.**

##### Explanation of Policy

Water-related recreation includes such obviously water dependent activities as boating, swimming, and fishing as well as certain activities which are enhanced by a shorefront location and increase the general public's access to the coast such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of shorefront scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of such important waterfront revitalization area resources as fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, agriculture and significant mineral and fossil deposits, and provided demand exists, water-related recreation development is to be increased and such uses shall have a higher priority than any non-coastal dependent uses, including non-water-related recreation uses. In addition, water dependent recreation uses shall have a higher priority over water-enhanced recreation use. Determining a priority among water-dependent uses will require a case by case analysis.

Among priority areas for increasing water-related recreation opportunities are those areas where access to the recreation opportunities of the shorefront can be provided by new or existing public transportation services and those areas where the use of the shore is severely restricted by highways, railroads, industry, or other forms of existing intensive land use or development. The Department of State, working with the Office of Parks, Recreation, and Historic Preservation and with local governments, will identify communities whose use of the shore has been so restricted and those sites shoreward of such developments which are suitable for recreation and can be made accessible. Priority shall be given to recreational development of such lands.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shore should be avoided as much as practicable.

Among the types of water dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this Program. The siting of boating facilities must be consistent with preservation and enhancement of other inland waterway resources and with their capacity to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pump-out facilities. Harbors of Refuge are particularly needed along Lake Erie and Lake Ontario. There is a need for a better positional pattern of boating facilities to correct problems of overused, insufficient, or improperly sited facilities.

Water-related off-road recreational vehicle use is an acceptable activity; provided no adverse environmental impacts occur. Where adverse environmental impact will occur, mitigating measures will

be implemented, where practicable to minimize such adverse impacts. If acceptable mitigation is not practicable, prohibition of the use by off-road recreational vehicles will be posted and enforced. Ground water contamination presents a threat to Fire Island National Seashore water resources.

#### Local Applicability

The Amherst Recreation and Parks Master Plan (2018) identifies several key actions recommended for implementation that are consistent with this LWRP. These actions include the following:

Action 3.1.c - Add unique amenities to targeted parks to serve specific community needs and keep current with local trends (fit trail, dog park, gardens, etc.)

Action 3.1.d - Continue to improve accessibility and implement Town-wide accessibility transition plan. Improve ease of use of recreation facilities and amenities for people with disabilities.

Action 3.1.e - Improve safety lighting, line-of-sight/visibility, security cameras, and other safety features at existing parks and facilities.

Action 3.2.c - 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.

Action 3.2.d - Reevaluate the potential for trail development in the “Peanut Line” corridor and Lehigh Valley corridor (former railroad rights-of-way) as opportunities to increase connectivity and expand opportunities for walking and biking. Continue to acquire lands for each trail corridor as necessary.

Action 4.1.b - Remove/eliminate barriers to walking and biking access throughout the Town, including in locations of future facilities and services.

### **Policy 22**

**Development when located adjacent to the shore will provide for water-related recreation whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.**

#### Explanation of Policy

Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located adjacent to the shore they should to the fullest extent permitted by existing law provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen.

The types of development which can generally provide water-related recreation as a multiple use include, but are not limited to:



- parks
- highways
- power plants
- utility transmission rights of way
- sewage treatment facilities
- mental health facilities\*
- hospitals\*
- prisons\*
- schools, universities\*
- military facilities\*
- nature preserves\*
- large residential subdivisions (50 units)
- shopping centers
- office buildings

*\* The types of recreation uses likely to be compatible with these facilities are limited to the more passive forms, such as trails or fishing access. In some cases, land areas not directly or immediately needed by the facility could be used for recreation.*

Prior to taking action relative to any development, State agencies should consult with the State Office of Parks, Recreation, and Historic Preservation, and if there is an approved local waterfront program, with the municipality in which the development is to locate, to determine appropriate recreation uses. The agency should provide OPRHP and the municipality with the opportunity to participate in project planning.

Appropriate recreational uses which do not require any substantial additional construction shall be provided at the expense of the project sponsor provided the cost does not exceed 2% of total project cost.

In determining whether compelling reasons exist which would make inadvisable recreation as a multiple use, safety considerations should reflect a recognition that some risk is acceptable in the use of recreation facilities.

Whenever a proposed development would be consistent with LWRP policies and the development could, through the provision of recreation and other multiple uses, significantly increase public use of the shore, then such development should be encouraged to locate adjacent to the shore (this situation would generally only apply within the more developed portions of urban areas).

#### Local Applicability

The Town will identify opportunities to provide water-related recreation activities and facilities associated with development and redevelopment of public and private sector properties and projects along the waterfront. Opportunities will be considered based on the review of this LWRP, the Town's Bicentennial Comprehensive Plan, the Amherst Recreation and Parks Master Plan and other relevant plans and studies. Opportunities may be identified as the Town considers development approvals through the Site Plan Review process, as mitigation for significant adverse impacts identified under SEQRA, and as conditions of approval for other local permits. The Town will specifically consider opportunities for public acquisition of waterfront property or access agreements through conservation or other types of easements.

Chapter 125 of Town Code, Construction of Public Improvements, addresses the construction of public improvements and establishes that no person, firm, association or corporation shall install, construct or perform any work incident to the installation and/or construction of any public improvement upon real property in the Town of Amherst without first having obtained a permit, to be issued by the Town Engineer, to ensure that the plans and specifications as submitted by the applicant comply with the specifications and requirements of the Town of Amherst. By regulating development and construction in the Town, the Code helps implement policies that state that development should enhance community character and minimize any adverse effects on existing development.

### 3.8 HISTORIC AND SCENIC RESOURCES POLICIES

#### Policy 23

**Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation.**

#### Explanation of Policy

Among the most valuable of the State's man-made resources are those structures or areas which are of historic, archaeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites. The policy is not to be construed as a passive mandate but must include active efforts, when appropriate, to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the waterfront revitalization area boundary, it will actively promote the preservation of historic and cultural resources which have a waterfront relationship.

The structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation comprise the following resources:

- (a) A resource, which is in a federal or State park established, among other reasons, to protect and preserve the resource
- (b) A resource on, nominated to be on, or determined eligible to be on the National or State Registers of Historic Places
- (c) A resource on or nominated to be on the State Nature and Historic Preserve Trust
- (d) An archaeological resource which is on the State Department of Education's inventory of archaeological sites
- (e) A local landmark, park, or locally designated historic district which is located within the boundary of an approved local waterfront revitalization program
- (f) A resource that is a significant component of an Urban Cultural Park

All practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities or the Nation shall be deemed to include the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to such significant structures, districts, areas or sites. A significant adverse change includes but is not limited to:

1. Alteration of or addition to one or more of the architectural, structural, ornamental or functional features of a building, structure, or site that is a recognized historic, cultural, or archaeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials, entry ways and doors, fenestration, lighting fixtures, roofing, sculpture and carving, steps, rails, fencing, windows, vents and other openings, grillwork, signs, canopies, and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)
2. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archaeological resource or component thereof, to include all those features described in (a) above plus any other appurtenant fixtures associated with a building, structure or earthwork.
3. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archaeological resource and all actions within an historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgment about compatibility should focus on the visual and location relationship between the proposed action and the special character of the historic, cultural, or archaeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions. With historic districts, this would include infrastructure improvements or changes, such as street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthworks, or component thereof of a recognized historic, cultural or archaeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural or archaeological resource which does not involve a significant adverse change to the resource, as defined above.

### Local Applicability

Chapter 121 of Town Code establishes the Historic Preservation Ordinance and the Historic Preservation Commission to implement the Ordinance as a matter of Town policy to protect, enhance and perpetuate landmarks and historic districts and to promote the economic, cultural, educational and general welfare of the public. Recognizing that as the identity of a people is founded in its past and because Amherst has many significant historic, architectural, and cultural resources which constitute its heritage, this Ordinance is intended to:

- Protect and enhance the landmarks and historic districts which represent distinctive elements of Amherst's historic, architectural and cultural heritage.
- Foster civic pride in the accomplishments of the past.
- Protect and enhance Amherst's attractiveness to visitors and support and stimulate the Town's economy.
- Ensure the harmonious, orderly and efficient growth and development of the Town.

The Town's Comprehensive Plan (Policy 4-12 of the Natural and Cultural Resources section) also encourages designation of historically significant resources for protection and provide incentives available through the Historic Preservation Ordinance.

Amherst has a rich historical legacy stemming from its location on the Erie Canal and role in the growth of Western New York. According to mapping provided by NYS Office of Parks, Recreation and Historic Preservation, the WRA boundary along Ellicott Creek and Tonawanda Creek is almost entirely within the areas identified as having archaeological significance. This can be attributed to the fact that areas adjacent to waterways were among the first settled and more likely to contain artifacts or remnants of early settlements. The Town funded the preparation of a *Reconnaissance Level Survey of Historic Resources* in 1997 and an *Intensive Level Survey* in 1998; these documents were updated in 2011 and 2018, respectively, and serve an invaluable resources for Town staff in preserving historic properties.

Amherst's historic resources will be preserved because they promote pride in historical achievements and enhance the Town's character and quality of life. Amherst will encourage the nomination of the highest ranked historically significant resources to the National and State Registers of Historic Places. The Town's pursuit of grant monies to further investigate high priority sites for inclusion on the National Register will aid in determining eligibility. The Town's *Reconnaissance Level Survey of Historic Resources* and *Intensive Level Survey of Historic Resources* identifies those resources that may be of greatest importance and provides much of the background information that is necessary when completing the application process. Resources that do not meet the criteria for the State or National Registers, but do have local historical significance, should be considered for designation as local landmarks. These sites should be brought to the attention of the Historic Preservation Commission and eventually submitted to the Town Board for designation. The Historic Preservation Commission will also consider identifying areas of the Town where a local historic district might help in protecting historic character such as locations within the WRA. The

Historic Preservation Commission has this authority under Chapter 121 of the Town Code. The Town will work with and inform property owners when developing proposals for historic districts.

## Policy 24

### Prevent impairment of scenic resources of statewide significance.

#### Explanation of Policy:

The Waterfront Revitalization of Coastal Areas and Inland Waterways Program will identify on the coastal area map scenic resources of statewide significance. If applicable, a list of preliminary identified resources appears in the Appendix. The following general criteria will be combined to determine significance:

Quality	<p>The basic elements of design (i.e., two-dimensional line, three-dimensional form, texture and color) combine to create all high-quality landscapes. The water, landforms, and human-made components of scenic coastal landscapes exhibit variety of line, form, texture and color. This variety is not, however, so great as to be chaotic. Scenic coastal landscapes also exhibit unity of components. This unity is not, however, so complete as to be monotonous. Example: The Thousand Islands where the mix of water, land, vegetative and human-made components creates interesting variety, while the organization of these same components creates satisfying unity.</p> <p>Often, high quality landscapes contain striking contrasts between lines, forms, textures and colors. Example: A waterfall where horizontal and vertical lines and smooth and turbulent textures meet in dramatic juxtaposition.</p> <p>Finally, high quality landscapes are generally free of discordant features, such as structures or other elements which are inappropriate in terms of siting, form, scale, and/or materials.</p>
Uniqueness	<p>The uniqueness of high-quality landscapes is determined by the frequency of occurrence of similar resources in a region of the State or beyond.</p>
Public Accessibility	<p>A scenic resource of significance must be visually and, where appropriate, physically accessible to the public.</p>
Public Recognition	<p>Widespread recognition of a scenic resource is not a characteristic intrinsic to the resource. It does, however, demonstrate people's appreciation of the resource for its visual, as well as evocative, qualities. Public recognition serves to reinforce analytic conclusions about the significance of a resource.</p>

When considering a proposed action, agencies shall first determine whether the action could affect a scenic resource of statewide significance. This determination would involve: 1) a review of the coastal area map to ascertain if it shows an identified scenic resources which could be affected by the proposed action, and 2) a review of the types of activities proposed to determine if they would be likely to impair

the scenic beauty of an identified resource. Impairment will include: (i) the irreversible modification of geologic forms; the destruction or removal of vegetation; the modification, destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.

The following siting and facility-related guidelines are to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines will have to be applied accordingly.

Guidelines include:

- siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;
- clustering or orienting structures to retain views, save open space and provide visual organization to a development;
- incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
- removing deteriorated and/or degrading elements;
- maintaining or restoring the original landform, except when changes screen unattractive elements and/or add appropriate interest;
- maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly, diseased or hazardous vegetation and when selective clearing creates views of coastal waters;
- using appropriate materials, in addition to vegetation, to screen unattractive elements;
- using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

#### Local Applicability

Under the current conditions this policy does not apply to the Town of Amherst. There are no Scenic Resources of Statewide Significance that exist within the Town.

#### **Policy 25**

**Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the waterfront revitalization area.**

### Explanation of Policy

When considering a proposed action which would not affect a scenic resource of statewide significance, agencies shall ensure that the action would be undertaken so as to protect, restore or enhance the overall scenic quality of the waterfront revitalization area. Activities which could impair or further degrade scenic quality are the same as those cited under the previous policy, i.e., modification of natural landforms, removal of vegetation, etc. However, the effects of these activities would not be considered as serious for the general waterfront revitalization area as for significant scenic areas.

The siting and design guidelines listed under the previous policy should be considered for proposed actions in the general waterfront revitalization area. More emphasis may need to be placed on removal of existing elements, especially those which degrade, and on addition of new elements or other changes which enhance. Removal of vegetation at key points to improve visual access to inland waterways is one such change which might be expected to enhance scenic quality.

### Local Applicability

The Town has identified locally important scenic areas along the waterfronts of the Tonawanda Creek/Erie Canal and Ellicott Creek as part of the LWRP planning process. These scenic areas are addressed in Section II, Inventory and Analysis. Amherst is fortunate that the majority of the WRA remains in its natural, undisturbed state; this is partially due to the location of both creeks within the boundary. Tonawanda Creek, the Town's northern boundary, runs through the most rural part of the Town. Ellicott Creek traverses the center of Town but runs through large tracts of land (country club, golf course) that are largely undeveloped. It will be necessary for the Town to consider appropriate alternatives to avoid or minimize impacts of future development through mitigation measures for development projects that may adversely impact these scenic resources within the WRA. The analysis of potential impacts will be accomplished through the Town Site Plan Review process, the SEQRA process and the Local Consistency Review Law.

The Town Comprehensive Plan includes a Conceptual Land Use map (Figure 6) which depicts generalized future land use. Much of the land within the WRA is designated "recreation, open space and greenways", an indication of the Town's intent to maintain the natural character of these areas and their accompanying scenic value.

Chapter 151 of Town Code regulates property maintenance in the Town. In order to protect and preserve the peace, good order, safety and general welfare of the community, the Town Board adopted this code, which establishes a procedure for the securing or removal of unsafe buildings or structures, the covering or filling of excavations and the cutting, trimming, removal or spraying of brush, grass, shrubs, growth or rubbish. Sections of the code deal with a number of property maintenance issues, including unsafe or dangerous structures, excavated lands, lot maintenance, damaged buildings, and general maintenance requirements.

Chapter 129 of Town Code regulates junkyards in the Town. It establishes that no person, firm, association or corporation shall operate, establish or maintain a junkyard in the Town of Amherst until a license and

a certificate of approval for the location of such junkyard has been obtained. Both Chapters of the code contribute to the implementation of the LWRP by encouraging compliance with Town regulations to protect and enhance community character and visual quality throughout the waterfront area.

### 3.9 AGRICULTURAL LANDS POLICY

#### Policy 26

##### **Conserve and protect agricultural lands in the waterfront revitalization area.**

###### Explanation of Policy

The first step in conserving agricultural lands is the identification of such lands. The Department of State is mapping all important agricultural lands within the State. The following criteria have been used to prepare the maps, and the mapped information will be incorporated in the New York State Coastal Resources Inventory and on the Coastal Area Map.

Land meeting any of the following criteria is being mapped.

1. Land which meet the definition of the U.S. Department of Agriculture as being prime farmland, unique farmland, or farmland of statewide importance.
  - a. Prime farmland is defined by USDA Soil Conservation Service in CRF #7 Agriculture Part 657.5(a), January 1979. A list of the soil associations that meet this definition has been prepared for each county.
  - b. Unique farmland is defined by USDASCS in CRF #7 Agriculture Part 657.5(b). In the coastal area of New York all fruit and vegetable farming meets the terms of the definition.
  - c. Farmland of Statewide importance is defined by USDASCS in CRF #7 Agriculture Part 656.5(c). Lists of soil associations which constitute farmland of statewide importance have been prepared for each county.
2. Active farmland within Agricultural Districts. The maps of each Agricultural District show land committed by farmers. This is the land that will be mapped as active farmland. The district boundary will also be shown.
3. Areas identified as having high economic viability for farming. Any farm not identified above in 1 and/or 2, and which is located in an area identified as having "high viability" on the map entitled "Economic Viability of Farm Areas" prepared by the Office of Planning Coordination in May, 1969. This would be the basis for initial identification of areas having high economic viability for farming. Areas will be added and/or deleted based on comments from the agricultural community.
4. Areas adjacent to land identified above in 1, when are being farmed and are part of a farm with identified important agricultural lands.



5. Prime farmland, unique farmland, and farmland of statewide significance will not be identified as important agricultural land whenever it occurs as parcels of land less than 25 acres in size and these small parcels are not within a mile of areas of active farming.

Given the Program's application to a narrow strip of land, implementing a policy of promoting agricultural use of land must, to be practical, concentrate on controlling the replacement of agricultural land uses with non-agricultural land use as the result of some public action. The many other factors such as markets, taxes, and regulations, which influence the viability of agriculture in a given area, can only be addressed on a Statewide or national basis.

The Program policy requires a concern for the loss of any important agricultural land. However, the primary concern must be with the loss of agricultural land when that loss would have a significant effect on an agricultural area's ability to continue to exist, to prosper, and even to expand. A series of determinations are necessary to establish whether a public action is consistent with the conservation and protection of agricultural lands, or whether it is likely to be harmful to the health of an agricultural area. In brief, these determinations are as follows: First, it must be determined whether a proposed public action would result in the loss of important agricultural lands as mapped. If it would not result, either directly or indirectly, in the loss of identified important agricultural lands, then the action is consistent with the policy on agriculture. If it is determined that the action would result in a loss of identified important agricultural lands, but that loss would not have an adverse effect of the viability of agriculture in the surrounding area, then the action may also be consistent with this policy. However, in that case, the action must be undertaken in a manner that would minimize the loss of important farmland. If the action is determined to result in a significant loss of important agricultural land, that is if the loss is to a degree sufficient to adversely affect surrounding agriculture's viability -- its ability to continue to exist, to prosper, and even to expand -- then the action is not consistent with this agriculture policy.

The following guidelines define more fully what must be considered in making the above determinations:

- A. A public action would be likely to significantly impair the viability of an agricultural area in which identified important agricultural lands are located if:
  1. The action would occur on identified important agricultural land and would:
    - a. Consume more than 10% of the land of an active farm containing such identified important agricultural lands
    - b. Consume a total of 100 acres or more of identified important agricultural land, or
    - c. Divide an active farm with identified important agricultural land into two or more parts, thus impeding efficient farm operation
  2. The action would result in environmental changes which may reduce the productivity or adversely affect the quality of the product of any identified important agricultural lands.
  3. The action would create real estate market conditions favorable to the conversion of large areas of identified important agricultural land to non-agricultural uses. Such conditions may be created by:

- a. Public water or sewer facilities to serve non-farm structures.
  - b. Transportation, improvements, except for maintenance of, and safety improvements to, existing facilities that serve non-farm or non-farm related development
  - c. Major non-agribusiness commercial development adjacent to identified agricultural lands
  - d. Major public institutions
  - e. Residential uses other than farm dwellings
  - f. Any change in land use regulations applying to agricultural land which would encourage or allow uses incompatible with the agricultural use of the land
- B. The following types of facilities and activities should not be construed as having adverse effects on the preservation of agricultural land:
1. Farm dwellings, barns, silos, and other accessory uses and structures incidental to agricultural production or necessary for farm family supplemental income.
  2. Agribusiness development, which includes the entire structure of local support services and commercial enterprises necessary to maintain an agricultural operation, e.g., milk hauler, grain dealer, farm machinery dealer, veterinarian, food processing plants.
- C. In determining whether an action that would result in the loss of farmland is of overriding regional or statewide benefit, the following factors should be considered:
3. For an action to be considered overriding, it must be shown to provide significantly greater benefits to the region or State than are provided by the affected agricultural area (not merely the land directly affected by the action). In determining the benefits of the affected agriculture to the region or State, consideration must be given to its social and cultural value, its economic viability, its environmental benefits, its existing and potential contribution to food or fiber production in the State and any State food policy, as well as its direct economic benefits.
    - a. An agricultural area is an area predominantly in farming and in which the farms produce similar products and/or rely on the same agribusiness support services and are to be a significant degree economically interdependent. At a minimum, this area should consist of at least 500 acres of identified important agriculture land. For the purpose of analyzing impacts of any action on agriculture, the boundary of such area need not be restricted to land within the coastal boundary. If the affected agricultural lands lie within an agricultural district then, at a minimum, the agricultural area should include the entire agricultural district.
    - b. In determining the benefits of an agricultural area, its relationship to agricultural lands outside the area should also be considered.
    - c. The estimate of the economic viability of the affected agricultural area should be based on an assessment of:

- i soil resources, topography, conditions of climate and water resources
  - ii availability of agribusiness and other support services, and the level and condition of investments in farm real estate, livestock and equipment
  - iii the level of farming skills as evidenced by income obtained, yield estimates for crops, and costs being experienced with the present types and conditions of buildings, equipment, and cropland
  - iv use of new technology and the rates at which new technology is adopted
  - v competition from substitute products and other farming regions and trends in total demand for given products
  - vi patterns of farm ownership for their effect on farm efficiency and the likelihood that farms will remain in use
- d. The estimate of the social and cultural value of farming in the area should be based on an analysis of:
- i the history of farming in the area
  - ii the length of time farms have remained in one family
  - iii the degree to which farmers in the area share a cultural or ethnic heritage
  - iv the extent to which products are sold and consumed locally
  - v the degree to which a specific crop(s) has become identified with a community
- e. An estimate of the environmental benefits of the affected agriculture should be based on analysis of:
- i the extent to which the affected agriculture as currently practiced provides a habitat or food for wildlife
  - ii the extent to which a farm landscape adds to the visual quality of an area
  - iii any regional or local open space plans, and degree to which the open space contributes to air quality
  - iv the degree to which the affected agriculture does, or could, contribute to the establishment of a clear edge between rural and urban development
- D. Whenever a proposed action is determined to have an insignificant adverse effect on identified important agricultural land or whenever it is permitted to substantially hinder the achievement of the policy according to DOS regulations, Part 600, or as a result of the findings of an EIS, then the required minimization should be undertaken in the following manner:

1. The proposed action shall, to the extent practicable, be sited on any land not identified as important agricultural, or, if it must be sited on identified important agricultural land, sited to avoid classes of agricultural land according to the following priority:
  - a. prime farmland in orchards or vineyards
  - b. unique farmland in orchard or vineyards
  - c. other prime farmland in active farming
  - d. other unique farmland
  - e. farmland of Statewide importance in active farming.
  - f. active farmland identified as having high economic viability
  - g. prime farmland not being farmed
  - h. farmland of Statewide importance not being farmed
2. To the extent practicable, agricultural use of identified important agricultural land not directly necessary for the operation of the proposed non-agricultural action should be provided for through such means as lease arrangements with farmers, direct undertaking of agriculture, or sale of surplus land to farmers. Agricultural use of such land shall have priority over any other proposed multiple use of the land.

#### Local Applicability

The Town of Amherst is currently preparing an update to its Farmland Protection Program that is a Purchase of Development Rights (PDR) program which focuses on the extinguishment of development rights and recording of conservation easements on active farmland within the Erie County Agricultural District #17. Easements are held by the Town of Amherst and the Western New York Land Conservancy as Joint Tenants in Common. Funding for this program is provided by the NYS Department of Agriculture and Markets and the USDA Natural Resource Conservation Service with local matching funds provided by the Town of Amherst and through bargain sale agreements offered by landowners. Development rights on active farmland and lands available for agriculture are purchased by the Town, thus reducing the potential for new development and maximizing agricultural viability and resource protection in North Amherst. Agricultural lands may now be utilized as productive farmland without the threat of development. Portions of this Agricultural District are located within the WRA near Tonawanda Creek.

This program is instrumental in the implementation of Comprehensive Plan Policies 7-3 and 7-4, which call for limiting future sewer extensions and creating a special district to maintain septic systems outside the sewer district, and designation of areas in North Amherst for agricultural use as an important component in the pursuit of diverse community character. Ensuring the long-term viability of agriculture and farming operations is key to maintaining rural character. To support the agricultural area, the Town maintains zoning districts permitting agriculture and associated land uses that are complementary to

farming (Agricultural District, Rural Residential District) designed for lands surrounding agricultural areas that are intended to minimize impacts from incompatible uses on farming and, conversely, would not be adversely affected by farm operations.

The Comprehensive Plan designates areas where agriculture and associated activities provide a unique setting in the Town, including:

- Agricultural Lands, included in Erie County Agricultural District #17
- Lands acquired or designated for acquisition through the Town's purchase of development rights (PDR) and Proposed Farmland Protection Program
- Lands adjacent to such areas where the long-term viability of agriculture may be threatened by inconsistent uses or infrastructure development that represents urban/suburban encroachment.

### 3.10 ENERGY AND ICE MANAGEMENT POLICIES

#### Policy 27

**Decisions on the siting and construction of major energy facilities in the shorefront area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.**

#### Explanation of Policy

New York's overall annual energy demand has begun to flatten over time, in part due to the success of State and utility energy efficiency programs. However, peak load (the highest amount of energy consumption in a given year) has continued to increase at a more rapid pace. Renewable power sources—hydro, solar, wind, and other carbon-free solutions—also continue to grow as a share of the total energy produced in the State. Significant investments in the billions of dollars are needed to replace New York's aging electric transmission and distribution infrastructure just to meet currently projected energy demand. To respond to these significant shifts in the State's energy infrastructure, State energy policies are being designed to maintain energy system reliability during peak load in ways that improve the grid's overall system efficiency, from both energy transmission and capital investment perspectives.

The New York State energy planning process provides a comprehensive framework for improving the State's energy system, addressing issues such as environmental impacts, resiliency, and affordability.<sup>9</sup> Key areas of focus for New York's energy planning and implementation policies include integration of renewable energy generation; local energy generation that can foster both economic prosperity and environmental stewardship; seeking innovative energy solutions across the State's public facilities and operations; increasing energy efficiency; and decreasing greenhouse gas emissions. New York's energy policy is also central to how the State responds to the challenges presented by a changing climate. New York State's energy planning recognizes that extreme weather events demand more resilient energy infrastructure, and that climate change presents both challenges and opportunities to lead and innovate.

A determination of public need for energy is the first step in the process for siting new facilities. The directives for determining this need are contained primarily in Article 6 of the New York State Energy Law.

That Article requires the preparation of a State Energy Plan. With respect to transmission lines and the siting of major electric generating facilities, Articles 7 and 10 of the State's Public Service Law require additional forecasts and establish the basis for determining the compatibility of these facilities with the environment and the necessity for providing additional electric capacity. The policies derived from the siting regulations under these Articles are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Law. That law is used for the purposes of ensuring consistency with the Coastal Management Program.

The Department of State will present testimony for the record during relevant certification proceedings under Articles 7 and 10 of the Public Service Law when appropriate; and use the State SEQR and DOS regulations to ensure that decisions regarding other proposed energy facilities (not subject to Articles 7 and 10 of the Public Service Law) that would affect the shorefront area are consistent with coastal policies.

#### Local Applicability

Under the current conditions this policy does not apply to the Town of Amherst. This policy is focused on the siting and construction of major energy facilities which do not exist within the Town.

#### **Policy 28**

**Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.**

#### Explanation of Policy

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydro-electric power, fish and wildlife and their habitats as will be identified in the Coastal Area Maps, flood levels and damage, rates of shoreline erosion damage, and upon natural protective features.

Following such an examination, adequate methods of avoidance or mitigation of such potential effects must be utilized if the proposed action is to be implemented.

#### Local Applicability

Under the current conditions this policy does not apply to the Town of Amherst. This policy is focused on ice management practices which are not typically undertaken by the Town other than removal of minor ice blockages that may occur along ditches or culverts and handled by the Highway Department.

#### **Policy 29**

**The development of offshore uses and resources, including renewable energy resources, shall accommodate New York's long-standing ocean and Great Lakes industries, such as commercial and recreational fishing and maritime commerce, and the ecological functions of habitats important to New York.**

#### Explanation of Policy

Under the current conditions this policy does not apply to the Town of Amherst. This policy applies to offshore opportunities for renewable energy development or other similar uses. The Town's inland waterways do not provide commercial fishing or maritime commerce that would be so affected by such development.

### 3.11 WATER AND AIR RESOURCES POLICIES

#### Policy 30

**Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into inland waterways will conform to State and National water quality standards.**

#### Explanation of Policy

Municipal, industrial, and commercial discharges include not only "end-of-the-pipe" discharges into surface and groundwater but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from raw material storage sites. Also, the regulated industrial discharges are both those which directly empty into receiving coastal waters and those which pass through the municipal treatment systems before reaching the State's waterways.

#### Local Applicability

See Local Applicability under Policy 8.

Chapter 160 of Town Code sets forth requirements for users of the publicly owned treatment works (POTW) of the Town of Amherst and enables the Town to comply with all applicable state and federal laws, including the Clean Water Act (United States Code 33 U.S.C. § 1251 et seq.) and the General Pretreatment Regulations (Code of Federal Regulations 40 CFR 403). The explicit purpose of this chapter is to achieve the following:

- To prevent the introduction of pollutants into the POTW that will interfere with its operation.
- To prevent the introduction of pollutants into the POTW that will pass through the POTW inadequately treated, into receiving waters, or otherwise be incompatible with the POTW.
- To protect POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public.
- To promote reuse and recycling of industrial wastewater and sludge from the POTW.
- To establish fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW.
- To enable the Town of Amherst to comply with its state pollutant discharge elimination system permit conditions, sludge use, and disposal requirements and any other federal or state laws to which the POTW is subject.
- To eliminate the discharge of unpolluted waters into the POTW.

Chapter 160 further calls for protecting and improving water resources. This includes ensuring the effective treatment of sanitary sewage and industrial discharges by maintaining efficient operation of sewage and industrial treatment facilities. The direct or indirect discharges which would cause or contribute to contravention of water quality standards will be prohibited.

### **Policy 31**

**State coastal area policies and management objectives of approved local Waterfront Revitalization Programs will be considered while reviewing inland waterway classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.**

#### Explanation of Policy

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewable at least every three years for possible revision or amendment. Local Waterfront Revitalization Programs and State LWRP policies shall be factored into the review process for inland waterways. However, such consideration shall not affect any water pollution control requirement established by the State pursuant to the federal Clean Water Act.

The State has identified certain stream segments as being either "water quality limiting" or "effluent limiting." Waters not meeting State standards and which would not be expected to meet these standards even after applying "best practicable treatment" to effluent discharges are classified as "water quality limiting". Those segments meeting standards or those expected to meet them after application of "best practicable treatment" are classified as "effluent limiting," and all new waste discharges must receive "best practicable treatment." However, along stream segments classified as "water quality limiting", waste treatment beyond "best practicable treatment" would be required, and costs of applying such additional treatment may be prohibitive for new development.

#### Local Applicability

See Local Applicability under Policy 8.

### **Policy 32**

**Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.**

#### Explanation of Policy

Alternative systems include individual septic tanks and other subsurface disposal systems, dual systems, small systems serving clusters of households or commercial users, and pressure or vacuum sewers.



These types of systems are often more cost effective in smaller, less densely populated communities and for which conventional facilities are too expensive.

#### Local Applicability

See Local Applicability under Policies 5, 8 and 16.

Private disposal systems or septic systems in the Town are mainly located in areas outside the Consolidated Sanitary Sewer District, such as along Tonawanda Creek Road and Schoelles Road in northern portions of Amherst. The responsibility for their maintenance is with the property owners. Sewer extensions are sometimes requested when these systems fail. The Town promotes the importance of maintaining private disposal systems to ensure that failing systems do not create a need for sewer extensions to those areas outside current districts. Policy 7-4 in the Infrastructure section of the Bicentennial Comprehensive Plan calls for redefining the boundaries of the Consolidated Sanitary Sewer District in the northern part of the Town to exclude rural and agricultural areas designated for protection and include areas designated for more intensive development.

By utilizing available resources and educational practices from the State and County Departments of Health, the Town can provide residents with the knowledge of best practices to maintain their systems, reducing the risk of failures or problems. New and advancing technologies such as mound and aerobic treatment systems can be used as alternatives for failing systems rather than pursuing sewer extensions.

### **Policy 33**

**Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.**

#### Explanation of Policy

Best management practices include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g., construction of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflows in areas where they create severe water quality impacts. Until funding for such projects becomes available, non-structural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.

#### Local Applicability

See Local Applicability under Policies 8 and 16.

### **Policy 34**

**Discharge of waste materials into inland waterways from vessels subject to State jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.**

### Explanation of Policy

All untreated sanitary waste from vessels is prohibited from being discharged into the State's inland waterways. Where inland waterway resources or activities require greater protection than afforded by this requirement the State may designate vessel waste no discharge zones. Within these no discharge zones the discharge of all vessel waste whether treated or not is prohibited. A determination from EPA that an adequate number of vessel waste pump-out stations exists is necessary before the State can designate a no discharge zone. The State prepared a Clean Vessel Act Plan which identifies the coastal waters for which no discharge zones are needed, and the number of vessel waste pump outs required to obtain the determination from EPA. The discharge of other wastes from vessels is limited by State law.

### Local Applicability

Under the current conditions this policy does not apply to the Town of Amherst.

### **Policy 35**

**Dredging and filling in inland waterways and disposal of dredged material will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.**

### Explanation of Policy

Dredging, filling, and dredge material disposal are activities that are needed for waterfront revitalization and development, such as maintaining navigation channels at sufficient depths, pollutant removal, and other management needs. Such projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important inland waterway resources. Often these adverse effects can be minimized through careful design and timing of the dredging or filling activities, proper siting of dredged material disposal sites, and the beneficial use of dredged material. Such projects shall only be permitted if they satisfactorily demonstrate that these anticipated adverse effects have been reduced to levels which satisfy State permit standards set forth in regulations developed pursuant to Environmental Conservation Law, (Articles 15, 24, 25, and 34), and are consistent with policies pertaining to the protection and use of inland waterway resources (State Coastal Management policies 7, 15, 19, 20, 24, 26, and 44).

### Local Applicability

Under the current conditions this policy does not apply to the Town of Amherst. Dredging, filling and disposal of dredged materials are under the jurisdiction of State and federal agencies including the NYSDEC, the NYS Canal Corporation and the U.S. Army Corps of Engineers.

### **Policy 36**

**Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into inland waterways; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.**

Explanation of Policy

See Policy 39 for definition of hazardous materials.

Local Applicability

See Local Applicability under Policies 5, 8, 13 and 16.

**Policy 37**

**Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into inland waterways.**

Explanation of Policy

Best management practices used to reduce these sources of pollution could include, but are not limited to, encouraging organic farming and pest management principles, soil erosion control practices, and surface drainage control techniques.

Local Applicability

See Local Applicability under Policies 8, 13 and 16.

**Policy 38**

**The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.**

Explanation of Policy

Surface and groundwater are the principal sources of drinking water in the State, and therefore must be protected. Since Long Island's groundwater supply has been designated a "primary source aquifer," all actions must be reviewed relative to their impacts on Long Island's groundwater aquifers.

Local Applicability

See Local Applicability under Policies 5, 8, 13 and 16.

**Policy 39**

**The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within the waterfront revitalization area will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land, and scenic resources.**

Explanation of Policy

The definitions of terms "solid wastes" and "solid waste management facilities" are taken from the New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include

sludge from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes.

Hazardous wastes are unwanted byproducts of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (Section 27-0901[3]), as “waste or combination of wastes which because of its quantity, concentration, or physical, chemical or infectious characteristics may: 1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or 2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed, transported or otherwise managed.” A list of hazardous wastes (NYCRR Part 366) will be adopted by DEC within 6 months after EPA formally adopts its list (currently contained in 6 NYCRR Part 371). Examples of solid waste management facilities include resource recovery facilities, sanitary landfills and solid waste reduction facilities. Although a fundamental problem associated with the disposal and treatment of solid wastes is the contamination of water resources, other related problems may include: filling of wetlands and littoral areas, atmospheric loading, and degradation of scenic resources.

#### Local Applicability

See Local Applicability under Policy 8.

Also, Chapter 129 of Town Code regulates junkyards in the Town. It establishes that no person, firm, association or corporation shall operate, establish or maintain a junkyard in the Town of Amherst until a license and a certificate of approval for the location of such junkyard has been obtained. This is an additional enforcement mechanism that the Town will use to protect resources within the WRA.

#### **Policy 40**

**Effluent discharged from major steam electric generating and industrial facilities into inland waterways will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.**

#### Explanation of Policy

The State Board on Electric Generation Siting and the Environment must consider a number of factors when reviewing a proposed site for facility construction. One of these factors is that the facility shall “not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the State, the public health, and public enjoyment of the receiving waters.” The effect of thermal discharges on water quality and aquatic organisms is considered by the siting board when evaluating any applicant's request to construct a new steam electric generating facility.

#### Local Applicability

See Local Applicability under Policies 8 and 30.

**Policy 41**

**Land use or development in the waterfront revitalization area will not cause national or State air quality standards to be violated.**

Explanation of Policy

New York's Waterfront Revitalization of Coastal Areas and Inland Waterways Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the waterfront revitalization area.

To the extent possible, the State Implementation Plan will be consistent with waterfront revitalization area lands and water use policies. Conversely, coastal management guidelines and program decisions with regard to land and water use and any recommendations with regard to specific sites for major new or expanded industrial, energy, transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan.

The Department of Environmental Conservation will allocate substantial resources to develop a regulatory and management program to identify and eliminate toxic discharges into the atmosphere. The State's Waterfront Revitalization of Coastal Areas and Inland Waterways Program will assist in coordinating major toxic control programming efforts in the inland waterway regions and in supporting research on the multi-media nature of toxics and their economic and environmental effects on inland waterway resources.

Local Applicability

The Town will consider only those developments proposed within the WRA that are not anticipated to exceed thresholds established by the federal Clean Air Act and State air quality laws, including restricting emissions or air contaminants to the outdoor atmosphere that are potentially injurious or unreasonably interfere with enjoyment of life or property. The Town encourages the use of alternative modes of travel, including non-motorized uses through context sensitive and mixed-use development design features that promote public transit use, walking, and bicycling. The Town also encourages the consideration and use of renewable energy resources, such as solar energy, in development projects.

Section 7-9 of the Zoning Ordinance establishes Performance Standards so that any use shall comply with the performance standards set forth below. Any use already established in such districts shall not be altered, added to or otherwise modified so as to conflict with, or further conflict with, the performance standards set forth below for the district in which such use is located. The Town may select and arrange for an independent survey by a person qualified in the particular field to determine whether or not any structure or use complies with the performance standards and the costs for the services shall be paid by the owner or user.

- All incineration facilities shall be enclosed within an approved structure and shall be provided with devices for prevention of emission of smoke, odors, chemical or particulate matters and shall

conform to the regulations of Part III, § 3.1 to and including § 3.15 of Bulletin 82, National Board of Fire Underwriters, or any applicable federal, state or county requirements. No garbage, rubbish, waste matter or empty containers shall be permitted outside of buildings.

- The emission of smoke, soot, fly ash, fumes, dust and other types of air pollution borne by the wind shall be controlled so that the rate of emission and quantity deposited shall not be detrimental to or endanger the public health, safety, comfort, or welfare or adversely affect property values.
- Any operation producing intense glare or heat shall be conducted in such a manner so that the glare or heat shall be completely imperceptible from any point along a lot line.
- No activities shall be permitted which utilize fissionable or radioactive materials if their use results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground or sewerage systems, and no activities shall be permitted which emit electrical disturbance affecting the operation of any equipment other than that of the creator of such disturbance.
- The emission of odorous matter in such quantities as to produce a public nuisance or hazard beyond the lot occupied by the use shall not be permitted.
- The emission of toxic, noxious or corrosive fumes or gases which would be injurious to property, vegetation, animals or human health at or beyond the boundaries of the lot occupied by the use shall not be permitted.
- Every use shall be so operated that the ground vibration inherently and recurrently generated by said use is not perceptible without instruments, at any point along any property line of the lot on which the use is located.
- In order to reduce bird hazards to air traffic in the vicinity of the Greater Buffalo Niagara International Airport, all buildings constructed in the area of the Town east of the Village of Williamsville and south of Wehrle Drive shall be designed so as to eliminate water standing on the roofs. No roof shall be colored black.

## Policy 42

**Waterfront revitalization program policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.**

### Explanation of Policy

The policies of the State and local coastal management programs concerning proposed land and water uses and the protection and preservation of special management areas will be taken into account prior to any action to change prevention of significant deterioration land classifications along inland waterways or adjacent areas. In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration land classification designations based upon the Waterfront Revitalization of Coastal Areas and Inland Waterways Program and LWRP policies.

Local Applicability

Under the current conditions this policy does not apply to the Town of Amherst.

**Policy 43**

**Land use or development in the waterfront revitalization area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.**

Explanation of Policy

The Waterfront Revitalization of Coastal Areas and Inland Waterways Program incorporates the State's policies on acid rain. As such, the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of coastal fisheries, wildlife, agricultural, scenic and water resources.

Local Applicability

Under the current conditions this policy does not apply to the Town of Amherst.

**3.12 WETLANDS POLICY****Policy 44**

**Preserve and protect freshwater wetlands and preserve the benefits derived from these areas.**

Explanation of Policy

Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semiaquatic vegetation and other wetlands so defined in the NYS Freshwater Wetlands Act and the NYS Protection of Waters Act (Water Resources Law, Environmental Conservation Law Article 15).

The benefits derived from the preservation of tidal and freshwater wetlands include but are not limited to:

- habitat for wildlife and fish, and contribution to associated aquatic food chains
- erosion, flood and storm control
- natural pollution treatment
- groundwater protection
- recreational opportunities
- educational and scientific opportunities
- aesthetic open space in many otherwise densely developed areas

Local Applicability

As stated in the Town's Bicentennial Comprehensive Plan there are over 2,800 acres of wetlands regulated by the NYSDEC located in the Town. Additional wetland areas are under federal jurisdiction and regulated by the U.S. Army Corps of Engineers. Policy 4-5 contained in the Natural and Cultural Resources section of the Comprehensive Plan emphasizes support for protection of designated wetlands and implementation

of best management practices to maintain Town owned wetland areas. When regulatory agencies determine that compensatory wetland mitigation is required, the Town will encourage that mitigation be located within Amherst whenever feasible. The Town will work with regulatory agencies to encourage permitted wetland mitigation due to impacts created by public or private sector projects to be of an equal or higher level of function and quality and located near impacted areas or within the Town.

Wetland mitigation sites should be located as follows:

1. On the project site, within the same watershed, and within the Town's boundaries (Best Case Scenario). If not, then;
2. On land adjacent to or near the project site, within the same watershed, and within the Town's boundaries. If not, then;
3. Wherever possible within the same watershed and within the Town's boundaries. If not, then;
4. In a municipality that shares the same watershed from which the wetlands are being impacted.

Acquiring regulated wetlands can help to protect the quality and function of wetland resources. Many of Amherst's larger wetland areas are protected as part of existing public open spaces. Whenever feasible, the Town will continue its acquisition of regulated wetland property. Funding for open space, natural resource, and agricultural land acquisitions may be available through state initiatives and programs. Acquisition of these wetlands would be guided by Comprehensive Plan land use recommendations and the application of qualitative and functional criteria related to the wetland characteristics.

The Town will also consider the following mechanisms to manage Town-owned wetlands:

- First, the Town will consider the acquisition of conservation easements to prevent future alteration or decreased quality of wetlands. The Town has rezoned several Town-owned parcels to Recreation Conservation District (RC) and has indicated passive recreation activities on deeds for specific parcels. The Town actively maintains a park inventory list indicating dedicated parkland parcels.
- Second, the Town will consider the need for management, removal, and prevention of invasive species/vegetation that is not native to Amherst that can diminish wetland quality and function.
- Third, the Town will consider reviewing its ditch maintenance practices; if not properly maintained, ditches can cause excessive and inordinate growth of invasive plants and contamination of wetlands. The Western New York Land Conservancy monitors large tracts in Northern Amherst and provides oversight on wetlands, ditches, and trail erosion impacts.



## SECTION IV: PROPOSED LAND AND WATER USES & PROJECTS

### 4.1 PROPOSED LAND AND WATER USES

The Tonawanda Creek/Erie Canal and Ellicott Creek waterfronts in Amherst are wonderful natural and cultural community assets that sometimes tend to be overlooked or forgotten when thinking about local quality of life issues and opportunities. The LWRP planning process has identified proposed land and water uses that address existing issues and the opportunities that present themselves along the Town's two primary waterfronts.

**Land and Water Uses:** Major changes in land use development trends and patterns are not anticipated to occur directly from the implementation of this LWRP. Land use within the two subareas of the WRA will continue to follow the well-established patterns of existing development that have evolved over many decades. Although some growth is inevitable the mostly rural character of the northern and eastern part of Amherst within the Tonawanda Creek/Erie Canal subarea will be maintained. Land use in this subarea will remain a mix of agriculture, rural residential and open space uses.

Proposed projects in this area, however, will improve public access to the waterfront to enjoy the area's natural setting and history, such as through improvements to the Buffalo Niagara Heritage Village and Nine Mile Island (see Projects 1 and 2). Proposed land-based waterfront projects will enhance existing opportunities for recreation and tourism by improving land side waterfront conditions, extending trail systems, providing additional public access to the water for fishing and recreation such as at Fishermen's Wharf (see Project 3), public docks and kayak launches such as at the North Amherst Fire Station (see Project 4), and improving existing businesses, trails and parks along the waterfront (see Projects 5, 6, and 7), and improving pedestrian safety and connections between developed areas and the waterfront such as along Niagara Falls Boulevard (see Project 8). The more suburban and commercial neighborhoods on the western portion of the subarea will also remain, but proposed waterfront improvements may incentivize further waterfront revitalization and business opportunities by private landowners, such as along Old Niagara Falls Boulevard (see Project 9).

Waterfront improvements will provide existing businesses an incentive to improve their facilities and operations along Tonawanda Creek and the Erie Canal. The extension of trails, including completing gaps in trail networks will be attractive to boaters, park and trail users. Commercial areas, like Old Niagara Falls Boulevard will experience changes as properties become refurbished or redeveloped with mixed-uses in a waterfront setting that will visually enhance the character of the WRA. Docks, new and extended trails, and continuous sidewalks combined with improved way-finding signage will physically and visually link commercial areas to the waterfront, providing access for boaters, pedestrians and cyclists traveling through the area.

Within the Ellicott Creek subarea, the more highly developed suburban character will be maintained, but improved. This area is comprised of more densely developed residential neighborhoods, large institutional uses especially related to the University at Buffalo such as student housing and research offices, and the

commercial centers along many of the Town’s highway corridors. Similar projects are proposed to enhance existing waterfront parks and trails, provide public access to the water, for example via new or improved kayak launches (see Project 10), and extend multi-use trail systems (see Project 11). Other opportunities are proposed that will take better advantage of waterfront locations such as the Amherst Central Park project (see Project 12) that will provide the Town with mostly passive and low intensity recreation opportunities in a natural setting along Ellicott Creek. Invasive plant species will be addressed where necessary as part of improvements to local parks such as Amherst State Park (see Project 13). Other water-based projects are proposed to address issues such as neighborhood flooding and ice jams (see Project 14) and overall creek management to address issues of water quality, stormwater management, and erosion and sedimentation such as through use of green infrastructure (see Project 15).

Proposed projects described in this Section are intended to increase awareness of the historic and present value of these waterways to the Town, establish measures to improve waterfront conditions from degradation, and provide public access to each waterfront for recreation and enjoyment by residents and tourists. Many of the proposed projects are land-based and focused on the land side of the waterway, however all projects will have direct or indirect effects to improving or benefitting waterside conditions.

**Recreation:** Residents and visitors will have opportunities for a variety of active and passive recreation on the water, along the waterfront, and in adjacent upland areas. Multi-use trails along the entire length of the Erie Canal in the WRA will provide opportunities for the public to access and experience the Canal, while walking, running, riding bicycles, and cross-country skiing. Trails will be linked to other trails in the region to provide access to and from the WRA. Docks and trails will provide connections from the water to upland recreational facilities within the WRA, such as golf courses and public parks. Private marinas, public parks, docking and boat launches will provide enhanced access and services for boaters and all types of watercraft. Cleaner water will provide an enticing environment for water activities such as swimming, wading, and tubing.

**Natural Environment:** Water quality and wildlife habitat within the WRA will be improved. Native vegetation and mature trees – particularly along the Canal – will be retained. Best management practices will be implemented to reduce pollutant loads from stormwater runoff to the Erie Canal, Tonawanda Creek, Ellicott Creek, and their tributaries. Native terrestrial and aquatic habitats in the Tonawanda Creek corridor will benefit from retention of natural vegetation, control of invasive species, and improvements in stormwater quality discharged into our waterways. Local agencies will regularly monitor water quality in the Tonawanda Creek/Erie Canal to ensure compliance with applicable water quality standards.

**Scenic Environment:** Views to and from the waterfront as well as from adjacent roadways and properties will be preserved. Locally important scenic resources will be identified, and measures will be taken to enhance and protect waterfront resources that contribute to scenic quality. The appearance of the landscape from the waterways will be made more appealing through improvements to roadways, bridge crossings, and properties along shorelines. These improvements will include landscaping, tree planting, lighting, coordinated signage, and other measures that will provide park-like visual characteristics.

**Cultural and Historic Resources:** A coordinated system of interpretive signage and information kiosks will highlight and explain the significance of the Erie Canal and historic resources along both waterways. Historic structures will be preserved, rehabilitated, or restored, as appropriate, to provide opportunities for interpretive centers, museums, stores, restaurants, and lodging. Directions to historic settlements will be provided as part of way-finding signage. Trails, sidewalks, and existing bridge crossings will provide access to these areas for pedestrians, boaters, and cyclists. Local museums and historical societies will offer temporary and permanent displays highlighting local history and culture. Festivals year-round will be held throughout the WRA to celebrate history, culture, harvests, recreation, the change of seasons.

**Public Safety and Maintenance:** Trails and boat launch areas will provide greater access to the waterfront for the public for recreation as well as emergency responders in the event of emergencies. A clear system of wayfinding signage will provide a means for boaters, trail users and motorists to clearly identify their location in the event of an emergency. Bridges over the Canal will include safe and attractive walkways to facilitate pedestrian movements across the Canal. Local police agencies will patrol the waters of the Canal as well as the trails to ensure the safety and security of the public on the water. Responsible Federal, State and local agencies, assisted by local volunteer groups and businesses, will help keep the Canal and adjacent public roads, trails and parks in good condition and free of litter and debris; will help maintain the public landscape; and, will help plant flowers, shrubs and trees. Responsible agencies will enhance public safety on the waterways by regularly removing debris and silt.

**Educational Opportunities:** Within the WRA boundary the Town has the opportunity to explore both indoor and outdoor educational spaces. The Superintendents of the Amherst, Sweet Home and Williamsville School Districts, as members of the Waterfront Advisory Committee, have participated in the LWRP planning process and have suggested improvements to the recreational facilities along the water to benefit the students and the Town. Outdoor educational spaces will foster the learning of environmental, marine and science-based curricula. Increasing access to the existing inland waterways and improving infrastructure projects along the water will result in new outdoor classrooms and accommodate class field trips. The Town's existing and proposed facilities could have a shared use or partnership agreement in place to accommodate the school districts' priorities and scheduling.

## 4.2 PROPOSED PROJECTS

The Waterfront Advisory Committee – in its role as the overseer of plan development – has identified a series of goals for the future of the Town's waterfronts. The goals articulate an overall image of what the waterfront should be and how it should look in the future. It reflects the information obtained from residents and interested citizens from stakeholder input and public information meetings. The goals and the proposed land and water uses that follow in this section reflect the knowledge and understanding of the waterfront by WAC members based upon their experience as long-term residents and business-owners of the area.

The Committee and the Town of Amherst have identified a list of proposed projects to be undertaken that are consistent with the goals of this LWRP. These projects are also consistent with established policies as well as future land use and recreational plans of the Town.

## **LWRP PROJECT GOALS**

- **HIGHLIGHT THE SCENIC AND AESTHETIC BEAUTY OF THE TOWN'S WATERWAYS**
- **INCREASE PUBLIC ACCESS TO TOWN WATERWAYS**
- **ENHANCE AMENITIES AT EXISTING PUBLIC PARKS**
- **CREATE NEW PUBLIC PARKS**
- **ADD AND ENHANCE MULTI-USE TRAILS AS PART OF THE TOWN'S TRAIL SYSTEM AND THE EMPIRE STATE TRAIL**
- **ENHANCE HISTORIC AND CULTURAL COMPONENTS WITHIN THE LWRP BOUNDARY**
- **ENCOURAGE APPROPRIATE ECONOMIC DEVELOPMENT OPPORTUNITIES**
- **IMPROVE THE QUALITY OF THE TOWN'S WATER RESOURCES**
- **PROMOTE PUBLIC SAFETY**
- **FOSTER ENVIRONMENTAL EDUCATION AND STEWARDSHIP**

The SEQRA regulations (§ 617 NYCRR) provide a template for incorporating environmental considerations into the planning process. In accordance with Town Local Law 3-1982, the Amherst Planning Department has the responsibility for coordinating the SEQRA review of all Town actions. This local law also supersedes the State Type I list of projects by including, in addition to the projects on the State list, those projects within 100 feet of a flowing watercourse, within 100 feet of a NYS wetland boundary, and within a designated floodway. As most of the proposed projects in this LWRP will meet at least one of these additional criteria, it can be expected that LWRP projects will undergo the most thorough environmental review afforded by SEQRA.

Each project in this section is described in terms of its major elements, responsible parties and stakeholders, potential funding sources, timeframes, preliminary cost estimates and graphics that identify project locations. A project summary table is included in Appendix L. Projects are shown on **Map IV-1 Proposed Project Locations**.

## **PROPOSED PROJECT LIST**

1. **BUFFALO NIAGARA HERITAGE VILLAGE & OAKWOOD GOLF COURSE**
2. **NINE MILE ISLAND RECREATION CENTER**
3. **FISHERMAN'S WHARF**
4. **NORTH AMHERST FIRE STATION PROPERTY IMPROVEMENTS**
5. **AMHERST MARINA CLUBHOUSE AND DOCK**
6. **EMPIRE STATE TRAIL & MISSING BIKE PATH CONNECTIONS**
7. **VETERANS CANAL PARK IMPROVEMENTS**
8. **NIAGARA FALLS BOULEVARD & NORTH ELLICOTT CREEK ROAD INTERSECTION**
9. **OLD NIAGARA FALLS BOULEVARD IMPROVEMENTS**
10. **ELLICOTT CREEK KAYAK LAUNCH SITE**

- 11. ELLICOTT CREEK TRAILWAY EXTENSION**
- 12. AMHERST CENTRAL PARK**
- 13. AMHERST STATE PARK BOARDWALK TRAIL & PARK IMPROVEMENTS**
- 14. LEHN SPRINGS NEIGHBORHOOD FLOOD MITIGATION**
- 15. WATER QUALITY PLAN**

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# TOWN OF AMHERST

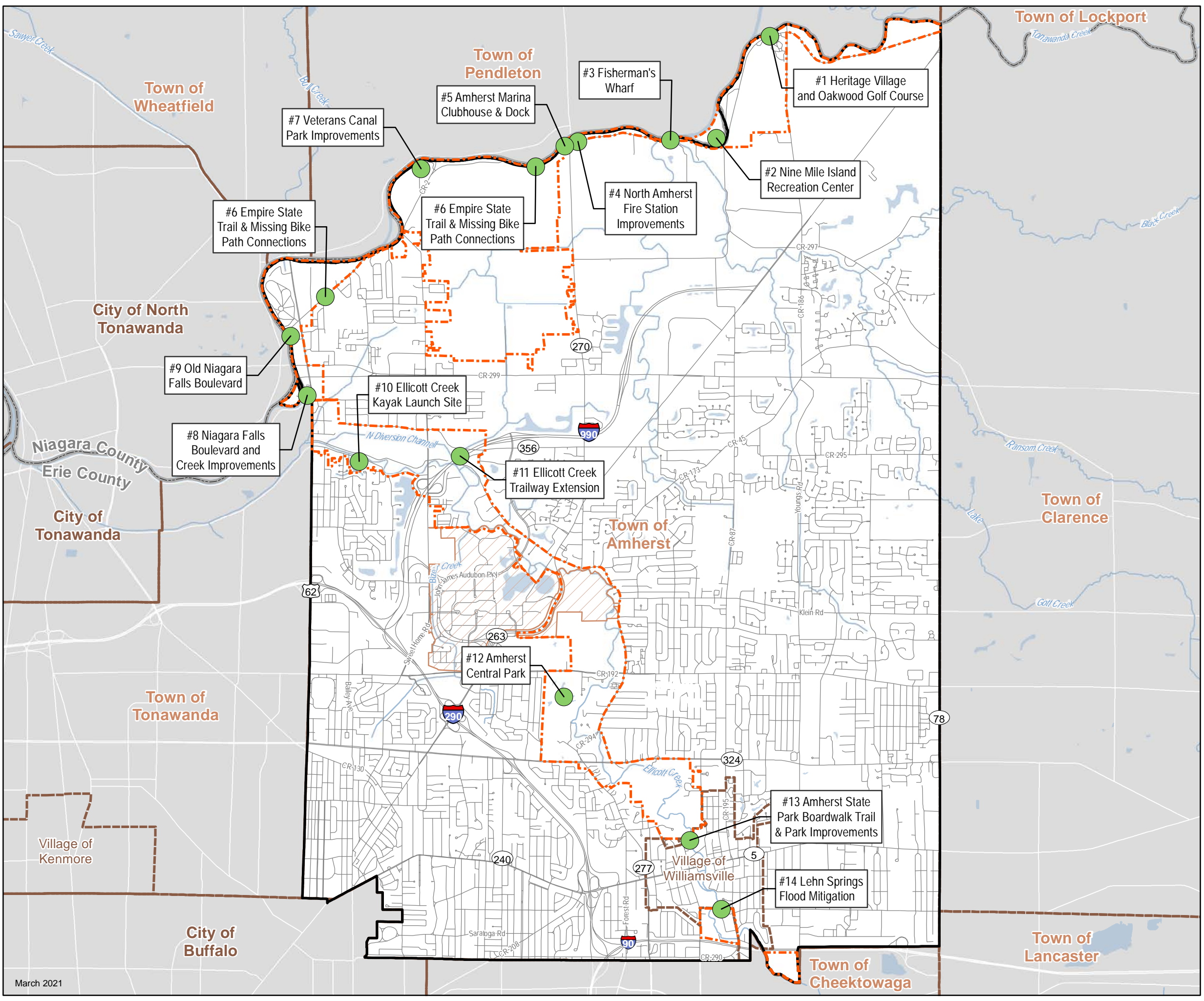
Erie County, New York

## Local Waterfront Revitalization Program

Map IV-1 Proposed Project Locations


**Legend**


-  University at Buffalo
-  Town of Amherst
-  WRA Boundary
-  Proposed Project Location




This LWRP map was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.









## 1) **BUFFALO NIAGARA HERITAGE VILLAGE & OAKWOOD GOLF COURSE**

**DESCRIPTION:** This project focuses on enhancing the public's experience along Tonawanda Creek and the Erie Canal by improving the existing adjacent facilities at the Buffalo Niagara Heritage Village (BNHV) (formerly Amherst Museum) and the Oakwood Golf Course. It will allow the Town to highlight the historical and cultural importance of the Canal to development of New York State and the entire nation, as well as its impact on Amherst local history. It will also create connections between two Town-owned facilities, allowing users to receive both recreational and educational benefit when in this part of Town. The project area extends from the Oakwood Golf Course east to New Road and north to the Town line which includes a portion of the existing Empire State Trail.

The project can be divided into six phases:

- A. Interpretive Trail Improvements** – This phase includes improving and enhancing the existing Empire State Trail and celebrating the historic/cultural aspects of this area. All improvements will be ADA-accessible with traffic/safety measures implemented to encourage safe access and use of the trail. Areas for enjoying vistas will be provided, along with interpretive signage and additional basic amenities such as benches.
- B. Buffalo Niagara Heritage Village / Town Dock & Boat Launch** - The second phase will involve plans to construct an ADA-compliant boat/kayak dock. Dredging of Tonawanda Creek will be required. The Buffalo Niagara Heritage Village has desired a dock for many years but the high cost of dredging made it previously unfeasible. It is expected that the inclusion of this project in an LWRP will open funding sources in the future.
- C. Oakwood Golf Course Expansion** – The existing 9-hole course owned by the Town will be expanded to improve users' experience. The proposed course would allow youth leagues to actively use the site. The layout will need to avoid the existing wetlands located in the southern portion of the site. With the adoption of a master development plan for the Town's Audubon Golf Course that will eliminate the full 18 holes, Amherst desires to maintain a course for golfers within its boundaries.
- D. Golf Course Clubhouse / Welcome Center** - This project includes construction of a multi-use building in the northeast section of the existing Oakwood Golf Course, making it easily accessible to the Buffalo Niagara Heritage Village and users of the Empire State Trail. The building would serve as a clubhouse for the golf course and a welcome center for others exploring or using the trail. It would provide necessary restroom facilities, as well as informational brochures, vending and potentially dining. Bike racks would also be provided. Combined events could be scheduled that would benefit both the Buffalo Niagara Heritage Village and the golf course.
- E. Public Parking** – Currently, the only delineated vehicle parking in this area is on the Buffalo Niagara Heritage Village lot on the south side of Tonawanda Creek Road. This lot provides ample parking for users of the Empire State Trail, yet there are two potential locations on the north side of Tonawanda Creek Road that have been identified for additional public parking

areas to facilitate access to the trail. These lots will be small (less than 10 spaces) and would be situated directly adjacent to improved trail access points. In addition to being ADA accessible, these lots would highlight the location of the Empire State Trail which otherwise can be easily missed by travelers on Tonawanda Creek Road. They could additionally serve as pull-off spaces for buses and other multi-passenger vehicles touring the Empire State Trail or as part of regional tourism.

**F. Educational Opportunities** – The proposed improvements to this area could accommodate outdoor learning spaces and field trip experiences for local school children. The grounds at the Buffalo Niagara Heritage Village have livestock and multiple historic resources that create numerous opportunities for learning. Additionally, the site improvements along Tonawanda Creek will allow for increased access and educational opportunities.

**RESPONSIBLE PARTIES / STAKEHOLDERS:** Town of Amherst, Buffalo-Niagara Heritage Village, NYS Canal Corporation, Erie County, NYS Department of Transportation, Town of Pendleton

**POTENTIAL FUNDING SOURCES:** NYS Canal Corporation, Park and Trail Partnership (NYS OPRHP); Community Development Block Grants; NYS OPRHP Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF); NYS Department of State Local Waterfront Revitalization Program; Climate Smart Communities Grant Program; NYSEDA Energy Efficiency Program; Market New York (ESD MNY)

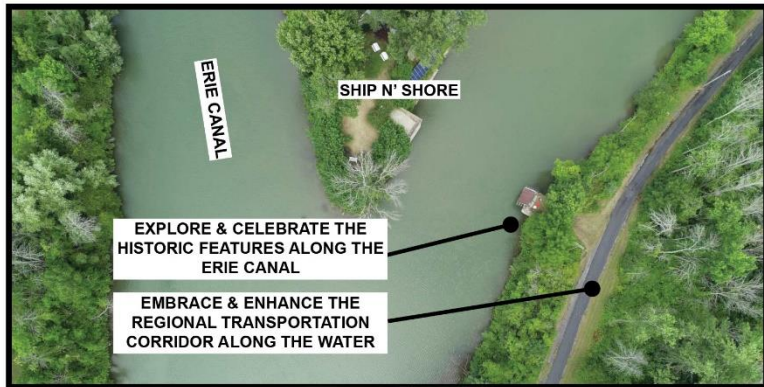
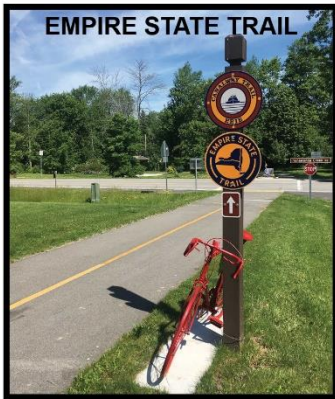
**SUMMARY OF IMPROVEMENTS:**

- historic interpretive node
- ADA compliant boat/kayak launch / docks / dredging
- public parking for the Empire State Trail
- clubhouse / welcome center accessible to the public
- public golf course expansion and improvements
- educational opportunities

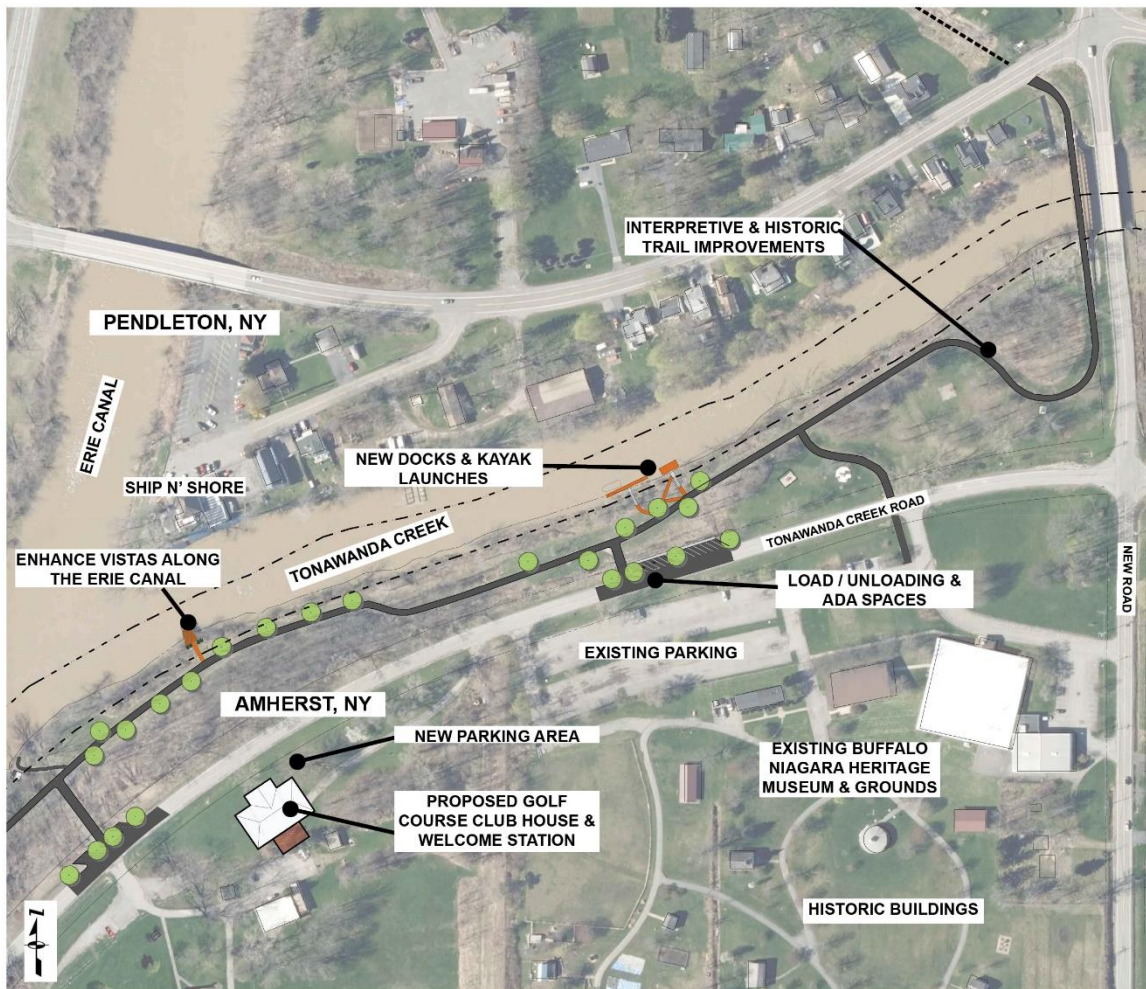
**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 1: BUFFALO NIAGARA HERITAGE VILLAGE &amp; OAKWOOD GOLF COURSE</b>		
Preliminary Design	0-5 years	\$105,000
Project Components:		
A.) Interpretive Trail Improvements	0-5 years	\$300,000
B.) Museum / Public Dock and Boat Launch / Dredging	0-5 years	\$350,000
C.) Public Parking	0-5 years	\$150,000
D.) Clubhouse / Welcome Center	5-10 years	(undetermined)
E.) Golf Course Expansion	5-10 Years	(undetermined)
F.) Educational Opportunities	5-10 Years	(undetermined)
Contingency		<u>\$280,000</u>
	<b>TOTAL</b>	<b>\$1,185,000</b>





AERIAL PHOTO



OVERALL PLAN

*Project 1 Buffalo Niagara Heritage Village & Oakwood Golf Course*



**AERIAL PHOTO**



**OVERALL PLAN**

*Project 1 Golf Course Expansion*

## 2) NINE MILE ISLAND RECREATION CENTER

**DESCRIPTION:** Located at the northern terminus of Hopkins Road and bordered by Tonawanda Creek Road and the Erie Canal, Nine Mile Island is an approximately 41-acre portion of land presently owned by the Town of Pendleton in Niagara County. The land is currently used as a campground for various youth groups and is predominantly wooded. A small area in the center of the property has been cleared and contains buildings for various activities. Due to the presence of the canal, the only entrance to the island is from Orbit Drive in the Town of Amherst.

Nine Mile Island presents a unique opportunity for enhancing recreation in the northernmost portion of Amherst. It is envisioned as remaining mostly natural, with low-level activities introduced that are consistent with the rural surroundings. The Town of Pendleton has expressed interest in working with Amherst on a joint management agreement to benefit both municipalities.

This project can be divided into two phases:

- A. PARK / CAMP IMPROVEMENTS** – These include enhancing the site’s trail system and providing access to the creek. Fishing pier(s) and/or a boat/kayak launch would also upgrade the facility. Educational signage/panels would be added where appropriate. Highway signage would also be used on adjacent roadways to identify the site. The feasibility of moving the driveway from its current Orbit Drive location to Tonawanda Creek Road to increase accessibility and visibility should be explored.
- B. PROGRAMMING** - The site could be further enhanced in terms of programming to offer features and recreational opportunities that currently are not available through the municipal Youth & Recreation Departments. The site could offer new classes or programs during daytime operation. New features could include overnight camping or seasonal camp programs for children and scout groups.
- C. Educational Opportunities** – The proposed improvements to this area could accommodate outdoor learning spaces and field trip experiences for local school children. The site improvements will allow for increased access to the inland waterway. The Town could partner with the Town of Pendleton and the school districts to provided shared use of space. Marine and environmental sciences could be the focus of an outdoor curriculum.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, Town of Pendleton, NYS Canal Corporation, Erie County DPW – Highways Division, NYS DEC, US Army Corps of Engineers

**POTENTIAL FUNDING SOURCES:** Niagara River Greenway, NYS Canal Corporation, USDA, general Town bond funding

**SUMMARY OF IMPROVEMENTS:**

- Enhanced trail system
- Fishing pier / boat or kayak launch

- Relocating entrance driveway
- Programming additions
- Education Opportunities

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 2: NINE MILE ISLAND RECREATION CENTER</b>		
Preliminary Design / Construction Plans	0-5 years	\$90,000
Project Components:		
A.) Park / Camp Improvements (Trails & Dock)	5-10 years	\$190,000
B.) Programming / Educational Opportunities	5-10 years	(undetermined)
C.) Relocate Entrance Drive / Circulation	10-15 years	(undetermined)
Contingency		<u>\$95,000</u>
	TOTAL	\$375,000

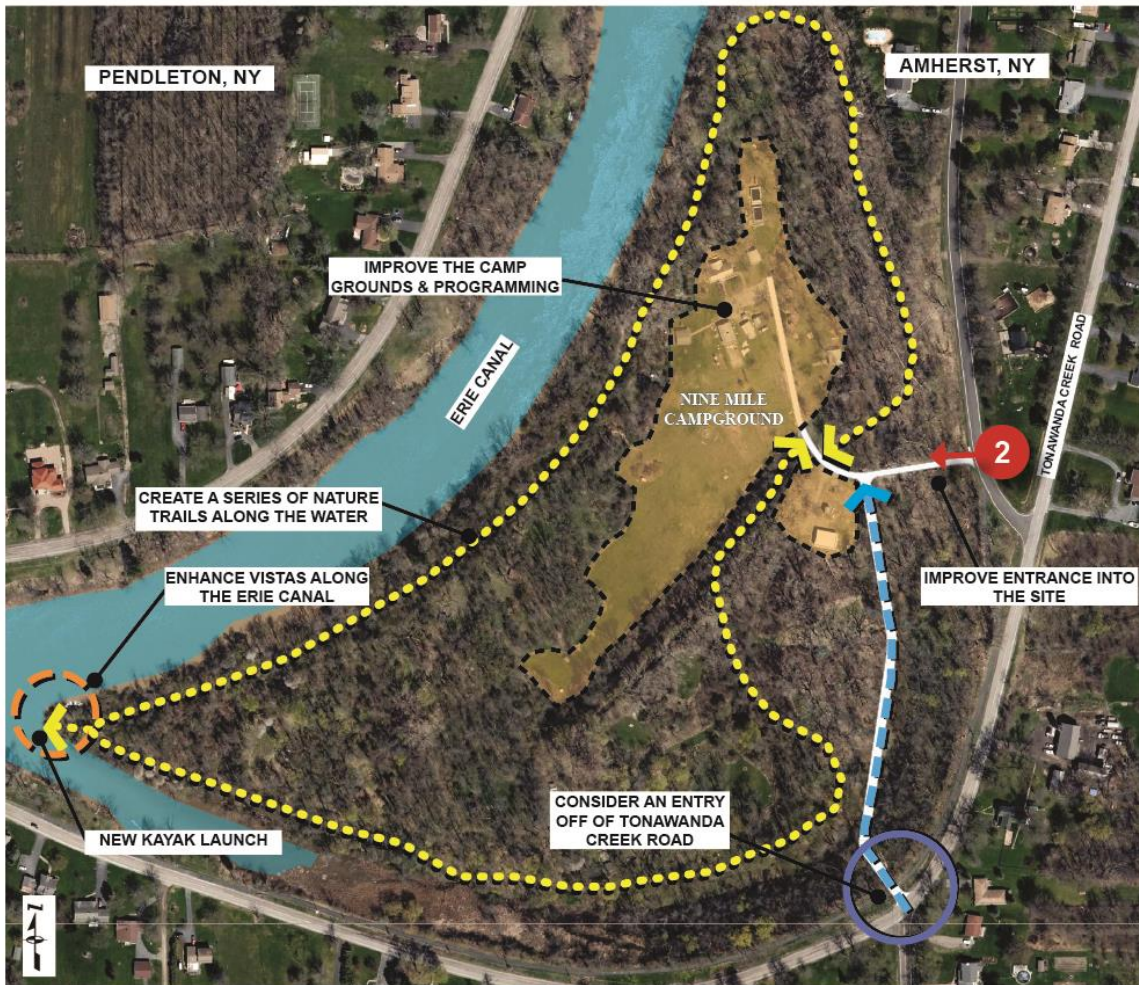
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PATH EXAMPLE



EXISTING ENTRANCE



OVERALL PLAN

*Project 2 Nine Mile Island Recreation Center*

### 3) FISHERMAN'S WHARF

**DESCRIPTION:** This project will provide site enhancements to the existing Fisherman's Wharf area, that is owned by New York State and located on the north side of Tonawanda Creek Road at its intersection with Ransom Creek. Currently, this site offers a few amenities such as benches, picnic tables and a small shelter. An optimal ecosystem here results in good fishing opportunities. A shallow, undefined graveled pull-off area accommodates vehicles that are usually parallel-parked along the road. The Empire State Trail crosses this site.

A goal of the project is to improve the area while retaining the natural aesthetics of this scenic waterfront property. A defined parking area would replace the graveled space along Tonawanda Creek Road to ensure maximum safety for park users and those traveling on the road. Within the park an additional shelter, benches, trash receptacles and grills would be installed. The fishing area would largely remain the same. Improved grading in the eastern portion of the site would facilitate kayak launch. Several park trees will be added to provide shade. A riparian planting buffer would be established along the top of the creek bank to reduce soil erosion. A living shoreline type project would be ideal for this project, similar to improvements at Tift Nature Preserve in Buffalo.

The existing footbridge over Ransom Creek, constructed in 1977, has recently been repaired by the Town of Amherst. Appropriate street signage would highlight the footbridge. Due to the proximity of Tonawanda Creek Road to Fisherman's Wharf, speed limits should be re-assessed in this area to determine maximum safety.

The project would include pedestrian safety improvements to off road bike path within the vicinity of the park (east of the bridge). During the preliminary design phase an assessment should be implemented to analyze the location of the bike path in relation to the road. Shifting the bike path away from the road could potentially increase pedestrian safety in this area. This idea is based on the Waterfront Advisory Committee comments in May 2019. A bus pull-off could be explored to accommodate youth field trips or for tourist opportunities.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, NYS Canal Corporation, NYS DEC, US Army Corps of Engineers

**POTENTIAL FUNDING SOURCES:** NYS Canal Corporation, general Town bond funding, Community Development Block Grants, NYS Department of State Local Waterfront Revitalization Program, NYS DEC Trees for Tributaries Grant Program, TD Green Space Grants

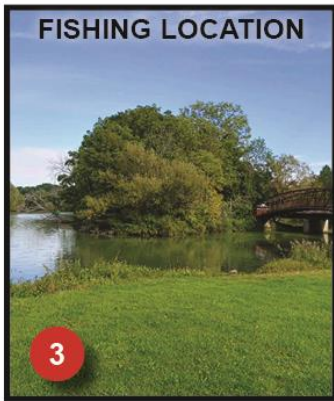
**SUMMARY OF IMPROVEMENTS INCLUDE:**

- a new parking area pull-off
- park amenities (shelter, grills, benches, etc.)
- trees and landscaping
- a riparian buffer along the top of bank by the creek (living shoreline)
- safety improvements to the existing bike path

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 3: FISHERMAN’S WHARF</b>		
Preliminary Design / Construction Plans	0-5 years	\$75,000
Project Components:		
A.) New Parking Area	0-5 years	\$100,000
B.) Park Amenities / Park Trees	0-5 years	\$40,000
C.) Riparian Buffer Planting & Shoreline Improvements	0-5 years	\$50,000
D.) Pedestrian & Bicycle Safety Improvements	0-5 years	\$250,000
Contingency		<u>\$40,000</u>
	TOTAL	\$555,000

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NATIVE RIPARIAN PLANTING EXAMPLE



OVERALL PLAN

**Project 3 Fisherman's Wharf**



**4) NORTH AMHERST FIRE STATION PROPERTY IMPROVEMENTS**

**DESCRIPTION:** The purpose of this project is to provide enhancements to the North Amherst Fire Station grounds located at the northeast corner of the Tonawanda Creek Road/Campbell Boulevard intersection. The project will improve amenities on the grounds and provide access to Tonawanda Creek.

Currently, vehicles drive through the existing fire station parking lot and park in an undefined cleared area to access the creek or the Empire State Trail. One improvement would be the addition of more parking in this cleared area to accommodate these vehicles. Access to the water would be enhanced with walkways. A public dock and kayak launch would be placed within close proximity to the parking lot. In addition, within the park space a new shelter, rehabilitated court and new playground space for children would be available. Additional planting would provide shade near the park amenities. These improvements could provide a bus pull-off or a drop-off point for a tourist bus. There is a strong connection to Niagara County and Pendleton at this location. Additionally, this site is the centermost point along the entire Tonawanda Creek corridor within the Town; there are proposed major access points to the water spaced evenly along the Tonawanda Creek WRA.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, North Amherst Fire Station, NYS Canal Corporation

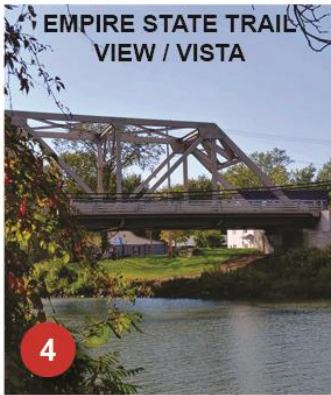
**POTENTIAL FUNDING SOURCES:** NYS Canal Corporation, general Town bond funding, Community Development Block Grants

**SUMMARY OF IMPROVEMENTS INCLUDE:**

- a new parking area for more public parking
- park amenities (shelter, court, benches, etc.)
- park trees and landscaping
- improved access to the trail along the creek
- public kayak launch and dock site

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 4: NORTH AMHERST FIRE STATION PROPERTY IMPROVEMENTS</b>		
Preliminary Design / Construction Plans	0-5 years	\$70,000
Project Components:		
A.) Improved Public Parking Area	0-5 years	\$120,000
B.) Park Amenities / Playground / Park Trees	0-5 years	\$250,000
C.) Improved Access to the Water	0-5 years	\$40,000
D.) Public Boat & Kayak Launch	10-15 years	\$125,000
Contingency		<u>\$90,000</u>
	TOTAL	\$695,000



EXAMPLE OF PARK & PLAYGROUND IMPROVEMENTS



OVERALL PLAN

**Project 4 North Amherst Fire Station Property Improvements**

**5) AMHERST MARINA CLUBHOUSE AND DOCK**

**DESCRIPTION:** Established in 1993, the privately-owned Amherst Marina is an important resource for boaters within Erie-Niagara Counties due to its strategic placement along the Erie Canal. It is situated halfway between the Niagara River and Lockport and has one of the largest lifts in western New York. The property is located at the northwest corner of Tonawanda Creek Road and Campbell Boulevard and is the only property zoned General Business (GB) within the Amherst LWRP boundary.

Although privately owned, this project is included in the LWRP to allow potential improvement to this highly visible site along the Erie Canal / Tonawanda Creek waterfront. It includes construction of a small-scale clubhouse for slip holders that would include basic amenities such as restrooms, informal seating and vending. This site once held a restaurant, which may also be considered as a potential future addition, one that would take advantage of the marina’s optimal location and increase the economic return for this unique site.

Other site improvements would include an upgrade to the boat storage areas, parking lot, and entrance drive, as well as added landscaping, curbing, and benches. If space permits, a few parking spaces for trail users could also be constructed.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Amherst Marina property owners, Town of Amherst, Amherst Marine Center Inc., NYS Department of Environmental Conservation, US Army Corps of Engineers, Amherst Industrial Development Agency, Amherst Chamber of Commerce

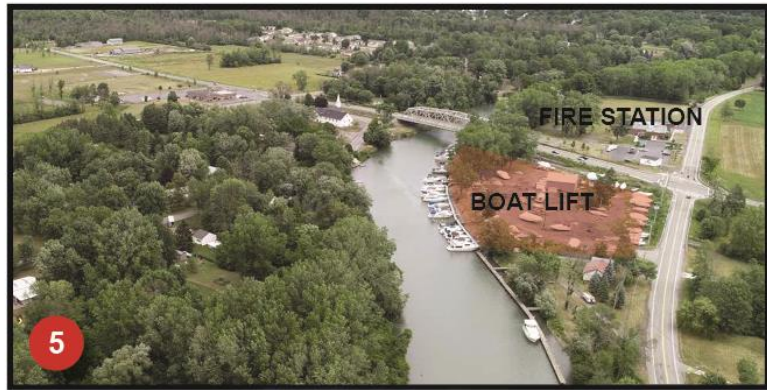
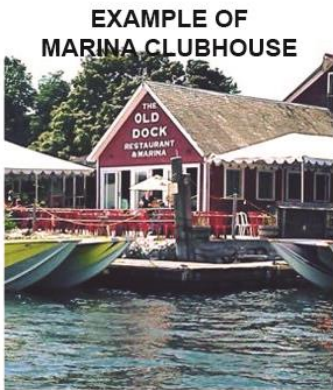
**POTENTIAL FUNDING SOURCES:** NYS Canal Corporation, NYS Department of Environmental Conservation, NYS Department of State Local Waterfront Revitalization Program, NYS Empire State Development Grant Funds (ESD)

**SUMMARY OF IMPROVEMENTS:**

- an active marina clubhouse & dock on the water
- possible public parking for trail users
- access and connection to the existing bike path
- site upgrades including curbing, landscaping, benches

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 5: AMHERST MARINA CLUBHOUSE AND DOCK</b>		
Preliminary Design / Construction Plans	10-15 years	\$105,000
Project Components:		
A.) Marina Clubhouse & Dock on the Water	20+ years	(undetermined)
B.) Public Parking	20+ years	\$124,000
C.) Access to the Existing Bike Path	20+ years	\$20,000
D.) Site Upgrades (Curbing, Landscaping, Benches)	10-15 years	\$22,000
Contingency		\$54,000
	<b>TOTAL</b>	<b>\$325,000</b>



**EXISTING MARINA**



**OVERALL PLAN**

***Project 5 Amherst Marina Clubhouse and Dock***

## 6) EMPIRE STATE TRAIL & MISSING BIKE PATH CONNECTIONS

**DESCRIPTION:** This project entails converting on-road trail segments along Tonawanda Creek Road to off-road multi-use trails. This includes two separate sections within the LWRP boundary. Mid-block crossings, signage and other pedestrian improvements would be needed. This project would continue the goal of completing the Empire State Trail through New York State. The following describes the two “missing” sections of the off-road bike path along Tonawanda Creek Road, as well as a potential future component of the trail project:

- A. Between Campbell Boulevard and the NYS owned property at 1450 Tonawanda Creek Road.** Along this segment Tonawanda Creek Road would need to be shifted to the south to allow for the 10 ft. wide bike path along the creek. Erosion control measures would be implemented to reduce the deterioration of the bike path. Approximately 3/4 of a mile of bike path would be created. This segment is rural in nature, with large-lot residences.
- B. Between Vine Lane and Windsor Court.** The NYS DOT plans on completing the off-road bike path from Old Niagara Falls Boulevard to Windsor Court. The Town would continue the effort of the NYS DOT along the south side of Tonawanda Creek Road for approximately 1 mile. The project could include a multi-use path within the nearby Evergreen Subdivision site. This is adjacent to denser single-family developments.
- C. Alternative Route along the Canal.** The Town of Amherst currently holds an easement along the north border of the Evergreen Subdivision along the Erie Canal. A future long-range project involves creation of a trail along the canal starting at Evergreen via an on-road route and then continuing under the Niagara Falls Boulevard bridge. From there an off-road bike route could continue south along Niagara Falls Boulevard or continue west through the Admiral’s Walk neighborhood. A potential connection to Memorial Park Cemetery would keep the path along the waterway -- the off-road path would be located in the westernmost portion of the cemetery and then link up to the existing off-road bike path on Old Niagara Falls Boulevard.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, NYS Department of Transportation, NYS Canal Corporation, Erie County, Amherst Marine Center Inc., NYS Department of Environmental Conservation, US Army Corp of Engineers

**POTENTIAL FUNDING SOURCES:** NYS Department of Transportation (TAP) Transportation Alternatives Program & (CMAQ) Congestion Mitigation and Air Quality Improvement Program, NYS Canal Corporation, NYPA, NYS OPRHP Recreation Trails Grant Program

### **SUMMARY OF IMPROVEMENTS:**

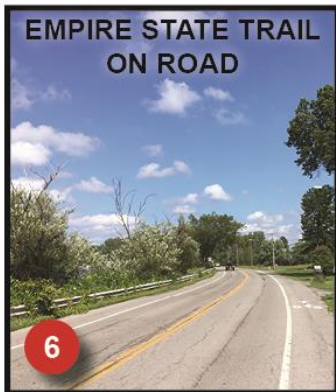
- potential shifting of Tonawanda Creek Road
- construction of off-road bike path segments
- erosion control measures
- mid-block crossings, signage

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

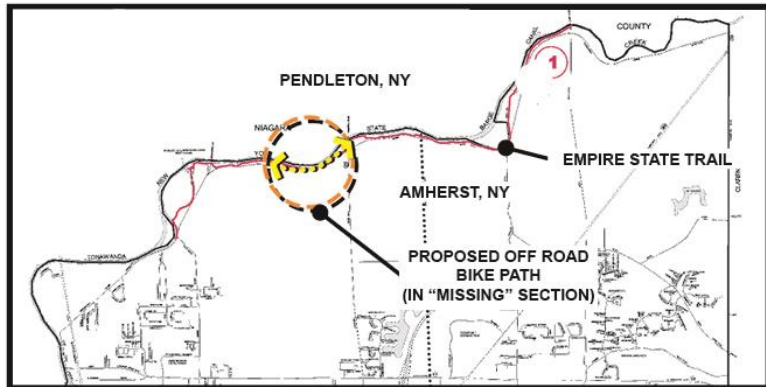
<b>PROJECT 6A: EMPIRE STATE TRAIL &amp; MISSING BIKE PATH CONNECTIONS</b>		
<i>(Between Campbell Boulevard and the NYS owned property at 1450 Tonawanda Creek Road)</i>		
Preliminary Design / Construction Plans	0-5 years	\$305,000
Project Components:		
A.) Shift Tonawanda Creek Road	5-10 years	\$488,900
B.) Multi-Use Off Road NYS DOT Bike Path (3/4 Mile) (Asphalt, Safety Improvements, Signage)	5-10 years	\$697,500
Contingency		<u>\$149,140</u>
	TOTAL	\$1,640,540

<b>PROJECT 6B: EMPIRE STATE TRAIL &amp; MISSING BIKE PATH CONNECTIONS</b>		
<i>(Between Vine Lane and Windsor Court)</i>		
Preliminary Design / Construction Plans	0-5 years	\$305,000
Project Components:		
A.) Multi-Use Off Road NYS DOT Bike Path (1 Mile) (Asphalt, Safety Improvements, Signage)	5-10 years	\$1,354,400
Contingency		<u>\$165,940</u>
	TOTAL	\$1,825,340

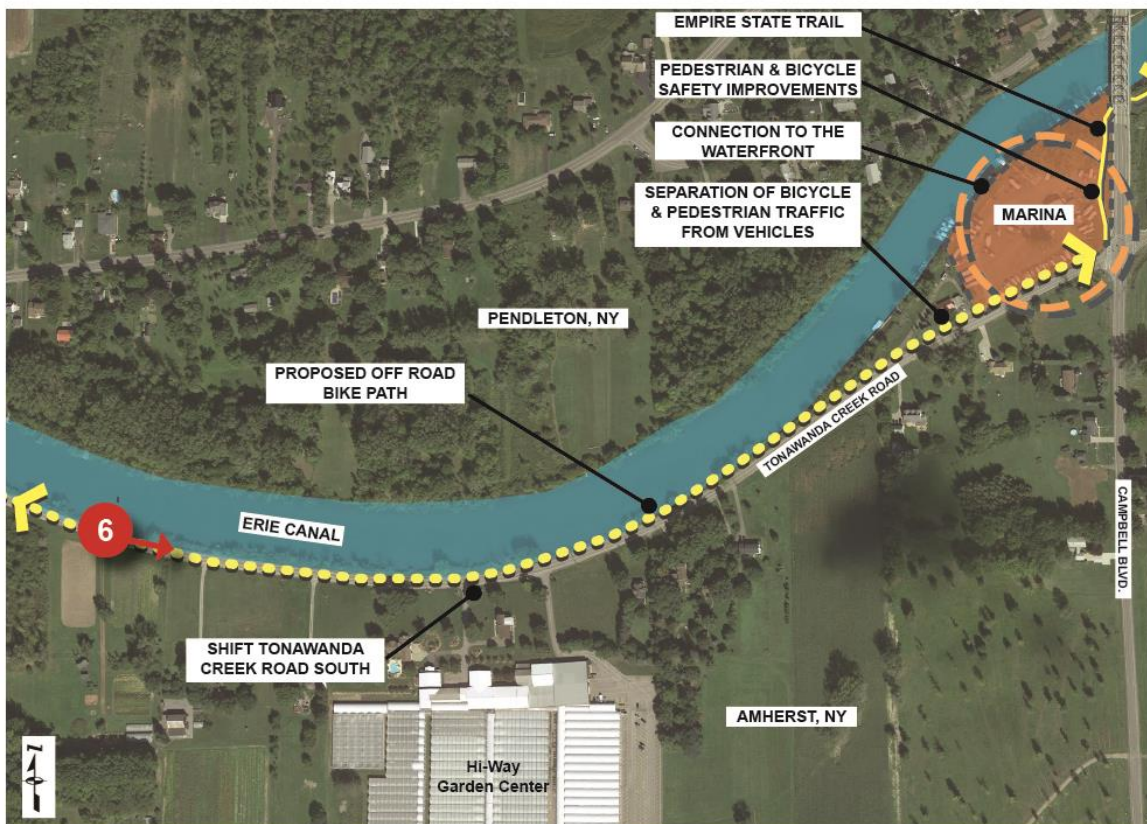
<b>PROJECT 6C: EMPIRE STATE TRAIL &amp; MISSING BIKE PATH CONNECTIONS</b>		
<i>(Alternative Route Along the Canal)</i>		
Preliminary Design / Construction Plans	15-20 years	\$305,000
Project Components:		
A.) Multi-Use Off Road NYS DOT Bike Path (Asphalt, Safety Improvements, Signage)	15-20 years	\$1,602,400
Contingency		<u>\$190,740</u>
	TOTAL	\$2,098,140



EXISTING CONDITIONS

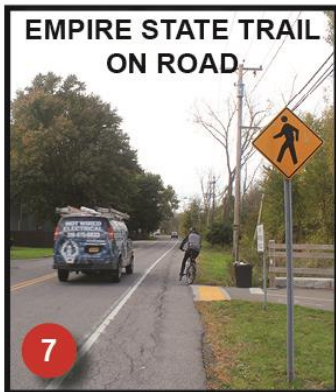


EMPIRE STATE TRAIL CONTEXT PLAN

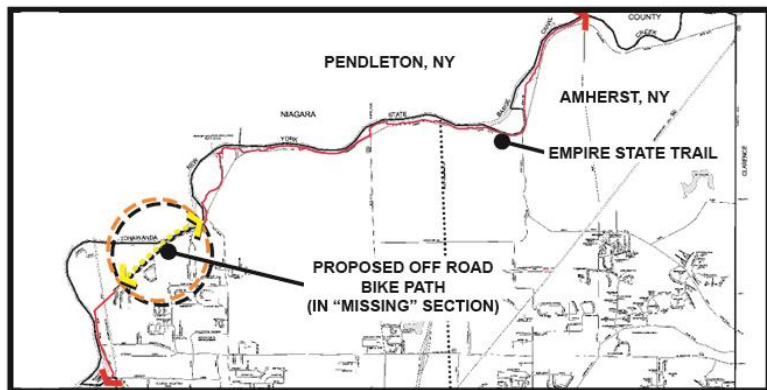


OVERALL PLAN

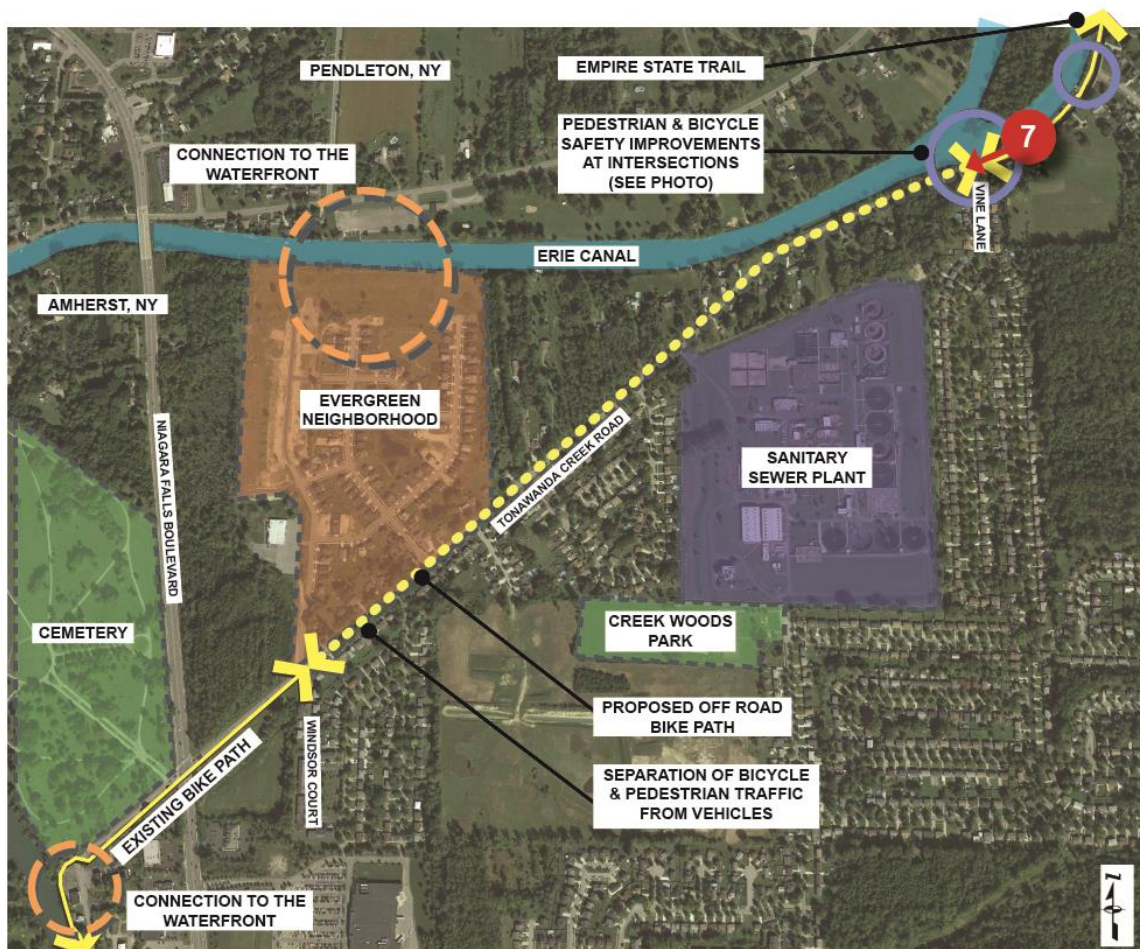
*Project 6A Empire State Trail Segment A*



EXISTING CONDITIONS

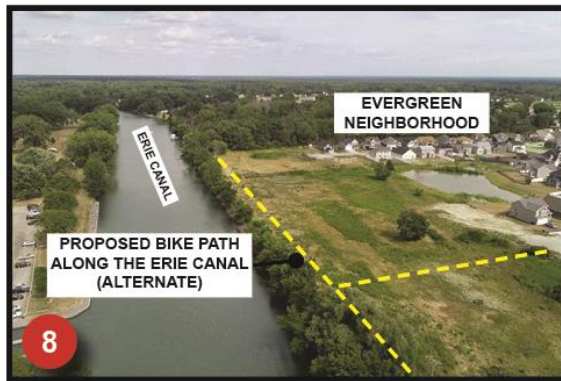


EMPIRE STATE TRAIL CONTEXT PLAN

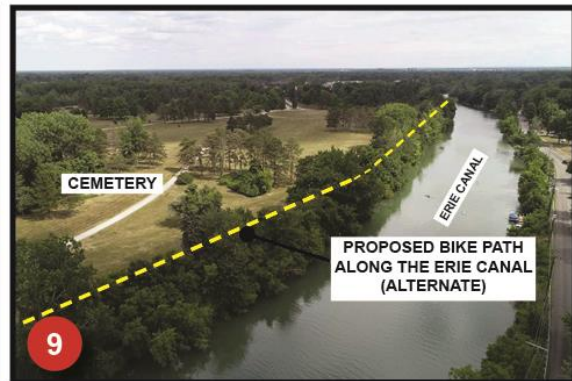


**Project 6B Empire State Trail Segment B**





EVERGREEN NEIGHBORHOOD



CEMETERY



OVERALL PLAN

*Project 6C Empire State Trail Segment C*

## 7) AMHERST VETERANS CANAL PARK IMPROVEMENTS

**DESCRIPTION:** The Amherst Veterans Canal Park is the only public boat, kayak, and canoe launch along the Amherst side of the Erie Canal. The park consists of a facility building, a parking lot, boat launch, dock, mobile dock and the UB aquatic team facility. This project aims to create improvements to the facilities on site. One proposed idea would be to establish a “nature center” within this park as a means of promoting park use and public education, as well as highlighting the Town’s vast Nature View Park across the street. The existing block building at Veterans Canal Park contains restrooms but is currently underutilized; this would be an ideal location for the nature center and Erie Canal “mini museum” or bike hub.

- A. NATURE CENTER** – This building would also create opportunities for outdoor educational spaces. In planning for this amenity, the Town would consider the model of other regional education examples such as the Charles E. Burchfield Nature & Art Center, Buffalo’s Tiffit Farm and Eco Island Nature Center in Grand Island. The center could also host small events and classes.
- B. STRENGTHENING CONNECTIONS** – The connection between the inland waterway and the nature based environment is an important component in this project. There are numerous natural resources within close proximity to the public dock. Nature and pedestrian trails could be established and continue to Nature View Park, the largest single tract of conserved land in Erie County. A mid-block crossing is proposed on Tonawanda Creek Road to provide safe access.
- C. PARK IMPROVEMENTS** – The current dock is in fairly good shape and is well used. The Town will propose in phases the necessary improvements at the park space to provide accessibility, safety and recreational opportunities. The features will include ADA improvements, lighting, parking and circulation enhancements and park amenities. These amenities will be similar to the projects along Tonawanda Creek, but would incorporate a nature based educational theme. Entryway and trail improvements would take place at the Nature View Park trails. The Town will strengthen the theme of the park to include more vibrant connections to the remembrance of veterans within the space.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, NYS Canal Corporation, NYS Department of Environmental Conservation, Amherst Conservation Advisory Council

**POTENTIAL FUNDING SOURCES:** Land and Water Conservation Fund State Assistance Program, Market New York (ESD MNY)

**SUMMARY OF IMPROVEMENTS INCLUDE:**

- interpretive center
- park improvements
- trail connections and ADA accessibility for portions of the site
- educational opportunities and events focused on the environment

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 7: AMHERST VETERANS CANAL PARK IMPROVEMENTS</b>		
Preliminary Design / Construction Plans	0-5 years	\$105,000
Project Components:		
A.) Interpretive Center Addition/Expansion	10-15 years	(undetermined)
B.) Park Improvements (Parking Lot, Amenities)	0-5 years	\$500,000
C.) Trail Connections and ADA Accessibility	0-5 years	\$80,000
D.) Educational Opportunities	0-5 years	(undetermined)
Contingency		<u>\$135,000</u>
	TOTAL	\$820,000

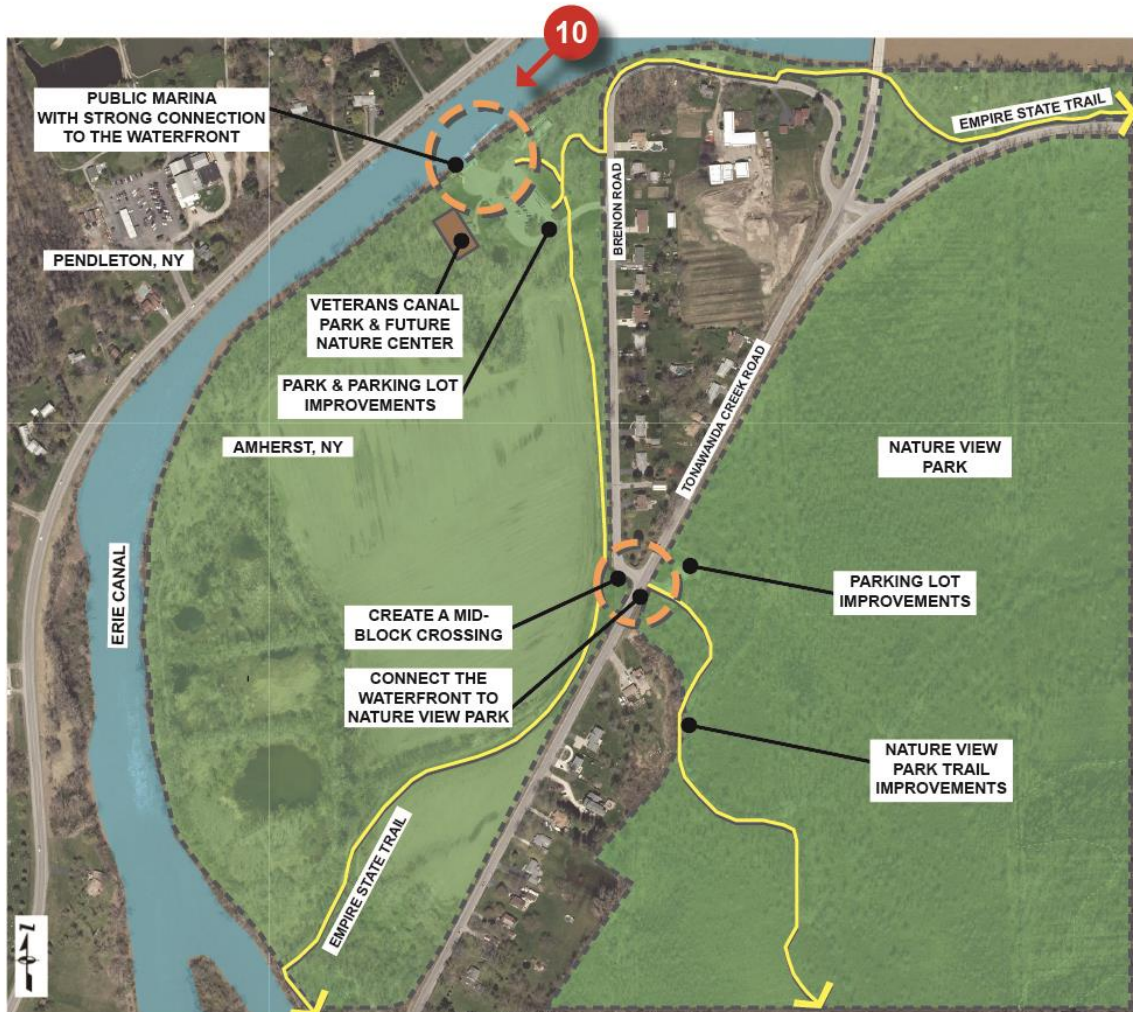
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VETERAN'S CANAL PARK



NATURE CENTER EXAMPLE



OVERALL PLAN

**Project 7 Amherst Veterans Canal Park Improvements**

## 8) NIAGARA FALLS BOULEVARD & NORTH ELLICOTT CREEK ROAD INTERSECTION

**DESCRIPTION:** Located in the northwest portion of the WRA, the Niagara Falls Boulevard area is a highly used roadway with a mix of commercial, office, light industrial and adjacent residential. The road runs north to south within Amherst and intersects with Ellicott Creek. However, the vast amount of traffic on this major State arterial can be a detriment to potential users of the Empire State Trail which crosses from the Town of Tonawanda into Amherst. This project is intended to provide additional opportunities for transportation and recreational improvements for the overall safety of pedestrians and bicyclists.

The Niagara Falls Boulevard & Ellicott Creek Improvements will include the following components:

- A. TRANSPORTATION PLANNING** – The Niagara Falls Boulevard corridor is a highly used roadway within the Western New York Region. A comprehensive look at this area is significant to the Town of Amherst, as well as the region. Improvements for a better user experience is needed for vehicles, pedestrians, and bicycles. The current bicycle and pedestrian intersection would be assessed and analyzed as part of this project. Transportation engineering would provide options for a mid-block or “HAWK” signal crossing. The overall pedestrian safety of this location is important and needs to be assessed in order to encourage use of the recreational amenities in this area and remove dangers associated with navigating a high-speed roadway.
- B. STRENGTHENING CONNECTIONS** – The connection between Tonawanda’s Ellicott Creek Park and the Ellicott Creek Trailway in Amherst is an important component in this project. The Town would enhance the public spaces along Niagara Falls Boulevard and the area leading into the trailway. Additional park amenities could be added along the current bike path, and Ellicott Creek to enhance these spaces.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, private entities/business, Amherst Industrial Development Agency, NYS DOT, US Army Corps of Engineers, Town of Tonawanda, Willow Ridge Neighborhood Association, Erie County Department of Environment & Planning

**POTENTIAL FUNDING SOURCES:** Private local business, NYS Empire State Development grant funds (ESD), NYS Department of Transportation (TAP) Transportation Alternatives Program & (CMAQ) Congestion Mitigation and Air Quality Improvement Program, NYS Canal Corporation, NYS Environmental Facilities Corporation/Green Innovation Grant Program, Community Development Block Grants, Water Quality Improvement Project Program, NYS DEC Trees for Tributaries Grant Program

### **SUMMARY OF IMPROVEMENTS INCLUDE:**

- mainly a transportation and comprehensive planning project for a highly used corridor
- provide a user-friendly experience at this location for vehicles, bicyclists, pedestrians, and other users
- increasing public safety with off-road multi-use trail enhancements
- possible expansion of public park space along the water

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 8: NIAGARA FALLS BOULEVARD &amp; NORTH ELLICOTT CREEK ROAD INTERSECTION</b>		
Preliminary Design / Construction Plans	0-5 years	\$100,000
Project Components:		
A.) Transportation Planning	0-5 years	\$75,000
B.) Streetscape Improvements & Connections	5-10 years	\$250,000
Contingency		<u>\$50,000</u>
	TOTAL	\$475,000

Draft

### TRANSPORTATION PLANNING AND IMPROVEMENTS



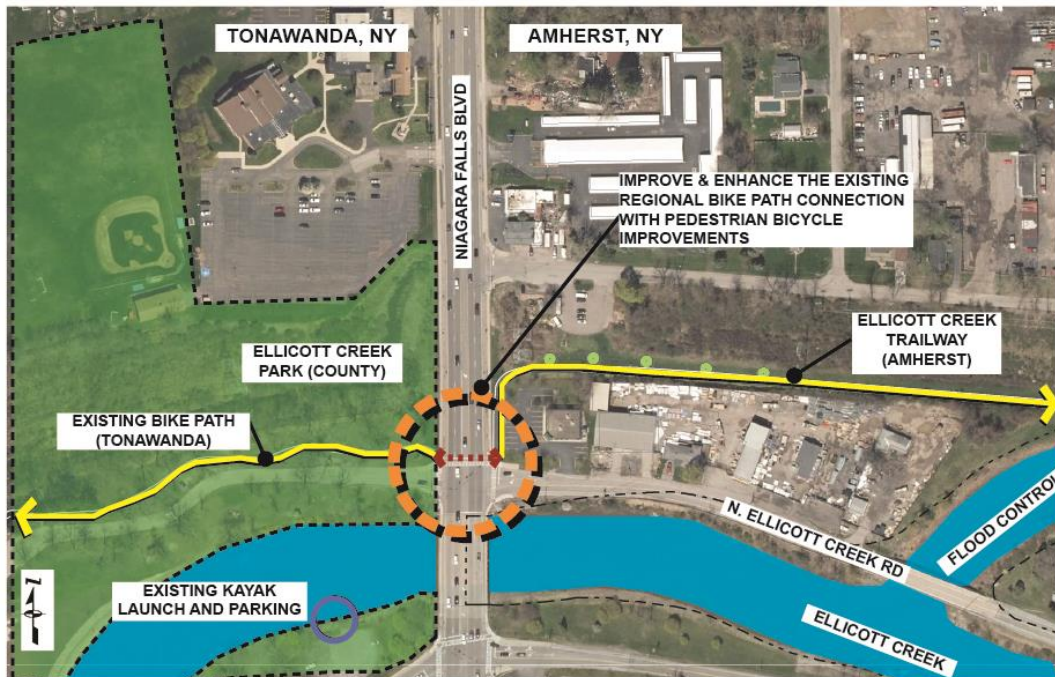
EXISTING CONDITIONS SAMPLE

115'



PROPOSED CONDITIONS SAMPLE

### NIAGARA FALLS BOULEVARD BIKE PATH CONNECTION



*Project 8 Niagara Falls Boulevard & North Ellicott Creek Road Intersection*

## 9) OLD NIAGARA FALLS BOULEVARD IMPROVEMENTS

**DESCRIPTION:** Located in the northwest corner of Amherst, the Old Niagara Falls Boulevard area is in many ways a hidden and untapped resource. The road runs directly adjacent to the Erie Canal and the Erie Canalway Trail, and this area has the potential to provide additional opportunities for public enjoyment of the waterfront. Properties here hold a variety of commercial and residential land uses, yet there is no unifying theme to the area. All parcels in this vicinity are zoned commercial. At the end of the Old Niagara Falls Boulevard is the Ellicott Creek “Dog Park”. The extent of this project would incorporate the entire length of Old Niagara Falls Boulevard providing connections to the different land uses.

This project seeks to take advantage of the area’s location and provide ways to enhance the recreational, commercial, and aesthetic features this part of Town affords.

The project can be divided into four phases:

- A. Trail enhancement** - This component involves enhancing the efforts of the NYS Department of Transportation as it extends the Empire State trail from the curve of Old Niagara Falls Boulevard, east across Niagara Falls Boulevard and ending near Windsor Court. This project has received funding and will be under construction prior to approval of Amherst’s LWRP. The Town’s LWRP project involves enhancing the extended trail by adding appropriate signage and pedestrian improvements for informational and safety purposes.
- B. Streetscape improvements** - Amherst is in the process of redefining mixed-use districts throughout the Town. The Old Niagara Falls Boulevard area is planned for designation as a “traditional infill” area, which prescribes certain design features for buildings and streetscape. These would include creating a typical “main street” atmosphere with buildings close to the road, provision for pedestrian movement, and commercial activity associated with outdoor spaces and amenities. Streetscape improvements would include, but not be limited to, lighting, street trees, pavers, benches, and potential bio-retention or riparian areas to reduce run-off into the creek.
- C. Commercial use** - The third phase consists of the Town promoting commercial development, particularly near the Old Niagara Falls Boulevard / Tonawanda Creek Road intersection. Of note is a vacant former restaurant building that would offer direct views of the Erie Canal. The Town could assist and coordinate with private investors to ensure the proper permitting of appropriate projects in this area. A new waterfront restaurant would especially draw interest and activity to this part of Town.
- D. New parkland** - The final phase involves adding parkland along the current bike path, county owned park & parking lot and creek, either through acquisition or donation. The Town could create a linear public space that includes vistas, seating, sculptural elements, or fish piers. Basic public park amenities could be added to enhance these spaces.



**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, NYS Canal Corporation, private entities/businesses, Amherst Industrial Development Agency, NYS Department of Environmental Conservation, US Army Corps of Engineers, NYS Main Street program

**POTENTIAL FUNDING SOURCE:** private local business, NYS Empire State Development grant funds (ESD), NYS Environmental Facilities Corporation/Green Innovation Grant Program, Community Development Block Grants, Water Quality Improvement Project Program, NYS DEC Trees for Tributaries Grant Program

**SUMMARY OF IMPROVEMENTS:**

- increasing public safety with off road multi-use trail enhancements to support NYS DOT project
- streetscape enhancements including lighting, trees, walkways, pavers, benches, and bio-retention features
- promote commercial activity along the creek
- provide a linear public park space along the water
- overall pedestrian improvements with designated mid-block crossings
- provide a user-friendly experience along the creek

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 9: OLD NIAGARA FALLS BOULEVARD IMPROVEMENTS</b>		
Preliminary Design / Construction Plans	0-5 years	\$105,000
Project Components:		
A.) Trail Enhancement	0-5 years	\$145,000
B.) Streetscape Improvements	0-5 years	\$815,000
C.) Commercial Use	0-5 years	(undetermined)
D.) New Parkland	5-10 years	\$62,000
Contingency		<u>\$225,000</u>
	TOTAL	\$1,352,000

**TOWN OF AMHERST MIXED-USE ZONING STREETScape CHARACTER**



**OLD NIAGARA FALLS BOULEVARD**



*Project 9 Old Niagara Falls Boulevard Improvements*

**10) ELLICOTT CREEK KAYAK LAUNCH SITE**

**DESCRIPTION:** Within the Town of Amherst there are very few areas to access Ellicott Creek with a kayak, canoe, or other vessel. With LWRP funding the Town could take advantage of designating locations to promote use of the water.

A kayak launch is proposed at a vacant site on South Ellicott Creek Road which will provide stream bank access to the public. It would include a small parking area to allow for safe pull-off. A short trail with a seating area will be available near a boulder kayak launch. These areas would remain relatively “natural” with minimal disturbance to the site. Any existing vegetation removed as part of the project would be replaced in-kind. Riparian or stream bank plantings will be located appropriately to reduce erosion. A living shoreline type project would be ideal for this project, similar to the improvements at Ellicott Creek Park in Tonawanda. These areas would allow the Town Highway Department a place to access the creek and provide parking or staging of vehicles and/or other equipment.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, NYS Department of Environmental Conservation, US Army Corp of Engineers

**POTENTIAL FUNDING SOURCES:** NYS DEC Trees for Tributaries, general Town bond funding

**SUMMARY OF IMPROVEMENTS INCLUDE:**

- seasonal kayak launch
- living shoreline type project with stream bank plantings and other erosion control measures
- small parking lot
- seating area

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 10: ELLICOTT CREEK KAYAK LAUNCH SITE</b>		
Preliminary Design / Construction Plans	0-5 years	\$35,000
Project Components:		
A.) Seasonal Kayak Launch & Small Dock	0-5 years	\$65,000
B.) Public Parking (Gravel)	0-5 years	\$50,000
C.) Riparian Plantings	0-5 years	\$46,000
D.) Amenities (Seating, Signage, etc.)	0-5 years	\$67,000
Contingency		<u>\$52,000</u>
	TOTAL	\$315,000



ELLICOTT CREEK



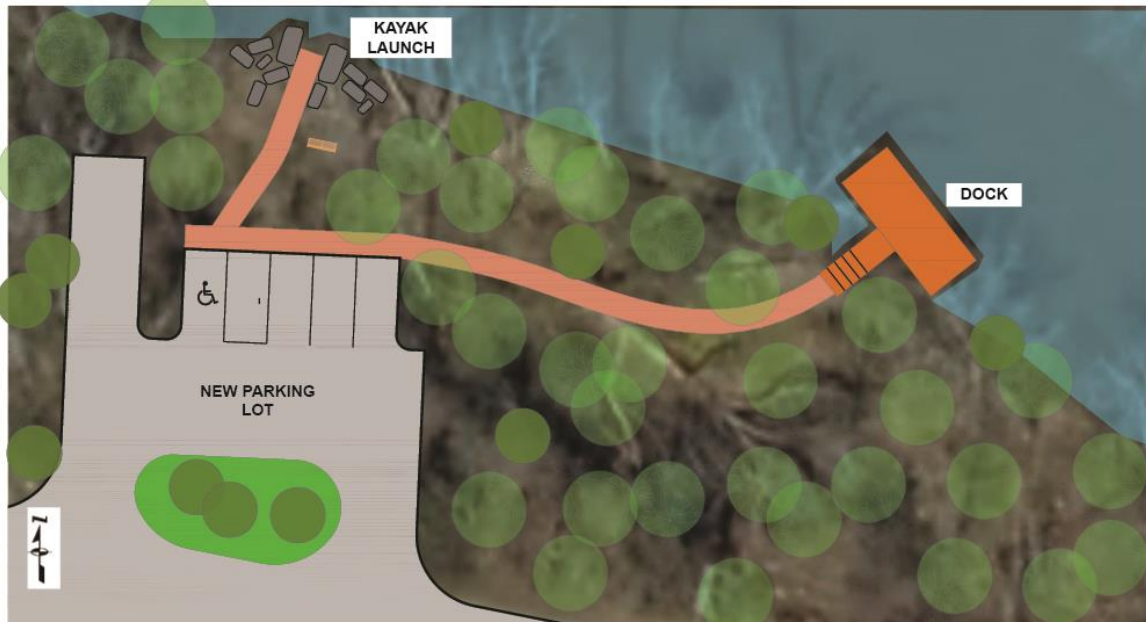
ELLICOTT CREEK



PARKING LOT EXAMPLE



EZ DOCK PLATFORM



OVERALL PLAN

**Project 10 Ellicott Creek Kayak Launch Site**

**11) ELLICOTT CREEK TRAILWAY EXTENSION**

**DESCRIPTION:** This project entails extending the current Ellicott Creek Trailway to the east along North Forest Road and ending at Robin Ridge Road, for approximately 1 mile. Possible future extension to Campbell Boulevard could also be considered. The purpose of this project is two-fold – first, to meet a local need, and second, to provide a future connection to the regional bike path system.

The local need revolves around a desire to ensure public safety in an area of future development. Currently, there are no sidewalks along North Forest Road near Dodge Road. Sight line issues with vehicular traffic currently exist due to road configuration. Future development approved and under consideration in this area, including student housing on North Forest Road and on the Muir Woods site, make pedestrian and bicycle safety, as well as providing a secondary form of transportation, of high priority. An off-road multi-use trail in this area is expected to be a well-used amenity.

As part of the larger regional system, this “rail-trail” extension along the Town’s former “Peanut Line” railroad right-of-way would connect to the Audubon community where a series of pedestrian trails link the neighborhood with the Town’s Audubon Library, senior center, police and court municipal buildings. The proposed trail would connect these neighborhood trails to the Ellicott Creek Trailway system. Currently, one can access the Trailway at any location and follow it to the south side of Buffalo approximately 13 miles away.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, Erie County NYS Department of Environmental Conservation, US Army Corp of Engineers

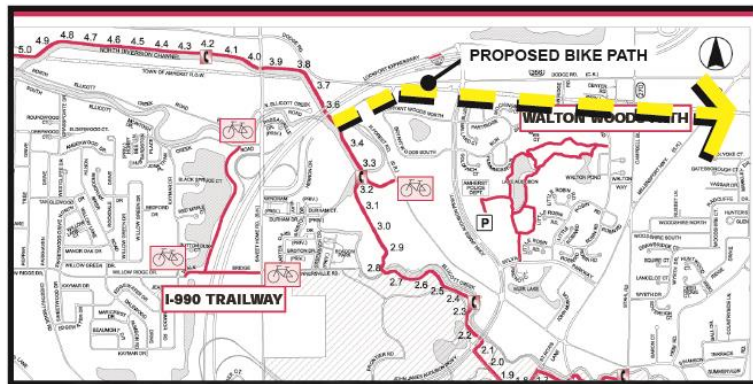
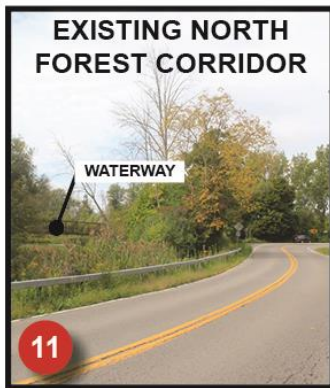
**FUNDING SOURCE:** NYS Department of Transportation (TAP) Transportation Alternatives Program & (CMAQ) Congestion Mitigation and Air Quality Improvement Program, NYS Canal Corporation, NYS OPRHP Recreation Trails Program grants

**SUMMARY OF IMPROVEMENTS INCLUDE:**

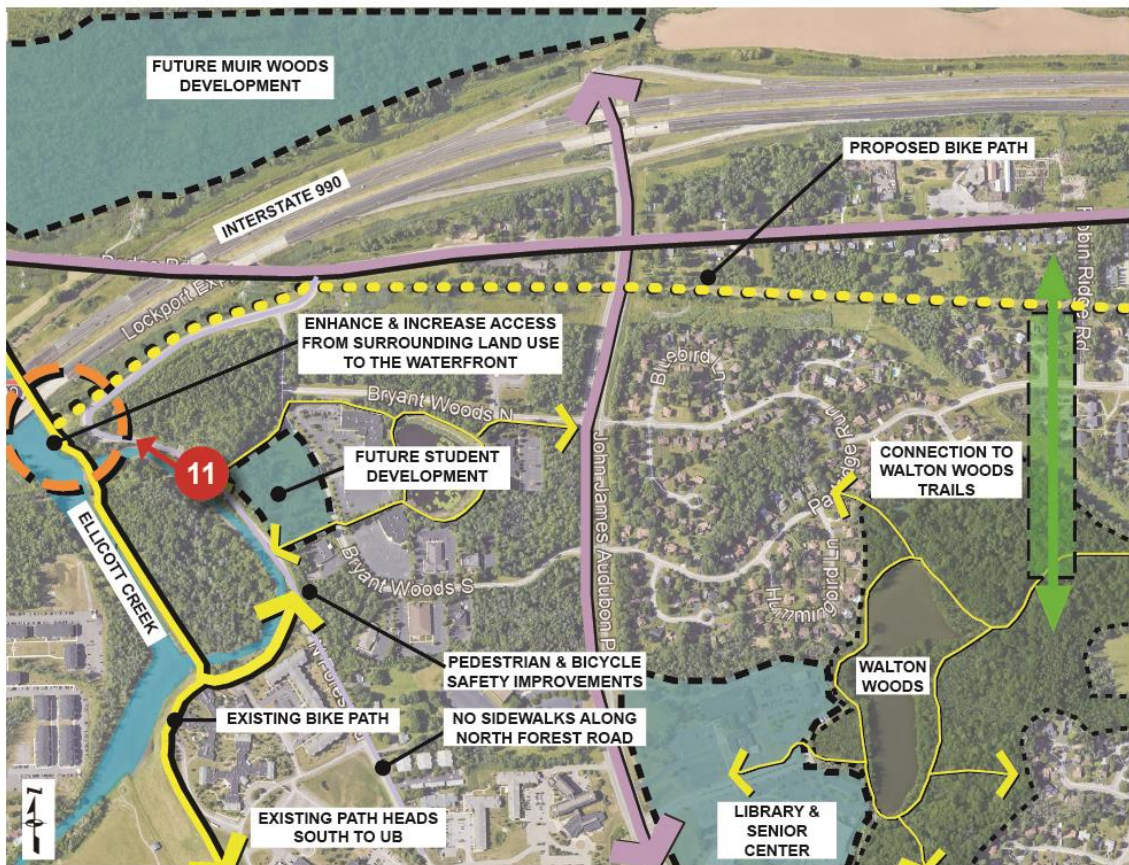
- pedestrian improvements
- mid-block crossings
- future connections to the regional trail systems within the Town and Erie County

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 11: ELLICOTT CREEK TRAILWAY EXTENSION</b>		
Preliminary Design / Construction Plans	0-5 years	\$360,000
Project Components:		
A.) Multi-Use Off Road NYS DOT Bike Path (1 Mile) (Asphalt, Safety Improvements, Signage)	0-5 years	\$850,500
B.) Amenities (Seating, Landscaping)	0-5 years	\$33,700
Contingency		<u>\$124,420</u>
	TOTAL	\$1,368,620



**ELLICOTT CREEK TRAILWAY CONTEXT PLAN**



**OVERALL PLAN**

**Project 11 Ellicott Creek Trailway Extension**

## 12) AMHERST CENTRAL PARK

**DESCRIPTION:** The transformation of the former Westwood Country Club into Amherst Central Park is one of the main focal points of Amherst’s LWRP effort. Centrally located in the Town and comprised of 170+ acres, this site offers an unprecedented opportunity to create a beautiful natural resource that can be enjoyed by people of all ages. Its vast Ellicott Creek frontage provides pastoral settings for many types of recreation. The former clubhouse, now vacant, also presents an opportunity to be re-purposed for community benefit. Amherst Central Park will likely include the property now occupied by the Town’s Par 3 golf course.

A constraint associated with this site involves remediation of the soil contamination created due to grounds treatment of the former golf course. This project can be divided into seven phases:

- A. Trail system** – The size of the former Westwood parcel will allow creation of a significant ADA-compliant trail system throughout the site that connects to existing trails. The area along Ellicott Creek has natural topographic features and mature vegetation that make it an ideal setting for a trail. The trail system could be interconnected with walkways leading to other points of interest on the remainder of the parcel. Interpretive/educational material would be included, along with benches in appropriate areas. A mid-block crossing on Maple Road may be required to facilitate connection to trails in that area and north.
- B. Bio-retention & riparian planting** – This effort entails the use of natural vegetative plantings along the Ellicott Creek banks to minimize soil erosion. It provides both ecological and aesthetic benefits compared to “hardscape” treatments. The Town will also work with the Village of Williamsville on their LWRP pollinator project along the Ellicott Creek corridor. Pollinator species are important to the bee population. The Town will provide pollinator species in the landscape at Amherst Central Park and encourage adjacent landowners to participate.
- C. Cultural/community center & potential senior housing** – The existing clubhouse for Westwood Country Club sits in the southeast portion of the site. Constructed in the 1920s, the building has had several additions over the years that have not aged as well as the original structure. The Town will pursue demolishing the additions and preserving the main building, re-purposing it as a cultural or community center. Existing parking is plentiful. In addition, the site may accommodate a senior residence to help meet a need in the region. Its location would maximize accessibility and proximity to other park features.
- D. Recreational amenities** – Although not envisioned as a predominantly active park, Amherst Central Park could include provision for moderate-level recreational activity such as tennis or pickleball. These activities typically do not produce large crowds and

could be accommodated within relatively small footprints, away from neighboring residential areas.

- E. Re-vegetation** – One of the Town objectives in creating Amherst Central Park is to provide appropriate buffers to adjacent residential neighborhoods. This project will aim at retaining as much existing vegetation and natural features as possible, including the two stands of “old growth” trees in the northwest portion of the site. In addition, the park will be enhanced with additional plantings (evergreen, deciduous, ornamental) for screening and aesthetic purposes.
- F. Littoral Wetland (“Lake”)** – The Town has identified a project on the Westwood site that would be undertaken with the US Army Corps of Engineers to create a water feature lower in elevation than the existing grades surrounding Ellicott Creek. Essentially, the creek would be allowed to naturally “flood” a portion of the Westwood parcel, creating a lake. This lake would provide flood control to the overall area as well as recreational opportunities. The Town is considering a kayak launch and boat dock just north of the existing Clubhouse to access the water. The proper vegetation and embankment measures would be taken into consideration. The fill and material left over from the dredging/excavation would be used for other proposed topographic features within the park.
- G. Educational Opportunities** – Amherst Central Park has considerable potential to provide educational opportunities, not only for Town recreation programs, but for the school districts and other third party providers. The plan to incorporate music and arts components in the existing clubhouse, along with a new building for Daemen College’s Musical Fare, could accommodate a variety of youth programming. The existing natural environment along the creek could be explored for environmental science classrooms and field trips, and the proposed sports facilities could benefit all three school districts in Town. These location of these venues in a central Amherst could reduce the traveling time to other counties and regions for activities. The size and scope of this park plan allows for special events and provides the necessary circulation and safety.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, private entities/business, Amherst Industrial Development Agency, Amherst Chamber of Commerce, University at Buffalo, NYS Department of Environmental Conservation, US Army Corps of Engineers, Erie County, NYS Department of Transportation, local Homeowners Associations, Amherst Arts & Culture Committee, Amherst Youth & Recreation

**POTENTIAL FUNDING SOURCES:** Private/public sources, general town bond funding, NYS Empire State Development Grant funds (ESD), NYS Department of State Local Waterfront Revitalization Program, NYS Environmental Facilities Corporation/Green Innovation Grant Program, Community Development Block Grants, NYS OPRHP Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF), NYS OPRHP Recreation Trails Program Grants, NYS DEC Trees for Tributaries Grant Program, TD Green Space grants.



**Summary of Improvements Include:**

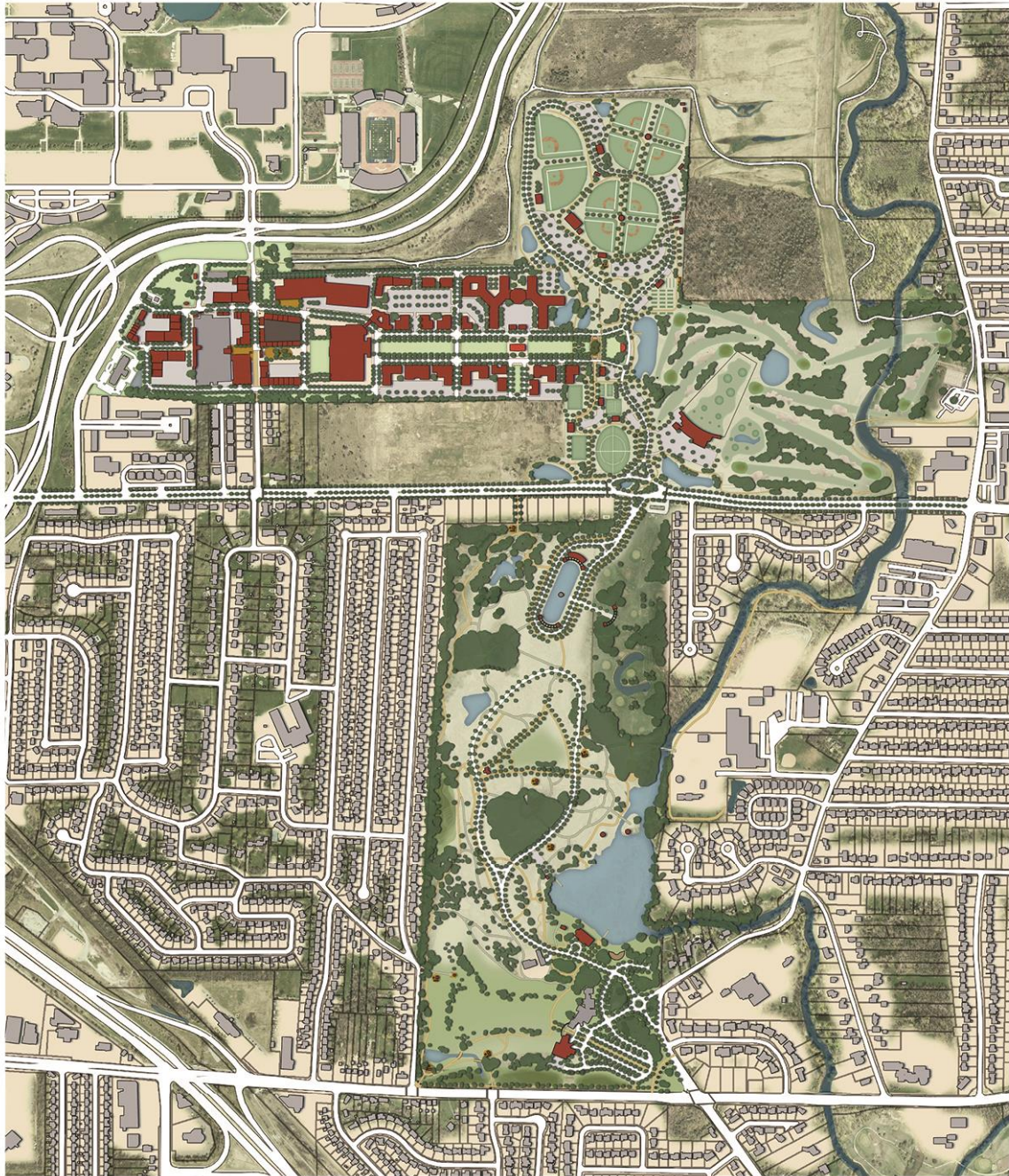
- Integrated trail system
- Bio-retention and riparian planting
- Continue the Village of Williamsville’s initiative to encourage pollinator species along the Ellicott Creek corridor
- Re-purposing of former Westwood clubhouse
- Potential senior housing project with private developer
- Create appropriate recreational amenities
- Re-vegetation of the entire park
- Littoral wetland “Lake”
- Educational opportunities

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 12: AMHERST CENTRAL PARK (AUDUBON)</b>		
Preliminary Design / Construction Plans	0-5 years	(undetermined)
Project Components:		
A.) Passive Park and Trail Connections	0-5 years	(undetermined)
B.) Park / Community Space	0-5 years	(undetermined)
C.) Athletic Fields	5-10 years	(undetermined)
D.) Facilities	5-10 years	(undetermined)
E.) Site Work (Roads, Parking, Subbase)	5-10 years	(undetermined)
Contingency		(undetermined)
	TOTAL	(undetermined)

<b>PROJECT 12: AMHERST CENTRAL PARK (WESTWOOD)</b>		
Preliminary Design / Construction Plans	0-5 years	(undetermined)
Project Components:		
A.) Passive Park and Trail Connections	0-5 years	(undetermined)
B.) Park / Community Space Amenities	0-5 years	(undetermined)
C.) Athletic Fields (Pickleball Courts)	0-5 years	(undetermined)
D.) Facilities (Pavilion, Shelters, Restroom)	0-5 years	\$755,000
E.) Musical Fare Theater	5-10 years	(undetermined)
F.) Rehabilitate Westwood Country Clubhouse	5-10 years	(undetermined)
G.) Littoral Wetland / Flood Control (USACOE)	5-10 years	(undetermined)
H.) Site Work (Roads, Parking, Subbase)	0-5 years	(undetermined)
I.) Educational Opportunities	5-10 years	(undetermined)
Contingency		(undetermined)
	TOTAL	(undetermined)

**TOWN OF AMHERST PARK MASTER PLAN: AMHERST CENTRAL PARK**



**Project 12 Amherst Central Park**

*Project 12 Aerial Perspectives of Amherst Central Park*



1.) Clubhouse View from Sheridan & N. Forest



2.) Long Green View Looking West



3.) North Maplemere Rd looking North



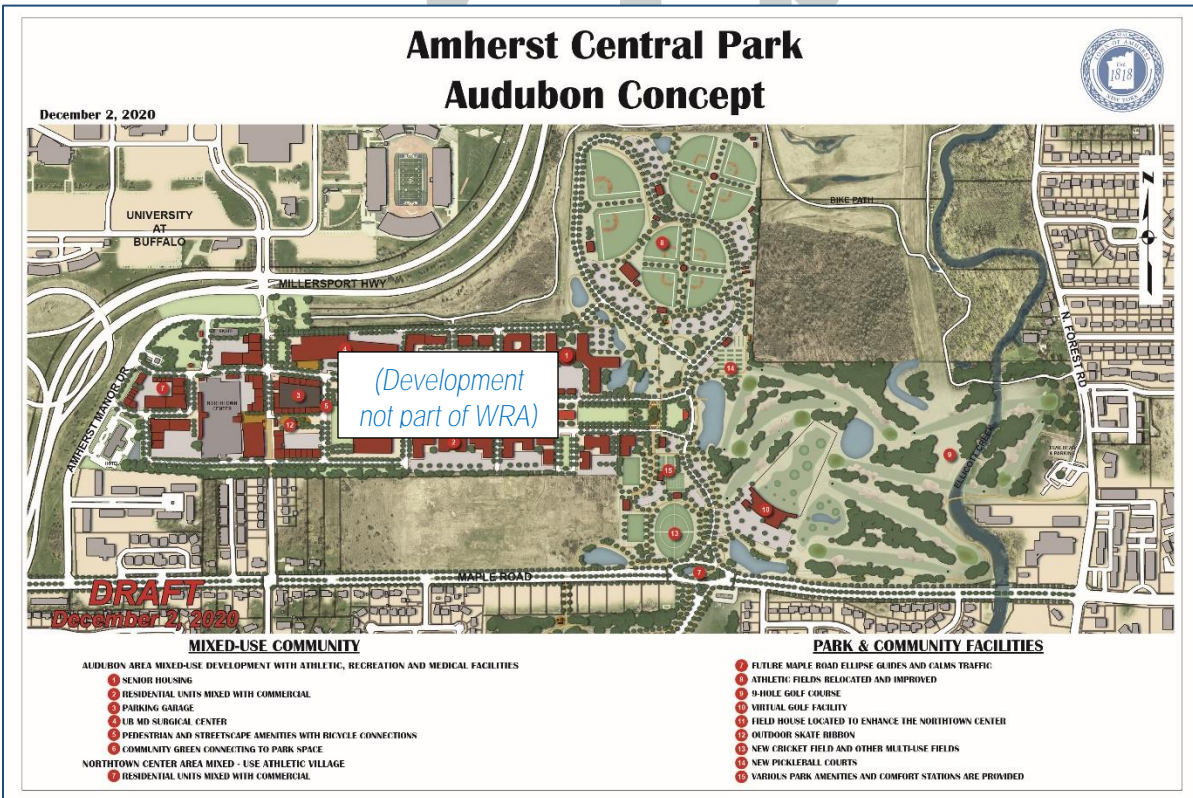
4.) Central Lawn View Looking West



5.) View Over Maple Road



6.) View Over Sheridan Drive





### 13) AMHERST STATE PARK BOARDWALK TRAIL & PARK IMPROVEMENTS

**DESCRIPTION:** Amherst State Park is a scenic gem located just north of the Village of Williamsville. The 72-acre park is a passive park that has maintained its beautiful environmental setting. The Town, in conjunction with the NYS Office of Parks, Recreation and Historic Preservation, has prepared a master plan for the park that identifies several projects for future implementation. The LWRP process provides an opportunity to further some of these projects adjacent to the Ellicott Creek.

This project centers on four components:

- A. Invasive species** – Whereas invasive species have taken over many portions of the Tonawanda Creek and Ellicott Creek areas, the invasive species in Amherst State Park is Japanese knotweed and is quite localized. The NYS Parks Niagara Region has provided the Town with the maps showing the extent of this species along Ellicott Creek. The first step in combating this problem is identifying the source. The Town could work with the Village of Williamsville and non-profit agencies such as WNY Prism to control the spread of the plant. The steps involved in this process would include removing the stalks and other plant material, then applying herbicides as needed to keep the knotweed growth down. The next step would be to plant aggressive riparian species along the creek and continue to manage and monitor the invasive species spread. The effect on the tree canopy should also be addressed with this project. With the loss already caused by the Emerald ash borer and erosion along the creek, a vegetation management plan should be prepared that identifies specific tree species to be used to ensure a healthy tree canopy.
- B. Boardwalk trail – Glen Avenue to Creek** – This component involves working with the Village of Williamsville and NYS Parks to create an ADA accessible boardwalk trail from the existing parking off of Glen Avenue to Ellicott Creek. There is currently an informal trail off of Glen Avenue. The project would include creating a formal entrance from Glen Park in the Village. Glen Park has existing amenities such as parking, playgrounds, seating, a pavilion and lighting. The first step would be for the Town to identify a start and end point to a designated lookout or “vista” near the creek, the length of trail to be determined during the engineering/design phase. A portion of the trail would be boardwalk material to allow for universal access down to the water; the remaining portion along the creek would be pavement or stone dust material. The project would adapt to the existing steep topography and proximity to the floodway. This trail project with the Village will be part of a larger project in Amherst State Park.
- C. North-south trail** - The reason for this project is to connect the commercial Main Street corridor of Williamsville to other parks and neighborhoods in the central part of the Town. It would entail construction of approximately 1 mile of trail that would span the entire length

- of the 72-acre Amherst State Park. The existing Reist Street-Mill Street trail recently constructed connects the park to the neighborhoods to the west on Reist Street and the neighborhoods to the east on Mill Street. The proposed trail would further connect these neighborhoods to Glen Park and Main Street, as well as to the north along Sheridan Drive. This project would be the first step in connecting the green spaces along the Ellicott Creek corridor within the central part of Amherst and Williamsville, thereby enabling movement from south to north through Island Park, Glen Park, Amherst State Park, and Sheridan Drive north to the proposed Amherst Central Park location. The Town-owned Youth Center on Sheridan Drive is just to the west of Amherst State Park. A direct link between the park and Youth Center would be an important connection. These future park connections would then further link up to the existing Ellicott Creek Trailway system.
- D. Historic Orchard Restoration** - The restoration of the “orchard area” is part of the original 2004 Final Amherst State Park Master Plan. This area is located in the floodplain and to the east of Ellicott Creek. Historically, the orchard area included fruit trees and large deciduous trees aligned in a grid pattern. A tree-lined walkway extended from the historic stair case through the orchard. Today, users of the park can walk from the Park entrance at Mill Street down the historic stairs and through the orchard area west towards Reist Street via a stone dust trail that is heavily used by the public. The proposed planting plan intends to restore the “Orchard Area” by creating the grid of fruit trees on both the west and east side of the trail. Planting locations will be determined based on existing environmental conditions. Large deciduous trees will be planted to emulate the former tree-lined walkway from the historic staircase, and the Town will add supplemental native trees along the northern and southern edges of the field. These supplemental edge plantings will help restore the wooded vegetation along Ellicott Creek and replace the many ash trees that have been affected by the Emerald Ash Borer. These supplemental plantings as well as the “Orchard” will help to restore the tree canopy of the Park.
- E. Riparian planting** – This effort entails the use of natural vegetative plantings along the Ellicott Creek banks to minimize soil erosion. It provides both ecological and aesthetic benefits compared to “hardscape” treatments. The Town will also work with the Village of Williamsville to continue their LWRP pollinator project along the Ellicott Creek corridor. Pollinator species are important to the bee population. The Town will provide pollinator species in the landscape at Amherst State Park and encourage adjacent landowners to participate.
- F. Educational Opportunities** – The Town, State and Village of Williamsville have an opportunity to unlock the potential for educational programming at this site as this passive park contains the large outdoor classroom offered by the Ellicott Creek corridor. The recent improvements to this park at Glen Avenue in the Village have started a focus on youth programming. The

Village built a nature playground and renovated a pavilion accessible from the existing parking lot which makes the space accessible from adjacent neighborhoods. This LWRP park project can build off this effort and continue nature-based learning experiences within the Town of Amherst. The emphasis on environmental sciences and marine curricula is possible along the Ellicott Creek corridor.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, NYS Office of Parks Recreation and Historic Preservation, Western New York Prism, Village of Williamsville, NYS Department of Environmental Conservation, US Army Corps of Engineers

**POTENTIAL FUNDING SOURCES:** TD Green Space Grants, NYS Department of State Local Waterfront Revitalization Program, NYS Environmental Facilities Corporation/Green Innovation Grant Program, NYS OPRHP Recreation Trails Program grants

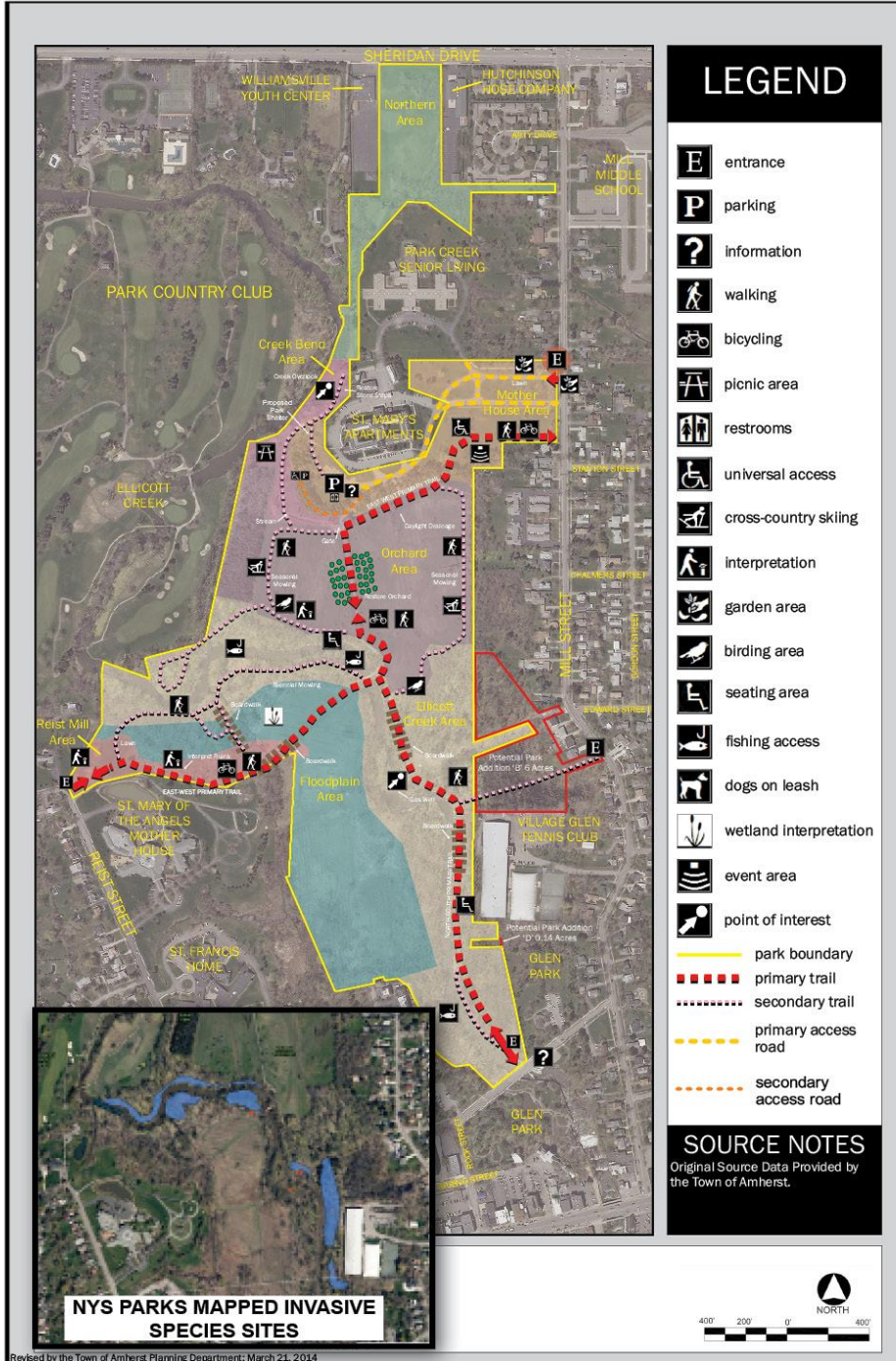
**SUMMARY OF IMPROVEMENTS INCLUDE:**

- management of invasive species along Ellicott Creek within Amherst State Park
- universal access to the creek from the Glen Avenue area in Williamsville
- a north-to-south trail to provide pedestrian movement through adjacent neighborhoods and link to the regional trail systems within the Town and Erie County
- environmental and marine educational opportunities

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 13: AMHERST STATE PARK BOARDWALK TRAIL &amp; PARK IMPROVEMENTS</b>		
Preliminary Design / Construction Plans	0-5 years	\$275,000
Project Components:		
A.) Boardwalk and Trail (near Williamsville entry)	0-5 years	\$450,000
B.) North-south Connecting Trail	5-10 years	\$60,000
C.) Historic Orchard Restoration	0-5 years	\$75,000
D.) Riparian Plantings	0-5 years	\$62,000
E.) Invasive Species Removal (170,000 SF)	0-5 years	\$76,000
F.) Site Work and Park Amenities	0-5 years	\$103,000
G.) Educational Opportunities	0-5 years	(undetermined)
Contingency		\$158,000
	<b>TOTAL</b>	<b>\$1,259,000</b>

**TOWN OF AMHERST PARK MASTER PLAN: AMHERST STATE PARK**



**Project 13 Amherst State Park Boardwalk Trail and Park Improvements**



#### **14) LEHN SPRINGS NEIGHBORHOOD FLOOD MITIGATION**

**DESCRIPTION:** This project will address the problematic flooding in the Lehn Springs neighborhood located along Ellicott Creek just north of the NYS Thruway in Amherst, south of the Village of Williamsville. The construction of Wehrle Drive is believed to have affected the natural water flow in this area, causing “inconvenience flooding” issues, as well as exposing the eastern portion of the narrow tributary’s bottom. The location of this project will require the Village and the Town to work together on a comprehensive solution.

A separate parallel study is taking place at the State level which directly relates to the Town and Village LWRP efforts. NYSDEC and the NYSOGS contracted with OBG, part of Ramboll, to complete a comprehensive flood and ice jam study and identify feasible, practicable and cost-effective flood resiliency projects in a portion of the Cazenovia, Cayuga, Ellicott, and Eighteen Mile Creeks Watershed. The purpose of the study is to assess risk to the affected communities from flooding resulting from extreme weather events brought by climate change, and, where applicable, ice jam related flooding. The study will assist the community to increase their resiliency to future flood and ice jam events, by identifying and evaluating specific flood mitigation projects and their location(s) that can be pursued for further design and ultimate construction. Governor Cuomo committed funding to undertake advanced modeling techniques and field assessments of 48 flood-prone streams to identify priority projects and actions to reduce community flood and ice jam risks, while improving habitat. The overall goal of the program is to make New York State more resilient to future flooding. Agency Workshops were held between July and September of 2019 to discuss Cazenovia, Cayuga, Ellicott, and Eighteen Mile Creeks.

In combination with the NYS flood resiliency study the Town and Village LWRP efforts will identify possible alternatives to restore the natural water flow and reduce flooding. There will also be water quality testing as part of this project. The goal would be to ensure the residents’ safety along the creek in this neighborhood.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, NYS DEC, US Army Corps of Engineers, Village of Williamsville

**POTENTIAL FUNDING SOURCES:** general Town bond funding, NYS Department of State Local Waterfront Revitalization Program, NYS Environmental Facilities Corporation/Green Innovation Grant Program, Community Development Block Grants, NYS DEC Trees for Tributaries Grant Program, TD Green Space grants

**SUMMARY OF IMPROVEMENTS INCLUDE:**

- dredging per NYSDEC and USACOE
- riparian plantings
- debris removal
- water quality testing

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 14: LEHN SPRINGS NEIGHBORHOOD FLOOD MITIGATION</b>		
Preliminary Design / Construction Plans	0-5 years	\$80,000
Project Components:		
A.) Dredging Project as per USACOE & NYSDEC	5-10 years	\$250,000
B.) Riparian Plantings	5-10 years	\$78,000
C.) Water Quality Testing	0-5 years	\$25,000
Contingency		<u>\$82,000</u>
	TOTAL	\$515,000

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ELLICOTT CREEK  
LOOKING WEST FROM WEHRLE DRIVE



OVERALL PLAN

*Project 14 Lehn Springs Neighborhood Flood Mitigation*

## 15) WATER QUALITY PLAN

**DESCRIPTION:** The Water Quality Plan will be a comprehensive document with a focus on the environmental aspects of the Town's waterways. As growth continues, it is important to understand and address concerns created by development. The plan will work in conjunction with partnerships to implement best management practices to reduce the quantity and improve the quality of runoff. The plan will reference the regional watershed plans and the Town's role in the process.

The Water Quality Plan will include the following components:

- A. Town-wide creek management plan** – The plan will focus on maintenance of the quality of creeks and waterways in Amherst through dredging, cleaning, and vegetation. NYS DEC and Erie County Soil & Water standards for erosion, wetlands, wildlife, etc. near water bodies will be followed.
- B. Invasive species management plan** – This plan will address both Tonawanda Creek and Ellicott Creek in conjunction with the State-wide Invasive Species Management Plan. Of prime importance will be removal of the pervasive Japanese knotweed in Amherst State Park behind the tennis center.
- C. Assessment of runoff from agricultural activities** – Runoff from agricultural activities is a major source of water pollution throughout the country. In Amherst, agriculture is prevalent in the north part of the Town, areas that are directly adjacent to important creeks and waterways. An assessment should be done to determine if additional measures are needed to control damaging runoff.
- D. Use of green infrastructure** – A feasibility study would promote green infrastructure and other modern storm water features that can be used in future development plans. A good example to emulate is the design used on Spring Street in the Village of Williamsville.
- E. Public education** – An important component to the success of any environmental policy involves educating the public as they interact with nature. Through activities such as hiking, bicycling, boating, and fishing, the public can negatively impact the watershed system. Information will be provided through brochures, signage, and educational panels to make the public aware of the importance of maintaining healthy watersheds. Organizations offer voluntary training or instruction on proper boating and fishing practices. In addition, Western New York Prism offers boat inspections and fish cleaning stations.

**RESPONSIBLE PARTIES/STAKEHOLDERS:** Town of Amherst, private entities/business, Amherst Industrial Development Agency, NYS Department of Environmental Conservation, US Army Corps of Engineers, Erie County Soil & Water Conservation District, local agricultural businesses/landowners, Western New York Land Conservancy, Western New York Prism, local NYS Parks, Recreation and Historic Preservation Office, Amherst Conservation Advisory Council, Sierra Club, Erie County Department of Environment & Planning, US Fish and Wildlife Service

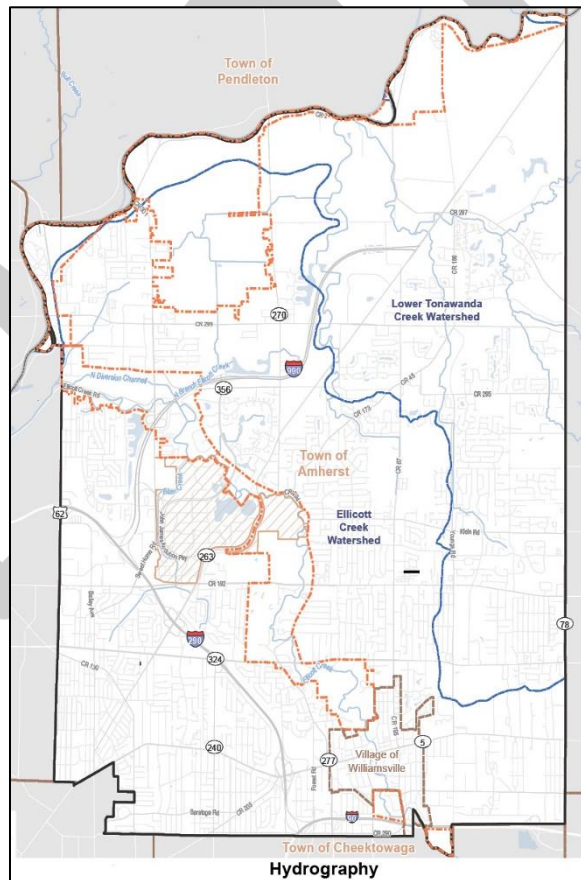
**POTENTIAL FUNDING SOURCES:** NYS DEC Water Quality Improvement Project Program, NYS DEC Aquatic Invasive Species Spread Prevention Program, NYS Environmental Facilities Corporation/Green Innovation Grant Program

**SUMMARY OF IMPROVEMENTS INCLUDE:**

- Preparation of a comprehensive Water Quality Plan

**ESTIMATED PROJECT COST SUMMARY AND TIME FRAME:**

<b>PROJECT 15: WATER QUALITY PLAN</b>			
Project Components:			
A.) Town-wide Creek Management Plan	0-5 years		\$25,000
B.) Invasive Species Management Plan	0-5 years		\$25,000
C.) Assessment of Run-off from Agriculture	0-5 years		\$20,000
D.) Use of Green Infrastructure	0-5 years		\$30,000
E.) Public Education	0-5 years	(undetermined)	
Contingency			<u>\$15,000</u>
	<b>TOTAL</b>		<b>\$115,000</b>



***Project 15 Water Quality***

## SECTION V: IMPLEMENTATION TECHNIQUES

### 5.1 LOCAL LAWS AND REGULATIONS NECESSARY TO IMPLEMENT THE LWRP

This section of the LWRP identifies existing plans and local laws to implement the Town of Amherst LWRP. The Town's management structure and financial resources necessary to implement the actions and projects consistent with the LWRP are also described. In addition, this section addresses possible regional, state, and federal stakeholder actions that may play a role in implementing the goals, policies, and projects identified in the LWRP.

#### Town of Amherst Zoning Ordinance

The Town of Amherst Zoning Ordinance is contained in Chapter 203 of the Town Code. The current Zoning Ordinance became effective in 2006. No changes to the Town of Amherst Zoning Ordinance are proposed by the LWRP. The Waterfront Advisory Committee has determined that the existing zoning is consistent with the LWRP policies and supports the land and water uses proposed in the LWRP. All actions undertaken within the WRA are by law required to be in conformance with the Town of Amherst Zoning Ordinance.

The following zoning districts occur within the WRA as shown in Section II on **Map II-6 Existing/Proposed Zoning**. Each district is followed by its primary purpose as stated in the Zoning Ordinance.

*Suburban Agricultural (S-A) District* - To provide areas for low-density, single-family detached residential development which would also accommodate farms, farm-related activities, and other non-intensive compatible uses.

*Recreation Conservation (RC) District* - To provide a special zoning classification primarily for public, private, and civic uses related to recreation and conservation.

*New Community (NCD) District* - To provide flexible land use and design regulations through the use of performance criteria so that small-to-large scale multi-use neighborhoods may be developed on relatively large tracts within the Town, in a manner which incorporates a variety of residential types and nonresidential uses and services. A New Community District (NCD) may contain both individual building sites and common property which are planned and developed as a unit. Among the purposes of this district are: the encouragement of innovation in residential development so that the growing demand for housing at all economic levels may be met by greater variety in type, design and siting of dwellings, the conservation and more efficient use of land in such developments and the encouragement and maintenance of high environmental quality throughout the development. This district encourages a similarly imaginative approach to the development of nonresidential uses in a NCD. To encourage the most skillful planning of parts of the community in accordance with the objectives of the Town Comprehensive Plan or its successors, to provide for the utilization of planning criteria in the arrangements of buildings related to common open space, to utilize topography and other site features to their best advantage and to obtain creative and coordinated designs, it is

necessary to expand the scope of land planning and development beyond a concept of homogeneous uses and structures on individual lots within formally defined districts to the planning and development of larger areas with groups of structures to create a diversified and coordinated entity. Therefore, in lieu of zoning controls applicable in the standard zoning districts, the NCD establishes procedures and substantive requirements under which a developer may prepare development plans particularly designed to meet these objectives.

*Residential Districts* - 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 at least 21,780 square feet (R-1), at least 11,500 square feet (R-2), at least 8,450 square feet (R-3), or areas within the Town for the development of attached or detached dwelling units within a single structure (R-4).

*Multi-family (MFR) Districts* - To provide areas within the Town for the development of attached and detached dwelling units for medium-density multifamily development where the relationship among buildings and between wings of a single building is regulated in order to assure adequate light and air to residents and protection to and from surrounding development.

*General Business (GB) District* - To provide community centers within existing and proposed commercial nodes and mixed use activity centers for the location of commercial uses which serve a larger market area than a neighborhood center, as articulated in the comprehensive plan, and provide for community-wide needs for general goods and services and comparison shopping. Such uses require larger land areas, generate large volumes of traffic and may generate large amounts of evening activity.

*Community Facilities (CF) District* - To provide a special zoning classification for public and semipublic facilities, including governmental, religious, educational, protective and other civic facilities in order to insure the proper location of such facilities in relation to transportation and other land uses within the Town, compatibility of such facilities with adjacent development and proper site design and land development.

*Motor Service (MS) District* - To provide areas within the Town for the location of transportation oriented commercial uses designed to serve the needs of motorists and related vehicular needs.

*Neighborhood (NB) Business District* - To provide neighborhood centers within existing and proposed commercial nodes and mixed use activity centers for the location of commercial uses serving the convenient shopping, professional office and personal service needs of a neighborhood area and to ensure the compatibility of such areas with surrounding residential development. These areas are primarily pedestrian-oriented with accommodations for automobiles.

*General Industrial (GI) District* - To provide areas within the Town for the location of heavier manufacturing and processing facilities, as well as office, research and service establishments, where compatible industries will be located in an organized manner so as to ensure the efficient development of the industrial use and compatibility with adjacent districts. Such district is designed

to encourage the development of a balanced employment mix within the Town and to improve the Town's tax base.

*Research and Development (RD) District* - To provide areas within the Town for the location of research and development, related production activities, light manufacturing, offices, and related training schools on sufficient land to permit efficient development. Such districts shall be designed and located in such a way that they shall neither encroach upon surrounding uses nor shall surrounding uses interfere with the efficient development of these activities. The RD district is designed to encourage the development of a balanced employment mix within the Town and improve the Town's tax base while providing sufficient educational opportunities to contribute to the training of the workforce and thereby meet the employment needs of businesses locating in the Town.

#### *Mixed-Use Zoning Districts*

Beginning in 2017 an initiative called *Imagine Amherst* was started with the objective of redefining the shape and functionality of the Town's commercial centers based on a new community vision. As part of this initiative, the Town developed a new Section 5A in its Zoning Code for new mixed-use districts. New mixed-use zoning districts consisting of both Infill Districts and Retrofit Districts were crafted for the commercial and mixed-use centers identified in the Bicentennial Comprehensive Plan to encourage a mix of land uses that combine to make working, shopping, recreation, and living more convenient.

Section 5A consists of a hybrid form-based code which effectively changes the Town's approach to traditional commercial zoning. Instead of separating uses, this new zoning offers eight different types of mixed-use districts which are based on the context of the surrounding built environment. Treatments for use, materials, street configuration, density and physical configuration are all addressed through this Code update. This will help the Town to achieve an overall vision to encourage mixed-use centers that provide a wider array of goods, services, and experiences in attractive and efficient settings within the bounds of the Town.

These new Mixed-Use Zoning Districts were presented at a public hearing before the Town Board on July 22, 2019 and were adopted by the Town Board at their meeting on September 3, 2019. The new mixed-use districts replace the General Business (GB), Neighborhood Business (NB) and Shopping Center (SC) districts. They have been added to the Zoning Code (Chapter 203) and are available for use in the commercial and mixed-use centers. The mixed-use concept is especially applicable for some areas within the WRA, for example, along Old Niagara Falls Boulevard which is described in Section IV of this LWRP as Proposed Project 9, and Audubon Golf Course which is included in Project 12. These new districts will help implement Policies 1, 5, 23, and 25 of the LWRP. The Town is working to map the new districts as part of the overall Town Zoning Map.

#### **Boats (Town Code Chapter 79)**

Chapter 79 of the Town Code was adopted in 1957 and amended in 1966. It establishes a speed limit of five miles per hour for all boats on waterways in the Town of Amherst. By regulating boat operation, this



chapter aids in the implementation of Policies 2, 9, 19, 20, 21, and 22 by promoting access and water-related recreation.

**Building Construction Administration (Town Code Chapter 83)**

Chapter 83 was adopted in 1977 and has been amended extensively; the most recent of these amendments occurred in 2005. The chapter designates the New York State Uniform Fire Prevention and Building Code, to be administered and enforced by the Commissioner of Building, as the official Residential Code, Building Code, Fire Code, Plumbing Code, Mechanical Code, Fuel Gas Code, and Property Maintenance Code of the Town of Amherst. It establishes the requirements and procedures for obtaining building permits and certificates of occupancy. By regulating development and construction in the Town, this chapter will help implement Policies 1, 5, 6, and 25 of the LWRP.

**Conservation Easements (Town Code Chapter 92)**

Adopted in 1993, Chapter 92 provides for the acquisition of interests or rights in real property for the preservation of open space and areas which will constitute a public purpose. Any owner or owners of land may submit a proposal to the Town Board for the granting of interests or rights in real property for the preservation of open spaces or areas. After acquisition of an easement pursuant to this chapter, the assessed valuation placed upon such land area shall take into consideration the limitation on the use of the land. In accordance with Section 247 of New York State General Municipal Law, after due notice and a public hearing, the Town of Amherst may acquire by purchase, gift, grant, bequest, devise, lease or otherwise the fee or any lesser interest, development right, easement, covenant or other contractual right necessary to acquire “open space” or “open area.” This chapter may help implement Policies 8, 9, 19, 20, 21, 22, 25 and 44 of the LWRP by providing a mechanism for preserving open space resources. Natural areas, open space, recreational and agricultural lands are recognized as providing a number of benefits, including: scenic and recreational opportunities, habitat for ecologically important fish and wildlife, enhancement of flood control and groundwater recharge, maintenance of links to the Town’s agricultural heritage, and enhancement of community character.

**Environmental Quality Review (Town Code Chapter 104)**

The SEQRA regulations (§ 617 NYCRR) provide a template for incorporating environmental considerations into the planning process. In accordance with Town Local Law 3-1982, the Amherst Planning Department has the responsibility for coordinating the SEQRA review of all Town actions. This local law also supersedes the State Type I list of projects by including, in addition to the projects on the State list, those projects within 100 feet of a flowing watercourse, within 100 feet of a NYS wetland boundary, and within a designated floodway. As most of the proposed projects in this LWRP will meet at least one of these additional criteria, it can be expected that LWRP projects will undergo the most thorough environmental review afforded by SEQRA.

The Environmental Quality Review local law was adopted in 1982 and amended in 1983. In addition to the Type I actions enumerated in Section 617.12 of Title 6 of the New York Codes, Rules and Regulations (SEQRA), this code includes as Type I those actions affecting wetlands, as defined in Article 24 of the Environmental Conservation Law (the Freshwater Wetlands Act), and floodways, as indicated by the Army Corps of Engineers or the Federal Flood Insurance Administrator, or within one hundred feet from the

water's edge on each bank of a flowing watercourse, as likely to have a significant effect on the environment. This chapter helps to implement all of the LWRP policies, which are intended to be used to determine an appropriate balance between economic growth and development and preservation that will permit the beneficial use of the waterfront resources within the Waterfront Revitalization Area without undue impacts.

The lead agency shall be determined and designated as provided in 6 NYCRR 617.6 and 6 NYCRR 617.8. In all cases, the agency acting for the Town shall be that agency, board, body, or officer having authority to approve or carry out the action sought. Environmental review of actions involving a federal agency shall be processed in accordance with Section 617.15 of Title 6 of the New York Codes, Rules and Regulations. The Town shall be the lead agency for all actions where the anticipated impacts are primarily of local significance, it has the governmental power most suitable for investigating those impacts or it has the greatest capability for providing thorough environmental assessment of the action. Actions shall include, but are not limited to the following:

- A. Adoption, amendment or change in zoning regulations.
- B. Construction or expansion of buildings, structures, and facilities within the Town.
- C. Variances.
- D. Purchase, sale, and lease of real property by the Town.
- E. Site plan review and special use permit.
- F. Construction or expansion of nonresidential facilities.
- G. Parking lots and roads.

#### **Excavations (Town Code Chapter 106)**

No excavation, removal or storage of earth, sand, gravel, rock or topsoil other than excavations and storage necessary in connection with the construction of buildings, retaining walls or fences shall be commenced in the Town of Amherst, except in conformity with the provisions of this chapter. This chapter will help implement Policies 11, 13, 14, 16 and 17 of the LWRP.

§ 106-2. Permit required.

Before the excavation, removal or storage of any of the above materials, the owner or lessee of such premises or tract of land shall obtain a written permit therefor, to be issued by the Town Clerk of the Town of Amherst, subject to approval of the Town Board in its discretion.

§ 106-3. Public hearing. [Amended 3-9-1964; 5-1-2006 by L.L. No. 6-2006]

No such permit may be issued unless and until the premises or tract of land with respect to which such permit is sought has been determined to be a proper use of such land as determined by the Town Board. The public hearing shall be pursuant to and in accordance with the provisions of Chapter 203, Zoning, § 8-2-3.

#### **Historic Preservation (Town Code Chapter 121)**

It is 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.

Amherst has many significant historic, architectural, and cultural resources which constitute its heritage. This chapter of Town Code will help implement Policy 23 and 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.

Adopted in 1994, this chapter of the Code created the "Town of Amherst Historic Preservation Commission." Under this chapter 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.

#### **Construction of Public Improvements (Town Code Chapter 125)**

This code, adopted in 1951 and amended in 2003 and 2005, establishes that no person, firm, association or corporation shall install, construct or perform any work incident to the installation and/or construction of any public improvement upon real property in the Town of Amherst without first having obtained a permit, to be issued by the Town Engineer, to ensure that the plans and specifications as submitted by the applicant comply with the specifications and requirements of the Town of Amherst. By regulating development and construction in the Town, this chapter will help implement Policies 1, 2, 5, 9, 19, 20, 21, and 22 of the LWRP.

#### **Parks, Playgrounds and Recreation Areas (Town Code Chapter 145)**

Adopted in 1989, this chapter provides regulations for the use of the Town's parks, playgrounds, and recreation areas, including the use and parking of motor vehicles. This chapter will help implement LWRP Policies 1, 2, 9, 19, 20, 21, 22, and 25 for maintaining and enhancing natural areas, recreation, open space, and agricultural lands.

#### **Property Maintenance (Town Code Chapter 151)**

Chapter 151 regulates property maintenance in the Town. It was adopted in 1976 and amended most recently in 2010, 2011 and 2012. This code applies to buildings or structures which are severely deteriorated or damaged by any cause, have collapsed or are in danger of collapsing, the construction of which is not completed, or open excavations that have become dangerous or unsafe to the public. Brush, grass, rubbish, and weeds in undue accumulations on lands may constitute a fire hazard, and such accumulations and poisonous shrubs, weeds or other growths may constitute a health hazard. In order to protect and preserve the peace, good order, safety and general welfare of the community, the Town Board has determined it necessary to establish a procedure for the securing or removal of such buildings or structures, the covering or filling of such excavations and the cutting, trimming, removal or spraying of

such brush, grass, shrubs, growth or rubbish. This chapter will help implement Policies 1 and 25 of the LWRP and any action that enhances community character and visual quality throughout the waterfront area.

#### **Recreation and Open Space (Town Code Chapter 155)**

In order to ensure that there are appropriate and adequate recreation and open space facilities within the Town of Amherst, Chapter 155, Recreation and Open Space, which was adopted in 1989 and amended in 1998, establishes that a fee be charged in connection with all land developments to provide funds for those purposes. The fee consists of two elements: one relating to recreation and the other to open space facilities. The amount of the fee imposed relates to the effect the proposed development will have upon the need for such facilities. In addition, the code provides the developer an option for dedicating a parcel of land for open space or recreation purposes in lieu of the payment of fees. By providing a dedicated funding source for recreation and open space, this chapter will help implement Policies 1, 2, 9, 19, 20, 21, 22, and 25 of the LWRP for additional physical public access and recreation facilities at public sites throughout the waterfront area.

#### **Sewers (Town Code Chapter 160)**

Chapter 160 was adopted in 1995 and amended in its entirety in 2017. It sets forth requirements for users of the publicly owned treatment works (POTW) of the Town of Amherst and enables the Town to comply with all applicable state and federal laws, including the Clean Water Act (United States Code 33 U.S.C. § 1251 et seq.) and the General Pretreatment Regulations (Code of Federal Regulations 40 CFR 403). It is the explicit purpose of this chapter to achieve the following:

- A. To prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation.
- B. To prevent the introduction of pollutants into the POTW that will pass through the publicly owned treatment works inadequately treated, into receiving waters, or otherwise be incompatible with the publicly owned treatment works.
- C. To protect POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public.
- D. To promote reuse and recycling of industrial wastewater and sludge from the POTW.
- E. To establish fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW.
- F. To enable the Town of Amherst to comply with its state pollutant discharge elimination system permit conditions, sludge use, and disposal requirements and any other federal or state laws to which the POTW is subject.
- G. To eliminate the discharge of unpolluted waters into the POTW.

This chapter applies to all direct and indirect dischargers of wastes into the facilities of the Town of Amherst, including those users outside the Town who are by contract or agreement with the Town, users of the Town's facilities. This chapter also authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance and enforcement activities; identifies prohibited discharges; establishes administrative review procedures; requires user reporting; and provides for the setting of fees

for the equitable distribution of costs resulting from the established program. It is unlawful to discharge to any natural outlet within the Town of Amherst any sewage or polluted waters, except where suitable treatment has been provided in accordance with the provisions of this chapter, and except where an appropriate New York State pollutant discharge elimination system (SPDES) permit has been applied for and been received. A valid copy of such a permit and any modifications thereof must be filed with the Town Engineer. Chapter 160 aids in the implementation of Policies 30, 31, 32, 33, 37 and 38 which calls for protecting and improving water resources. This includes ensuring the effective treatment of sanitary sewage and industrial discharges by maintaining efficient operation of sewage and industrial treatment facilities.

**Stormwater and Erosion Control; Illicit Discharges (Town Code Chapter 172)**

The Town's Stormwater Management regulations under Chapter 172-26 of Town Code state that performance and design criteria must meet the technical standards of The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, referred to as the "Design Manual") and New York Standards and Specifications for Erosion and Sediment Control (Empire State Chapter of the Soil and Water Conservation Society, most current version or its successor, referred to as the "Erosion Control Manual"). The Town promotes the use of green infrastructure, enhanced landscaping, reduction in impervious surfaces and other non-regulatory best management practices addressed in these manuals through its Site Plan Review, Special Use Permit and SEQRA compliance procedures.

Article I - Illicit Discharges, Activities and Connections to Separate Storm Sewer System - The purpose of this article is to provide for the health, safety, and general welfare of the citizens of the Town of Amherst through the regulation of non-stormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This article establishes methods for controlling the introduction of pollutants into the MS4 to comply with requirements of the State Pollutant Discharge Elimination System (SPDES) general permit for municipal separate storm sewer systems. The objectives of this article are:

- A. To meet the requirements of the SPDES general permit for stormwater discharges from MS4s, Permit No. GP-02-02 or as amended or revised
- B. To regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process, or discharge non-stormwater wastes
- C. To prohibit illicit connections, activities, and discharges to the MS4
- D. To establish legal authority to carry out all inspection, surveillance, and monitoring procedures necessary to ensure compliance with this chapter, and
- E. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4

ARTICLE II Stormwater Management; Erosion and Sediment Control. The objectives of this article are to:

- A. Meet the requirements of minimum measures 4 and 5 of the SPDES general permit for stormwater discharges from municipal separate stormwater sewer systems (MS4s), Permit No. GP-02-02, or as amended or revised
- B. Require land development activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) general permit for construction activities, GP-02-01, or as amended or revised
- C. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels
- D. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality
- E. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable, and
- F. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

These two articles will help in the implementation of many LWRP Policies including 11, 12, 13, 14, 30, 31, 32, 33, 37 and 38 that deal with aspects of stormwater management, flooding, and erosion and sediment control.

#### **Trees (Town Code Chapter 179)**

Chapter 179, which was adopted in 1992, creates a Division of Forestry and specifies procedures for the care, preservation, and removal of trees on both public and private property within the Town. The Town of Amherst has for several years been designated a 'Tree City USA' and has a Division of Forestry, certified arborists, and a newly appointed Tree Board established under the Town's new Tree Law in Chapter 179 of Town Code. The new law was adopted in 2019 and creates the Tree Board, a Management Plan to ensure tree canopy sustainability, and requires Tree Removal Permits under specific circumstances.

Town Code Chapter 179, Tree Law, requires the Division of Forestry (through the Town's Landscape Architect) to review all site plans, tree removal permits, and development plans to ensure natural measures are used whenever possible to minimize damage to natural resources as construction occurs. The regulations are intended to:

- A. Protect and promote the public health, safety, and general welfare by requiring the conservation and protection of trees on public and private property within the Town
- B. Prevent the unnecessary clearing, destruction, and disturbance of trees on public and private property within the Town
- C. Establish minimum standards and criteria for the limitation of the removal of trees on public and private property within the Town
- D. Establish minimum standards and criteria to ensure the replacement of trees removed from public and private property within the Town
- E. Reduce flooding

- F. Reduce water pollution
- G. Reduce effects of wind and air turbulence
- H. Reduce visual pollution
- I. Reduce sound pollution
- J. Reduce soil erosion
- K. Reduce levels of carbon dioxide and return oxygen to the atmosphere
- L. Increase groundwater supply
- M. Provide shade
- N. Provide habitat for wildlife
- O. Conserve and protect property values and otherwise facilitate the creation of a convenient, attractive, and harmonious community
- P. Preserve and safeguard the ecological and aesthetic environment

The Town has the right to plant street trees and park trees as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of public streets and parks. This section does not prohibit the planting of street trees by adjacent property owners, provided that the selection and location of said trees is in accordance with this section. Remedial action is also identified when unlawful destruction of trees occurs. Trees in the waterfront area will help enhance visual quality, minimize the impacts from flooding and erosion, protect and improve water resources, and protect and restore ecological resources, including significant fish and wildlife habitats, wetlands, and rare ecological communities. This chapter therefore will help in the implementation of many Policies including 8, 9, 11, 12, 13, 14, 19, 20, 21, 22, 25, 30, 31, 32, 33, 37, 38, 41 and 44.

#### **Wild Waterfowl (Town Code Chapter 199)**

It is the intent of this chapter to protect the health, safety and welfare of the community and its wildlife by prohibiting the feeding of wild waterfowl within the Town of Amherst. Feeding of wild waterfowl within the Town has contributed to serious rat and other predatory animal infestation problems, damage to public parks, water quality problems, traffic hazards, soiled and contaminated private yards and swimming pools and has increased the potential for the spread of disease to residents. In addition, it is the intent of this chapter to protect the welfare of the wild waterfowl themselves since wildlife studies have shown that the feeding of wild waterfowl within urban areas such as the Town of Amherst can interrupt their normal migration patterns, cause nutritional problems, increase predation and promote the spread of serious wild waterfowl diseases such as avian cholera, plague and botulism. This chapter will help in the implementation of Policies 8, 9, 30, 34 and 37.

#### **Provisions for Flood Hazard Reduction (Town Code Chapter 203, Section 7-7)**

The Town Board found that the potential and/or actual damages from flooding and erosion may be a problem to the residents of the Town of Amherst and that such damages may include: destruction or loss of private and public housing, damage to public facilities, both publicly and privately owned, and injury to and loss of human life. Section 7-7 of the Zoning Code, Provisions for Flood Hazard Reduction, regulates development in the floodplain. In addition, the Town established and amended Provisions for Flood

Hazard Reduction by Local Laws No. 13 and No. 14 of 2019. By promoting the public health, safety, and general welfare, and minimizing public and private losses due to flood conditions in specific areas, these regulations will help in the implementation of Policies 11, 13, 14, 16 and 17 of this LWRP.

The regulations are designed to:

- A. Regulate uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction
- C. Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters
- D. Control filling, grading, dredging and other development which may increase erosion or flood damages
- E. Regulate the construction of flood barriers which will unnaturally divert floodwaters, or which may increase flood hazards to other lands
- F. Qualify and maintain participation in the National Flood Insurance Program

The Town also encourages preservation of natural vegetation and instituting limits on clearing native vegetation for new construction as a cost-effective method of managing stormwater volume and quality. Chapter 203 Section 7-2-4 of the Zoning Ordinance promotes the use of existing vegetation to count as buffer screening between uses for proposed projects. Fines are administered if vegetation is unlawfully damaged or destroyed on public property. Developers will be encouraged to establish maximum areas to be cleared at a time.

The Town also established requirements for a Floodplain Development Permit for all construction and other development to be undertaken in areas of special flood hazard in the community for the purpose of protecting its citizens from increased flood hazards and insuring that new development is constructed in a manner that minimizes its exposure to flooding. It is unlawful to undertake any development in an area of special flood hazard, as shown on the Flood Insurance Rate Map, without a valid floodplain development permit.

### **Site Plan Regulations**

Section 8-7 of the Town Zoning Ordinance provides procedures and requirements for site plan review of projects. In addition to regulating the size and location of buildings, site plan review provides a mechanism for analysis of proposed utilities, drainage, grading, lighting, and landscaping associated with a development. Typically, site plans will undergo review by Town departments including Building, Engineering, Highway, Fire Control, Traffic Safety, Assessor, Right-of-Way and others, and also by applicable outside agencies to ensure all issues are addressed prior to project finalization. Projects within the WRA will also be reviewed for consistency with the LWRP Consistency Review Law.

### **Subdivision Regulations**



The purpose of subdivision regulations is to provide for the orderly growth of the Town by regulating the development of residential subdivision pursuant to the authority set forth in Town Law § 271 and § 276. These regulations are necessary to protect and safeguard the Town with respect to subdivision developments which, once accepted, become a permanent physical part of the community. It is the purpose of this law that all subdivision and platting of land shall be designed to achieve, among others, the following objectives:

- 1-2-1. To ensure orderly development and redevelopment of land to obtain harmonious and stable residential and nonresidential areas.
- 1-2-2. To ensure the design and installation of high-quality improvements and infrastructure in compliance with the specifications and standards established by the Town of Amherst, and the correct and complete recording of improvements.
- 1-2-3. To minimize ongoing costs of operating and replacing the Town's infrastructure.
- 1-2-4. To provide coordination of land development activities in accordance with the objectives of the Zoning Ordinance and the Comprehensive Plan.
- 1-2-5. To coordinate local subdivision actions with the requirements of county, state, and federal statutes.
- 1-2-6. To provide safe and convenient vehicular and pedestrian circulation.
- 1-2-7. To require reservation of space for school, recreation, and other public use.
- 1-2-8. To ensure accurate preparation and recording of plats.
- 1-2-9. To ensure subdivision design mindful of avoiding, minimizing, or mitigating natural hazards and protecting natural resources.

### **Farmland Protection Program**

The Town of Amherst Farmland Protection Program is a Purchase of Development Rights (PDR) program which focuses on the extinguishment of development rights and recording of conservation easements on farmland within Erie County Agricultural District #17. Easements are held by the Town of Amherst and the Western New York Land Conservancy as Joint Tenants in Common. Funding for this program is provided by the NYS Department of Agriculture and Markets and the USDA Natural Resource Conservation Service with local matching funds provided by the Town of Amherst and through bargain sale agreements offered by landowners. Development rights on active farmland and lands available for agriculture are purchased by the Town, thus reducing the potential for new development, and maximizing agricultural viability and resource protection in North Amherst. Agricultural lands may now be utilized as productive farmland without development pressure. Portions of the Agricultural District are located within the WRA as shown on Map II.8-1 in Section II. This program is instrumental in the implementation of policies designed to maintain and enhance natural areas, recreation, open space, and agricultural lands, such as Policy 26 as described in Section III. The Town is currently in the process of preparing a new Agricultural

Development and Farmland Protection Plan. Updated initiatives for farmland protection may result upon its completion.

**LWRP Consistency Review Law**

Actions to be directly undertaken, funded, or permitted by the Town of Amherst within the Local Waterfront Revitalization Area must be consistent with the policies set forth in this LWRP. Through the adoption of the Consistency Review Law, the Town has established the legal framework necessary to ensure that direct and indirect actions proposed within the waterfront area are in keeping with the intent of the LWRP. The LWRP Consistency Review Law and Waterfront Assessment Form are included in Appendix A.

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POLICY #	CATEGORY	TOWN of AMHERST LOCAL LAWS IMPLEMENTING LWRP POLICIES SUMMARY
1 2 3 4 5 6	<b>Development Policies</b>	Town Code - Chapter 83 Building Construction. Chapter 92 Conservation Easements. Chapter 104 SEQRA. Chapter 106 Excavations §106-2, §106-3. Chapter 125 Construction of Public Improvements. Chapter 145 Parks, Playgrounds and Recreation Areas. Chapter 151 Property Maintenance. Chapter 155 Recreation and Open Space. Chapter 172 Stormwater and Erosion Control; Illicit Discharges. Chapter 203 Zoning: Permitted Use Tables; Dimensional Standards; Part 7 General Development Standards; §7-2 Landscaping, Buffers and Screening, §7-6 Access and Circulation §7-7 Provisions for Flood Hazard Reduction; Part 8 Administration and Enforcement; §8-6 Special Use Permit, §8-7 Site Plan Review. Chapter 204 Subdivision of Land: Part 3 Design Standards; §3-7 Commercial and Industrial Areas, §3-8 Open Space Dedication; §5-3 Approval of Plans. Farmland Protection Program
7 8 9 10	<b>Fish &amp; Wildlife Policies</b>	Town Code - Chapter 79 Boats. Chapter 92 Conservation Easements. Chapter 104 SEQRA. Chapter 106 Excavations §106-2, §106-3. Chapter 125 Construction of Public Improvements. Chapter 145 Parks, Playgrounds and Recreation Areas. Chapter 172 Stormwater and Erosion Control; Illicit Discharges. Chapter 179 Trees. Chapter 199 Wild Waterfowl.
11 12 13 14 15 16 17	<b>Flooding &amp; Erosion Policies</b>	Town Code - Chapter 83 Building Construction. Chapter 92 Conservation Easements. Chapter 104 SEQRA. Chapter 106 Excavations §106-2, §106-3. Chapter 125 Construction of Public Improvements. Chapter 145 Parks, Playgrounds and Recreation Areas. Chapter 155 Recreation and Open Space. Chapter 172 Stormwater and Erosion Control; Illicit Discharges. Chapter 179 Trees. Chapter 203 Zoning: Permitted Use Tables; Dimensional Standards; Part 7 General Development Standards; §7-2 Landscaping, Buffers and Screening, §7-6 Access and Circulation §7-7 Provisions for Flood Hazard Reduction; Part 8 Administration and Enforcement; §8-6 Special Use Permit, §8-7 Site Plan Review. Chapter 204 Subdivision of Land: Part 3 Design Standards; §3-7 Commercial and Industrial Areas, §3-8 Open Space Dedication; §5-3 Approval of Plans.
18	<b>General Policy</b>	Town Code - Chapter 104 SEQRA. Chapter 203 Zoning: Part 7 General Development Standards; Part 8 Administration and Enforcement; §8-6 Special Use Permit, §8-7 Site Plan Review. Chapter 204 Subdivision of Land: §5-3 Approval of Plans.

<p>19 20</p>	<p><b>Public Access Policies</b></p>	<p>Chapter 7 Amherst Central Park Task Force. Chapter 79 Boats. Chapter 92 Conservation Easements. Chapter 125 Construction of Public Improvements. Chapter 145 Parks, Playgrounds and Recreation Areas. Chapter 155 Recreation and Open Space. Chapter 203 Zoning: Permitted Use Tables; Dimensional Standards; Part 7 General Development Standards; §7-6 Access and Circulation; Part 8 Administration and Enforcement; §8-6 Special Use Permit, §8-7 Site Plan Review. Chapter 204 Subdivision of Land: Part 3 Design Standards; §3-8 Open Space Dedication; §5-3 Approval of Plans.</p>
<p>21 22</p>	<p><b>Recreation Policies</b></p>	<p>Town Code - Chapter 92 Conservation Easements. Chapter 104 SEQRA. §106-3. Chapter 125 Construction of Public Improvements. Chapter 145 Parks, Playgrounds and Recreation Areas. Chapter 155 Recreation and Open Space. Chapter 203 Zoning: Permitted Use Tables; Dimensional Standards; Part 7 General Development Standards; §7-2 Landscaping, Buffers and Screening, §7-6 Access and Circulation; Part 8 Administration and Enforcement; §8-6 Special Use Permit, §8-7 Site Plan Review. Chapter 204 Subdivision of Land: Part 3 Design Standards; §3-8 Open Space Dedication; §5-3 Approval of Plans.</p>
<p>23 24 25</p>	<p><b>Historic Resource and Visual Quality Policies</b></p>	<p>Town Code - Chapter 6 Arts and Culture in Public Places Board. Chapter 92 Conservation Easements. Chapter 104 SEQRA. Chapter 121 Historic Preservation. Chapter 125 Construction of Public Improvements. Chapter 145 Parks, Playgrounds and Recreation Areas. Chapter 151 Property Maintenance. Chapter 155 Recreation and Open Space. Chapter 179 Trees. Chapter 203 Zoning: Part 7 General Development Standards; §7-2 Landscaping, Buffers and Screening; Part 8 Administration and Enforcement; §8-6 Special Use Permit, §8-7 Site Plan Review. Chapter 204 Subdivision of Land: Part 3 Design Standards; §3-8 Open Space Dedication; §5-3 Approval of Plans.</p>
<p>26</p>	<p><b>Agricultural Lands Policy</b></p>	<p>Town Code - Chapter 92 Conservation Easements. Chapter 104 SEQRA. Chapter 203 Zoning: Permitted Use Tables; Dimensional Standards; Part 7 General Development Standards; §7-2 Landscaping, Buffers and Screening, §7-6 Access and Circulation §7-7 Provisions for Flood Hazard Reduction; Part 8 Administration and Enforcement; §8-6 Special Use Permit, §8-7 Site Plan Review. Chapter 204 Subdivision of Land: Part 3 Design Standards; §3-7 Commercial and Industrial Areas, §3-8 Open Space Dedication; §5-3 Approval of Plans. Amherst Farmland Protection Program.</p>

<p>27</p> <p>28</p> <p>29</p>	<p><b>Energy &amp; Ice Management Policies</b></p>	<p>Town Code - Chapter 104 SEQRA. Chapter 203 Zoning: Permitted Use Tables; Dimensional Standards; Part 7 General Development Standards; §7-2 Landscaping, Buffers and Screening, §7-6 Access and Circulation §7-7 Provisions for Flood Hazard Reduction; Part 8 Administration and Enforcement; §8-6 Special Use Permit, §8-7 Site Plan Review. Chapter 204 Subdivision of Land: Part 3 Design Standards; §3-7 Commercial and Industrial Areas, §3-8 Open Space Dedication; §5-3 Approval of Plans.</p>
<p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p>	<p><b>Water &amp; Air Resources Policies</b></p>	<p>Town Code - Chapter 83 Building Construction. Chapter 92 Conservation Easements. Chapter 104 SEQRA. Chapter 106 Excavations §106-2, §106-3. Chapter 125 Construction of Public Improvements. Chapter 145 Parks, Playgrounds and Recreation Areas. Chapter 151 Property Maintenance. Chapter 155 Recreation and Open Space. Chapter 160 Sewers. Chapter 172 Stormwater and Erosion Control; Illicit Discharges. Chapter 179 Trees. Chapter 199 Wild Waterfowl. Chapter 203 Zoning: Permitted Use Tables; Dimensional Standards; Part 7 General Development Standards; §7-2 Landscaping, Buffers and Screening, §7-6 Access and Circulation §7-7 Provisions for Flood Hazard Reduction; Part 8 Administration and Enforcement; §8-6 Special Use Permit, §8-7 Site Plan Review. Chapter 204 Subdivision of Land: Part 3 Design Standards; §3-7 Commercial and Industrial Areas, §3-8 Open Space Dedication; §5-3 Approval of Plans. Farmland Protection Program.</p>

## 5.2 OTHER PUBLIC AND PRIVATE ACTIONS

### 5.2.1 Town of Amherst

The Town of Amherst, as well as other public sector stakeholders and the private sector, will need to work together in advancing actions that implement provisions of this LWRP including, but not limited to, projects identified in Section IV. Many of the projects identified are related to enhancing recreational opportunities within the waterfront areas of both Tonawanda Creek/Erie Canal and Ellicott Creek. Many of these projects will require consultation and coordination with State and federal agencies under their respective jurisdictions, such as the NYSDEC, NYS Canal Corporation, NYSOPRHP, and US Army Corps of

Engineers, among others. These stakeholder agencies will play a vital role in reviewing and approving waterfront projects such as trail extensions, construction of boating facilities, and environmental improvements such as flood reduction, management of invasive species, and water quality initiatives. These agencies may also play an important role in funding some projects.

Likewise, the private sector will be involved in land use development initiatives, redevelopment opportunities and investment in properties within underutilized areas such as along Niagara Falls Boulevard, Old Niagara Falls Boulevard and Amherst Central Park. These initiatives will require partnerships among public and private sector stakeholders, including the Town of Amherst and other jurisdictions that have oversight responsibilities in private sector development projects. In addition to the local laws and regulations cited previously the Town will administer other review processes such as site plan approval, issuance of special use permits and consistency with subdivision regulations. Although large tracts of developable land are becoming scarcer in Amherst, the Town will rely on its land use policies and procedures, such as through the site plan and subdivision review processes, to ensure that future development and redevelopment occurs in an orderly and appropriate fashion that is consistent with the Comprehensive Plan and this LWRP.

### **5.2.2 State Agencies**

Section IV and Section VI of this LWRP identify public stakeholders and agencies that will be instrumental in implementing various actions and proposed projects within the Town's waterfront areas. As identified in Section IV many of the same agencies may play a role in overseeing and approving certain actions and projects as well as providing sources of funding. Section VI identifies the various permitting programs and funding sources for State and federal agencies. Some of the important functions of these agencies are summarized below.

#### **NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC)**

The NYSDEC may provide funding assistance with planning studies and/or design and construction of projects targeted to control sediment and the erosion of steep slopes along the Tonawanda Creek/Erie Canal and Ellicott Creek waterfronts. The NYSDEC is also responsible for the issuance of State Pollutant Discharge Elimination System (SPDES) permits for applicable activities and implementing regulations under Article 24 of the Environmental Conservation Law (ECL) for freshwater wetlands and buffer areas. The agency is also a permitting entity for boat docks and kayak launches within the WRA as well as elsewhere. The NYSDEC can provide technical assistance in the control and management of invasive species such as Japanese Knotweed at Amherst State Park and other locations. Technical assistance, review, and approval of public access improvements and extension of trails along the Tonawanda Creek/Erie Canal and Ellicott Creek waterfronts as described in Section IV can also be provided.

#### **NYS CANAL CORPORATION**

The Canal Corporation is also responsible for the permitting of proposed boat docks or kayak launches along the Erie Canal waterfront. The Canal Corporation will also be involved in the review and approval of projects on lands under its jurisdiction and may partner in enhancements to parks and existing facilities along the Canal as well as trail extension and road projects along the "blue line" of Tonawanda Creek/Erie

Canal. The blue line is defined as the boundary of canal lands owned by the state previous to the approval of chapter one hundred forty-seven, laws of nineteen hundred three.<sup>1</sup>

#### **ENVIRONMENTAL FACILITIES CORPORATION**

Funding assistance for the planning, design and construction of green infrastructure and other stormwater improvements to eliminate localized flooding and drainage issues such as in the Lehn Springs neighborhood may be obtained through the Environmental Facilities Corporation.

#### **NYS DEPARTMENT OF STATE**

The Department of State will be involved in the consistency review of projects and actions within the WRA. Funding and technical assistance for LWRP implementation of various planning, design, and construction projects, as outlined in Section IV of this LWRP is also possible. Funding assistance through the Environmental Protection Fund (EPF) for park and trail improvement projects along the Tonawanda Creek/Erie Canal and Ellicott Creek waterfronts may be available through the State's Consolidated Funding Application process and coordination with the Western New York Regional Economic Council (REDC). Funding and technical assistance may also be available through the State's Brownfield Cleanup Program.

#### **NYS DEPARTMENT OF TRANSPORTATION (NYSDOT)**

The NYSDOT is responsible for all State improvements to, and maintenance of, State-owned transportation infrastructure, as well as maintenance of interstate highway infrastructure. Funding assistance may be available to construct capital improvements to introduce or improve multimodal transportation infrastructure, and to improve the safety of State-owned transportation infrastructure for all users including motorists, bicyclists, and pedestrians. Technical assistance is also available for aesthetic improvements such as bridge lighting, access management, and pedestrian safety improvements including crosswalks and bike lanes. Expertise is also available on implementation of Complete Street initiatives and public transit.

The NYSDOT and their partner agencies, such as the Greater Buffalo Niagara Regional Transportation Council (GBNRTC), can provide expertise in multi-modal transportation initiatives including projects that may be implemented within the WRA like the Buffalo Niagara Regional Bicycle Master Plan.

#### **EMPIRE STATE DEVELOPMENT CORPORATION (ESD)**

The ESD may provide funding assistance for the preparation of economic feasibility studies for the reuse of various deteriorated and underutilized structures, with the siting or improvement of public facilities and with revitalization efforts in the Old Niagara Falls Boulevard area and proposed Amherst Central Park neighborhood.

#### **NYS OFFICE OF GENERAL SERVICES**

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<sup>1</sup> New York State Canal Law Article 1. Short Title and Definitions. Accessed March 2, 2021 <https://www.canals.ny.gov/about/compliance/canalstatutes.pdf>

Prior to any development occurring in the water or on the immediate waterfront within the WRA, the OGS will be contacted for a determination of the State’s interest in underwater or formerly underwater lands and for authorization to use and occupy such lands.

**NYS OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION (NYSOPRHP)**

The NYSOPRHP may provide funding assistance for the planning, design and construction of expansion or improvement projects such as at Amherst State Park or along the Erie Canal. Assistance may also be provided for designation of new historic districts or properties, or for educational signage/materials promoting the history of the Town’s waterfront areas. Funding approval may be possible under programs such as the Land and Water Conservation Fund and the Environmental Protection Fund for development of, or improvements to, waterfront parkland. Funding for the development of, or improvements to, local and regional trail systems may also be provided as well as for the planning, development, construction, major renovation, or expansion of existing and planned recreational facilities located in or adjacent to waterfront areas.

**5.2.3 Federal Agencies**

**DEPARTMENT OF DEFENSE – U.S. ARMY CORPS OF ENGINEERS (ACOE)**

The ACOE will provide permitting assistance and approval decisions as well as possible funding assistance regarding dredging, the construction or reconstruction of erosion protection structures, ice management issues, or waterfront development/redevelopment including improvements to floodwalls and other flood control structures. The ACOE also has permitting responsibility for wetland projects involving wetlands under federal jurisdiction. The ACOE will be involved in the proposed “littoral wetland” at Amherst Central Park or floodplain benches along Ellicott Creek. The agency is also involved in proposed boat docks or improvements to existing docks or anything that may influence navigation along waterways within the WRA.

**FEDERAL HIGHWAY ADMINISTRATION (FHWA)**

The FHWA may provide funding assistance for transportation improvements, including but not limited to improvements that increase pedestrian and bicycle access or improve safety across the rights-of-way of interstate highways. Federal funding assistance will also be provided for the long-term construction/reconstruction of, and capital improvements to, the interstates in the Town of Amherst. The FHWA is also involved as a lead agency in federally funded projects that require environmental review under the National Environmental Policy Act (NEPA).

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**

FEMA plays a critical role in funding assistance for flood insurance programs, including voluntary compliance with the Community Rating System (CRS) and possible property acquisition and other improvements in flood prone areas such as along Ellicott Creek or Tonawanda Creek.

**FEDERAL TRANSIT ADMINISTRATION**



The Federal Transit Administration may play a role in the future with potential involvement if a Light Rail or Bus Rapid Transit system is proposed in the Town of Amherst where infrastructure could possibly intersect with Ellicott Creek, as in the vicinity of the University at Buffalo North Campus.

### **NATIONAL PARK SERVICE**

The National Park Service oversees the Erie Canalway National Heritage Corridor Preservation and Management Plan and could play a role in the implementation of projects under this LWRP. In 2000 the United States Congress established the Erie Canalway National Heritage Corridor, as one of about two dozen federally designated national heritage areas or corridors in the nation. The purpose of designating the Erie Canalway as a national heritage corridor is to provide for and assist in the preservation and interpretation of the historical, natural, scenic and recreational resources in ways that reflect its national significance, and to help foster community revitalization.

Congress created the 27-member Erie Canalway National Heritage Corridor Commission and charged it with developing and implementing a Preservation and Management Plan for the Corridor in concert with federal, State, and local governments and other partners. The Preservation and Management Plan for the Corridor is not a physical master plan detailing infrastructure or building projects to be undertaken. Rather, the purpose of the Plan is to offer guidance to the Commission and its partners - federal and state agencies, individual communities, nonprofit and private organizations - in formulating policies and taking action to achieve the National Heritage Corridor's full potential by: protecting and preserving its historic, natural, cultural and recreational resources; interpreting and educating the public about the story of the canals; fostering and promoting recreational opportunities; helping perpetuate canal-related music, art, literature, and folkway traditions; helping market the Corridor; stimulating economic development and community revitalization; and fostering cooperative federal, State and local partnerships. The legislation applies to the entire New York State Canal System, including the entire length of the Erie Canal/NYS Barge Canal within the WRA, which is part of the original alignment of the Erie Canal.

### **5.3 MANAGEMENT STRUCTURE NECESSARY TO IMPLEMENT THE LWRP**

Review of proposed actions for consistency with the policies and provisions of the Town of Amherst LWRP will be undertaken by the Planning Department for any Town agency that receives the application for funding or approval. Prior to undertaking, approving, permitting or funding any Type I or Unlisted action in the Town of Amherst, as defined by the Town's Environmental Quality Review Law, the respective agency shall review the submitted Waterfront Assessment Form to determine if the action is consistent with the LWRP. The Local Waterfront Revitalization Consistency Review Law in Appendix A describes the local review process.

All State and Federal actions proposed within the Town of Amherst WRA will be reviewed in accordance with the guidelines established by the New York State Department of State (NYS DOS). The Procedural Guidelines for Coordinating NYSDOS and LWRP Consistency Review of Federal Agency Actions and

Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs are in Effect are included in Appendix B.

Local officials and boards are responsible for management and coordination of the LWRP and are directly involved in ensuring that consistency reviews are completed for projects within the WRA. These include:

- Town Board – The Town Board, or its designee, will prioritize and advance LWRP projects and direct the appropriate Town board(s) or department(s) to prepare applications for funding from State, federal, and other sources to finance LWRP projects.
- Planning Board – The Planning Board will be responsible for the determination of consistency for site plan review and subdivision regulations within the LWRA.
- Zoning Board of Appeals – The Zoning Board of Appeals will determine consistency for applications that fall under its jurisdiction subject to the LWRP Consistency Review Law. The Zoning Board of Appeals will hear and render decisions on variance applications, special use permits, temporary use permits, and any other application involving properties or activities within the WRA.
- Planning Director – The Planning Director, in consultation with the Planning Board and Zoning Board, will be responsible for coordinating review of actions in the WRA for consistency with the LWRP. The Planning Director will advise, assist and make consistency recommendations to other Town boards and departments in the implementation of the LWRP, its policies and projects, and coordinate with the New York State Department of State and other State and/or federal stakeholder agencies regarding each jurisdiction’s consistency review of actions in the WRA.
- Commissioner of Building – The Commissioner of Building oversees the Building Inspectors who will be responsible with overseeing projects within the WRA as they are being constructed to ensure the work is being done according to approved plans.
- Town Clerk – The Town Clerk will maintain, and make available to the public, a copy of the LWRP for use during normal business hours. The Clerk will, as necessary, distribute or otherwise make available, for example through the Town’s website, copies of the Consistency Review Law and Waterfront Assessment Form to applicants proposing actions in the WRA.

## **Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs are in Effect.**

### **I. PURPOSES OF GUIDELINES**

A. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (the Act) (Article 42 of the Executive Law) and the Department of State’s regulations (19 NYCRR Part 600) require certain state agency actions identified by the Secretary of State to be consistent to the maximum extent practicable with the policies and purposes of approved Local Waterfront Revitalization Programs (LWRPs). These guidelines are intended to assist state agencies in meeting that statutory consistency obligation.

B. The Act also requires that state agencies provide timely notice to the affected local government whenever an identified action will occur within an area covered by an approved LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist local governments in carrying out their review responsibilities in a timely manner.

C. The New York State Secretary of State is required by the Act to confer with state agencies and local governments when notified by a local government that a proposed state agency action may conflict with the policies and purposes of its approved LWRP. These guidelines establish a procedure for resolving such conflicts.

## II. DEFINITIONS

A. **Action** means:

1. A "Type 1" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQRA);
2. Occurring within the boundaries of an approved LWRP; and
3. Being taken pursuant to a state agency program or activity which has been identified by the Secretary of State as likely to affect the policies and purposes of the LWRP.

B. **Consistent to the maximum extent practicable** means that an action will not substantially hinder the achievement of any of the policies and purposes of an approved LWRP and, whenever practicable, will advance one or more of such policies. If an action will substantially hinder any of the policies or purposes of an approved LWRP, then the action must be one:

1. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
2. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and
3. That will result in an overriding regional or statewide public benefit.

C. **Local Waterfront Revitalization Program** or **LWRP** means a program prepared and adopted by a local government and approved by the Secretary of State pursuant to Executive Law, Article 42; which program contains policies on the management of land, water and man-made resources, proposed land uses and specific projects that are essential to program implementation.

D. **Municipal chief executive officer** is the City Mayor, or City Manager in cities where an appointed city manager is the administrative head of the city; the Village Mayor; or the Town Supervisor. The NYS DOS Local Government Handbook provides more information about who would be considered the chief executive officer under various municipal executive structures.<sup>2</sup>

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<sup>2</sup> Excerpt from the NYS DOS Local Government Handbook 6th Edition (2009) related to chief executive officers P. 62:

E. **Local program coordinator** of a municipality with an approved LWRP could be a designated person or a Committee responsible for the preliminary review of proposed actions within the waterfront area for consistency with an approved LWRP and consistency recommendations for the final determination of consistency that will be made by the local government.

### III. NOTIFICATION PROCEDURE

A. When a state agency is considering an action as described in II. DEFINITIONS the state agency shall notify the affected local government.

B. Notification of a proposed action by a state agency:

1. Shall fully describe the nature and location of the action;
2. Shall be accomplished by use of existing state agency notification procedures, or through an alternative procedure agreed upon by the state agency and local government; and
3. Should be provided to the local official identified in the LWRP of the affected local government as early in the planning stages of the action as possible, but in any event at least 30 days prior to the agency's decision on the action. The timely filing of a copy of a completed Coastal/Waterfront Assessment Form with the municipal chief executive officer should be considered adequate notification of a proposed action.

C. If the proposed action will require the preparation of a draft environmental impact statement, the filing of this draft document with the municipal chief executive officer can serve as the state agency's notification to the affected local government.

### IV. LOCAL GOVERNMENT REVIEW PROCEDURE

A. Upon receipt of notification from a state agency, the affected local government will be responsible for evaluating a proposed action against the policies and purposes of its approved LWRP. Upon request of the local program coordinator identified in the LWRP, the state agency should promptly provide the affected local government with whatever additional information is available which will assist the affected local government to evaluate the proposed action.

B. If the affected local government cannot identify any conflicts between the proposed action and the applicable policies and purposes of its approved LWRP, it should inform the state agency in writing of its finding. Upon receipt of the local government's finding, the state agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

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Towns: "The supervisor is more of an administrator than an executive. The supervisor's duties under law are to: act as treasurer and have care and custody of monies belonging to the town; disburse monies; keep an accurate and complete account of all monies; make reports as required; pay fixed salaries and other claims; and lease, sell, and convey properties of the town, when so directed by the town board." and "By delegating a few more specific powers, the Suburban Town Law gives the supervisor a bit more authority. Although designated as "chief executive officer," however, the Suburban Town supervisor has no major new executive powers."

C. If the affected local government does not notify the state agency in writing of its finding within the established review period, the state agency may then presume that the proposed action does not conflict with the policies and purposes of the municipality's approved LWRP.

D. If the affected local government notifies the state agency in writing that the proposed action does conflict with the policies and/or purposes of its approved LWRP, the state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in V. RESOLUTION OF CONFLICTS shall apply. The local government shall forward a copy of the identified conflicts to the Secretary of State at the time when the state agency is notified. In notifying the state agency, the local government shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

## **V. RESOLUTION OF CONFLICTS**

A. The following procedure applies whenever a local government has notified the Secretary of State and state agency that a proposed action conflicts with the policies and purposes of its approved LWRP:

1. Upon receipt of notification from a local government that a proposed action conflicts with its approved LWRP, the state agency should contact the local program coordinator to discuss the content of the identified conflicts and the means for resolving them. A meeting of state agency and local government representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the local government.
2. If the discussion between the local government and the state agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the local government shall notify the state agency in writing, with a copy forwarded to the Secretary of State, that all of the identified conflicts have been resolved. The state agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
3. If the consultation between the local government and the state agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. This request must be received by the Secretary within 15 days following the discussion between the local government and the state agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party.
4. Within 30 days following the receipt of a request for assistance, the Secretary, or a Department of State official or employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the state agency and local government.

5. If agreement among all parties cannot be reached during this discussion, the Secretary shall, within 15 days, notify both parties of his/her findings and recommendations.
6. The state agency shall not proceed with its consideration of, or decision on, the proposed action as long as the foregoing Resolution of Conflicts procedures shall apply.

## **5.4 FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP**

The Town of Amherst is proposing significant actions and projects identified in Section IV that are designed to help revitalize existing waterfront areas by enhancing recreational opportunities, as well as resolving ongoing environmental issues associated with development, flooding, erosion and water quality. Bringing these projects to fruition will require partnerships and funding from a combination of public and private sector sources.

Costs for the implementation of the LWRP include administrative costs, capital costs and maintenance costs. Administrative costs are those costs associated with the Town's efforts to manage and oversee consistency and enforcement of the LWRP. Town departments may require additional budgetary expenditures to implement the LWRP. These costs may include legal counsel for consistency review of policies and general administration in support of additional staff review efforts. Funding for administrative costs will come from the Town's general revenue sources and be reflected in the annual budget.

Costs may range from capital improvements, construction, operation and maintenance, and property acquisition if rights-of-way need to be obtained. Preliminary cost estimates for most projects have been identified in Section IV. Stakeholder agencies and organizations as well as possible funding sources are also identified in Section IV. The Town is prepared to secure funding through State and federal grant programs and through local funding sources. Projects that are generally funded through State or federal grants may require additional costs for partial matching either in dollars or in-kind services.

Other sources include:

- Property tax revenues
- Municipal fees including staff reviews associated with the Local Consistency Law
- Dedicated funds for open space, parks, and recreation
- Municipal bonding and low-cost loans
- Amherst Industrial Development Agency tax abatements that may be utilized as incentives for the improvement of and/or the expansion of private businesses within the WRA.
- Community Development Block Grant Program funds that may be utilized for the improvement of private businesses and the creation of private sector jobs. CDBG funds are used for grants, loans, loan guarantees and technical assistance activities.

## **SECTION VI: STATE AND FEDERAL ACTIONS AND PROGRAMS LIKELY TO AFFECT IMPLEMENTATION**

State and federal actions will influence and be influenced by implementation of the LWRP. Under New York State Executive Law Article 42, certain State actions within or affecting the local waterfront revitalization area must be consistent, to the maximum extent practicable, with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique intergovernmental mechanism for setting policy and making decisions. It also helps to prevent detrimental actions from occurring and protects desired options in future decision-making. Nonetheless, the active participation of State and federal agencies is likely to be necessary to implement specific provisions of the LWRP.

### **6.1. STATE ACTIONS AND PROGRAMS WHICH SHOULD BE UNDERTAKEN CONSISTENT WITH THE LWRP**

Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State notifies affected State agencies of those agency actions and programs that are to be undertaken in a manner consistent with approved LWRPs. The following list of State actions and programs is that notification. The New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act requires that an LWRP identify those elements of the program that can be implemented by the local government, unaided, and those elements that can only be implemented with the aid of other levels of government or other agencies. Such statement shall include those permit, license, certification, or approval programs; grant, loan, subsidy, or other funding assistance programs; facilities construction or other capital improvements; and planning programs that may affect the achievement of the LWRP.

#### **OFFICE FOR THE AGING**

- 1.0 Funding and approval programs for the establishment of new or expanded facilities providing various services for the elderly.

#### **DEPARTMENT OF AGRICULTURE AND MARKETS**

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Program
- 4.00 Permit and approval programs:
  - 4.01 Custom Slaughters/Processor Permit
  - 4.02 Processing Plant License
  - 4.03 Refrigerated Warehouse or Locker Plant License

- 5.00 Farmland Protection Implementation Grant
- 6.00 Agricultural Nonpoint Source Abatement and Control Program

**DIVISION OF ALCOHOLIC BEVERAGE CONTROL/ STATE LIQUOR AUTHORITY**

- 1.00 Permit and Approval Programs:
  - 1.01 Ball Park - Stadium License
  - 1.02 Bottle Club License
  - 1.03 Bottling Permits
  - 1.04 Brewer's Licenses and Permits
  - 1.05 Brewer's Retail Beer License
  - 1.06 Catering Establishment Liquor License
  - 1.07 Cider Producer's and Wholesaler's Licenses
  - 1.08 Club Beer, Liquor, and Wine Licenses
  - 1.09 Distiller's Licenses
  - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
  - 1.11 Farm Winery and Winery Licenses
  - 1.12 Hotel Beer, Wine, and Liquor Licenses
  - 1.13 Industrial Alcohol Manufacturer's Permits
  - 1.14 Liquor Store License
  - 1.15 On-Premises Liquor Licenses
  - 1.16 Plenary Permit (Miscellaneous-Annual)
  - 1.17 Summer Beer and Liquor Licenses
  - 1.18 Tavern/Restaurant and Restaurant Wine Licenses
  - 1.19 Vessel Beer and Liquor Licenses
  - 1.20 Warehouse Permit
  - 1.21 Wine Store License
  - 1.22 Winter Beer and Liquor Licenses
  - 1.23 Wholesale Beer, Wine, and Liquor Licenses



**OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES**

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
  - 3.01 Letter Approval for Certificate of Need
  - 3.02 Operating Certificate (Alcoholism Facility)
  - 3.03 Operating Certificate (Community Residence)
  - 3.04 Operating Certificate (Outpatient Facility)
  - 3.05 Operating Certificate (Sobering-Up Station)

**COUNCIL ON THE ARTS**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

**OFFICE OF CHILDREN AND FAMILY SERVICES**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
  - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
  - 3.02 Operating Certificate (Children's Services)
  - 3.03 Operating Certificate (Enriched Housing Program)
  - 3.04 Operating Certificate (Home for Adults)
  - 3.05 Operating Certificate (Proprietary Home)
  - 3.06 Operating Certificate (Public Home)
  - 3.07 Operating Certificate (Special Care Home)
  - 3.08 Permit to Operate a Day Care Center

**DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION**

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

**DORMITORY AUTHORITY OF THE STATE OF NEW YORK**

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

**EDUCATION DEPARTMENT**

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certification of Incorporation (Regents Charter)
  - 2.02 Private Business School Registration
  - 2.03 Private School License
  - 2.04 Registered Manufacturer of Drugs and/or Devices
  - 2.05 Registered Pharmacy Certificate
  - 2.06 Registered Wholesale of Drugs and/or Devices
  - 2.07 Registered Wholesaler-Re-packer of Drugs and/or Devices
  - 2.08 Storekeeper's Certificate
- 3.00 Administration of Article 5, Section 233 of the Educational Law regarding the removal of archaeological and paleontological objects under the waters of the State.

**OFFICE OF EMERGENCY MANAGEMENT**

- Hazard identification,
- Loss prevention, planning, training, operational response to emergencies,
- Technical support, and disaster recovery assistance.

**EMPIRE STATE DEVELOPMENT/ EMPIRE STATE DEVELOPMENT CORPORATION**

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

**ENERGY RESEARCH AND DEVELOPMENT AUTHORITY**

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

- 2.00 New Construction Program – provides assistance to incorporate energy-efficiency measures into the design, construction and operation of new and substantially renovated buildings.
- 3.00 Existing Facilities Program – offers incentives for a variety of energy projects

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

- 1.00 Acquisition, disposition, lease, grant of easement, and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
  - 4.01 Capital projects for limiting air pollution
  - 4.02 Cleanup of toxic waste dumps
  - 4.03 Flood control, beach erosion, and other water resource projects
  - 4.04 Operating aid to municipal wastewater treatment facilities
  - 4.05 Resource recovery and solid waste management capital projects
  - 4.06 Wastewater treatment facilities
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
  - (a) Water Quality Improvement Projects
  - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects, and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs
- 9.00 Permit and approval programs

Air Resources

- 9.01 Certificate of Approval for Air Pollution Episode Action Plan
- 9.02 Certificate of Compliance for Tax Relief – Air Pollution Control Facility
- 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; process, exhaust or Ventilation System
- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer

- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct; a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 Licenses to breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Permit – Article 15, (Protection of Water) – Dredge and Deposit Material in a Waterway
- 9.22 Permit – Article 15, (Protection of Water) – Streambed or Bank Disturbances
- 9.23 Permit – Article 24, (Freshwater Wetlands)

Hazardous Substances

- 9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.26 Permit to Use Chemicals for the Control or Elimination of Undesirable Fish

Lands and Forest

- 9.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)

9.28 Floating Object Permit

9.29 Marine Regatta Permit

9.30 Navigation Aid Permit

Marine Resources

9.31 Digger's Permit (Shellfish)

9.32 License of Menhaden Fishing Vessel

9.33 License for Non-Resident Food Fishing Vessel

9.34 Non-Resident Lobster Permit

9.35 Marine Hatchery and/or Off Bottom Culture Shellfish Permits

9.36 Permits to Take Blue Claw Crabs

9.37 Permit to Use Pond or Trap Net

9.38 Resident Commercial Lobster Permit

9.39 Shellfish Bed Permit

9.40 Shellfish Shipper's Permits

9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean

9.42 Permit – Article 25, (Tidal Wetlands)

Mineral Resources

9.43 Mining Permit

9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)

9.45 Underground Storage Permit (Gas)

9.46 Well Drilling Permit (Oil, Gas and Solution Salt Mining)

Solid Wastes

9.47 Permit to Construct and/or operate a Solid Waste Management Facility

9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

9.49 Approval of Plans for Wastewater Disposal Systems

9.50 Certificate of Approval of Realty Subdivision Plans

- 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.53 Permit Article 36, (Construction in Flood Hazard Areas)
- 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.55 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.56 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.57 Approval – Drainage Improvement District
- 9.58 Approval – Water (Diversion for Power)
- 9.59 Approval of Well System and Permit to Operate
- 9.60 Permit – Article 15, (Protection of Water) – Dam
- 9.61 Permit – Article 15, Title 15 (Water Supply)
- 9.62 River Improvement District Permits
- 9.63 River Regulatory District approvals
- 9.64 Well Drilling Certificate of Registration
- 9.65 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan.
- 11.00 Preparation and revision of Continuous Executive Program Plan.
- 12.00 Preparation and revision of Statewide Environmental Plan.
- 13.00 Protection of Natural and Man-made Beauty Program.
- 14.00 Urban Fisheries Program.
- 15.00 Urban Forestry Program.
- 16.00 Urban Wildlife Program.

**ENVIRONMENTAL FACILITIES CORPORATION**

- 1.0 Financing program for pollution control facilities for industrial firms and small businesses.

**FACILITIES DEVELOPMENT CORPORATION**

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding of such

activities.

**DEPARTMENT OF FINANCIAL SERVICES (DEPARTMENT OF BANKING)**

1.00 Permit and approval programs:

- 1.01 Authorization Certificate (Bank Branch)
- 1.02 Authorization Certificate (Bank Change of Location)
- 1.03 Authorization Certificate (Bank Charter)
- 1.04 Authorization Certificate (Credit Union Change of Location)
- 1.05 Authorization Certificate (Credit Union Charter)
- 1.06 Authorization Certificate (Credit Union Station)
- 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
- 1.08 Authorization Certificate (Foreign Banking Corp. Public Accommodations Office)
- 1.09 Authorization Certificate (Investment Company Branch)
- 1.10 Authorization Certificate (Investment Company Change of Location)
- 1.11 Authorization Certificate (Investment Company Charter)
- 1.12 Authorization Certificate (Licensed Lender Change of Location)
- 1.13 Authorization Certificate (Mutual Trust Company Charter)
- 1.14 Authorization Certificate (Private Banker Charter)
- 1.15 Authorization Certificate (Public Accommodation Office – Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Branch)
- 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
- 1.19 Authorization Certificate (Savings Bank Charter)
- 1.20 Authorization Certificate (Savings Bank DeNovo Branch Office)
- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)

- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company – Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

**OFFICE OF GENERAL SERVICES**

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4 B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.
- 4.00 Administration of Article 5, Section 233, Subsection 5 of the Education Law on removal of archaeological and paleontological objects under the waters of the State.
- 5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.
- 6.00 Section 334 of the State Real Estate Law regarding subdivision of waterfront properties on navigable waters to include the location of riparian lines.

**DEPARTMENT OF HEALTH**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Approval of Completed Works for Public Water Supply Improvements
  - 2.02 Approval of Plans for Public Water Supply Improvements.
  - 2.03 Certificate of Need (Health Related Facility except Hospitals)
  - 2.04 Certificate of Need (Hospitals)



- 2.05 Operating Certificate (Diagnostic and Treatment Center)
- 2.06 Operating Certificate (Health Related Facility)
- 2.07 Operating Certificate (Hospice)
- 2.08 Operating Certificate (Hospital)
- 2.09 Operating Certificate (Nursing Home)
- 2.10 Shared Health Facility Registration Certificate

**DIVISION OF HOMES AND COMMUNITY RENEWAL and its subsidiaries and affiliates**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Financial assistance and grant programs:
  - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
  - 2.02 Housing Development Fund Programs
  - 2.03 Neighborhood Preservation Companies Program
  - 2.04 Public Housing Programs
  - 2.05 Rural Initiatives Grant Program
  - 2.06 Rural Preservation Companies Program
  - 2.07 Rural Rental Assistance Program
  - 2.08 Special Needs Demonstration Projects
  - 2.09 Urban Initiatives Grant Program
  - 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.

**OFFICE OF MENTAL HEALTH**

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Operating Certificate (Community Residence)
  - 2.02 Operating Certificate (Family Care Homes)
  - 2.03 Operating Certificate (Inpatient Facility)
  - 2.04 Operating Certificate (Outpatient Facility)

**DIVISION OF MILITARY AND NAVAL AFFAIRS**

- 1.0 Preparation and implementation of the State Disaster Preparedness Plan.

**NATURAL HERITAGE TRUST**

- 1.0 Funding program for natural heritage institutions.

**OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION (including Regional State Park Commission)**

- 1.00 Acquisition, disposition, lease, grant of easement, or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, and demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety, and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
  - 7.01 Floating Objects Permit
  - 7.02 Marine Regatta Permit
  - 7.03 Navigation Aide Permit
  - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.
- 10.00 Urban Cultural Parks Program.
- 11.00 Planning, construction, rehabilitation, expansion, demolition, or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

**OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES**

- 1.00 Facilities construction, rehabilitation, expansion, and demolition or the funding of such activities.
- 2.00 Permit and approval programs:

- 2.01 Establishment and Construction Prior Approval
- 2.02 Operating Certificate Community Residence
- 2.03 Outpatient Facility Operating Certificate

**POWER AUTHORITY OF THE STATE OF NEW YORK**

- 1.00 Acquisition, disposition, lease, grant of easement, and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

**NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION**

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

**DEPARTMENT OF STATE**

- 1.00 Appalachian Regional Development Program
- 2.00 Coastal Management Program.
  - 2.10 Planning, construction, rehabilitation, expansion, demolition or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
  - 4.01 Billiard Room License
  - 4.02 Cemetery Operator
  - 4.03 Uniform Fire Prevention and Building Code

**STATE UNIVERSITY CONSTRUCTION FUND**

- 1.0 Facilities construction, rehabilitation, expansion, and demolition or the funding of such activities.

**STATE UNIVERSITY OF NEW YORK**

- 1.00 Acquisition, disposition, lease, grant of easement, and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition and the funding of such activities.

**DEPARTMENT OF TRANSPORTATION**

- 1.00 Acquisition, disposition, lease, grant of easement, and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
  - (a) Highways and parkways
  - (b) Bridges on the State highways system
  - (c) Highway and parkway maintenance facilities
  - (d) Rail facilities
- 3.00 Financial assistance and grant programs:
  - 3.01 Funding programs for construction, reconstruction, reconditioning, or preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
  - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
  - 3.04 Subsidies program for marginal branch lines abandoned by CSX
  - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
  - 4.01 Approval of applications for airport improvements (construction projects)
  - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
  - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
  - 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
  - 4.05 Certificate of Convenience and Necessity to Operate a Railroad
  - 4.06 Highway Work Permits
  - 4.07 License to Operate Major Petroleum Facilities
  - 4.08 Outdoor Advertising Permit (for off premises advertising signs adjacent to interstate and primary highway)
  - 4.09 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.

- 6.00 Water Operation and Maintenance Program Activities related to the containment of petroleum spills and development of an emergency oil spill control network.

## **DIVISION OF YOUTH**

- 1.0 Facilities construction, rehabilitation, expansion, and demolition or the funding for approval of such activities.

## **6.2. STATE ACTIONS AND PROGRAMS LIKELY TO AFFECT IMPLEMENTATION**

This section provides a more focused and descriptive list of State and federal agency actions that are necessary for further implementation of the LWRP. A State or federal agency's ability to undertake these listed actions is subject to a variety of factors and considerations, including whether the consistency provisions of the approved LWRP apply, and the fact that the consistency requirements cannot be used to require a State or federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section II, Section IV, and Section V, which discuss local goals, proposed projects, and local implementation techniques, including State and federal assistance needed to implement the approved LWRP.

### 6.2.1 State Actions and Programs

#### **DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

- Funding assistance with planning studies and/or design and construction of projects targeted to control the erosion of steep slopes along the Tonawanda Creek/Erie Canal and Ellicott Creek waterfronts.
- Permitting boat docks or kayak launches within the waterfront boundary.
- Issuance of wetland permits for activities affecting New York State Freshwater Wetlands or the wetland buffer area.
- Issuance of State Pollutant Discharge Elimination System (SPDES) permits for applicable activities.
- Implementing and administration of Article 24 of the New York State Environmental Conservation Law for wetlands areas.
- Map, adopt, and administer the State's Section 505 Coastal Erosion Control legislation if applicable.
- Technical assistance, review, and approval of the control and management of invasive species such as Japanese Knotweed at Amherst State Park and other locations.
- Technical assistance, review, and approval of public access improvements and extension of trails along the Tonawanda Creek/Erie Canal and Ellicott Creek waterfronts as described in Section IV.

#### **CANAL CORPORATION**

- Permitting for proposed boat docks or kayak launches along the waterfront boundary.
- Trail and road projects along the “blue line” of Tonawanda Creek/Erie Canal.
- Enhancements to parks and existing facilities along the Canal.

#### **ENVIRONMENTAL FACILITIES CORPORATION**

- Funding assistance for the planning, design and construction of green infrastructure and other stormwater improvements to eliminate localized flooding and drainage issues such as in the Lehn Springs neighborhood.

#### **DEPARTMENT OF STATE**

- Funding and technical assistance for LWRP implementation of various planning, design, and construction projects, as outlined in Section IV of this Program.
- Funding assistance through the Environmental Protection Fund for park and trail improvement projects along the Tonawanda Creek/Erie Canal and Ellicott Creek waterfronts.
- Funding and technical assistance through the Brownfield Cleanup Program.

#### **NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY**

- Funding and technical assistance with energy efficiency studies and projects.

#### **NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

- Improvements to, and maintenance of, state-owned transportation infrastructure, and provide maintenance to interstate highway infrastructure.
- Funding assistance to construct capital improvements to introduce or improve multimodal transportation infrastructure, and to improve the safety of state-owned transportation infrastructure for all users.
- Technical assistance for aesthetic improvements such as bridge lighting, pedestrian safety improvements including crosswalks and bike lanes.

#### **EMPIRE STATE DEVELOPMENT CORPORATION**

- Funding assistance for the preparation of economic feasibility studies for the reuse of various deteriorated and underutilized structures, with the siting or improvement of public facilities and with revitalization efforts in the Old Niagara Falls Boulevard area and proposed Amherst Central Park neighborhood.

#### **OFFICE OF GENERAL SERVICES**

- Research - Prior to any development occurring in the water or on the immediate waterfront, OGS will be contacted for a determination of the State’s interest in underwater or formerly underwater lands and for authorization to use and occupy such lands.

**OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION**

- Funding assistance for the planning, design and construction of expansion or improvement projects at Amherst State Park or along the Erie Canal.
- Funding approval under programs such as the Land and Water Conservation Fund and the Environmental Protection Fund for development of, or improvements to, waterfront parkland.
- Funding for the development of, or improvements to, local and regional trail systems.
- Funding assistance to the Town for the planning, development, construction, major renovation, or expansion of existing and planned recreational facilities located in or adjacent to waterfront areas.

**6.2.2. Federal Actions and Programs**

**DEPARTMENT OF DEFENSE - ARMY CORPS OF ENGINEERS**

- Permit decisions and funding assistance regarding dredging, the construction or reconstruction of erosion protection structures, ice management issues or waterfront development/redevelopment including improvements to floodwalls and other flood control structures.
- Projects involving new or existing vegetation in federal wetland areas.
- Adding the proposed “littoral wetland” at Amherst Central Park or floodplain benches along Ellicott Creek.
- Proposed boat docks or improvements to existing docks.

**FEDERAL HIGHWAY ADMINISTRATION**

- Funding assistance for transportation improvements, including but not limited to improvements that increase pedestrian and bicycle access or improve safety across the rights-of-way of interstate highways.
- Funding assistance for the long-term construction/reconstruction of, and capital improvements to, the interstates in the Town of Amherst.

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

- Funding assistance for flood insurance programs, including voluntary compliance with the Community Rating System and possible property acquisition and other improvements in flood prone areas such as Ellicott Creek or Ransom Creek.

**FEDERAL TRANSIT ADMINISTRATION**

- Potential involvement if a future Light Rail or Bus Rapid Transit system intersects with Ellicott Creek.

## SECTION VII: LOCAL COMMITMENT AND CONSULTATION

### 7.1. LOCAL COMMITMENT

The New York State Department of State, Division of Coastal Resources provided funding for this LWRP under Title 11 of the Environmental Protection Fund (EPF). Terms of the contract between the NYSDOS and the Town of Amherst required establishment of a Waterfront Advisory Committee (WAC) to guide development of the LWRP. The Town established a 26-member Waterfront Advisory Committee in 2018 consisting of individuals representing various community interests related to waterfront revitalization to assist with the LWRP planning effort. The Local Waterfront Revitalization Program and Amherst Central Park Charter were presented to the Town Board in the spring of 2018 (see Appendix B). The 26 members of the WAC represent Town departments, State/regional agencies, elected officials, educational institutions, local businesses, homeowner groups, and residents. Members of the WAC and their affiliations are identified in the Community Outreach Plan in Appendix C. During the fall of 2018, the Town also prepared its Community Outreach Plan to identify other project stakeholders and guide public outreach opportunities during preparation of the LWRP.

The extensive amount of property within the Amherst LWRP boundary has resulted in a significant number of waterfront landowners. While many of the lands adjacent to Tonawanda Creek along the Town's northern border are large rural lots, the properties abutting Ellicott Creek tend to be smaller and much more numerous, as this creek runs through the middle of the Town and abuts suburban neighborhoods and smaller parcels. As the LWRP will ultimately regulate land use within the designated boundary, the input of affected property owners and overall Town residents is crucial to public acceptance of the document. Amherst structured its outreach program to include several modes of input to involve as many individuals, groups, and agencies as possible to create a comprehensive and feasible product.

The LWRP process and community outreach process involves multiple stakeholders including both governmental and non-governmental agencies as described below:

#### NYS Department of State (DOS)

The DOS Office of Planning and Development oversees the LWRP program and is the primary contact for all participating municipalities. The DOS provided funding through the EPF as well as technical assistance throughout the project. As sponsor, DOS requires quarterly updates of project progress provided by the Town. In addition, that office reviews and comments on key task milestones and provides overall project oversight.

#### Town of Amherst

The Town is primarily responsible for day-to-day administration and management of the project. Various individuals, departments and boards have been involved:

- *Town Board* – The five-member Town Board is being informed of all activities and provided copies of all documents related to the LWRP for their review and comment. This board has the authority to



approve the final document. Their involvement in public meetings enables them to stay apprised of community sentiment about the project and helps to inform their decision-making. The WAC includes two Town Board members.

- *Planning Board* – The seven-member Planning Board is being provided drafts of all LWRP documents for review and recommendation to the Town Board.
- *Planning Department* - The Town’s Planning Department has been responsible for the day-to-day administration and coordination of the LWRP process. The Town’s LWRP Project Manager and planning staff have coordinated with other Town departments in the collection of inventory data and mapping, site tours, and consultation with the various project stakeholders including the NYSDOS, Town Board, WAC, and planning consultants. Staff have also been involved in the preparation and review of all LWRP draft documents.
- *Advisory Committees* – Representatives from various committees are relied upon to provide comments on their areas of expertise. These include but are not limited to:
  - Conservation Advisory Council
  - Historic Preservation Commission
  - Arts & Culture Committee
  - Design Advisory Board
  - Youth Board
  - Recreation Commission
  - Senior Citizens Board
  - Traffic Safety Board

#### Waterfront Advisory Committee

WAC members have provided several important functions during preparation of the LWRP including meetings to discuss status of the planning process, identify issues and opportunities associated with waterfront areas, identify proposed waterfront projects, and review draft materials. The Committee meets periodically to hear staff updates on the project’s progress and provide feedback.

In August and September 2018, WAC members took part in waterfront tours conducted to familiarize themselves with the areas being studied. The Town conducted five tours of the waterfront area, summaries of which are provided in Appendix D. All members of the WAC were invited to participate. Each tour lasted 2-3 hours, and most involved both walking and driving along the waterfront of both waterways. Tours included short stops at key areas and points of interest, as well as informal interviews with key landowners to gain their perspectives on issues/problems. Tour participants were asked to identify concerns and opportunities they observed, and this input was assembled for use in the LWRP. At the conclusion of the site tours, the WAC met to review overall impressions of the LWRP area including site conditions, issues, and opportunities.

To strengthen local commitment, the WAC hosted two public meetings to receive public comment on waterfront issues and opportunities, and present elements of the proposed LWRP. The first public

information meeting was held on December 3, 2018. The meeting focused on the proposed waterfront revitalization boundaries for the LWRP and solicited concerns, issues, and general ideas about waterfront areas gained through small group exercises facilitated by staff and the WAC. Presenters explained the purpose of an LWRP, provided information on an inventory of resources within the waterfront areas, and what was learned from site tours of waterfront areas by the WAC including potential LWRP revitalization projects that could be undertaken. Presentation materials for the first public information meeting are provided in Appendix E.

The Waterfront Advisory Committee – in its role as the overseer of plan development – has identified a series of goals for the future of the Town’s waterfronts. The goals articulate an overall image of what the waterfront should be and how it should look in the future. It reflects the information obtained from residents and interested citizens from stakeholder input and public information meetings. The goals and the proposed land and water uses included in Section IV reflect the knowledge and understanding of the waterfront by WAC members based upon their experience as long-term residents and business-owners in the area.

The second public information meeting was held on July 10, 2019; presentation materials and public comments are provided in Appendix F. The purpose of the meeting was to provide more details on proposed waterfront revitalization projects including the purpose of each project, project locations, project design elements and preliminary information on cost and funding sources. It became clear that many Amherst residents are interested in planning for the future of waterfront areas and addressing access and condition concerns. Issues and opportunities focus on managing natural resources and shoreline conditions, enhancing boater experience, preserving rural character, and fostering development of attractions and boater services along the Tonawanda Creek/Erie Canal corridor that celebrate the waterfront and offer greater waterfront access.

#### Amherst Central Park Planning & Task Force

One notable spin-off group from the WAC was formed to specifically discuss the future Amherst Central Park project (LWRP proposed Project #12) within the Ellicott Creek subarea. Several focused public and stakeholder meetings have taken place to guide the Town in this monumental task of converting the former Westwood Country Club and portion of the Town’s Audubon Recreation Complex to a future Amherst Central Park. Participants in these meetings are former municipal officials and others with an interest or expertise in sports, recreation, the arts, and other areas, as well as representatives from local resident/community groups and businesses. These meetings were held as brainstorming sessions as a master plan for Amherst Central Park is developed, but also included other areas of the WRA including future facilities and development near the Buffalo-Niagara Heritage Museum and Oakwood Golf Course. The following sub-groups of local and regional stakeholders conducted meetings in addition to the WAC meetings:

- University Student Presentations – May 13, 2019 (Amherst Central Park)
- Arts & Culture Committee – June 6, 2019

- Senior Housing Committee – June 11, 2019
- Indoor Facility Committee – June 25, 2019
- Golf Committee – July 9, 2019
- Park Committee – August 16, 2019
- Maple Road Committee – August 26, 2019
- Getzville neighborhood meeting – September 12, 2019 (Amherst Central Park planning)
- North Amherst neighborhood meeting – October 7, 2019
- Village of Williamsville (LWRP) – October 24, 2019
- Ellicott Creek neighborhood meeting – November 5, 2019
- Dover-Kohl Park Design Workshop – July 2, 2020
- Amherst Central Park Task Force meetings – July 30, 2020 to present
- Village of Williamsville consultant meeting – March 2, 2021

Presentation and workshop materials for the stakeholder meetings related to projects in the WRA are provided in Appendix G.

Throughout the LWRP process, the public has submitted comments to the Town Board and Planning Department at the public meetings and Town Board meetings, as well as electronically through email to Town individuals or by completing a comment form on the Town website. These public comments and other materials are included in Appendix I. The public meeting notices and other publicly displayed materials are included in Appendix J.

Prior to the adoption of the LWRP, the Amherst Town Board and WAC will hold a public hearing on the action. This hearing will provide the public an opportunity to hear a presentation on the draft LWRP and provide the Town Board and Committee members valuable input on the proposed draft program.

## **7.2 LOCAL CONSULTATION**

During preparation of the LWRP, the Waterfront Advisory Committee forwarded draft sections of the program to the Department of State for review and comments. The Waterfront Advisory Committee regularly invited participation in the development of the LWRP from Town departments, Town Planning Board, and Town Board (see meeting notes and minutes in Appendix H). In addition, draft documents were distributed to key agencies to gather their comments on program findings, policies, and recommendations. The local agencies that were contacted for their input included the New York State Department of Environmental Conservation and Erie County Department of Environment and Planning.

Stakeholder agencies, organizations and individuals involved in the LWRP process include:

### **State and Federal Agencies**

- NYS Department of State (NYS DOS)
- NYS Department of Environmental Conservation (NYS DEC)
- NYS Office of Parks, Recreation and Historic Preservation (OPRHP)

- NYS Canal Corporation
- Empire State Development Corp.
- SUNY at Buffalo
- US Fish and Wildlife Service (USFWS)
- US Army Corps of Engineers (USACOE)

**Municipal Representatives**

- Amherst Town Supervisor and Town Board
- Amherst Planning Board
- Amherst Zoning Board
- Amherst Departments (Planning, Engineering, Building, Highway, Youth & Recreation, Attorney)
- Erie County Department of Environment and Planning
- Erie County Soil & Water Conservation
- Village of Williamsville
- Other adjacent municipalities

**Local Agencies and Groups**

- Buffalo Niagara Waterkeeper
- Amherst Chamber of Commerce
- Amherst Industrial Development Agency
- Amherst Historic Preservation Commission
- Amherst, Sweet Home, and Williamsville School Districts
- Buffalo Niagara Heritage Village
- Nature Conservancy
- Western New York Land Conservancy
- Cornell Cooperative Extension

**Recreational Groups**

- Go Bike Buffalo
- Golf Courses (Oakwood, Audubon, Par 3)

**Neighborhood Representatives and Stakeholders**

- Keep Westwood Green
- Property owners
- Amherst Central Park Task Force
- Agricultural District representatives
- Homeowner associations

### 7.3 ADOPTION - TBD

The draft LWRP and supporting draft Local Consistency Review Law were reviewed and accepted by the Waterfront Advisory Committee, the New York State Department of State, and the Amherst Town Board to prepare for agency 60-day review and comment. The Town resolved to formally submit the draft LWRP and supporting documentation to the New York State Department of State for 60-day review on [REDACTED]. The Department of State initiated a 60-day public review period for the draft program on [REDACTED], pursuant to the requirements of the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Article 42 of NYS Executive Law). Copies of the draft LWRP were distributed to all potentially affected federal, State, and local agencies. A copy of the draft LWRP was posted on the Department of State website to provide public notice that the 60-day review had been initiated.

Concurrently, the Amherst Town Board initiated the State Environmental Quality Review Act (SEQRA) process by completing a Full Environmental Assessment Form (FEAF), passing a resolution designating the Amherst Town Board as lead agency, and passing a resolution determining significance of the LWRP and supporting local law. Public notice of the SEQRA review was published in the NYSDEC Environmental Notice Bulletin on [REDACTED]. On [REDACTED] the 60-day review period closed, and comments received on the draft LWRP document were reviewed by the Town and the Department of State. After discussions with the commenters some changes were made to the final LWRP document as appropriate to reflect substantive comments.

The final LWRP, including the local Consistency Review Law, and supporting SEQRA decisions were adopted by the Amherst Town Board and presented to the New York State Secretary of State for approval and incorporation into the Inland Waterways Local Waterfront Revitalization Program. As required by Section 27 of Municipal Home Rule Law, Local Law # \_\_\_ of [REDACTED] (Consistency Review Law) was filed with the Secretary of State on [REDACTED] within 20 days of being enacted. The fully adopted LWRP was posted on the Town of Amherst and New York State Department of State websites on [REDACTED]. A paper copy of the fully adopted LWRP was filed by the Town of Amherst Town Clerk's office and is publicly available for review upon request.

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Prepared by Lisa Matthies-Wiza 29-Mar-18  
[lisa.matthies-wiza@erie.gov](mailto:lisa.matthies-wiza@erie.gov)

*The extent of the entire Niagara River Watershed that includes the Ellicott Creek Sub Watershed was used.*

File Name	Source	Website Link
USGS_Watershed_Boundaries	USGS National Hydrography Dataset (NHD)	<a href="https://nhd.usgs.gov/wbd.html">https://nhd.usgs.gov/wbd.html</a>
USGS_Waterways	USGS Watershed Boundary Datasets (WBD)	<a href="https://nhd.usgs.gov/">https://nhd.usgs.gov/</a>
NYSDEC_Unconsolidated Aquifers	NYSDEC	<a href="https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1141">https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1141</a>
NYSDEC_WaterWells	NYSDEC	<a href="https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1203">https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1203</a>
NYSDEC_Dams	NYSDEC	<a href="https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1130">https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1130</a>
NYSDEC_RemediationSites	NYSDEC	<a href="https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1097">https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1097</a>
NYSDEC_PublicLands	NYSDEC	<a href="https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1114">https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1114</a>
NYSDEC_SPDES	NYSDEC	<a href="https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1010">https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1010</a>
ESRI_Parks	ESRI - Detailed Parks	<a href="http://www.esri.com/data/data-maps">http://www.esri.com/data/data-maps</a>
NYSDEC_Wetlands	NYSDEC Regulatory Wetlands	<a href="https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1274">https://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1274</a>
USFWS_NWI_Wetlands	USFWS National Wetlands Inventory	<a href="https://www.fws.gov/wetlands/Data/Metadata.html">https://www.fws.gov/wetlands/Data/Metadata.html</a>

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Jeff Huerter, Department of State

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*Publication Date:* 199806

*Title:* Significant Coastal Fish and Wildlife Habitats - 2.0

*Edition:* 2nd

*Publisher:* NYS Department of State, Division of Coastal Resources Albany, NY

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*Publication Date:* 20180201

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*Title:* Accessible Recreation Destinations  
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*Originator:* New York State Department of Environmental Conservation Albany, NY  
*Publication Date:* 20050413  
*Title:* Bird Conservation Areas - New York State (NYSDEC)  
[Server=husky; Service=5151; User=dfw; Version=SDE.DEFAULT](#)
- **Bulk Storage Facilities**  
*Originator:* NYS Department of Environmental Conservation Albany, NY  
*Publication Date:* 20100720  
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Bureau of Technical Support, 518-402-9543
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Albany, NY  
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*Publication Date:* 20110808  
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*Publication Date:* 2011  
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*Geospatial Data Presentation Form:* vector digital data  
*Other Citation Details:* NYS Power Pool Map  
[http://gis.ny.gov/gisdata/metadata/dps.electric\\_translines.htm](http://gis.ny.gov/gisdata/metadata/dps.electric_translines.htm)

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- **Critical Environmental Areas in NYS**  
*Organization:* NYS Office of Information Technology Services  
*Person:* GeoSpatial Section  
*Phone:* 518-402-9860  
*Email:* EnterpriseGIS@gw.dec.state.ny.us  
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## Additional Sources of Information - Individuals/Groups/Organizations

*Brian Barnes, Town of Amherst, Senior GIS Analyst*

*Lisa Wiza-Matthies, Erie County Director of Geographic Information Services*

*Michael Schifferli, NYS OPRHP Historic Preservation Resources Unit Coordinator*

*Michael Todd, NYS DEC Biologist, Division of Fish and Wildlife*

*Mary Binder, NYS DEC Environmental Div. Floodplain Manager*

*Kerrie O'Keefe, NYS DEC Environmental Permit Div.*

*Ron Peters, NYS OPRHP Deputy Manager*

*Evyn Iacovitti, NYS OPRHP Environmental Div.*

*Meg Janis, NYS OPRHP Natural Resource Stewardship Biologist*

*Lois Shriver, Town of Amherst Conservation Advisory Council*

*Mark Gaston, Erie County Water and Soil Conservation District*

*Kelly Frothingham, Professor at Buffalo State*

*Jeff Herter, Department of State Office of Planning & Development*

*Joseph Lasch, NYS Office of Information Technology Services GIS Manager*

*Barbara Cruden, NYS Office of Information Technology GeoSpatial Technologies Section Manager*

## Appendices

- Appendix A Local Consistency Review Law and Waterfront Assessment Form
- Appendix B LWRP and ACP Charter Presented to Town Board
- Appendix C Community Outreach Plan
- Appendix D WAC Tour Summary Packet
- Appendix E First Public Meeting Materials
- Appendix F Second Public Meeting Materials
- Appendix G Amherst Central Park Workshop and Planning
- Appendix H WAC Meeting Minutes
- Appendix I Public Comments
- Appendix J Public Meeting Notices
- Appendix K Scenic View Exercise
- Appendix L WRA Project Summary Table

This Town of Amherst LWRP document was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.

Appendix A  
Local Consistency Review Law and  
Waterfront Assessment Form

Draft



## APPENDIX A: CONSISTENCY REVIEW

### TOWN OF AMHERST

Local Law # \_\_\_ of the Year 20\_\_

Be it enacted by the Town Board of the Town of Amherst as follows:

### General Provisions

#### I. Title

This law may be known as the Town of Amherst Local Waterfront Revitalization Program (LWRP) Consistency Review Law.

#### II. Authority and Purpose

- A. This local law is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).
- B. The purpose of this law is to provide a framework for the Town of Amherst to incorporate the policies and purposes contained in the Town's Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct Town actions located within the waterfront revitalization area; and to assure that such actions and direct actions undertaken by the Town of Amherst are consistent with the LWRP policies and purposes.
- C. It is the intention of the Town of Amherst that the preservation, enhancement, and utilization of the unique waterfront revitalization area of the Town of Amherst occur in a coordinated and comprehensive manner to ensure a proper balance between protection of natural resources and the need to accommodate growth. Accordingly, this law is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing: degradation or loss of living waterfront resources and wildlife; diminution of open space areas or public access to the waterfront; disruption of natural waterfront processes; impairment of scenic or historical resources; losses due to flooding, erosion, and sedimentation; impairment of water quality; or permanent adverse changes to ecological systems.
- D. The substantive provisions of this local law shall only apply while there is in existence a Town of Amherst Local Waterfront Revitalization Program that has been adopted in accordance with Article 42 of the Executive Law of the State of New York.

#### III. Definitions

- A. "Actions" include all the following, except minor actions as defined in Section J below:
  1. projects or physical activities, such as construction or any other activities that may affect natural, manmade, or other resources in the waterfront revitalization area, or the

environment, by changing the use, appearance, or condition of any resource or structure, that:

- i. are directly undertaken by an agency; or
    - ii. involve funding by an agency; or
    - iii. require one or more new or modified approvals, permits, or review from an agency or agencies;
  2. agency planning and policy making activities that may affect the environment and commit the agency to a definite course of future decisions;
  3. adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect waterfront resources or the environment;
  4. any combination of the above; and
  5. a Type 1 and unlisted action under SEQRA, as well as any project involving a Draft Generic Impact Statement.
- B. "Agency" means any board, agency, department, office, other body, or officer of the Town of Amherst.
- C. "Waterfront revitalization area" means that portion of New York State coastal waters and adjacent shorelands as defined in Article 42 of the Executive Law which is located within the boundaries of the Town of Amherst as shown on the coastal area map on file in the office of the Secretary of State and as delineated in the Town of Amherst Local Waterfront Revitalization Program (LWRP).
- D. "Waterfront Assessment Form (WAF)" means the form, a sample of which is appended to this local law, used by an agency or other entity to assist in determining the consistency of an action with the Town of Amherst Local Waterfront Revitalization Program.
- E. "Code Enforcement Officer" means the Building Commissioner and/or Zoning Enforcement Officer of the Town of Amherst.
- F. "Consistent" means that the action will fully comply with the LWRP policy standards, conditions and objectives and, whenever practicable, will advance one or more of them.
- G. "Direct Actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to, a capital project, rulemaking, procedure making and policy making.
- H. "Environment" means all conditions, circumstances, and influences surrounding and affecting the development of living organisms or other resources in the waterfront revitalization area.
- I. "Local Waterfront Revitalization Program" or "LWRP" means the Town of Amherst Local Waterfront Revitalization Program approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Article 42 of the Executive Law), a copy of which is on file in the Office of the Clerk of the Town of Amherst.
- J. "Minor actions" include the following actions, which are not subject to review under this law:
1. maintenance or repair involving no substantial changes in an existing structure or facility;
  2. replacement, rehabilitation, or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, except for structures in areas designated by local law where structures may not be replaced, rehabilitated or reconstructed without a permit;
  3. repaving of existing paved highways not involving the addition of new travel lanes;

4. street openings and right of way openings for the purpose of repair or maintenance of existing utility facilities;
5. maintenance of existing landscaping or natural growth, except where threatened or endangered species of plants or animals are affected, and in Nature Preserves or within the (or other special district) which currently are under the legality of the purpose, restrictions and retained rights of a conservation easement with designated management plans;
6. granting of individual setback and lot line variances, except in relation to a regulated natural feature;
7. minor temporary uses of land having negligible or no permanent impact on waterfront resources or the environment;
8. installation of traffic control devices on existing streets, roads and highways;
9. mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
10. information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
11. official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
12. routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
13. conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
14. collective bargaining activities;
15. investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
16. inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
17. purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
18. adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
19. engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;

20. civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
21. adoption of a moratorium on land development or construction;
22. interpreting an existing code, rule or regulation;
23. designation of local landmarks or their inclusion within historic districts;
24. emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to waterfront resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part;
25. local legislative decisions such as rezoning where the Town Board determines the action will not be approved.

#### **IV. Management and Coordination of the LWRP**

- A. The Planning Department shall be responsible for overall management and coordination of the LWRP. In performing this task, the Planning Department shall:
  1. Inform the Town Board on implementation, priorities, work assignments, timetables, and budgetary requirements of the LWRP.
  2. Facilitate applications for funding from State, federal, or other sources to finance projects under the LWRP.
  3. Coordinate and oversee liaison between Town agencies and departments, to further implementation of the LWRP.
  4. The Planning Department will also coordinate with NYS Department of State (DOS) regarding consistency review for actions by State or federal agencies.
  5. Perform other functions regarding the waterfront revitalization area and direct such actions or projects as are necessary, or as the Town Board may deem appropriate, to implement the LWRP.
- B. In order to foster a strong relationship and maintain an active liaison among the agencies responsible for implementation of the LWRP, the Planning Department shall schedule at least annual LWRP progress meetings, including, but not limited to, representatives of the Town Board, Planning Board, Zoning Board of Appeals, Waterfront Advisory Committee, and such other departments or individuals charged with LWRP implementation.

#### **V. Review of Actions**

- A. Whenever a proposed action is located in the waterfront area, the Town shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards summarized in Section I. below. No action in the waterfront area shall be approved, funded or undertaken by the Town without such a determination.

- B. The Planning Department shall be responsible for coordinating review of actions in the Town waterfront area for consistency with the LWRP, and will advise, assist and make consistency recommendations for other Town agencies/departments in the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative, and other actions included in the program.
- C. The Planning Department will assist each Town department or outside applicant with preliminary evaluation of actions in the waterfront area, and with preparation of a WAF. Whenever the Town receives an application for approval or funding of an action, or as early as possible in the Town's formulation of a direct action to be located in the waterfront area, such application or direct action shall be referred to the Planning Department, within ten (10) days of its receipt, for preparation of a WAF, a sample of which is appended to this local law.
- D. The Planning Department shall require the Town department or the applicant to submit all completed applications, EAFs, and any other information deemed necessary to its consistency recommendation. The recommendation shall indicate whether, in the opinion of the Planning Department, the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and objectives and shall elaborate in writing the basis for its opinion. The Planning Department shall, along with its consistency recommendation, make any suggestions to the department or applicant concerning modification of the proposed action, including the imposition of conditions, to make it consistent with LWRP policy standards and objectives or to greater advance them. Such recommendation shall go to the department or applicant within thirty (30) days of receipt of the completed information submitted by the department or applicant.
- E. Upon recommendation of the Planning Department, the Town Planning Board shall consider whether the proposed action is consistent with the LWRP policy standards summarized in Section I. herein. The Planning Board shall render a written determination of consistency based on the WAF, the Planning Department recommendation and such other information as is deemed necessary to its determination. No approval or decision shall be rendered for an action in the waterfront area without a determination of consistency. The Planning Board will make the final determination of consistency.
- F. The Zoning Board of Appeals is the designated agency for the determination of consistency for variance and special use permit applications subject to this law. The Zoning Board of Appeals shall consider the written consistency recommendation of the Planning Department in the event and at the time it makes a decision to grant such a variance or special use permit and shall impose appropriate conditions to make the activity consistent with the objectives of this law.
- G. Where an EIS is being prepared or required, the draft EIS must identify applicable LWRP policies and standards and include a discussion of the effects of the proposed action on such policy standards. The Town may not make a final decision on an action that has been the subject of a final EIS and is located in the waterfront area until a written finding has been made regarding the consistency of the action with the local policy standards referred to in Section I. herein.
- H. In the event the Planning Department's recommendation is that the action is inconsistent with the LWRP, and the department/applicant makes a contrary determination of consistency, the agency/department shall elaborate in writing the basis for its disagreement with the

recommendation and explain the manner and extent to which the action is consistent with the LWRP policy standards.

- I. Actions to be undertaken within the waterfront area shall be evaluated for consistency in accordance with the following summary of LWRP policies, which are derived from and further explained and described in the Town of Amherst LWRP, a copy of which is on file in the Clerk's office and available for inspection during normal business hours. Applicants which undertake direct actions shall also consult with Section IV, Proposed Land and Water Uses and Projects, of the LWRP, in making their consistency determination. The action shall be consistent with the policies to:
  1. Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses (Policy 1).
  2. Retain, develop and promote water-dependent uses and facilities on or adjacent to coastal waters (Policy 2).
  3. Further develop the State's major ports of Albany, Buffalo, New York, Ogdensburg, and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities, of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people (Policy 3).
  4. Strengthen the economic base of small harbor areas by encouraging traditional uses and activities (Policy 4).
  5. Ensure that development occurs where adequate public infrastructure is available (Policy 5).
  6. Streamline development permit procedures (Policy 6).
  7. Protect, preserve and, where practical, restore significant and locally important fish and wildlife habitats from human disruption and chemical contamination (Policies 7, 8).
  8. Expand recreational use of fish and wildlife resources by increasing access to existing resources, supplementing existing stocks, and developing new resources. (Policy 9).
  9. Maintain, promote and expand commercial fishing opportunities (Policies 10).
  10. Minimize flooding and erosion hazards through nonstructural means, protecting natural protective features, construction of carefully-selected, long term structural measures and appropriate siting of structures (Policies 11, 12, 13, 14, 16, and 17).
  11. Public funds shall be used for erosion protection structures only where necessary and in an appropriate manner (Policy 16).
  12. Safeguard economic, social and environmental interests in the waterfront area when major actions are undertaken (Policy 18).
  13. Maintain and improve public access to the shoreline and to water-related recreational facilities while protecting the environment and being compatible with adjoining uses (Policies 19 and 20).
  14. Encourage, facilitate and give priority to water-dependent and water enhanced recreation (Policy 21).

15. Encourage development, when located near the shore, to provide for water related recreation where compatible (Policy 22).
  16. Protect and restore historic and archeological resources (Policy 23).
  17. Prevent impairment to, protect, restore or enhance scenic resources (Policy 24, 25).
  18. Conserve and protect agricultural lands (Policy 26).
  19. Site and construct energy facilities in a manner which will be compatible with the environment and contingent upon the need for a waterfront or water location and in such a manner as to avoid adverse impacts when in operation (Policies 27, 29 and 40).
  20. Undertake ice management practices in a manner that avoids adverse coastal impacts (Policy 28).
  21. Protect surface and groundwater from direct and indirect discharge of pollutants and from overuse (Policies 30, 31, 32, 33, 34, 35, 36, 37 and 38).
  22. Ensure that dredging and dredge spoil disposal in a manner protective of natural resources (Policies 15 and 35).
  23. Ensure that any transportation, handling or disposal of hazardous wastes and effluent is undertaken in a manner which will not adversely affect the environment (Policies 8, 30, 36 and 39).
  24. Protect air quality (Policies 41, 42 and 43).
  25. Preserve and protect tidal and freshwater wetlands (Policy 44).
- J. If the Town determines that an action will be inconsistent with one or more LWRP policy standards or objectives, such action shall not be undertaken unless modified to be consistent with the LWRP policies.
- K. The Planning Department shall maintain a file for each action made the subject of a consistency determination. Such files shall be made available for public inspection upon request.

## VI. Enforcement

In the event that an activity is being performed in violation of this law or any conditions imposed thereunder, the Building Commissioner or any other authorized official of the Town of Amherst shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect.

## VII. Violations

- A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this law shall have committed a violation. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.
- B. The Town is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

## VIII. Severability

The provisions of this law are severable. If any provision of this law is found invalid, such finding shall not affect the validity of this law as a whole or any law or provision hereof other than the provision so found to be invalid.

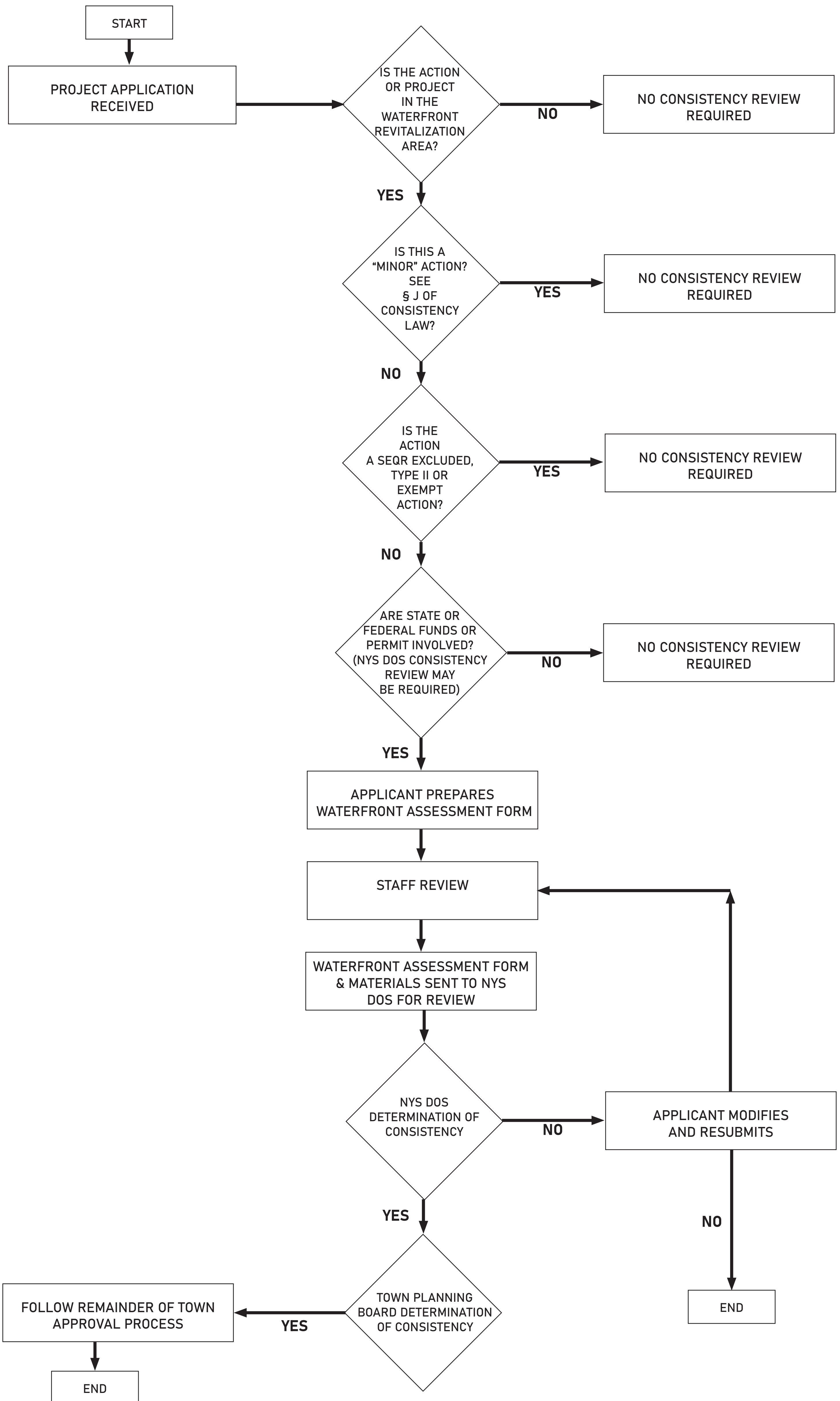
## **IX. Effective Date**

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Draft



**TOWN OF AMHERST LWRP  
LOCAL ACTION CONSISTENCY REVIEW PROCESS**



# Town of Amherst

## Waterfront Assessment Form

**A. INSTRUCTIONS**

1. Applicants, or, in the case of direct actions, Town agencies, shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the LWRP Consistency Review Law. This assessment is intended to supplement other information used by the Planning Board in making a determination of consistency with the policy standards in the LWRP Consistency Review Law.
2. Before answering the questions in Section E, the preparer of this form should review the policies and policy explanations contained in the Amherst Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the office of the Town Clerk. A proposed action should be evaluated as to its beneficial and adverse effects upon the waterfront area and its consistency with the policy standards.
3. If any question in Section E on this form is answered "yes", the proposed action may affect the achievement of the LWRP policy standards contained in the Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

**B. APPLICANT INFORMATION:**

1. Name of applicant: \_\_\_\_\_
2. Mailing address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Telephone Number: \_\_\_\_\_
4. Property tax number (SBL): \_\_\_\_\_
5. Application number: \_\_\_\_\_

**C. PROPOSED ACTION:**

1. Describe the nature and extent of the action:

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2. Identify any type of Town or public agency involvement with the proposed action:

a. Department/Agency undertaking action: \_\_\_\_\_

b. Type of action to be directly undertaken (e.g. construction, planning activity, agency regulation, land transaction): \_\_\_\_\_

c. Agency providing financial assistance (e.g. grant, loan, subsidy): \_\_\_\_\_

d. Approval, permit, license, certification required: \_\_\_\_\_

e. Will the action to be undertaken require funding, or approval by a State or federal agency?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which State or federal agency? \_\_\_\_\_

**D. SITE DESCRIPTION:**

1. Location of action (street or site description and nearest intersection): \_\_\_\_\_

latitude \_\_\_\_\_ longitude \_\_\_\_\_

2. Size of site (acres): \_\_\_\_\_

3. Amount (acres) of site to be disturbed: \_\_\_\_\_

4. Present land use: \_\_\_\_\_

5. Present zoning classification: \_\_\_\_\_

6. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Percentage of site with slopes of 15% or greater: \_\_\_\_\_

8. Streams, lakes, ponds or wetlands existing within or contiguous to the project area?

a. Name \_\_\_\_\_

b. Size (in acres) \_\_\_\_\_

9. Is the property serviced by public water? Yes \_\_\_\_\_ No \_\_\_\_\_

10. Is the property serviced by public sewer? Yes \_\_\_\_\_ No \_\_\_\_\_

**E. WATERFRONT ASSESSMENT** (Check either "Yes" or "No" for each of the following questions). If the answer to any question above is "yes", please explain in Section F measures which will be undertaken to mitigate any adverse effects.

	<u>YES</u>	<u>NO</u>
1. Will the proposed action be located in, be contiguous to, or have a potentially adverse effect on any of the resource areas found within the waterfront area as identified in the LWRP?	_____	_____
(a) Significant fish or wildlife habitats?	_____	_____
(b) Scenic resources of local or State-wide significance?	_____	_____
If local, which one(s): _____		
(c) Important agricultural lands?	_____	_____
(d) Natural protective features in a coastal erosion hazard area?	_____	_____
2. Will the proposed action have a significant effect on:		
(a) Scenic quality of the waterfront environment?	_____	_____
(b) Development of future or existing water-dependent uses?	_____	_____
(c) Operation of the State's major ports?	_____	_____
(d) Land or water uses within a small harbor area?	_____	_____
(e) Designated State or federal freshwater wetlands?	_____	_____
(f) Commercial or recreational use of fish and wildlife resources?	_____	_____
(g) Existing or potential public recreation opportunities?	_____	_____
(h) Structures, sites or districts of historic, archaeological or cultural significance to the Town, State or nation?	_____	_____
(i) Stability of the shoreline?	_____	_____
(j) Surface or groundwater quality?	_____	_____

	<u>YES</u>	<u>NO</u>
3. Will the proposed action involve or result in any of the following:		
(a) Physical alteration of land along the shoreline, underwater land or surface water?	___	___
(b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?	___	___
(c) Expansion of existing public services or infrastructure in undeveloped or low-density areas of the waterfront area?	___	___
(d) Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law?	___	___
(e) Mining, excavation, filling or dredging in surface waters?	___	___
(f) Reduction of existing or potential public access to, or along, the shoreline?	___	___
(g) Sale or change in use of publicly-owned lands located on the shoreline or underwater?	___	___
(h) Development within a designated flood or erosion hazard area?	___	___
(i) Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion?	___	___
(j) Construction or reconstruction of erosion protective structures?	___	___
(k) Diminished or degraded surface or groundwater quantity and/or quality?	___	___
(l) Removal of ground cover from the site?	___	___

4. PROJECT

(a) If a project is to be located adjacent to shore:		
(1) Does the project require a waterfront location?	___	___
(2) Will water-related recreation be provided?	___	___
(3) Will public access to the foreshore be provided?	___	___
(4) Will it eliminate or replace a water-dependent use?	___	___
(5) Will it eliminate or replace a recreational or maritime use or resource?	___	___
(b) Is the project site presently used by the community neighborhood as an open space or recreation area?	___	___
(c) Will the project protect, maintain and/or increase the level and types or public access to water-related recreation resources or facilities?	___	___
(d) Does the project presently offer or include scenic views or vistas that are known to be important to the community?	___	___
(e) Is the project site presently used for commercial or recreational fishing or fish processing?	___	___
(f) Will the surface area of any local creek corridors or wetland areas be increased or decreased by the proposal?	___	___
(g) Is the project located in a flood prone area?	___	___
(h) Is the project located in an area of high coastal erosion?	___	___
(i) Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?	___	___
(j) Do essential public services or facilities presently exist at or near the site?	___	___
(k) Will the project involve surface or subsurface liquid waste disposal?	___	___
(l) Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	___	___
(m) Will the project involve shipment or storage of petroleum products?	___	___
(n) Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into coastal waters?	___	___
(o) Will the project involve or change existing ice management practices?	___	___

	<u>YES</u>	<u>NO</u>
(p) Will the project alter drainage flow, patterns or surface water runoff on or from the site?	___	___
(q) Will best management practices be utilized to control storm water runoff into waterfront waters?	___	___
(r) Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates?	___	___
(s) Will the project affect any area designated as a tidal or freshwater wetland?	___	___
(t) Will the project utilize or affect the quality or quantity of sole source or surface water supplies?	___	___

**F. REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES" ABOVE. PLEASE CITE THE QUESTION/NUMBER. (Attach additional sheets if necessary.)**

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If you require assistance or further information in order to complete this form, contact the Amherst Planning Department at (716) 631-7051.

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**Please submit completed form, along with one copy of a site/sketch plan to:**

Amherst Planning Department  
5583 Main Street, Williamsville, NY 14221

Preparer's Name (Please print) : \_\_\_\_\_

Affiliation: \_\_\_\_\_

Telephone Number: (\_\_\_\_\_) \_\_\_\_\_

Date: \_\_\_\_\_

Appendix B

LWRP and ACP Charter Presented to Town Board

Draft



Town of Amherst  
**Local Waterfront Revitalization Plan &  
Amherst Central Park**  
Project Charter

**1. Sponsor:** Town of Amherst

**2. Opportunity:**

- A. Utilize the Local Waterfront Revitalization Plan (LWRP) process laid out by the New York Department of State to plan for recreation, land use, and environmental needs along Ellicott Creek and Tonawanda Creek. The Town prepared an LWRP for Tonawanda Creek in the early 2000s, which was never approved by the Department of State. As of 2015, Ellicott Creek was designated an inland waterway and eligible for the designation and LWRP funding.
- B. Leverage the opportunity created by the closing of the Westwood Golf Course and transfer to development entity.
- C. Connect Town-owned park land, as recommended in Town Comprehensive Plan and 2018 Recreation and Parks Master Plan
- D. The LWRP's process allows the Town to develop a vision for recreational and cultural connections to our inland waterways.

**3. Major Goals and Objectives:**

- Create and adopt LWRP for Ellicott Creek
- Revisit and update the LWRP along Tonawanda Creek
- Improve water quality
- Foster relationships with municipalities to address water quality within the watershed
- Identify opportunities for ensuring environmental quality such as erosion control and shoreline restoration
- Plan Amherst Central Park – identify active/passive recreation opportunities, and nodes of access to engage with Ellicott Creek
- Create a Master Plan for Northtown Center, including facilities expansions and the potential addition of a fifth accessible ice rink
- Create focal point for activity, recreation, and interest
- Identify spaces to expand civic, cultural, and historical assets
- Identify land uses and zonings that compliment surrounding neighborhoods
- Define character of Maple Road , Sheridan Drive, and Millersport Highway as they relate to the park, recreation resources and the University at Buffalo
- Enhance pedestrian, vehicle and bike circulation
- Create pedestrian, vehicle, and bike linkages through the park and along Ellicott Creek and Tonawanda Creek



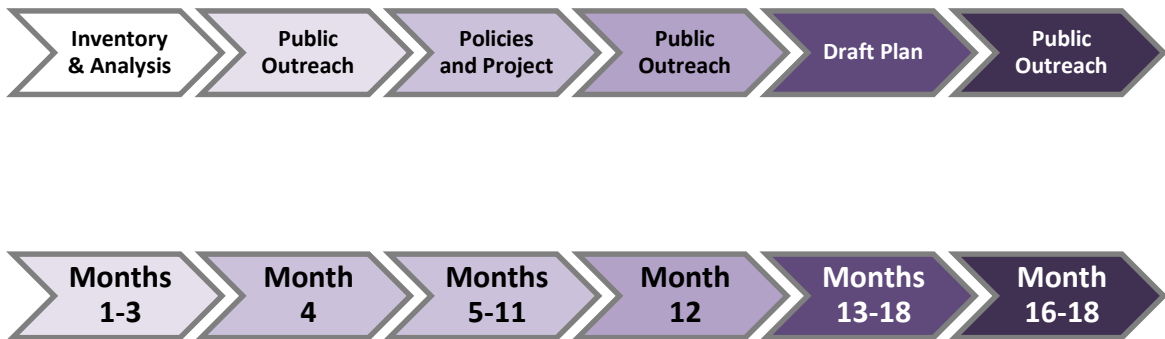
- Foster a collaboration between the University at Buffalo and Amherst to create pedestrian and park land connections to campus, and mutually determine future land uses to meet future expansion, innovation, and economic development goals
- Address environmental hazards and impacts of future development

**4. Major Assumptions and Constraints:**

- A. Assumption: opportunity to develop a central park will be a regional draw and asset to Amherst
- B. Assumption: increased use of trails/integration of trails
- C. Assumption: conservancy model for park management will be cost net neutral
- D. Constraint: Neighborhood Conservation District Zoning per contract with New York State
- E. Constraint: UB Bike Path Concurrent Use agreement
- F. Constraint: Soil contamination at golf courses
- G. Constraint: Wetlands, flood plains, forested areas and significant plant species
- H. Constraint: UB site control (Buffalo and Albany - SUNY)
- I. Constraint: Maple, Sheridan, North Forest, and Millersport Highway (existing conditions and jurisdictional control)
- J. Constraint: Town Highway and Engineering Departments located on creek
- K. Constraint: Wastewater Treatment Plant on Tonawanda Creek
- L. Constraint: Identify State and/or Federal dollars used in Audubon Golf Course which may have to be repaid
- M. Constraint: Sanitary sewer capacity
- N. Constraint: Flood plain management and storm water drainage to the Creek

**5. Process and Schedule:**

A Local Waterfront Revitalization Program consists of a planning document prepared by a community, and the program established to implement the plan. An LWRP may be comprehensive and address all issues that affect a community's entire waterfront, or it may address the most critical issues facing a significant portion of its waterfront. An LWRP follows a step-by-step process by which a community can advance community planning from a vision to implementation, which is described in the image below.



**6. Town Leadership:**

- A. Brian Kulpa, Town Supervisor
- B. Daniel Howard, Planning Director
- C. Ellen Kost, Assistant Planning Director
- D. Jeff Szatkowski, Landscape Architect
- E. Maggie Hamilton Winship, Director of Strategic Planning
- F. Scott Marshall, Associate Planner
- G. Kimberly Amplement, Planner
- H. Amherst Conservation Advisory Council
- I. Department of Youth & Recreation
- J. Town Highway Department
- K. Town Engineering Department
- L. Amherst Energy Conservation Committee
- M. Town of Amherst Clerk’s Office
- N. Town of Amherst Assessor’s Office

**7. External Stakeholders:**

- A. New York Department of State
- B. University at Buffalo
- C. New York State Department of Transportation
- D. Erie County Department of Public Works
- E. Erie County Soil and Water
- F. New York State Department of Environmental Conservation
- G. Amherst Industrial Development Agency's Local Development Corporation
- H. Private property owners
- I. Environmental and community groups
- J. Buffalo Niagara Heritage Museum
- K. Buffalo Niagara Waterkeeper
- L. WNY Land Conservancy

**8. Waterfront Advisory Committee:**

- A. Brian J. Kulpa, Amherst Town Supervisor, Chair of Committee
- B. Thomas Loughran, Erie County Legislator
- C. Colleen DiPirro, Senior Advisor, Amherst Chamber of Commerce & Regional Economic Development Committee member
- D. Sharon Rich, Chair of the Town of Amherst's Arts & Culture in Public Place Board (or designee)
- E. Elizabeth Graczyk D'Agostino, Chair of the Amherst Conservation Advisory Council (or designee)
- F. David Mingoia, Executive Director of the Amherst Industrial Development Agency
- G. Mary-Diana Pouli, Executive Director, Town of Amherst Youth and Recreation
- H. Ben Vilonen, Village of Williamsville Public Works Crew Chief
- I. Tonga Pham, Associate Vice President for University Facilities, University of Buffalo (or designee)
- J. William Kindel, past Town Councilman
- K. Judy Ferraro, Keep Westwood Green Chairwoman
- L. Francis Kowsky, SUNY Professor Emeritus, Olmsted Scholar
- M. Andy Shaevel, Managing partner, Mensch Capital
- N. Timothy Trabold, retired GBNRTC transportation programs manager
- O. Nate Hartrich, President of the Morningside Neighborhood Association
- P. Anthony J. Panella, Amherst Central Schools
- Q. Scott Martzloff, Williamsville Central School District
- R. Anthony J. Day, Sweet Home Central School District
- S. Mark Alnutt, University of Buffalo Athletic Director
- T. William O'Loughlin, past Town Councilman

**9. Potential Consultant(s):**

- A. Planning - Concept development, design support, and writing of projects and policies
- B. Environmental Consultant (for contamination and wetland delineation)
- C. Outside legal counsel specializing in land use and brownfield processes working with the Town's attorneys



**Amherst Town Board**

5583 Main Street  
Williamsville, NY 14221  
[www.amherst.ny.us](http://www.amherst.ny.us)

Marjory Jaeger  
Town Clerk

Meeting: 07/09/18 07:00 PM  
Department: Supervisor  
Initiated by: **Brian Kulpa**  
Co-Sponsored by:

DOC ID: 18944

**RESOLUTION 2018-739**

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**Waterfront Advisory Committee**

**WHEREAS**, in resolution 2018-648 the Town Board accepted the Local Waterfront Revitalization Plan (LWRP) project charter; and

**WHEREAS**, the LWRP charter calls for the formation of a Waterfront Advisory Committee; and

**WHEREAS**, the LWRP lists the committee members as follows

- A. Brian J. Kulpa, Amherst Town Supervisor, Chair of Committee
- B. Thomas Loughran, Erie County Legislator
- C. Edward Rath III, Erie County Legislator
- D. Colleen DiPirro, Senior Advisor, Amherst Chamber of Commerce & Regional Economic Development Committee member
- E. Sharon Rich, Chair of the Town of Amherst's Arts & Culture in Public Place Board (or designee)
- F. Elizabeth Graczyk D'Agostino, Chair of the Amherst Conservation Advisory Council (or designee)
- G. David Mingoia, Executive Director of the Amherst Industrial Development Agency
- H. Mary-Diana Pouli, Executive Director, Town of Amherst Youth and Recreation
- I. Ben Vilonen, Village of Williamsville Public Works Crew Chief
- J. Tonga Pham, Associate Vice President for University Facilities, University of Buffalo (or designee)
- K. William Kindel, past Town Councilman
- L. Judy Ferraro, Keep Westwood Green Chairwoman
- M. Francis Kowsky, National Association for Olmsted Parks
- N. Matt Roland, Mensch Capital
- O. Timothy Trabold, retired GBNRTC transportation programs manager
- P. Nate Hartrich, President of the Morningside Neighborhood Association
- Q. Anthony J. Panella, Amherst Central Schools
- R. Scott Martzloff, Williamsville Central School District

- S. Anthony J. Day, Sweet Home Central School District
- T. Mark Alnutt, University of Buffalo Athletic Director
- U. Joseph Buscaglia, Historic Preservation

**NOW THEREFORE BE IT RESOLVED,** that this committee be constituted during the duration of the LWRP and be it further;

**RESOLVED,** that the Supervisor, Brian Kulpa, may add or delete committee members as he sees fit and be it further;

**RESOLVED,** that the meetings and minutes from the Waterfront Advisory Committee be publish on the Town's website.

**FINANCIAL IMPACT:**

None for Resolution

Appendix C  
Community Outreach Plan

Draft

# Town of Amherst Local Waterfront Revitalization Program (LWRP)

## Community Outreach Plan May 2019

### **INTRODUCTION**

Although not primarily known as a water-oriented community, the Town of Amherst possesses a vast amount of waterfront land. The Town's northern border is defined by Tonawanda Creek, a navigable waterway that provides both public and private access. In 2015 Ellicott Creek, which traverses the center of the Town, was classified as a designated inland waterway. The presence of these two significant creeks enables Amherst to take advantage of the State's Local Waterfront Revitalization Program (LWRP) initiative to create a comprehensive plan for enhancing waterfront properties, maximizing public access and preserving the quality and beauty of these resources.

Amherst has already created waterfront amenities enjoyed by the public such as trails, parks and passive recreation areas, but many opportunities still exist. In 2006 the Town prepared an LWRP with the Town of Pendleton along their shared boundary formed by Tonawanda Creek. Though not adopted, that plan identified several important projects that will be re-assessed for inclusion in this current LWRP effort. In addition, Amherst recently adopted a Recreation and Parks Master Plan, which will provide information for identifying needs and potential projects.

One of the most prominent sites included in the LWRP is the former Westwood Country Club property, a 172-acre parcel that is centrally located in the Town. Recently purchased by a developer, the land has been the subject of much attention in recent years, due in part to its size, its availability for development, and its proximity to residential neighborhoods. The future use of this property is a key component in the overall LWRP endeavor and is expected to generate robust community participation.

With the inclusion of Ellicott Creek in its LWRP, Amherst's boundary will surround the boundary created by the Village of Williamsville for its own LWRP as that creek also crosses the Village. Amherst and Williamsville will be working closely to ensure consistency and compatibility among the two plans.

### **OUTREACH PURPOSE**

The extensive amount of property proposed within the Amherst LWRP boundary results in a significant number of waterfront landowners. While many of the lands adjacent to Tonawanda Creek along the Town's north border are large rural lots, the properties abutting Ellicott Creek are



much more numerous, as this creek runs through the middle of the Town and abuts smaller suburban parcels.

As the LWRP will ultimately regulate land use within the designated boundary, the input of affected property owners and overall Town residents is crucial to public acceptance of the document. Amherst has structured its outreach program to include several modes of input to involve as many individuals, groups and agencies as possible to create a comprehensive and feasible product.

## **ROLES AND RESPONSIBILITIES**

The LWRP process involves multiple stakeholders including both governmental and non-governmental agencies described below:

### NYS Department of State (DOS)

The DOS Office of Planning and Development oversees the LWRP program and is the primary contact for all participating municipalities. The DOS also provides funding through the Environmental Protection Fund (EPF) as well as technical assistance throughout the project. As sponsor, DOS requires quarterly updates of project progress. In addition, that office reviews and comments on key task milestones and provides overall project oversight. The Town has applied for an EPF grant for its LWRP; grants are expected to be awarded at the end of 2018.

### Town of Amherst

As the applicant for the LWRP, the Town has primary responsibility for day-to-day administration and management of the project. Various individuals, departments and boards will be involved:

- Town Board – The five (5) member Town Board will be informed of all activities and provided copies of all documents related to the LWRP for their review and comment. This board has the authority to approve the final document. Their involvement in public meetings will enable them to stay apprised of community sentiment about the project and inform their decision-making.
- Planning Board – The seven (7) member Planning Board will be provided drafts of all LWRP documents for review and recommendation to the Town Board.
- Advisory Committees – Representatives from various committees will be relied upon to provide comments on their areas of expertise. These include but are not limited to:
  - Conservation Advisory Council
  - Historic Preservation Commission
  - Arts & Culture Committee
  - Youth Board
  - Recreation Commission
  - Senior Citizens Board

- Traffic Safety Board.

### Waterfront Advisory Committee

The Committee will meet periodically to hear staff updates on the project progress and provide feedback. They will take part in the waterfront tours to familiarize themselves with the areas being studied. Their presence at public meetings will also be important to allow them to hear resident feedback and engage in the community dialogue.

### Project Consultants

The Town is in the process of engaging a professional planning consultant to guide the development of the plan and facilitate all community outreach activities. Also required for this project may be an environmental consultant and legal counsel.

## **LWRP STAKEHOLDERS**

Preparation of the LWRP will require the expertise of many stakeholders that include agencies, groups and individuals with knowledge that will enhance the final product. The following have been identified as likely participants:

### **Amherst Waterfront Advisory Committee (WAC)**

The WAC is made up of 28 members representing Town departments, State/regional agencies, elected officials, schools, homeowner groups and the general public. The following individuals are members of the WAC:

#### Town Representatives

- Brian Kulpa, Supervisor
- Maggie Hamilton Winship, Director of Strategic Planning
- Dan Howard, Planning Director
- Ellen Kost, Assistant Planning Director
- Jeff Szatkowski, Landscape Architect
- Mary-Diana Pouli, Executive Director, Youth & Recreation
- Sharon Rich, Chair, Arts & Culture Committee
- Elizabeth Graczyk D'Agostino, Chair, Amherst Conservation Advisory Council

#### Elected Officials

- Bonnie Kane Lockwood, representing NYS Rep. Brian Higgins
- Chris Fahey, representing NYS Rep. Brian Higgins
- Jennifer Dunning, representing NYS Assemblywoman Karen McMahon
- Jonathan McNulty, representing NYS Sen. Ranzenhofer
- Thomas Loughran, Erie County Legislator, District 5
- Katrina Zepowitz, representing Erie County Legislator Edward Rath III, District 6

### Educational Institutions

- Anthony Panella, Superintendent, Amherst Central Schools
- Scott Martzloff, Superintendent, Williamsville Central Schools
- Gerry Stuitje, representing Superintendent Tony Day, Sweet Home Central Schools
- Tonga Pham, Associate Vice President - Facilities, SUNY Buffalo
- Ryan McPherson, Chief Sustainability Officer, SUNY Buffalo
- Mark Alnutt, Director of Athletics, SUNY Buffalo

### Business Interests

- Colleen DiPirro, Past President, Amherst Chamber of Commerce
- Matt Roland, Director of Planning & Development, Hamister Group
- David Mingoia, Chair, Amherst IDA

### Residents & Special Interests

- Judy Ferraro, resident
- Tim Trabold, resident
- Nate Hartrich, President, Morningside Home Owners Association
- Francis Kowsky, SUNY Professor Emeritus (retired), Olmsted Scholar
- Benjamin Vilonen, Manager, Department of Public Works, Village of Williamsville

### **State and Federal Agencies**

- NYS Department of Environmental Conservation (NYS DEC)
- US Fish and Wildlife Service (USFWS)
- US Army Corps of Engineers (USACOE)
- NYS Department of State (NYS DOS)
- NYS Office of Parks, Recreation and Historic Preservation (OPRHP)
- NYS Canal Corporation
- Empire State Development Corp.
- SUNY at Buffalo

### **Municipal Representatives**

- Amherst Supervisor and Town Board
- Planning Board
- Zoning Board
- Amherst Departments (Planning, Engineering, Building, Highway, Youth & Recreation, Attorney)
- Erie County Department of Environment and Planning
- Erie County Soil & Water Conservation
- Village of Williamsville
- Other adjacent municipalities

## **Local Agencies and Groups**

- Buffalo Niagara Waterkeeper
- Amherst Chamber of Commerce
- Amherst Industrial Development Agency
- Amherst Historic Preservation Commission
- Amherst, Sweet Home and Williamsville School Districts
- Buffalo Niagara Heritage Village
- Nature Conservancy
- Western New York Land Conservancy
- Cornell Cooperative Extension

## **Recreational Groups**

- Go Bike Buffalo
- Golf Courses (Oakwood, Audubon, Par 3)

## **Neighborhood Representatives**

- Keep Westwood Green
- property owners
- Agricultural District representatives
- homeowners associations

## **OUTREACH METHODS**

### 1. Advertising

Raising public awareness of the LWRP project is of utmost importance to make the public aware of the Town's effort and to publicize upcoming meetings and events. To that end, the Town will utilize various methods to get the word out, including but not limited to local newspapers, Town website, neighborhood newsletters, and poster distribution. Posters and notices will be distributed throughout Town Hall and other Town buildings, the four Town libraries and other public gathering spots such as recreational facilities and schools. Television and radio outlets will also be notified of upcoming meetings.

### 2. Public kickoff meeting

The first meeting for the project will be a public kickoff meeting proposed for early Fall 2018. Notice of the meeting will be placed in the *Amherst Bee* and on the Town website. This will be the first opportunity for the general public to learn about the LWRP project. Town staff will be present to explain the project, answer questions and accept comments. Maps showing the proposed LWRP boundaries for both creeks, along with panels highlighting the program's

purpose and timeline, will also be available. Afterwards a summary of this initial meeting will be posted on-line for public review and comment.

### 3. Informational meetings / workshops

The Town will conduct 3 public meetings to allow staff to present information regarding the recommended projects identified in the LWRP and provide a forum for give-and-take among attendees. The meetings will be held at different locations in the Town to encourage attendance.

- Meeting 1 – after completion of Inventory & Analysis (Public kickoff meeting)
- Meeting 2 – after completion of Section IV (Proposed Projects)
- Meeting 3 – after completion of the draft LWRP document

### 4. Site tours

The Town scheduled five (5) tours of the waterfront area in August and September 2018. All members of the Waterfront Advisory Committee were invited to participate. Each tour lasted 2-3 hours long, and most involved both walking and driving. Tours included short stops at key areas and points of interest, as well as ‘interviews’ with key landowners to gain their perspectives on issues/problems. Tour participants were asked to identify concerns and opportunities they observed, and this input will be assembled for use as the LWRP document is prepared.

At the conclusion of the site tours, the Waterfront Advisory Committee will meet to review overall impressions of the LWRP area including site conditions, issues and opportunities. This input will be a valuable resource for preparation of the LWRP document.

### 5. Social media

The use of social media will be important for collecting feedback to supplement the other public events. The Town will utilize Facebook and Twitter as means of communicating events and obtaining input. The Town website will include a link to documents and maps prepared for the LWRP, as well as contact information for anyone wishing to comment on the process or ask questions. The Town may also wish to create a webpage for the LWRP. The website/webpage will be updated as the project progresses.

### 6. Charrette

The use of a design charrette will create an opportunity for the public to participate in a detailed discussion and explore various options for a specific site(s) within the LWRP boundaries. The most obvious site is the former Westwood Country Club which should involve many resident participants.

*AMHERST*

One Town ~ Two Waters

Appendix D  
WAC Tour Summary Packet

Draft



# Town of Amherst Local Waterfront Revitalization Program

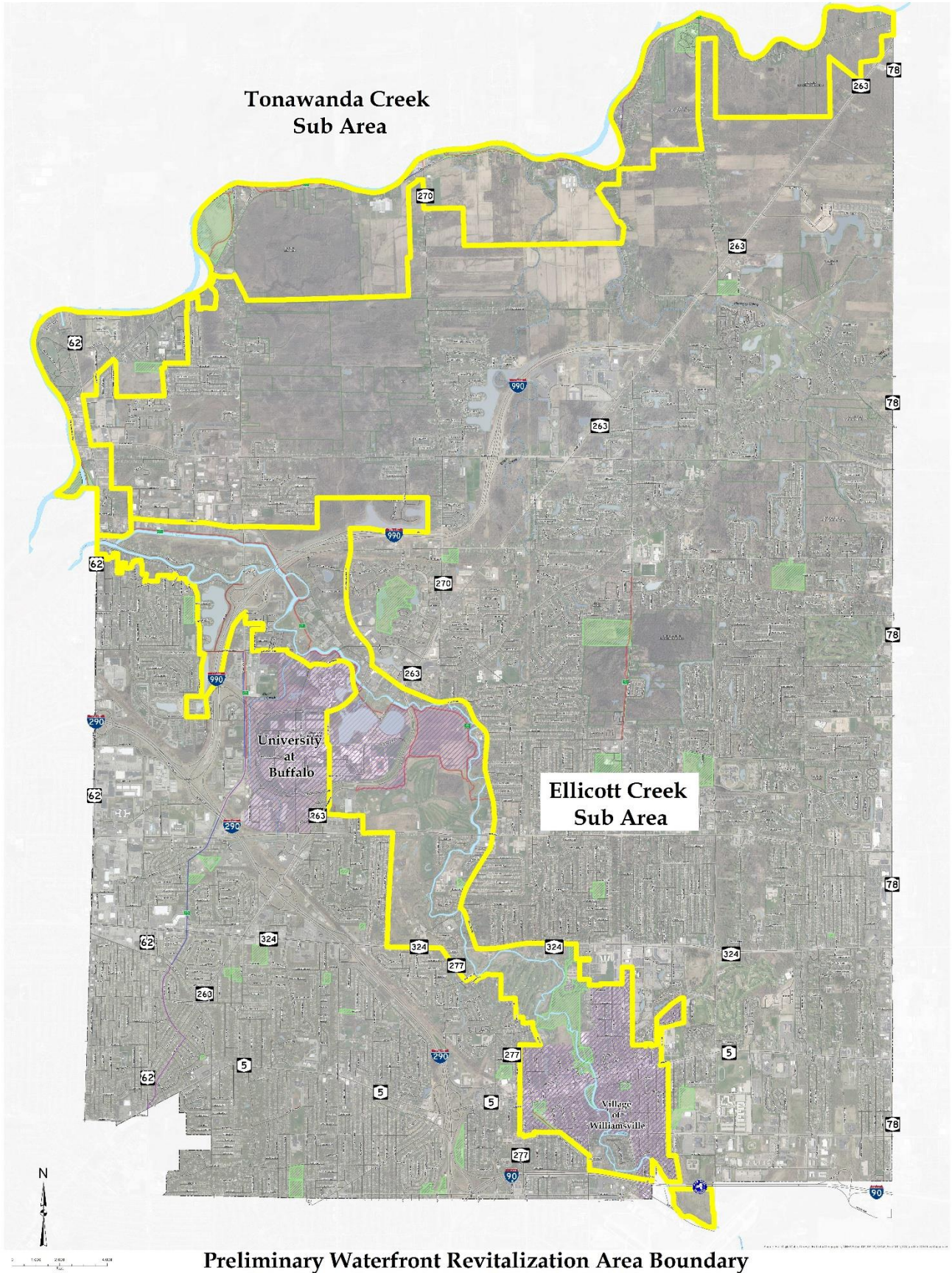


Summary and Findings of LWRP Tours  
October 2018



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Hydrography	Zoning
Floodway & Floodplain	Land Use
Wetlands	Bedrock
Terrain Relief	Soil Profile
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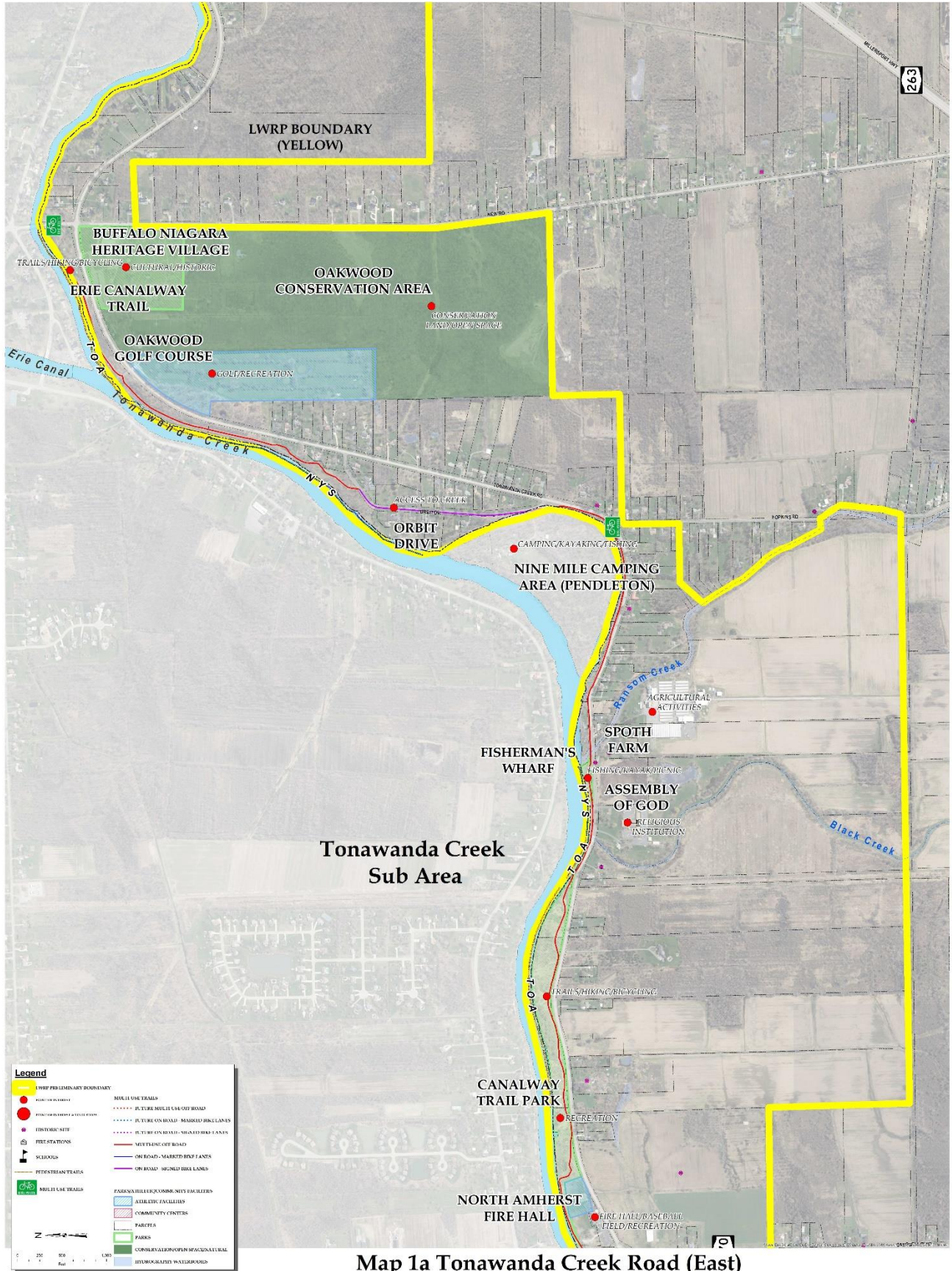


**Preliminary Waterfront Revitalization Area Boundary**

# Tour 1

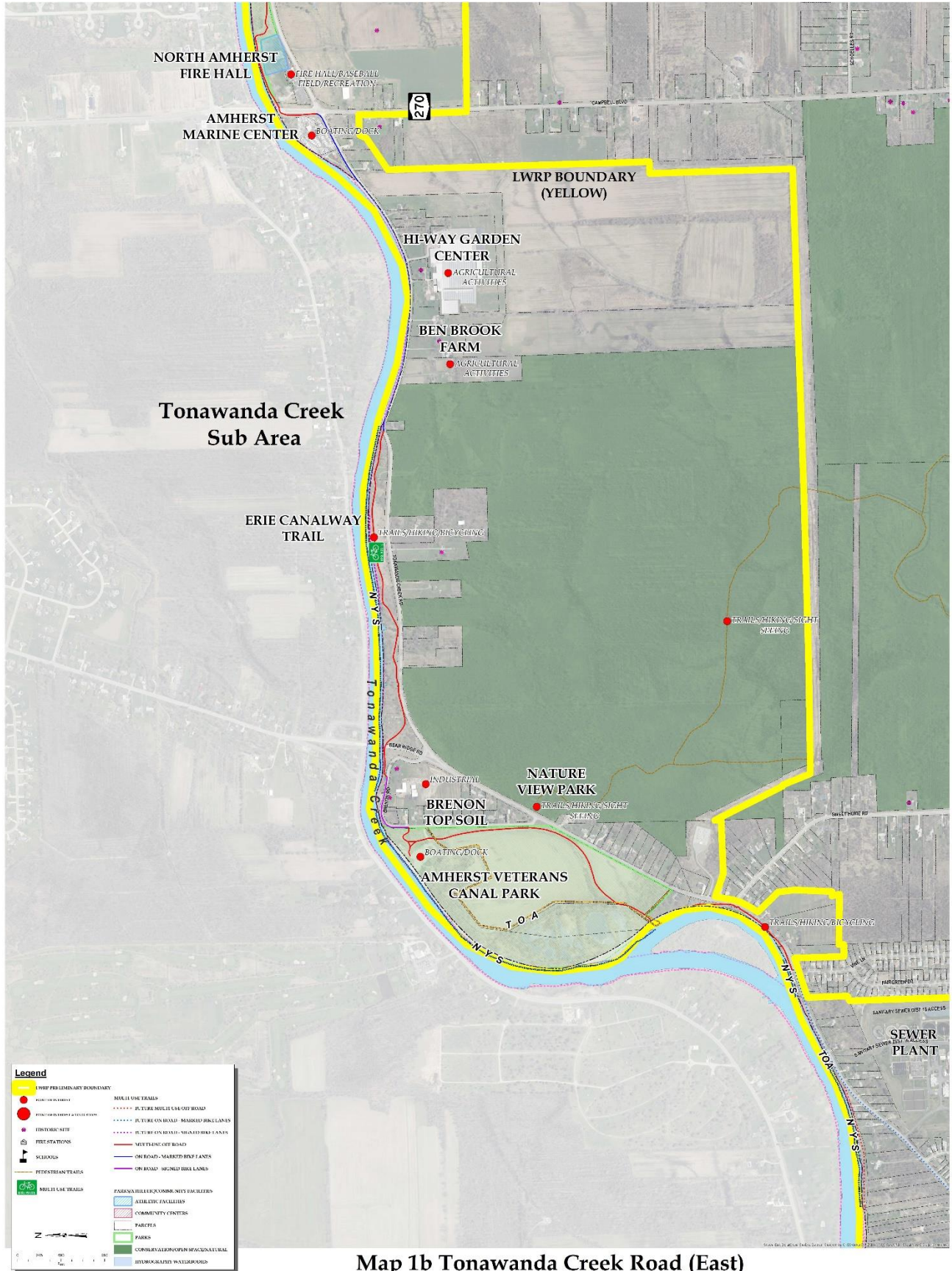
## Tonawanda Creek (East)

Town of Amherst Waterfront Advisory Committee Summary & Findings  
 Local Waterfront Revitalization Program



Map 1a Tonawanda Creek Road (East)

Town of Amherst Waterfront Advisory Committee Summary & Findings  
 Local Waterfront Revitalization Program



Map 1b Tonawanda Creek Road (East)



Town of Amherst Waterfront Advisory Committee Summary & Findings  
Local Waterfront Revitalization Program

**Tour #1 - Tonawanda Creek (East)**

August 17, 2018

**ATTENDANCE:**

Town:

Jacqueline Berger  
Lisa Kistner  
Ellen Kost  
Mary-Diana Pouli  
Jeff Szatkowski  
Maggie Winship

WAC:

Judy Ferraro  
Francis Kowsky  
Matt Roland  
Tim Trabold  
Ben Vilonen

**North Amherst Fire Hall**

Opportunities:

- Designate vehicle parking for Canalway Trail
- Potential playground location

**Fisherman's Wharf**

- Highly used pull-off for vehicles
- Good ecosystem results in fishing opportunities
- Active wildlife present; birds hunt for fish in this area.
- Footbridge over Ransom Creek (built 1977)
- Informal setting

Issues:

- Safety for pull-off area
- Road speed, circulation issues
- Bridge over Ransom Creek is currently closed for repair (Town responsible for maintenance)

Opportunities:

- Improve the site design and experience for users
- Keep the design simple without affecting area wildlife
- Highlight footbridge (signage)

**Spoth Farm**

- In existence since about 1900 – historical, multi-generational, preservation, unique
- Member of County Agricultural District since 1990
- 650 acres of total property in northeast Amherst
- East of Ransom Creek – barges used to load/off-load goods from/to farms from the creek
- One of a few hemp farms in Western New York
  - “the future of agriculture” but challenging to grow

## Town of Amherst Waterfront Advisory Committee Summary & Findings Local Waterfront Revitalization Program

- The largest hemp farm in WNY (102 acres vs. typical 10-20 acre farms)
- Hemp requires 500,000 gallons of water/day from Ransom Creek
- Currently, dry weather is better for producing hemp
- Licensed by NYS - about 30 licenses given throughout the state
- Benefits: cleans the air, high in protein
- Canada and China also grow hemp
- Corn crop is used at the ethanol plant in Medina, NY
- Works with Plant Science Laboratories (Buffalo, NY) which prepare dehydrated fruits (dietary food) for Wegmans

### Issues:

- Need considerable amount of water from Ransom Creek for crops

### Opportunities:

- Potential to lease unused land for educational hiking/foot path trails?

## **Orbit Drive**

- Mix of private owners, NYS-owned waterfront land
- Homes on septic

## **Oakwood Golf Course**

- Town-owned, part of Buffalo Niagara Heritage Village site
- 59 acres, 9-hole golf course

### Issues:

- Conservation land adjacent is not accessible

### Opportunities:

- Good view of creek across the street, but not identified
- Opportunity for historical panel, marker at water's edge

## **Buffalo-Niagara Heritage Village**

- 35 acres, partially Town-funded
- Buildings date from mid- to late-1800's
- 40,000 artifacts, archives, 10 major exhibits/yr.
- Pushing for "Active Immersion Experience at the Museum"
- Promoting a farm-to-table exhibit
- Hosts 4,000 children/students per year
- Applied for Red Seed Funds for a boat dock
- BNHV views itself as a community center more than a museum



## Town of Amherst Waterfront Advisory Committee Summary & Findings Local Waterfront Revitalization Program

### Issues:

- No visibility from canal and limited access to the water
- Need informational signage to direct users to the museum
- Trail users stop in for breaks
- Grid-lock at the intersection during peak hours

### Opportunities:

- Treasure/gem in the north part of Town
- Pursue the opportunity to become an “Intermodal Center”, apply for intermodal transportation funds
- Separate uses from public versus museum (parking, restrooms, fountains, cycling amenities, bike share, etc.)
- Direct access to the canal – accessibility for all users – ADA compliant
- Establish a presence on Cycling NY and canalway maps
- Embrace current movements: “makers space”, “artisan”, “farm-to-table”
- Would like to become more of a destination than a museum
- Partnership opportunities

### **Nature View Park**

- 1263 acres
- Managed by the Western New York Land Conservancy
- Nature preserve, wetlands, hiking “foot path only trails” (no programmed recreation)
- No official Town trails or trail map associated with the park
- Trails maintained by volunteer groups/adjacent neighbors
- 2 parking lots: Tonawanda Creek Road and Sweet Home Road (new)

### Issues:

- Isolated
- Difficult access to trails from other road/neighborhood locations (other than the 2 parking areas)

### Opportunities:

- Create a small designated trail system within the park to connect to Erie Canalway Trail
- Create a possible loop with Amherst Veteran’s Canal Park

### **Veterans Canal Park**

- 65 acres, Town/NYS ownership
- Boat launch, kayak launch, restroom building
- UB uses site for rowing training / equipment storage
- In very good shape, actively used, aesthetically pleasing
- Has the infrastructure in place

## Town of Amherst Waterfront Advisory Committee Summary & Findings Local Waterfront Revitalization Program

### Issues:

- Access to water, but not swimmable
- Multiple trail paths are a bit confusing

### Opportunities:

- Has plenty of land/space
- Enhance existing amenities (picnic tables, trash cans, playgrounds, etc.)

### **Brenon Road**

- “Pickard’s Bridge historic district” recommended in Town’s historic resource survey; several sites date from the mid-1800’s
- Kramer’s General Store – dilapidated historic building recently demolished
- Brenon Top Soil located in this area

### **Amherst Marine Center**

- Established in 1993 with multiple owners; currently 21 owners
- 42 slips
- One of the largest lifts in WNY (can move a 60’ vessel)
- Average vessel 30-32’
- Stores approx. 109 boats in the winter
- Last spot before Lockport; used as a rest spot/lay over
- Situated 1.5 hours between the Niagara River and Lockport in either direction
- Business was great during the Pontoon Boat rental phase – too costly to keep it up

### Issues:

- No sewer capacity
- Difficulty / high cost of trash removal
- Difficult to improve the site amenities due to ACOE, DEC and Canal Corp. permitting
- On-site storage capacity for vessels

### Opportunities:

- Only parcel zoned GB along Tonawanda Creek – opportunity for a small business/restaurant
- Charming feature within a prime location
- Need assistance with permitting to make improvements
- Increase storage capacity
- Popular “stop off” – no wake zone and away from the busy Niagara River
- Rental possibilities: electric pontoon boats, adaptable boating, stand-up paddleboards, kayaks, bikes or bikeshare location.

### **Erie Canalway Trail (Multi-Use Bike Path)**

- Potential scenic, cultural, historical and recreational features

## Town of Amherst Waterfront Advisory Committee Summary & Findings Local Waterfront Revitalization Program

- NY Power Authority owns Canal Corp.
- Needs safety improvements along the trail , better separation from the road
- Needs better access points - similar to the improved crossing at the museum
- Needs more off-road locations if possible
- Create more rest-stop locations based on the historic use of the Canal - ie barges, docks, bridges
- Capitalize on increased funding for major capital improvements
- Need to sit down with NYPA, Canal Corp, DEC, TOA & Erie County to discuss ownership/maintenance agreements, future projects

### Issues:

- Pedestrian/bicycle safety improvements need to be addressed
- Designate/separate more sections of the bike path from the road
- Parking and access to the path is challenging, not organized

### Opportunities:

- Potential Scenic Byway designation
- Increase more off-road trail options and connect to other trail systems along the creek
- Capitalize on the history of the canal and focus on specific sites
- Need permanent mile markers
- Designate certain locations as cross country routes during winter months

## **Tonawanda Creek (waterway)**

### Issues:

- Limited access points to actual waterway
- Lack of Historical Corridor interpretation along creek
- Limited parking to access water and public amenities
- Not swimmable

### Opportunities::

- Celebrate historic significance
- Eco-tourism with a focus on agriculture
- “Embrace a lesser traveled, less used, less hectic part of the region”
- Tonawanda Creek Road can provide better access points and could improve circulation
- Considerable amount of natural resources (plant/wildlife)
- Boaters prefer this quiet, peaceful creek for boating/overnight stops than other waterways in the region
- Enhance the connection to the Erie Canalway System (Buffalo-Albany)

## **Wildlife/Ecosystem**

- Northern Pike, osprey, grommets, beavers

# Tour 2

## Westwood Area

Town of Amherst Waterfront Advisory Committee Summary & Findings  
 Local Waterfront Revitalization Program



Map 2 Westwood Area

Town of Amherst Waterfront Advisory Committee Summary & Findings  
Local Waterfront Revitalization Program

**LWRP Tour #2 - Westwood Area**

August 24, 2018

**ATTENDANCE:**

**Town:**

Jacqueline Berger  
Lisa Kistner  
Ellen Kost  
Brian Kulpa  
Asher Pontikos  
Mary-Diana Pouli  
Jeff Szatkowski  
Maggie Winship

**WAC:**

Joe Buscaglia  
Judy Ferraro  
Nate Hartrich  
Francis Kowsky  
Tom Loughran  
Dave Mingoia  
Matt Roland  
Andy Schaevel  
Tim Trabold  
Ben Vilonen

**Guests:**

Sarah Cudmore (Ciminelli)  
Bill Pauly

**Westwood Country Club (Clubhouse Building)**

- Historic elements exist and are still intact; slate roof on original portion of building
- Main Building constructed 1920's; multiple additions added over the decades
- Multi-story/multi-level building
- Historically, a restaurant was not successful here
- Amherst needs 500-600 person convention center space. Westwood currently can't handle this capacity
- Some interior damage has occurred

**Issues:**

- Multi-level building difficult for ADA compliance and adaptive re-use
- Ingress/egress is a challenge from the building to the grounds
- Age and condition of the building
- Recent invasions - boarded up snack shop
- Noise noticeable from Sheridan Drive

**Opportunities:**

- Location for a future civic space
- Preserve historic elements within the building, demo all non-core structures associated with the original footprint
- Possible "boutique hotel", conference center

**Westwood Country Club (Former Golf Course Site)**

- Impressive, pastoral setting
- Existing topographic features different from most parts of Amherst along the creek
- The trail/greenway along the creek is already a "park" with natural topographic features and mature vegetation

## Town of Amherst Waterfront Advisory Committee Summary & Findings Local Waterfront Revitalization Program

- Owners brush-hog once or twice/year
- Corridor 20 - 30 ft. deep along west property line maintained by owners once/month
- Owners promised land on opposite side of creek to Brookedge Drive homeowners
- Deer, coyote, turkey, fox present

### Issues:

- Natural constraints - floodplain, soil contamination, etc.
- Connections to Sheridan Drive and Maple Road
- Keeping 5% slope for an ADA complaint multi-use trail along the creek
- Buffering future land use from adjacent neighborhoods

### Opportunities:

- Location is nearly central in the Town of Amherst
- Topographic and natural features already provide a “park” setting
- Potential for an amphitheater based on the topography (15 - 20 ft. drop)
- Property has the scale and capacity to host multiple uses; various types of development (mixed-use, senior housing, market-rate apartments, single-family homes, general business, office park, etc.), while maintaining a large “passive park” with active programmatic elements
- Could be combined with the Par 3 Course to increase ability to provide multiple uses
- Retain 2 stands of “old growth” trees (northwest portion of site)
- Retain important vegetation and water features (3 ponds near Maple Road)
- Ample infrastructure in place
- Provide connections from Maple to Sheridan
- Potential connection from the bridge to the Highway Department property

## **Par 3 Golf Course**

- Used mainly by families with small children and by seniors
- A few ponds on site

### Issues:

- Not well used

### Opportunities:

- Available for a land swap?
- Part of a 9-hole course with a built-in practice center 2-3 extra holes and driving/putting areas (combine with Audubon)

## **Channelized Creek (at Maple Road)**

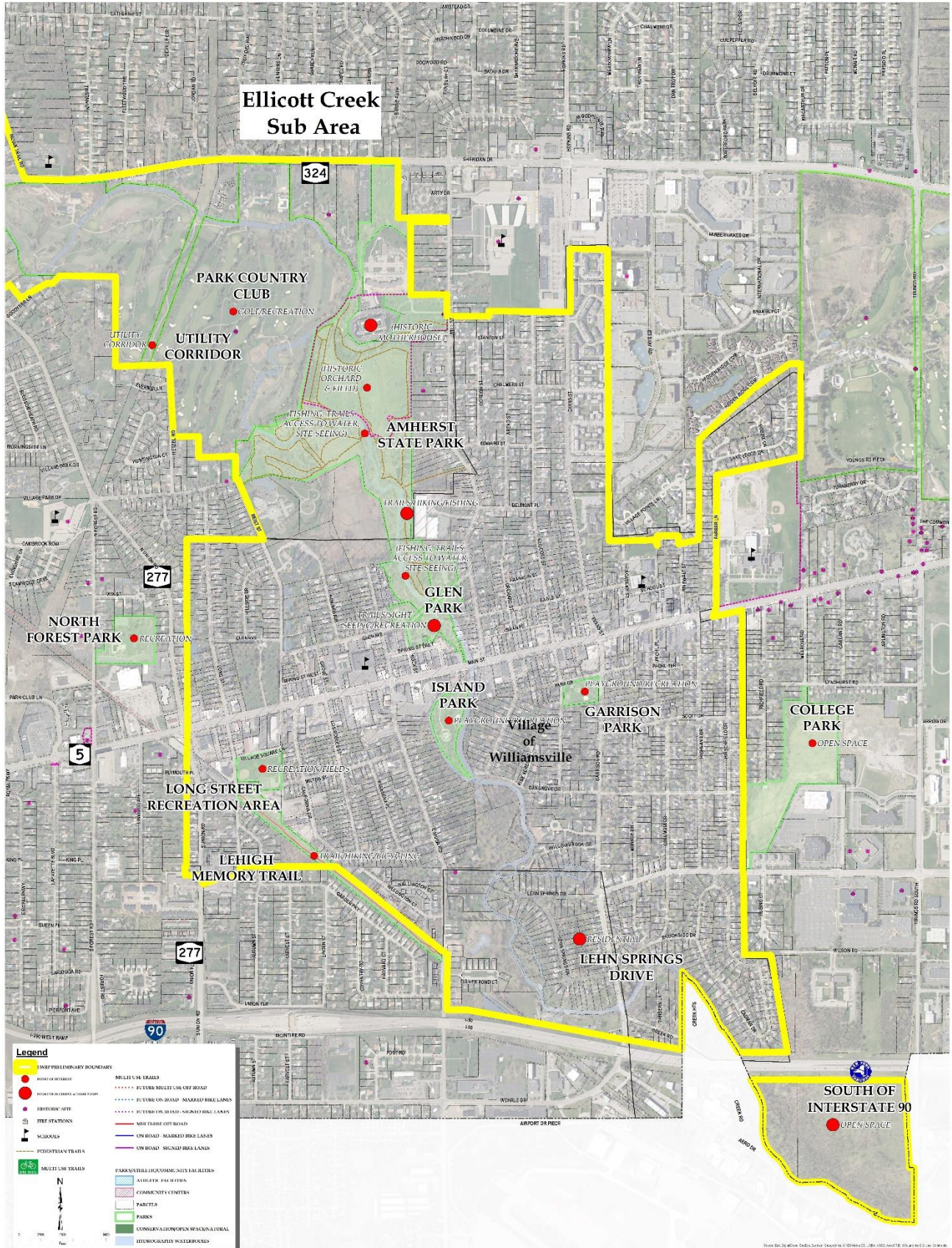
- Army Corps of Engineers channelized in mid-1980's

# Tour 3

## Amherst State Park & South of Sheridan Drive



Town of Amherst Waterfront Advisory Committee Summary & Findings  
 Local Waterfront Revitalization Program



**LWRP Tour #3 - Amherst State Park & Area South of Sheridan Drive**

August 28, 2018

**ATTENDANCE:**

Town:

Jacqueline Berger  
Lisa Kistner  
Ellen Kost  
Brian Kulpa  
Asher Pontikos  
Jeff Szatkowski

WAC:

Joe Buscaglia  
Judy Ferraro  
Dave Mingoia  
Matt Roland  
Tim Trabold  
Ben Vilonen

**Amherst State Park (Historic Complex and Trails)**

- “Hidden/natural gem”, beautiful, scenic, magnificent gardens, attracts nature enthusiasts
- Passive park
- Motherhouse complex designated a Town historic landmark in 2000; also on State and National Registers (includes boiler house, garage, orchard)
- Recent construction and improvements/enhancements to the park
- Restored historic stairs, new concrete sidewalk, new stone dust path to Reist Street, new benches, increased mowing of the orchard/field area

Issues:

- Access to the park from adjacent neighborhoods/roads
- Parking and circulation at park entrances is limited and poses safety concerns (access drive off Reist Street is marked “Private Road”)
- Lacks a direct connection to Glen Park area
- Need for an ADA compliant trail from Motherhouse property to Amherst State Park parking lot off Glen Avenue
- Invasive species (Japanese Knotweed) flourishing nearby
- Maintenance of existing stone dust trail
- Remains of foundations/buildings along the Reist Mill trail pose safety concerns – use/significance?
- Tree removal within Amherst State Park; hundreds of dead ash trees as well as other species along the actively used creek and trails
- Portions of the Park (i.e. large meadow) are isolated and not readily accessed from other park locations

Opportunities:

- Enhance the greenway/park connection to Williamsville (Glen Park/Island Park)
- Implement a multi-use trail and boardwalks connecting Glen Park to the Motherhouse (north-south) connection while retaining the natural scenery and serenity of this space
- Create a “welcome center” at Glen Avenue
- Possible splash pad off of Glen Avenue
- Restore the historic tree canopy within the Amherst State Park orchard area

## Town of Amherst Waterfront Advisory Committee Summary & Findings Local Waterfront Revitalization Program

- Add specific park amenities within the passive park
- Capitalize on historical significance to recognize the humble and noble beginnings of the Amherst/Williamsville settlers.
- Add a parking area off of Reist Street
- Leave the open areas along the creek for at-grade human and animal access to the water.
- Consider a community garden in the orchard area
- More educational and interpretive signs; identify tree species.

### Tennis Center

#### Issues:

- Invasive species is pervasive (especially Japanese knotweed behind tennis center building)
- High cost of new trail improvements along the creek (boardwalk, helical piers, etc.)

#### Opportunities:

- Prepare and implement an invasive species management plan
- Would the Tennis Club ever consider being used as a public use?

### Glen Park

- 50/50 - Town/Village ownership and maintenance
- Nature building - wood roof, small windows
- Port-o-potties used

#### Issues:

- Need for restrooms/welcome center at Glen Avenue parking lot
- Parking lot may be too small

#### Opportunities:

- Future “Nature Play” area (previously earmarked for skating rink)
- Include Glen Park in the Town’s LWRP and use the Village language to support the process

### Lehn Springs Neighborhood/Lift Station

- Floodway extends into some lots
- 5 “islands” at rear of Lehn Springs Drive lots
- Former “Old Reservoir”

#### Issues:

- Lack of public connection to the creek in this area
- No connection through the former Lehigh Valley Railroad corridor (trail ends at South Cayuga Road)

#### Opportunities:

- Lift station is Town-owned property with potential access to the creek
- Could be educational opportunity for the public to understand the engineering of the creek

Town of Amherst Waterfront Advisory Committee Summary & Findings  
Local Waterfront Revitalization Program

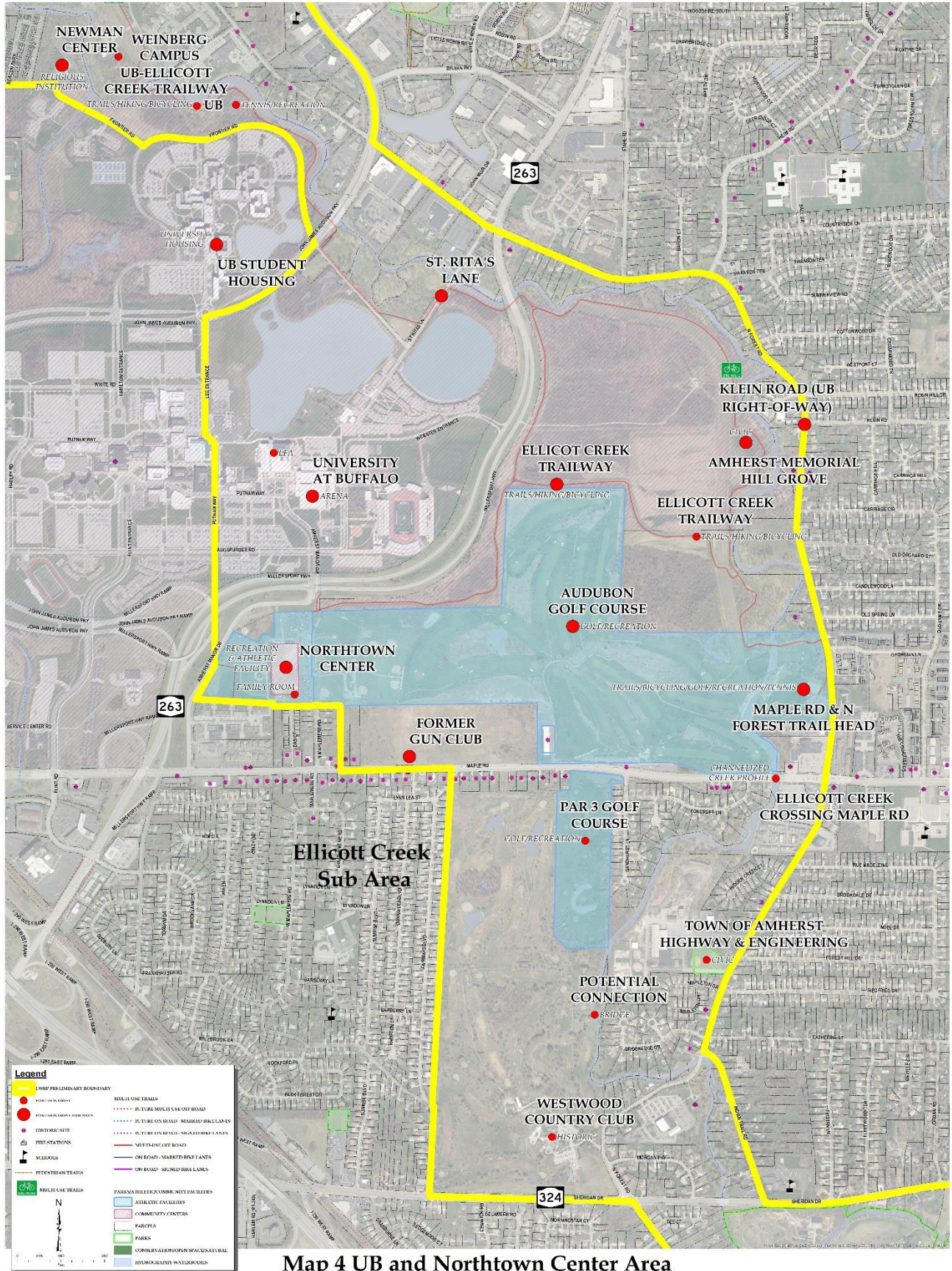
**South of I-90**

- Main site addressed as 669 South Youngs Road
- Outside of sewer district
- Site plan for pump station submitted by Krog Corp. in 2010 - not finalized
- Connection from the Williamsville “Memory Trail” north along South Cayuga up to Wehrle.
- Pocket park with access to creek from the parcel adjacent to the Truth & Love in Christ Church property
- Trail along South Cayuga through Town offices to connect to Glen Ave (via “hawk signal”)
- One of a few locations zoned General Industrial (GI) in the Town
- Some floodway

# Tour 4

## UB & Northtown Center Area

Town of Amherst Waterfront Advisory Committee Summary & Findings  
 Local Waterfront Revitalization Program



Map 4 UB and Northtown Center Area

**LWRP Tour #4 - University at Buffalo, Audubon Golf Course, Northtown Center Area**

September 6, 2018

**ATTENDANCE:**

**Town:**

Jacqueline Berger  
Dan Howard  
Lisa Kistner  
Ellen Kost  
Brian Kulpa  
Asher Pontikos  
Mary-Diana Pouli  
Jeff Szatkowski  
Maggie Winship

**WAC:**

Joe Buscaglia  
Judy Ferraro  
Nate Hartrich  
Matt Roland  
Tim Trabold

**Northtown Center**

- “An Asset to the Community”
- Multi-use surface athletic facility, outdoor multi-sport fields, skate park
- 1.5 to 1.9 million in foot traffic per year
- Includes an international rink
- USA Hockey development camps hosted at the facility

**Issues:**

- Parking and events
- Pedestrian circulation issues
- New Alix Rice Peace Park (skate park) – need to control times of use

**Opportunities:**

- School districts have a need for a field house
- Potential retail/commercial uses adjacent to Amherst Manor Drive as a result of university and school
- Bike sharing facilities
- Northtown Center could become a potential tourist destination (“USA Hockey”)
- Better signage for amenities/points of interest within and adjacent to the Center
- Improve pedestrian circulation through the site for students and users of the facility and recently constructed skate park.
- Improve the intersection and connection from the Center to the university at Audubon Parkway.
- Future site of a 4-story, 105-room hotel
  - Includes amenities to keep families on site
  - ADA accessible rooms
  - potential for food trucks & other events
  - enhance the experience at the facility
  - combine family oriented atmosphere for hosting families throughout the entire event

### **Gun Club**

- 33 acres, vacant
- Zoned GB & MFR-6
- Owned by American Campus Communities
- Soil remediation completed

### **Audubon Golf Course**

- “Panoramic views, vast, beautiful”
- 18-hole facility
- Restaurant is open seasonally

#### Opportunities:

- 1 contiguous parcel
- Has the potential to connect the Westwood and UB properties

### **Maple & N. Forest Rd / Ellicott Creek Trailway (trailhead)**

- Highly used multi-use trail by a variety of users
- Highly used tennis courts – only lighted tennis courts in Amherst
- Restrooms available
- Location of the 911 Memorial

#### Issues:

- Maintenance of Memory Trees

#### Opportunities:

- Potential future connections to this popular trailway
- Expand the athletic facilities in this location
- Create actual mile markers along the trail instead of painted symbols
- UB expansion of solar array?

### **North Forest Road / UB Rights-of-way**

- 3 areas where UB fronts on North Forest Road

#### Issues:

- Poor circulation for multi-modal traffic
- Dangerous crossings and intersections along all of North Forest Road
- Limited connections to the creek and trailway
- Intersections are no pedestrian/bicycle friendly

#### Opportunities:

- Convert North Forest into a complete street



Town of Amherst Waterfront Advisory Committee Summary & Findings  
Local Waterfront Revitalization Program

- Develop a 10 ft. wide multi-use trail along North Forest Rd
- Improve the intersections at North Forest Road / Audubon Pkwy and at Millersport Highway / Audubon Parkway
- Find possible connections directly from North Forest to the creek and university
- Possible kayak launch - north of Landing Creek Court

**St. Rita's Lane**

- Direct access from the road to the creek
- Location of office parks
- Trail access location

Issues:

- Potential flooding for nearby buildings
- Buildings have to be built to withstand the floodway standards (increased cost to build)

Opportunities:

- Potentially add a restaurant/food use near the office location
- Improve the access and parking at this location
- Potential trail head from North Forest/Millersport area

**University at Buffalo**

- Separate entity owns student housing

Issues:

- Campus is not pedestrian friendly
- Limited connections to adjacent neighborhoods
- Difficulty with access to student housing
- Combination of student housing and medium density housing, especially along Rensch Road and Sweet Home Road
- Need to determine future student housing locations by working with University, developers and other stakeholders on reducing potential problems with off-campus housing/developments.

Opportunities:

- Capitalize on the future light rail route through campus
- In general enhance all connections to/from the University/Campus extents and improve the circulation for vehicles, bicycles and pedestrians
- In general upgraded lighting facilities/fixtures are needed along sidewalks, trails, road, and intersections in areas of multi-modal traffic.
- Add a sidewalk along Flint Road and improve the intersections at Millersport Highway / Flint Road and Maple Road / Flint Road; lighting is needed. Town needs to complete culvert project first.

Town of Amherst Waterfront Advisory Committee Summary & Findings  
Local Waterfront Revitalization Program

- Add potential signage and identification along Sweet Home Road and at the overpasses entering the university
- Future pedestrian/bicycle bridge at Audubon Parkway

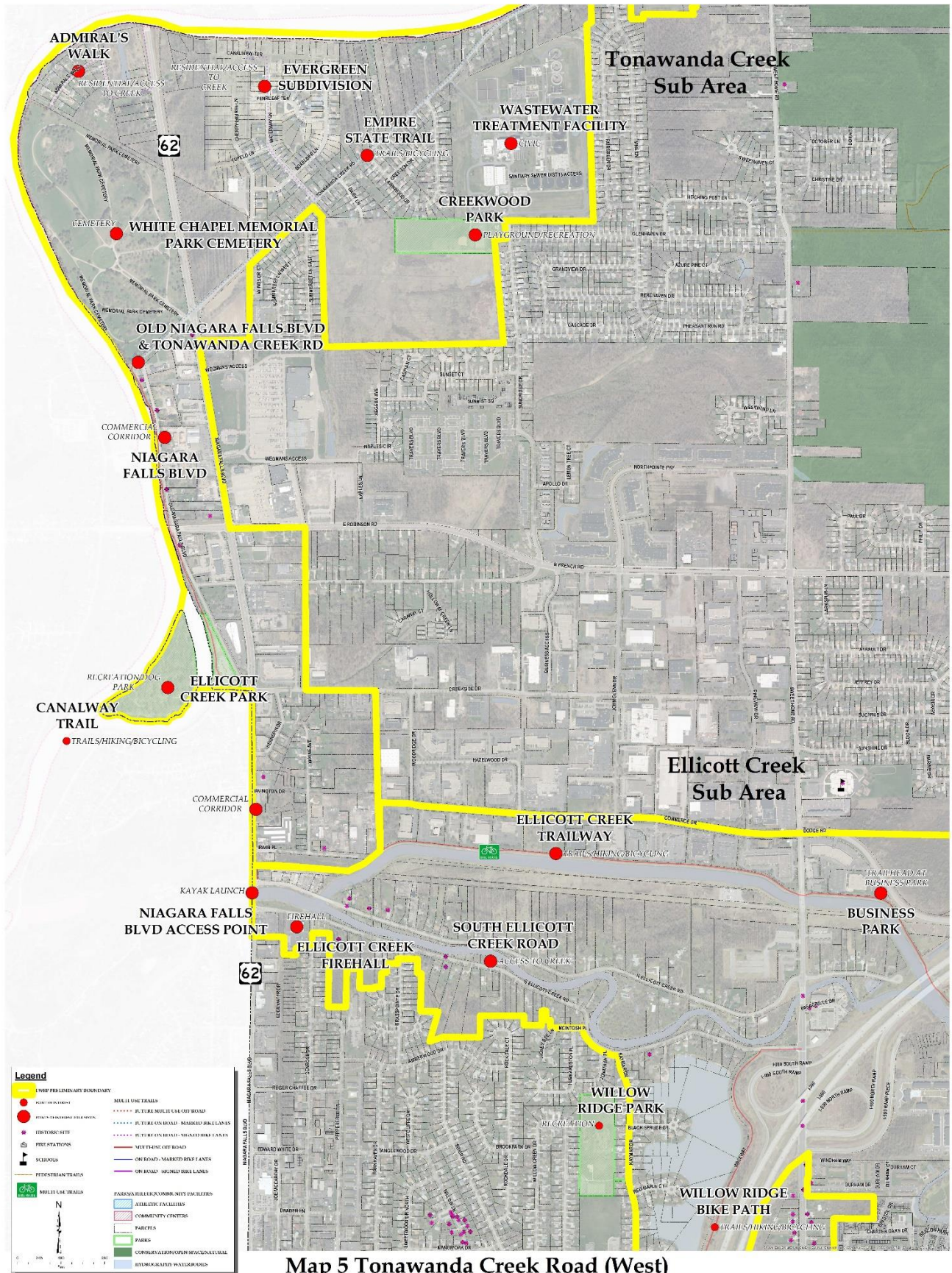
**Newmann Center / Skiddersville Road**

- New facility to serve adjacent UB campus
- Possible future connection from North Forest Road through the Weinberg Campus across the bridge to the Newman Center/Skiddersville Road area.
- Potential future extension from the Weinberg Campus to the municipal properties on Audubon Parkway

# Tour 5

## Tonawanda Creek Road (West)

Town of Amherst Waterfront Advisory Committee Summary & Findings  
 Local Waterfront Revitalization Program



Map 5 Tonawanda Creek Road (West)

Town of Amherst Waterfront Advisory Committee Summary & Findings  
Local Waterfront Revitalization Program

**LWRP Tour #5 - Tonawanda Creek (West)**

September 13, 2018

**ATTENDANCE:**

Town:

Jacqueline Berger  
Dan Howard  
Lisa Kistner  
Ellen Kost  
Brian Kulpa  
Asher Pontikos  
Mary-Diana Pouli  
Jeff Szatkowski  
Maggie Winship

WAC:

Judy Ferraro  
Matt Roland  
Ben Vilonen

**North Ellicott Creek Fire Station**

- Large space for community gatherings

Issues:

- Sidewalk from the Denrose Drive residential neighborhood ends at the fire station

Opportunities:

- Better pedestrian access

**South Ellicott Creek Road**

- Potential property available for kayak launch and small parking area - 300 S. Ellicott Creek Road
- Joe McCarthy historic residence, c. 1870's (459 S. Ellicott Creek Road) is "blue-rated" - high significance

Issues:

- Circulation and sight distance of vehicles/people entering and exiting S. Ellicott Creek Road

Opportunities:

- Potential public access to the creek that is lacking in this part of town

**Trailhead at Business Park (off Dodge Road)**

- Small parking area and access to the popular Ellicott Creek Trailway

**Ellicott Creek Park / Kayak Launch (Tonawanda)**

- County facility
- "EZ Dock" system in place - ADA compliant, easy for individuals to roll the kayaks into and out of the water; seasonal use
- Heavily used dog park
- Ample parking with direct connection to the creek

Town of Amherst Waterfront Advisory Committee Summary & Findings  
Local Waterfront Revitalization Program

- Park is well shaded with large/mature trees
- Community gardens are present

Issues:

- Very challenging for people to cross Niagara Falls Blvd. to access Ellicott Creek Trailway

Opportunities:

- Potential use of EZ dock system along Ellicott Creek/Tonawanda Creek in northwest Amherst

**North French Road/Ellicott Creek Trailway**

- Parking available here to access the Ellicott Creek Trailway

Issues:

- Circulation and sight distance of vehicles/people entering and exiting the Ellicott Creek Trailway
- North French Road is not a complete street
- Challenge/difficulties walking or riding a bike in this area

Opportunities:

- Potential use of EZ dock system along Ellicott Creek/Tonawanda Creek in northwest Amherst
- Potential connection to the future 5-mile long “Peanut Line” multi-use trail

**Niagara Falls Blvd and Ellicott Creek Trailway Connection into Tonawanda**

- Ellicott Creek Trailway is part of a larger multi-use path system in NYS
- Erie Canalway Trail is part of the 365-mile trail system from Buffalo to Albany
- Tonawanda’s Erie Canalway Trail, Buffalo Erie Canalway & Buffalo Erie County Riverwalk (13 mile system) are part of this connection
- This intersection is the connection to all of these systems

Issues:

- Difficult to cross the road
- Niagara Falls signal timing is off
- Noise

Opportunities:

- Improve and expand on the connection between Amherst and Tonawanda
- Improved pedestrian and bicycle circulation
- ADA compliant walks and crossing

**Old Niagara Falls Blvd.**

- All parcels zoned General Business except one Commercial Service parcel at north end
- Mixture of residential and commercial uses along the road frontage
- Building at Old Niagara Falls Blvd/Tonawanda Creek Rd intersection (350 Old NFB) has been vacant for decades – interest expressed but no viable project; creek views
- Public multi-use trail near private access to the creek

## Town of Amherst Waterfront Advisory Committee Summary & Findings Local Waterfront Revitalization Program

- Within close proximity to Niagara Falls Blvd. and the Erie County “Dog Park”
- Delta Sonic car wash proposed on 10-acre former Menne Nursery property - no new vehicular access to Old Niagara Falls Blvd.

### Issues:

- No unifying theme to the context of the area - variety of different uses

### Opportunities:

- Potential addition of retail/commercial uses on GB-zoned lands
- Potentially open up public access to the creek along the Erie Canalway Trail

## **White Chapel Memorial Park Cemetery**

- Large open green space near the creek
- Beautiful, aesthetically pleasing
- Plenty of unused space available
- Abuts Niagara Falls Blvd and Admirals Walk residential neighborhood
- The cemetery owns all 4 corners at the Niagara Falls Blvd/Tonawanda Creek Road intersection (2 parcels on east side are vacant)

### Issues:

- Large parcel with no public access to the creek

### Opportunities:

- Potential connection through Admirals Walk neighborhood for a multi-use trail/pedestrian access
- Potential future development of vacant parcels at Niagara Falls Blvd/Tonawanda Creek Road intersection

## **Admirals Walk**

- Unique residential neighborhood with access to the creek
- 16 single-family lots
- Situated away from other residential neighborhoods as it is surrounded by the creek, Niagara Falls Blvd., White Chapel Memorial Park Cemetery
- Town-owned road
- A man-made slip exists at frontage parcel (3550 Niagara Falls Blvd.)

### Opportunities:

- Potential connection through cemetery for a multi-use trail/pedestrian access
- Potential public access to the creek

## **Evergreen Subdivision**

- Former 9-hole Evergreen Golf Course
- Single-family subdivision, 195 lots, to be constructed in 5 phases
- Recently constructed in the last 3-4 years
- Access to the creek

## Town of Amherst Waterfront Advisory Committee Summary & Findings Local Waterfront Revitalization Program

- A mixed-use development is proposed to the west of this neighborhood with frontage on Niagara Falls Blvd. (two 5-story buildings)

### Opportunities:

- Potential public access to the creek within the 30' easement (Erie Canal "blue line")
- Improve pedestrian/bicycle connections from this neighborhood to Niagara Falls Blvd.

## **Erie Canalway Trail/Empire State Trail**

- Currently, the bike path is an on-road route west of Sweet Home Road
- NYS DOT wants the route marked and signed

### Issues:

- The on-road bike route creates safety concerns
- Need to improve the pedestrian and bicycle circulation from the neighborhoods north and south of Tonawanda Creek Road to connect with Niagara Falls Blvd.

### Opportunities:

- Potential connection through the Evergreen neighborhood for a multi-use trail/pedestrian access

## **Waste Water Treatment Facility**

- 68 acre public facility constructed in the 1970's (1975-1985) with federal and state funds from the Clean Water Act Construction Grants program.
- There are 530 miles of sanitary sewers and 43 lift stations/grinder pumps
- The current facility is built to handle the capacity for both Amherst and Clarence, as well as Newstead and Akron after expansion
- Treated water discharges into the creek west of Vine Lane
- Adjacent to Town owned Creekwood Park

### Issues:

- The distribution lines within The town boundaries need upgrades

### Opportunities:

- Potential alternate energy sources, telecommunication, and other utilities could be placed within the 68 acre parcel

## **Creekwood Park**

- Recently upgraded fields and courts
- Parking area available and space to expand
- One of the only parks servicing Northwest Amherst

### Issues:

- Adjacent to the Waste Water Treatment Facility

### Opportunities:

- Potential alternate site for the future Northwest Community Center



Appendix E  
First Public Meeting Materials

Draft



Town of Amherst  
**Waterfront Planning**



Local Waterfront Revitalization Program  
(LWRP)

December 3, 2018

## Meeting Agenda.....

- I. What is an LWRP?
- II. Purpose - Why are we doing an LWRP?
- III. What is included in an LWRP?
  - Boundary
  - Outreach Plan
  - Inventory
  - Projects
- IV. What has been done so far?
  - Tours
  - Mapping
- V. Photos of Preliminary LWRP Boundary area
- VI. Questions / Participation Exercise

## What is an *LWRP* ?

A program sponsored by the NYS Department of State

A comprehensive land and water use plan that:

- ❖ Formalizes the community's vision for its waterfront
- ❖ Provides a structure for carrying out waterfront projects



### ***LWRP Communities in Western New York***

Brant (T)	1988	Grand Island (T)	2006
North Tonawanda (C)	1988	Tonawanda (T)	2008
Lackawanna (C)	1989	Lewiston (V)	2011
Youngstown (V)	1990	Chautauqua Lake Area	2011
Tonawanda (C)	1993	Hamburg (T)	2012
Newfane (T)	1998	Evans (T)	2013
Middleport (V)	2003	Wheatfield (T)	2014
Somerset (T)	2005		

# Why are we doing an LWRP?

## *Purpose of an LWRP*

- Identify waterfront projects
- Obtain funding for waterfront projects
- Improve public access to the waterfront
- Address water quality issues
- Provide or upgrade recreational amenities
- Improve aesthetics
- Encourage active or passive recreation
- Assist in fostering improved healthy lifestyles
- Ensure additional level of review for projects within waterfront boundary



## Benefits of an Amherst LWRP

- Enable Amherst to make the most of its water resources by:
  - Identifying specific projects that address specific needs
  - Using the waterfront as a catalyst for revitalization
  - Fostering improved healthy lifestyles
- Enhance waterfront areas to beautify the Town
- Enable Amherst residents to know and respect the Town's heritage
- Ensures that all governmental activities (state, federal) must be consistent with an adopted LWRP

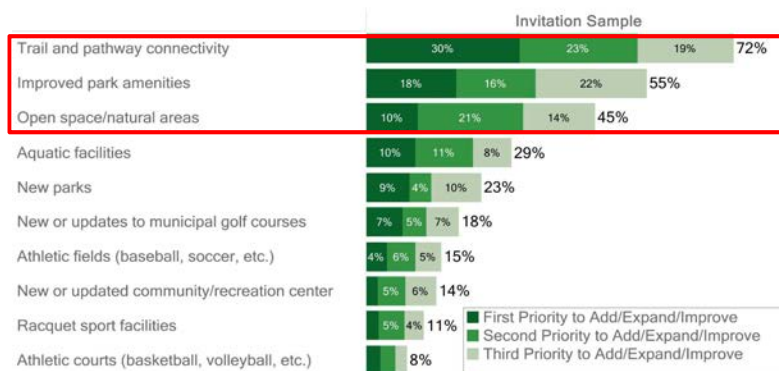


## Town Recreation & Parks Master Plan



IMPORTANCE OF ADDING, EXPANDING AND IMPROVING

Top Three Highest Priorities to be Added, Expanded, or Improved



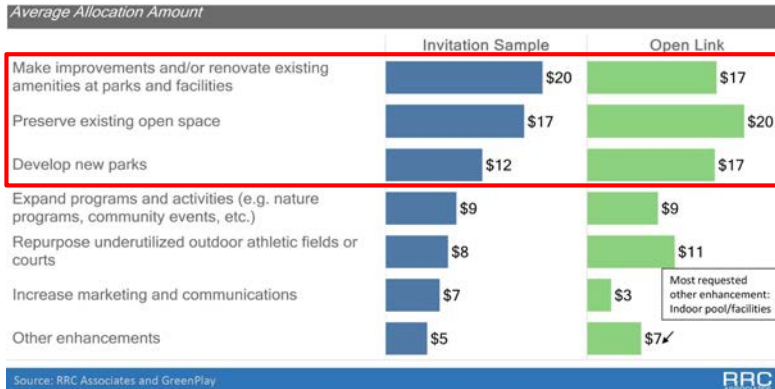
Source: RRC Associates and GreenPlay



## Town Recreation & Parks Master Plan

### ALLOCATION OF \$100

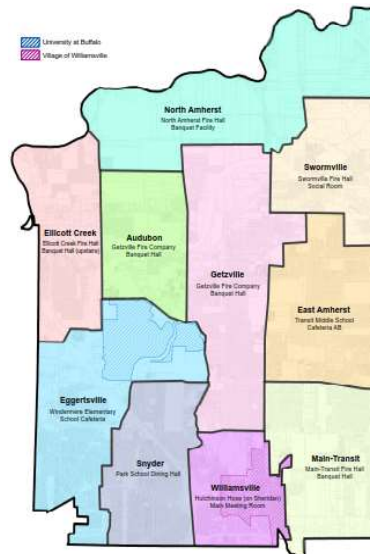
If you had \$100 to spend on parks and recreation facilities, services and/or programs, how would you allocate that \$100 across the following categories?



## Neighborhood Forums

Spring 2018

- 10 Neighborhood Forums held in April & May  
438 participants
- Neighborhoods were derived from Fire District boundaries (see map)
- Gathered comments and input regarding resident likes and desires in their neighborhoods now and for the future
- Other Meetings:
  - Attended 2 ice cream social events at Windermere Elementary & Forest Elementary
  - Held a meeting with 9 YouthWork\$ youth/students to get their thoughts



## Neighborhood Forums

### Common Themes

**If you could change, implement or create  
ONE THING, what would it be?**

*(results from all 10 meetings)*

- More Bike Paths / Bike Lanes / Trail Connections
- Preserve / Protect Community Character
- Improve Walkability / Bikeability
- Preserve Greenspace and Trees
- More Parks and Recreation & Park Improvements
- Better Pedestrian Safety / Sidewalk Improvements



What's included in an  
LWRP?

## *LWRP Report Sections*

**Section 1** Waterfront Revitalization Boundary

**Section 2** Inventory & Analysis

**Section 3** Local Waterfront Revitalization Policies

**Section 4** Proposed Land & Water Uses & Proposed Projects

**Section 5** Techniques for Local Implementation  
of the Program

**Section 6** Federal and State Actions and Programs  
Likely to Affect Implementation of the LWRP

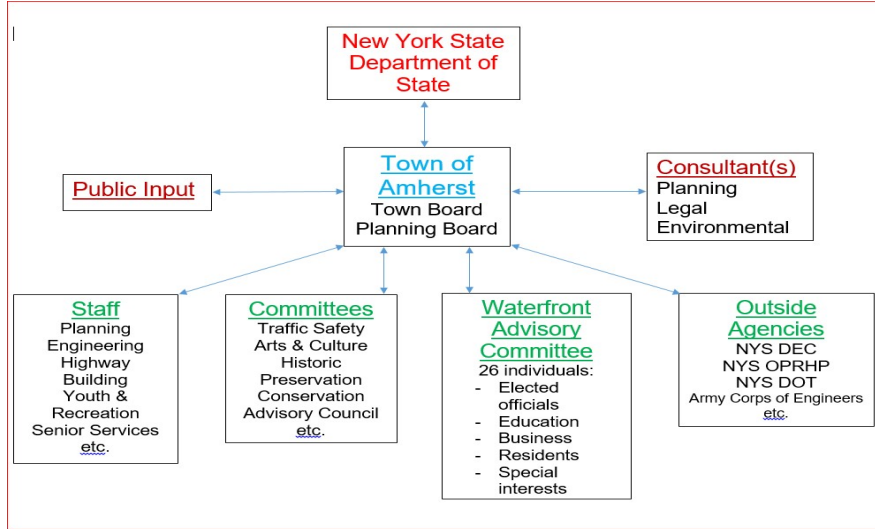
**Section 7** Local Commitment and Consultation

## *LWRP Tasks & Schedule*

LWRP Tasks	Estimated Completion
✓ Task 1 - Project Initiation Meeting	April 2018
✓ Task 2 - Waterfront Advisory Committee	July 2018
Task 3 - Procurement of Consultant	January 2019
Task 4 - Consultant Selection & Compliance w/Local Procurement	January 2019
Task 5 - Subcontract Preparation and Execution	January 2019
✓ Task 6 - Second Project Meeting	November 2018
✓ Task 7 - Preparation of Community Outreach Process & Plan	November 2018
✓ Task 8 - Draft Sect I - Waterfront Revitalization Area Boundary	December 2018
Task 9 - Draft Sect II - Inventory and Analysis	December 2018
✓ <b>Task 10 - First Public Information Meeting</b>	<b>December 2018</b>
Task 11 - Draft Sect III - Local Waterfront Revitalization Policies	April 2019
Task 12 - Draft Sect IV - Proposed Land & Water Uses & Projects	May 2019
Task 13 - Second Public Information Meeting	May 2019
Task 14 - Draft Sect V - Techniques for Local Program Implement'n	June 2019
Task 15 - Draft Sect VI - Fed/State Actions/Programs Affecting LWRP	June 2019
Task 16 - Draft Sect VII - Local Commitment and Consultation	June 2019
Task 17 - Determination of Significance & Compliance with SEQRA	June 2019
Task 18 - Complete Draft LWRP	June 2019
Task 19 - Third Public Information Meeting	June 2019
Task 20 - Final LWRP	December 2019
Task 21 - MWBE Reporting	December 2019
Task 22 - Project Status Reports	December 2019
Task 23 - Final Project Summary Report/Measurable Results forms	December 2019



# LWRP Roles & Responsibilities



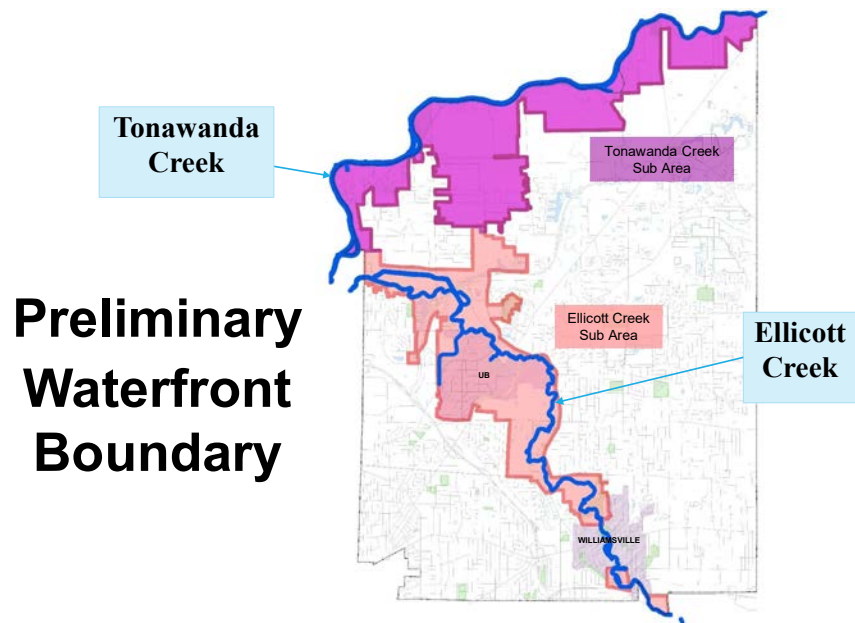
## LWRP Preliminary Boundary

## **LWRP Boundary Criteria**

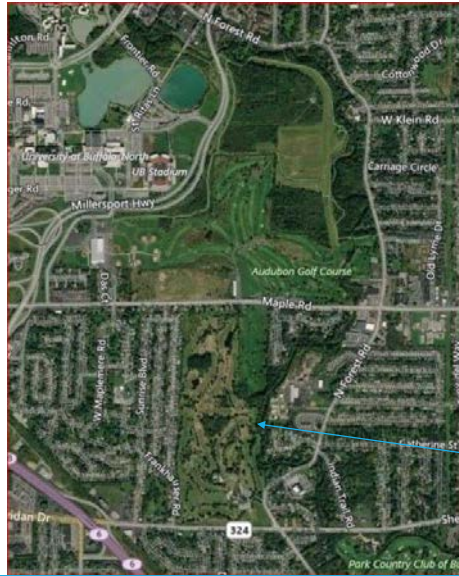
*Per NYS Guidebook "Making the Most of Your Waterfront":*

- Follow **recognizable natural or cultural features** such as waterways, streets, and railroads to the greatest extent possible.
- Include **land uses that affect or are affected by waterfront issues, problems, and opportunities**.
- Include **natural and cultural resources with a physical, social, visual, or economic relationship** to the waterfront.
- Include **waterside boundaries**, generally following the waterside boundary of the municipality, which is located either at the water's edge or at a specified distance out from the shoreline into the water.

The purpose of the boundary is to help define your area of study and to ensure that you are covering **all of the key features that will help define your waterfront**.



# “Amherst Central Park”



Ellicott  
Creek

## “Amherst Central Park” Area



## Public Outreach

- ❖ Advertising
- ❖ Informational meetings
- ❖ Workshop
- ❖ Social media

## LWRP Process



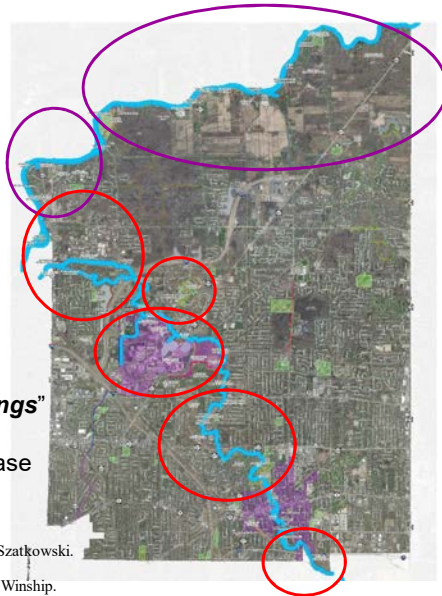
# Inventory

## *Waterfront Advisory Committee*

- Town Staff & the Committee took 5 tours
- Took place August & September 2018
  - Tour 1 – Tonawanda Creek (East)
  - Tour 2 – Westwood Area
  - Tour 3 – Amherst State Park Area
  - Tour 4 – UB & Northtown Center
  - Tour 5 – Tonawanda Creek (West)
- Town Staff prepared a “**Summary of Findings**”
- Information will be part of the Inventory Phase

### Photograph Citations

- Photo of the WAC Tours 1-5 taken in 2018. Town of Amherst, Jeffrey Szatkowski.
- Photo of the WAC Tours 1-5 taken in 2018. Town of Amherst, Maggie Winship.
- Joseph A. Grande. *Glancing Back. A Pictorial History of Amherst, NY*. 2000.



# Inventory Map Data Resources

## USDA

USDA Natural Resource Conservation Service -  
NRCS Gateway Site.  
<https://datagateway.nrcs.usda.gov/>

## SHPO

Historic Register Sites and Districts.

## DOS

NYS Scenic Areas of Statewide Significance  
NYS Significant Coastal Fish and Wildlife Habitat  
Areas.  
NYS List of Coastal Waterbodies and Designated  
Inland Waterways.  
NYS DOS Office of Planning and Development  
(Map)

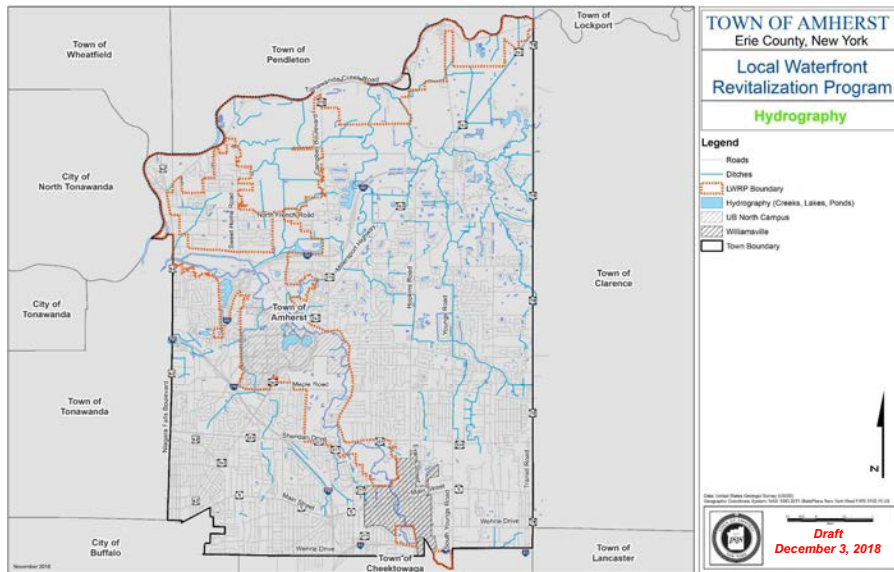
## DEC

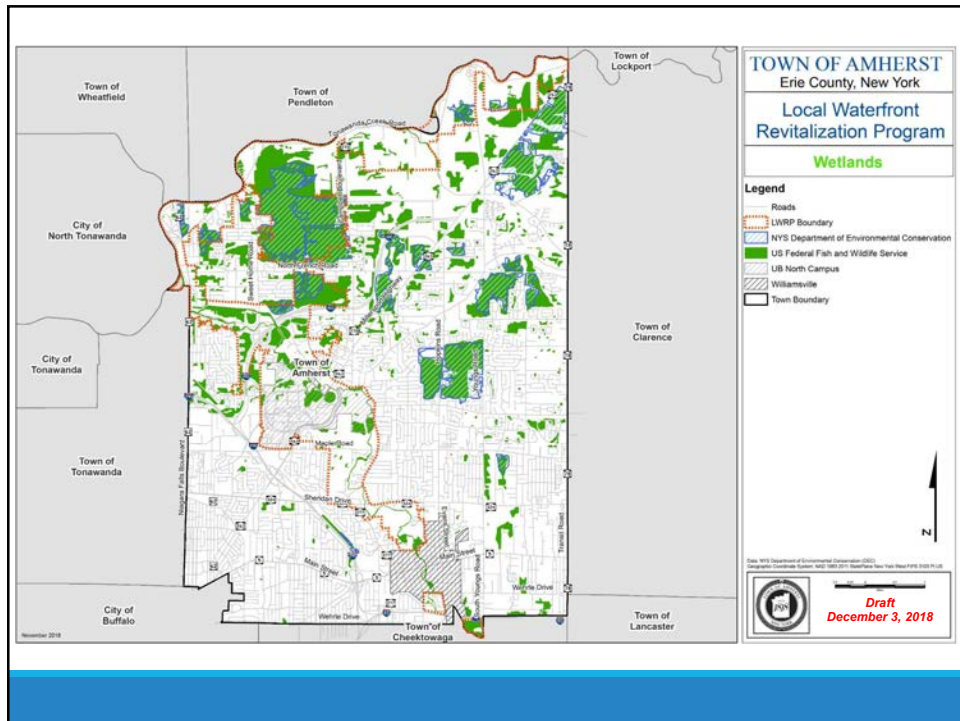
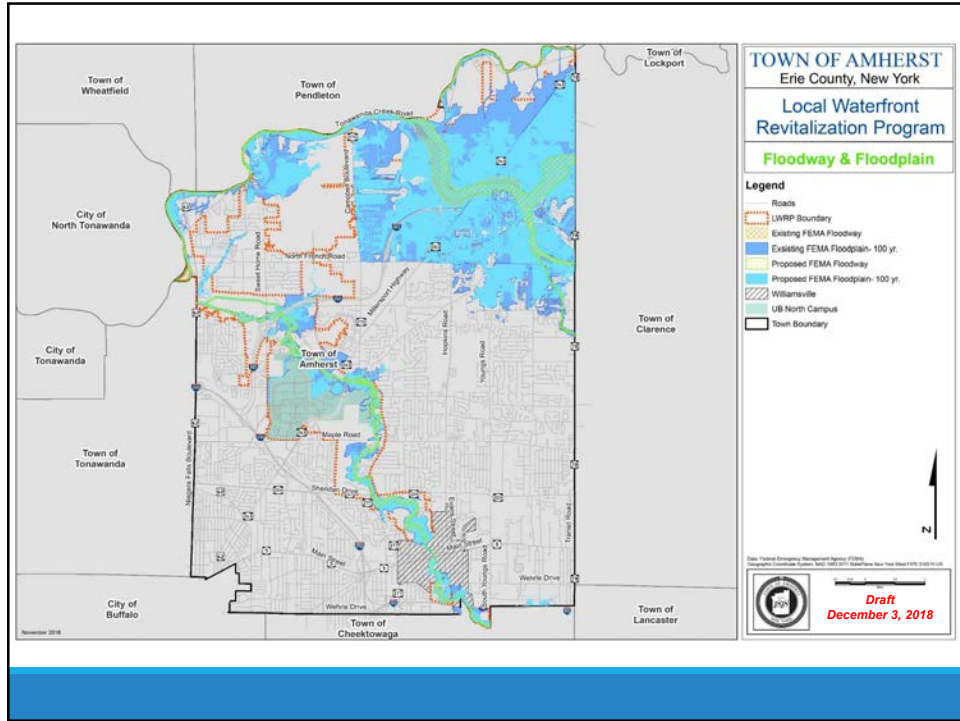
<http://www.nysgis.state.ny.us/gisdata>  
Water Quality Classifications  
Waterbody Inventory/Priority Waterbodies  
List  
Critical Environmental Areas in NYS  
Ecological Zones  
Boat Launches  
Public Fishing  
Natural Heritage Communities  
Lands and Campgrounds.  
Roads and Trails  
Points of Interest

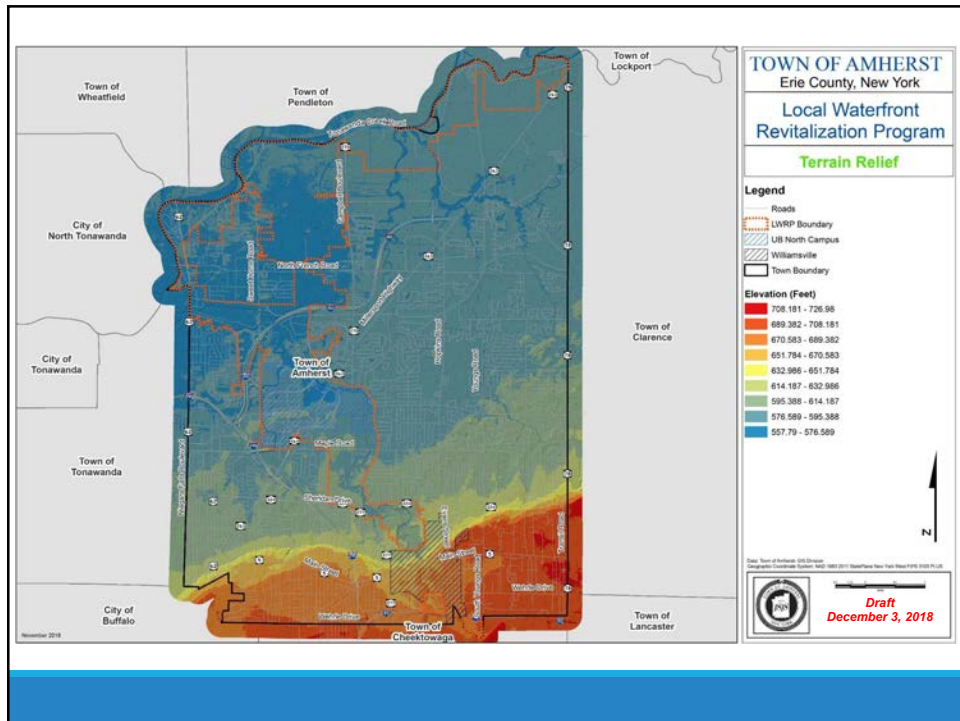
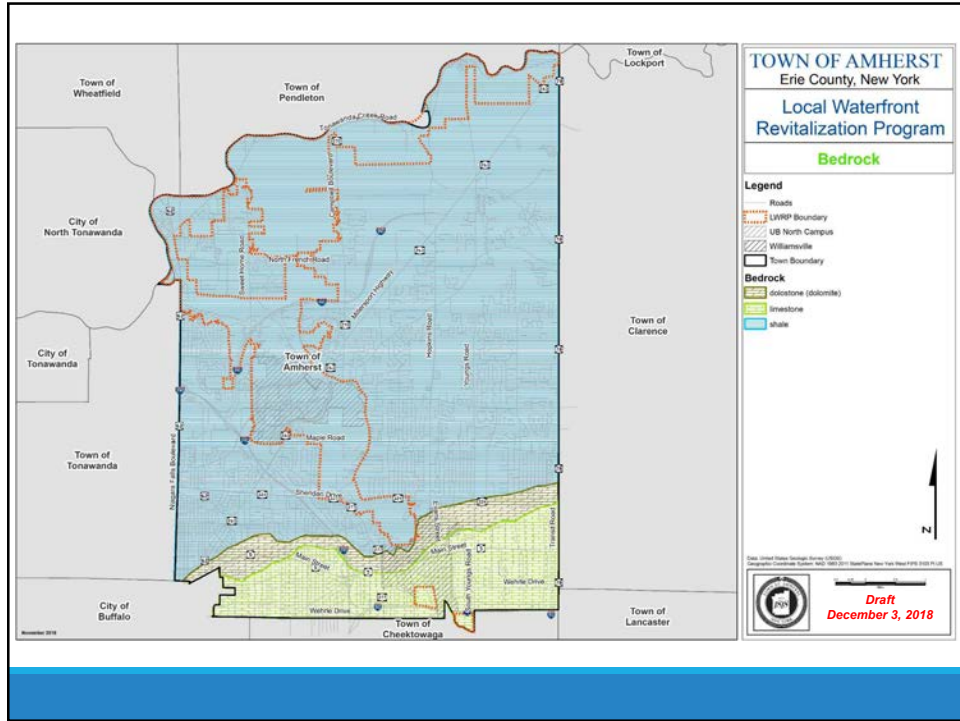
## Erie County

GIS Data - Ellicott Creek Watershed Area  
Prepared by Lisa Matthies-Wiza, Erie  
County Office of GIS. Lisa.matthies-  
wiza@erie.gov29-Mar-18

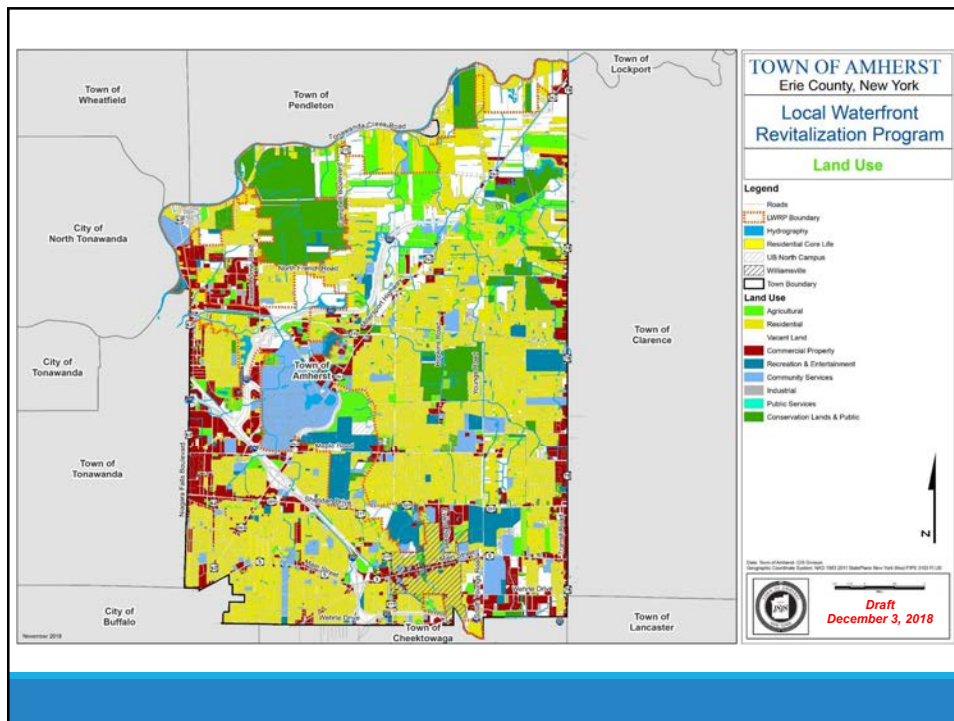
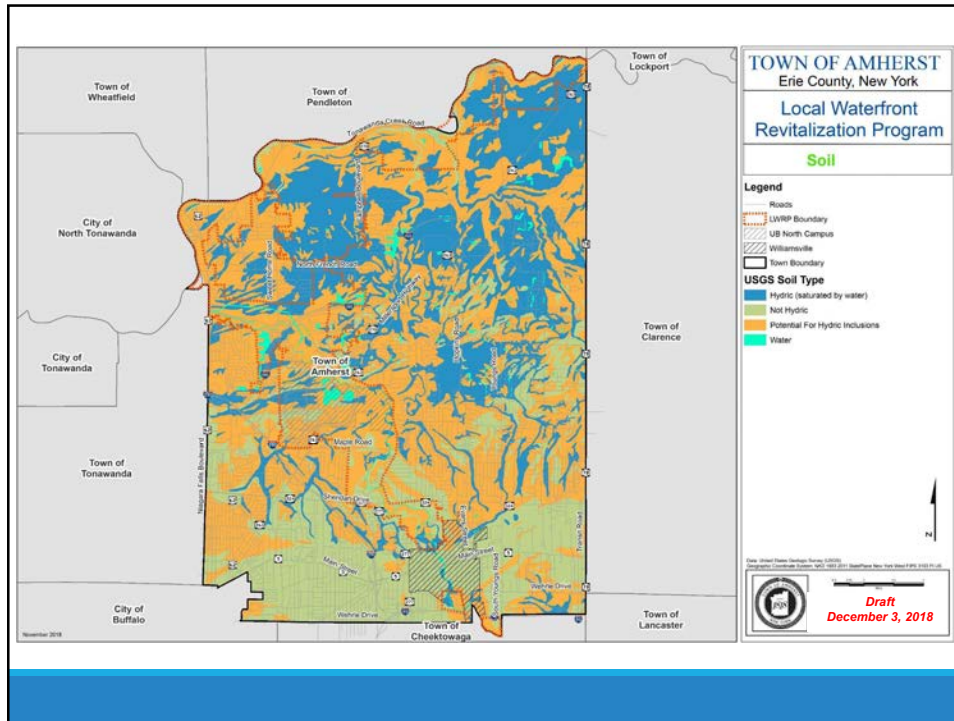
# LWRP Inventory Maps

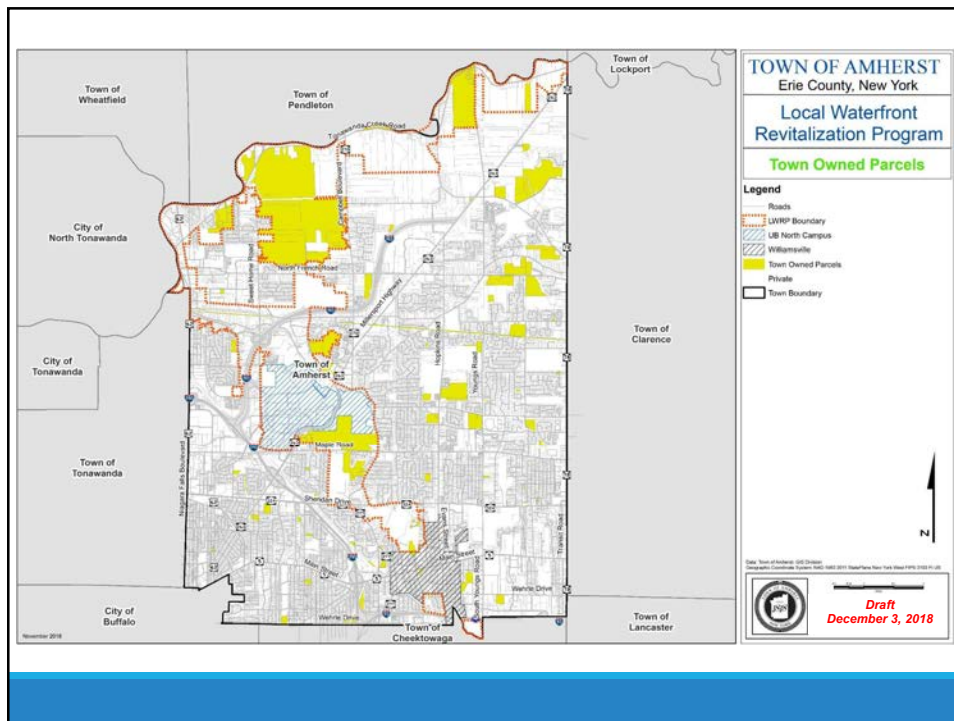
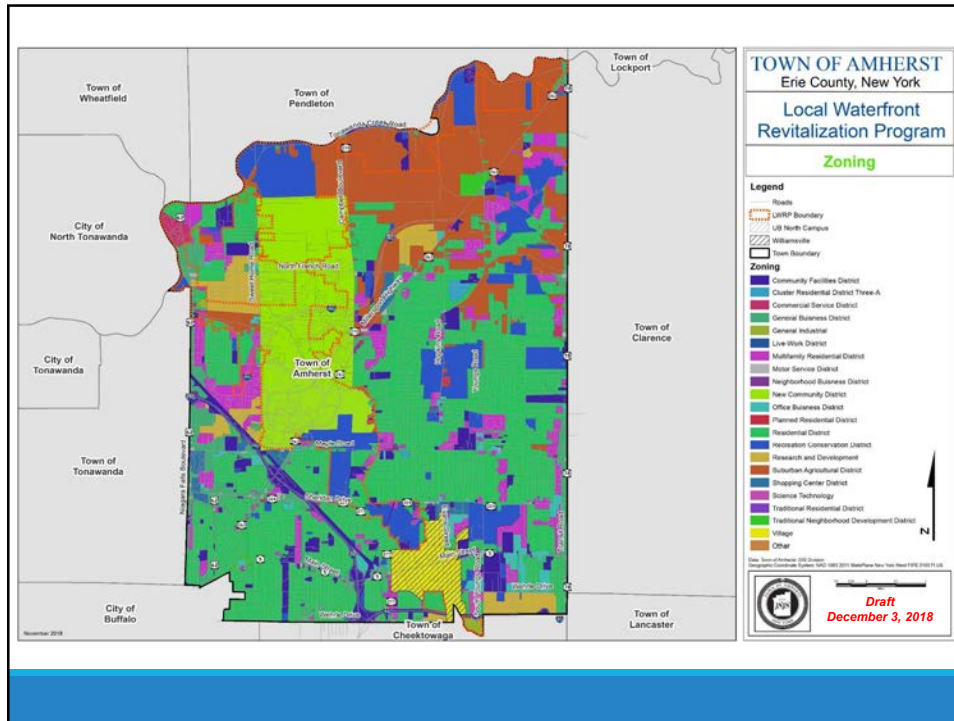












# *LWRP Area In Pictures*

## *TRAIL TYPES*



***“FOOTPATH  
ONLY”***



***STONE DUST***



***MULTI-USE  
ASPHALT TRAILS***



***COMPOSITE  
BOARDWALK***

## *Buffalo-Niagara Heritage Village*



## *Access Points to Tonawanda Creek*



## *Oakwood Golf Course*



## *Nine Mile Camping Area & Orbit Drive*



## *Tonawanda Creek Road Character*



## *Spoth Farm*



## *Fisherman's Wharf*



## *Tonawanda Creek*



## *Amherst Marine Center*



## *Private Access to Tonawanda Creek*





## *Tonawanda Creek Road and Pedestrian Conflicts*



## *Veterans Canal Park*



## *Nature View Park*



## *Amherst Wastewater Treatment Facility*



## *Creekwood Park*



CONTEXT MAP



DETAIL MAP

## *Evergreen Neighborhood*



CONTEXT MAP



DETAIL MAP

## *Tonawanda Creek Road Character*



CONTEXT MAP



DETAIL MAP

## *White Chapel Memorial Park*



CONTEXT MAP



DETAIL MAP

## *Admiral's Walk*



CONTEXT MAP



DETAIL MAP

## *Old Niagara Falls Boulevard*



CONTEXT MAP



DETAIL MAP

## *Old Niagara Falls Boulevard*



## *Ellicott Creek Park*



*Niagara Falls Boulevard*



*Ellicott Creek Trailway & Niagara Falls Blvd*



## *Ellicott Creek & Niagara Falls Boulevard*



CONTEXT MAP



DETAIL MAP

## *Ellicott Creek*



CONTEXT MAP



DETAIL MAP



## *Business Park & Trailway Access*



## *Ellicott Creek Trailway*



## *North Forest Road*



## *Bryant Woods*



## *Audubon Parkway (NCD)*



CONTEXT MAP



DETAIL MAP

## *Weinberg Campus*



CONTEXT MAP



DETAIL MAP

*UB near the Jewish Community Center*



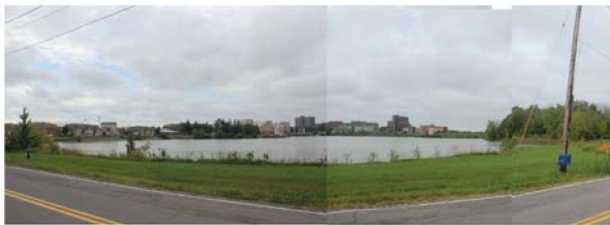
*UB & Skannersville Road*



## *UB & the Newman Center*



## *University Campus*



*UB & St. Rita's Lane*



*Millersport Highway Character*



## *UB & John James Audubon Parkway*



CONTEXT MAP



DETAIL MAP

## *Northtown Center*



CONTEXT MAP



DETAIL MAP

## *North Forest Road Character*



## *North Forest Road & Stahl Road*





*North Forest Road near Landing Court*



*North Forest Road & Ellicott Creek Trailway*



## *Ellicott Creek Trailway & Flood Control*



CONTEXT MAP



DETAIL MAP

## *Channelized Ellicott Creek*



CONTEXT MAP



DETAIL MAP

## *Audubon Golf Course*



CONTEXT MAP



DETAIL MAP

## *Par 3 Golf Course*

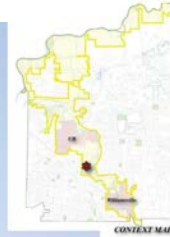


CONTEXT MAP



DETAIL MAP

## *Westwood Existing Building*



## *Westwood Existing Building*



## *Westwood*



CONTEXT MAP



DETAIL MAP

## *Westwood*



CONTEXT MAP

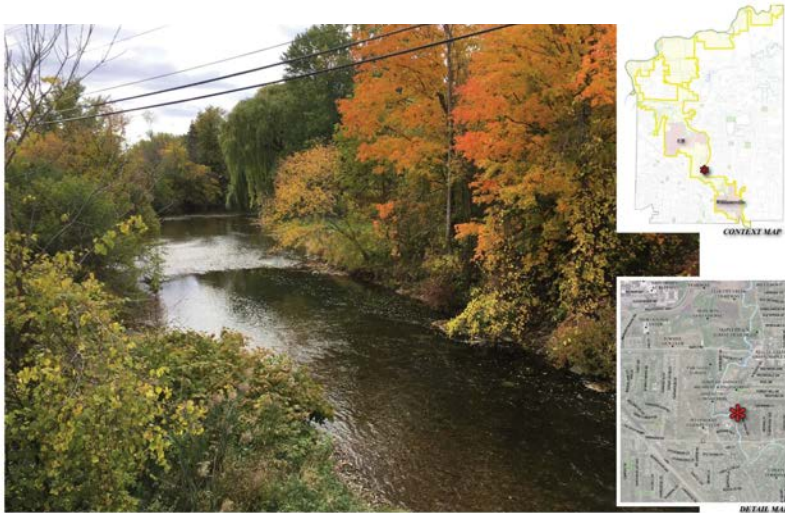


DETAIL MAP

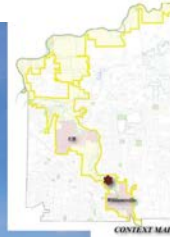
## *Highway Department*



## *North Forest Road & Ellicott Creek*



## *Park Country Club*



## *Amherst State Park*



## *Amherst State Park & Invasive Species*



## *Former Noll Nature Center*





## *Glen Park*



## *Fisher Pond (Residential Neighborhood)*



## *Lehn Springs (Residential Neighborhood)*



## *Wehrle Drive & Aero Drive*



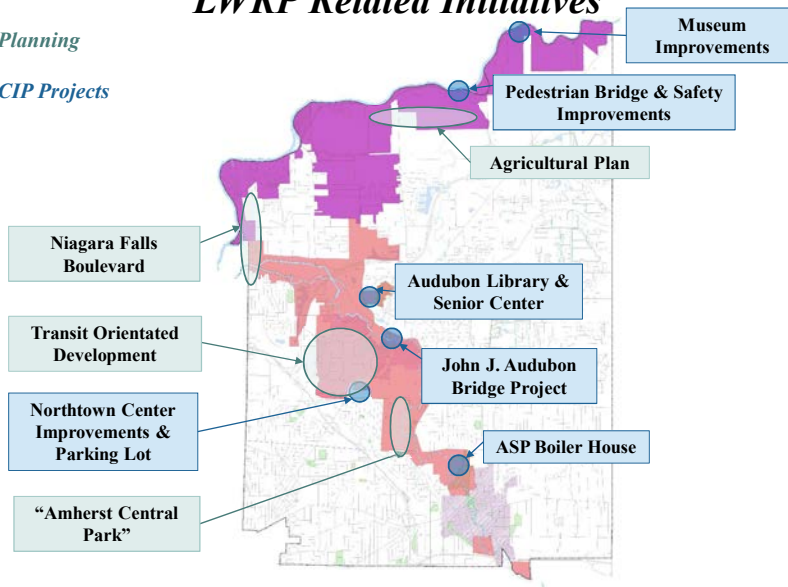
## *Aero Drive*



## *LWRP Related Initiatives*

○ *Planning*

● *CIP Projects*



## **WE WANT YOUR FEEDBACK**

- 1. Please form Small Groups around the tables**
- 2. Provide comments on the Boundary**
- 3. Town Staff is available to answer Questions**
- 4. Fill in a Comment Sheet before you leave or mail / email it**

### ***LWRP : Questions to Consider***

- Are there currently any waterfront features in Amherst that you value?
  - What problems do you see with Amherst's waterfront areas?
  - What opportunities exist to enhance the waterfront area?
  - What steps could be taken to improve the waterfront area?
- What aspects of the waterfront should be preserved?
  - What should be changed?
  - What should the waterfront area look like in the future?



# Thank you!

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*For information:*

[www.amherst.ny.us](http://www.amherst.ny.us) (keyword: lwrp)

Email: [lwrp@amherst.ny.us](mailto:lwrp@amherst.ny.us)

Planning Department: (716) 631-7051

**AMHERST WATERFRONT PLANNING  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)  
Results/Summary of the Public Meeting - December 3, 2018**

The following represents a summary of public comments received by those attending the first public meeting on the Amherst Local Waterfront Revitalization Program (LWRP) held at Getzville Fire Hall. Approximately 42 people were in attendance.

**What are your *THOUGHTS* on the proposed LWRP Boundary alignment?**

Several comments were made concerning areas or sites that should be included in the LWRP boundary. These are:

- Both sides of North Forest Road
- Ransom Creek
- Former Lehigh Valley railroad right-of-way
- Nature View Park (Conservation Easement)
- UB area (to be eligible for grants)
- Former Westwood Country Club
- Park Country Club
- Area from Union Road to Audubon Parkway
- Muir Woods site
- Expand boundary north of Williamsville Village line
- Small area outside of the Village between Amherst State Park and Park Club Lane
- Evergreen Subdivision
- Admirals Walk development (northwest Amherst)

Other comments were to exclude certain areas/sites:

- All of Nature View Park is not needed within the boundary
- Residential subdivisions
- Concern about the scope of the project, although it's understood it will evolve. There are large areas of Amherst included that do not seem to be affected by, or affect, the waterfront.

The following overall comments regarding the boundary were offered:

- Keep development closer to Millersport Highway
- No new development or redevelopment on Maple Road
- How do wetlands fit in the boundary and are there any projects related to them?
- There should be new homeowner restrictions within the boundary
- Boundary should be waterfront focused – separate LWRP issues/opportunities and what can be addressed through Comprehensive Planning
- Every site does not have to be actively used or accessed

**What *CONCERNS* should the Town understand in regards to the boundary or the area?**

- Maintenance of Ellicott Creek (weeds, invasive species, fallen trees, etc.), especially between Niagara Falls Blvd and Sweet Home Road
- Oppose a north-south connection through Westwood, but there should be pedestrian/bike access
- Oppose a cemetery on Westwood

**AMHERST WATERFRONT PLANNING**  
**LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)**  
**Results/Summary of the Public Meeting - December 3, 2018**

- Buildings above 2 stories should not be permitted on Westwood
- It is hazardous to launch a kayak in Ellicott Creek Park and paddle into Amherst
- How can a bike path be provided through the Park Country Club property?
- Address threats to environment (ie. fertilizers and invasive species, golf courses, run off)
- Erosion and channelized creek areas and shoreline rehabilitation and protection (to prevent runoff and pollution)
- Water treatment and discharge
- Farming runoff
- Sanitary and storm sewer capacity
- Testing for pollutants, toxins and/or heavy metals in sediment or fish/aquatic life
- Erosion of roads, as a result of runoff
- Reduce traffic speed near the Buffalo Niagara Heritage Village (Amherst Museum)
- Active recreation should be on Audubon Golf Course (soccer, baseball)
- Passive recreation preferred (hike, bike, gardens)
- Old Niagara Falls Blvd and proposed Delta Sonic car wash
- Should not build up floodplain, as it pushes water onto other areas
- Wildlife migration routes should be considered
- Ellicott Creek near Westwood is polluted
- Preservation of green space (Amherst State Park)
- Canoe usage
- Collaborate with Town of Pendleton
- Follow the 'no wake' rule
- Important to remember that all properties included in the waterfront boundary are subject to LWRP consistency review.
- Use caution in Niagara Falls Blvd area as LWRP is not the appropriate vehicle to address public transportation issues or all sidewalk problem areas.
- Concern that the majority of focus may be with the social benefits of public spaces.
- The waterways and banks need attention, including where the waterways pass through residential areas that have no public spaces.
- Concern about water quality from sewage and effluent overflows. There are also septic systems in the floodplains and some of these systems are failing or have failed.
- Soil erosion and deposits in the creeks are a concern on both public and private property.

**What *OPPORTUNITIES* exist along / within the boundary or the area?**

- More kayak access (Fisherman's Wharf area)
- More boating access
- More connectivity for bikes and pedestrian trails
- Explore access from Westwood Country Club to Ellicott Creek
- More cultural facilities
- Canoes in Turtle Island area
- Shoreline fishing
- Expand Greenway Funds to include Amherst
- Opportunity for access, pedestrian safety, connectivity, particularly from Maple Road to Sheridan (ie, pedestrian bridges over Sheridan)
- Create as much public access as possible
- Trails should not dead end at an intersection

**AMHERST WATERFRONT PLANNING  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)  
Results/Summary of the Public Meeting - December 3, 2018**

- Develop family oriented, accessible parks (ie. Billy Wilson Park)
- Agree with more public access along Tonawanda Creek
- Need parking areas to provide access points to the trails
- Consider Lehigh Valley ROW as a bike/walking trail to connect the Westwood property
- Development of trails for wheelchair accessibility, play areas with accessible equipment
- More trails and paddle sites especially if algae and invasive vegetation can be controlled
- Take advantage of Tonawanda's upgraded kayak launch at Niagara Falls Blvd and Ellicott Creek Road in Ellicott Creek Park.
- Preserve as much greenspace as possible.
- Need wildlife migration routes
- Bike repair stations along bike paths and at Buffalo Niagara Heritage Village
- Passive use
- Create public access along Tonawanda Creek near Campbell Blvd, possibly behind the fire station.
- Improve more trail connections, shoreline fishing areas, more canoe/kayak access points, within watershed management, establishment of riparian buffers
- Walking space needed on North Forest Road from Millersport to Dodge Road
- Kayak/boat dock at Buffalo Niagara Heritage Village should be available for use by the police
- More dog parks
- Develop a plan for dredging and other cleanup of the waterways and funding for continued maintenance.
- Allow for passive uses like seating, rest stops for the bike trails and enjoying views

**Other Comments:**

- Livable Communities - concern with seeming lack of involvement of young families who will be the future users of Amherst
- Consider a moratorium on the LWRP properties till the full plan and "Overlay Zoning Districts" can be established.
- Tonawanda bike path is very popular
- Will Buffalo Waterkeeper group be involved?
- Consideration should be given to age-friendly communities that are more livable for older residents and people of all ages. The LWRP should include nodes identified for mixed use to include multi-aged residential, commercial, medical, gathering space(s), both exterior and interior, to be passive for seating and social participation. Active participation can remain in the currently developed complexes.
- LWRP project is a way to protect existing areas (natural areas and character of neighborhoods)
- Focus data collection on policy focus areas and project ideas
- This is a good program with social benefits and secondary commercial benefits for adjacent businesses.
- There are many opportunities to make small but significant improvements that are not capital-intensive
- Overall a very good project; thanks to those working to improve the Town
- The presentation and documentation on the LWRP are appreciated. It is encouraging to see the Town looking at our future development including input from all concerned residents.



Appendix F  
Second Public Meeting Materials

Draft

Town of Amherst  
LOCAL WATERFRONT REVITALIZATION PROGRAM  
(LWRP)

**2<sup>nd</sup> Public Meeting**

***Review of Proposed LWRP Projects***

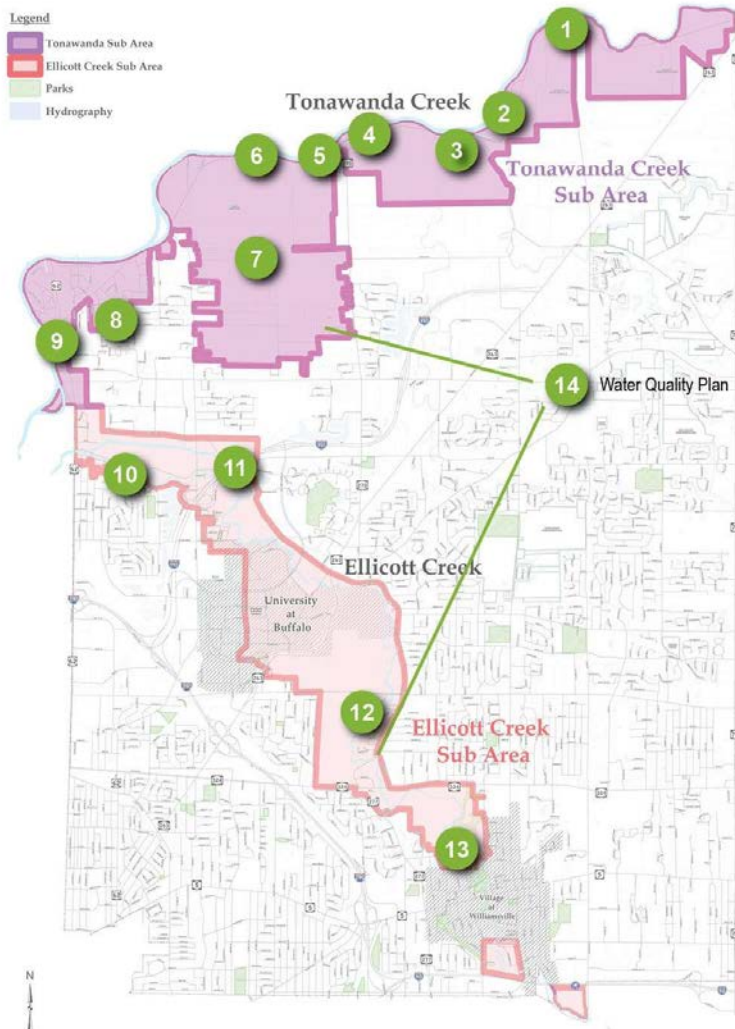
July 10, 2019  
6:30 p.m.  
Amherst Senior Center

- 1. Walk Through Projects** – Public View of Project Plans on Tables (6:30 pm)
- 2. Introduction** – Brian Kulpa, Town Supervisor (6:45 pm)
- 3. Presentation** – LWRP Projects # 1-14 (6:55 pm)
- 4. Second Review - Walk Through Projects** – Public Review of Project Plans / Questions (8:00 pm)

# TOWN OF AMHERST

## LOCAL WATERFRONT REVITALIZATION PROGRAM PROJECTS

July 10, 2019



	LWRP Tasks	Estimated Completion
✓	Task 1 - Project Initiation Meeting	April 2018
✓	Task 2 - Waterfront Advisory Committee	July 2018
	Task 3 - Procurement of Consultant	May/June 2019
	Task 4 - Consultant Selection & Compliance w/Local Procurement	May/June 2019
	Task 5 - Subcontract Preparation and Execution	May/June 2019
✓	Task 6 - Second Project Meeting	November 2018
✓	Task 7 - Preparation of Community Outreach Process & Plan	November 2018
✓	Task 8 - Draft Sect I - Waterfront Revitalization Area Boundary	December 2018
	Task 9 - Draft Sect II - Inventory and Analysis	December 2018
✓	Task 10 - First Public Information Meeting	December 2018
	Task 11 - Draft Sect III - Local Waterfront Revitalization Policies	April 2019
✓	Task 12 - Draft Sect IV - Proposed Land & Water Uses & Projects	May 2019
✓	<b>Task 13 - Second Public Information Meeting</b>	<b>July 2019</b>
	Task 14 - Draft Sect V - Techniques for Local Program Implement'n	October/November 2019
	Task 15 - Draft Sect VI - Fed/State Actions/Programs Affecting LWRP	October/November 2019
	Task 16 - Draft Sect VII - Local Commitment and Consultation	October/November 2019
	Task 17 - Determination of Significance & Compliance with SEQRA	October/November 2019
	Task 18 - Complete Draft LWRP	December 2019
	Task 19 - Third Public Information Meeting	December 2019
	Task 20 - Final LWRP	June 2020
	Task 21 - MWBE Reporting	
	Task 22 - Project Status Reports	
	Task 23 - Final Project Summary Report/Measurable Results forms	



HISTORIC EMPIRE STATE TRAIL & MUSEUM SITE  
CONCEPT PLAN



**NINE MILE ISLAND RECREATION CENTER**

CONCEPT PLAN June 2016



**FISHERMAN'S WHARF**

CONCEPT PLAN June 2016



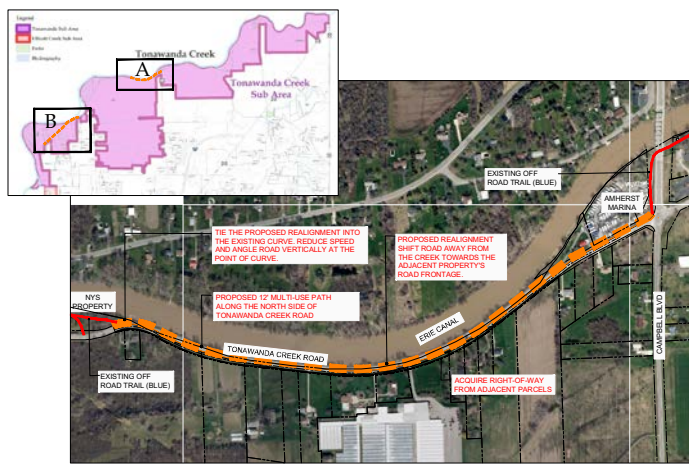
**NORTH AMHERST FIRE STATION IMPROVEMENTS & ACCESS TO THE WATER**

CONCEPT PLAN June 2016



**AMHERST MARINA RESTAURANT & DOCK**

CONCEPT PLAN June 2016



SECTION A - Campbell Blvd to NYS Property

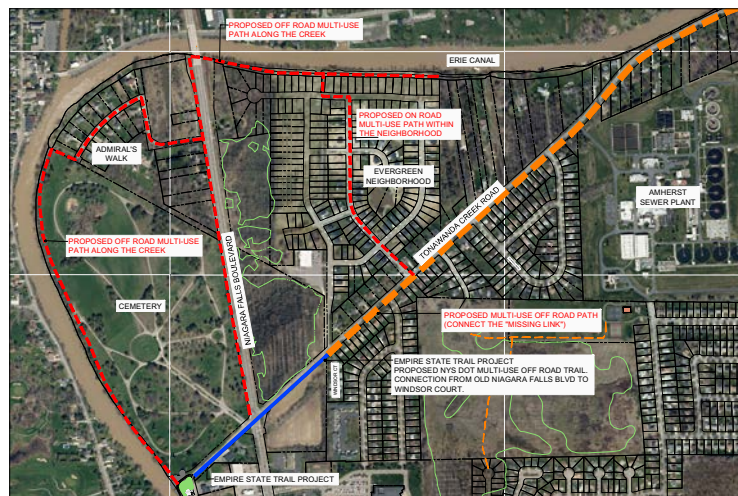
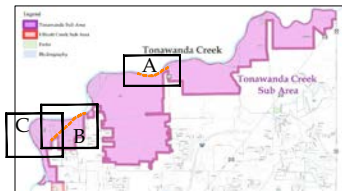


SECTION B - Vine Lane to Windsor Court

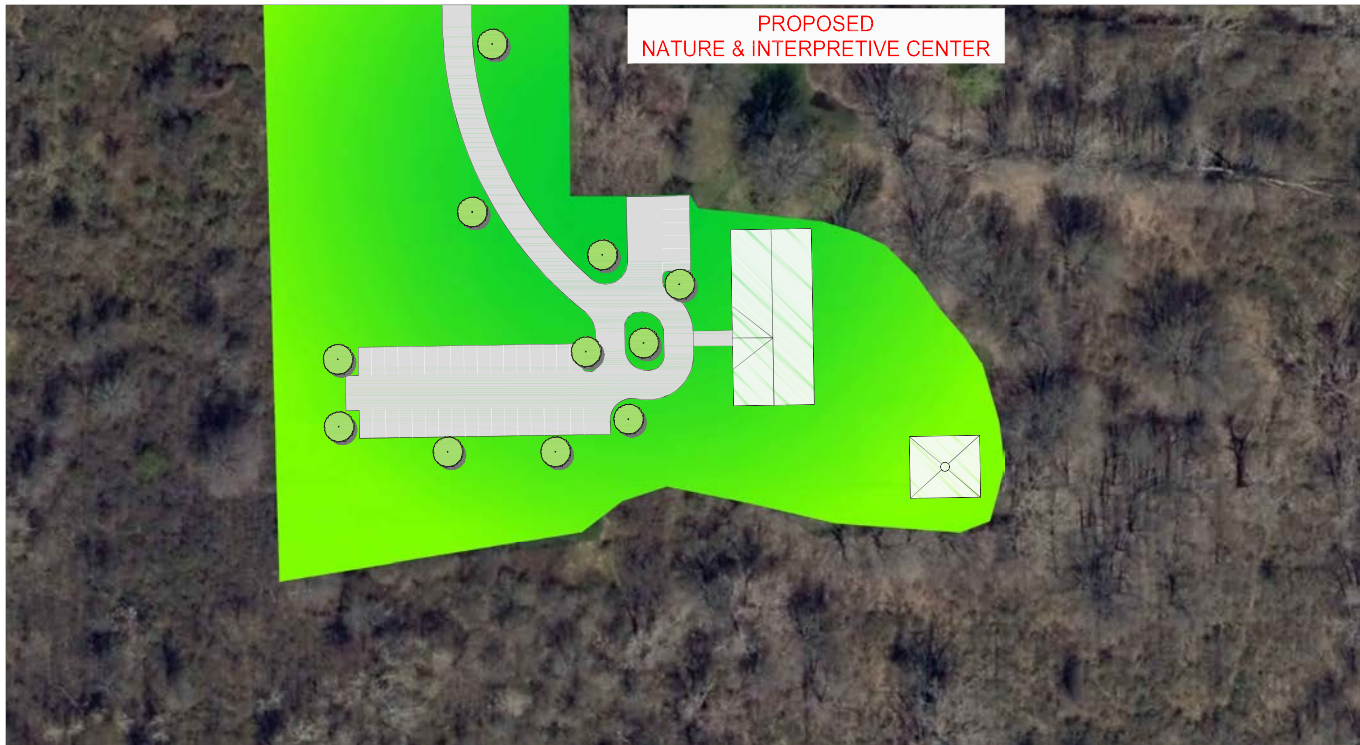
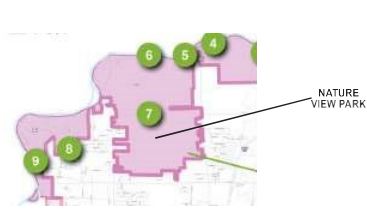
EMPIRE STATE TRAIL & MISSING BIKE PATH CONNECTIONS

CONCEPT PLAN

Prepared by the State of Indiana Planning Department



SECTION C - Future Bike Path Option along the Canal (Evergreen Neighborhood & along the Cemetery)



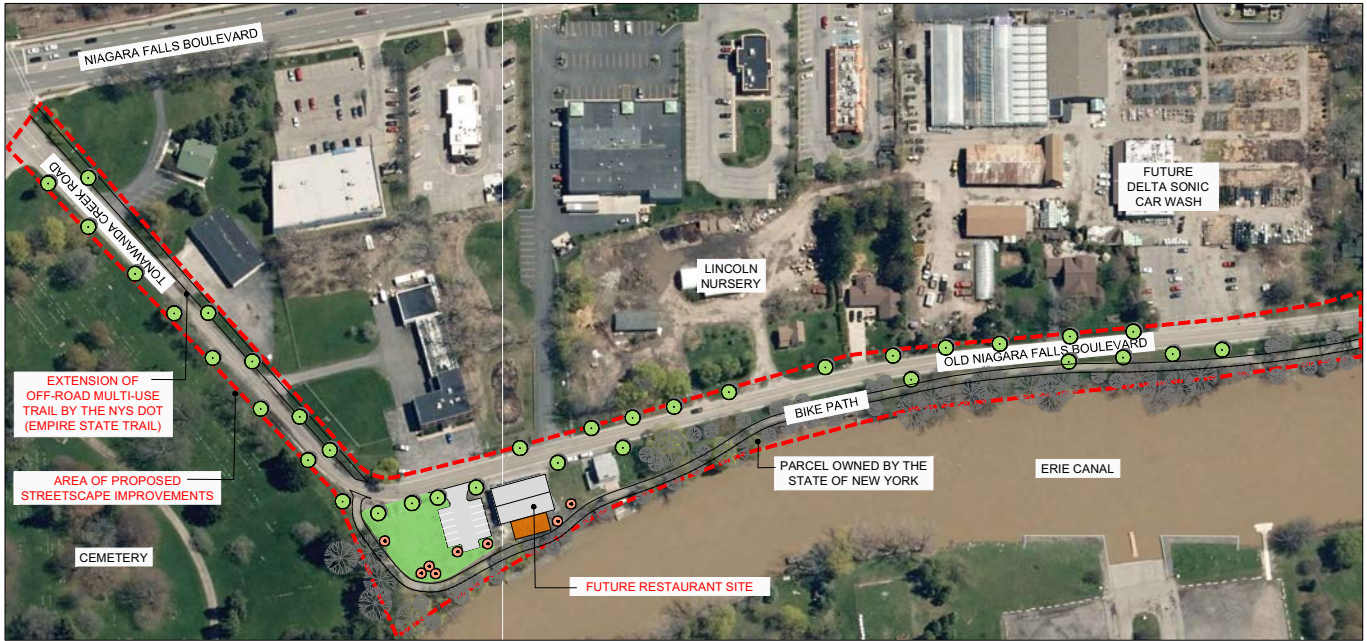
NATURE VIEW PARK "NATURE CENTER"  
CONCEPT PLAN June 2014



CREEKWOODS PARK  
CONCEPT PLAN June 2014



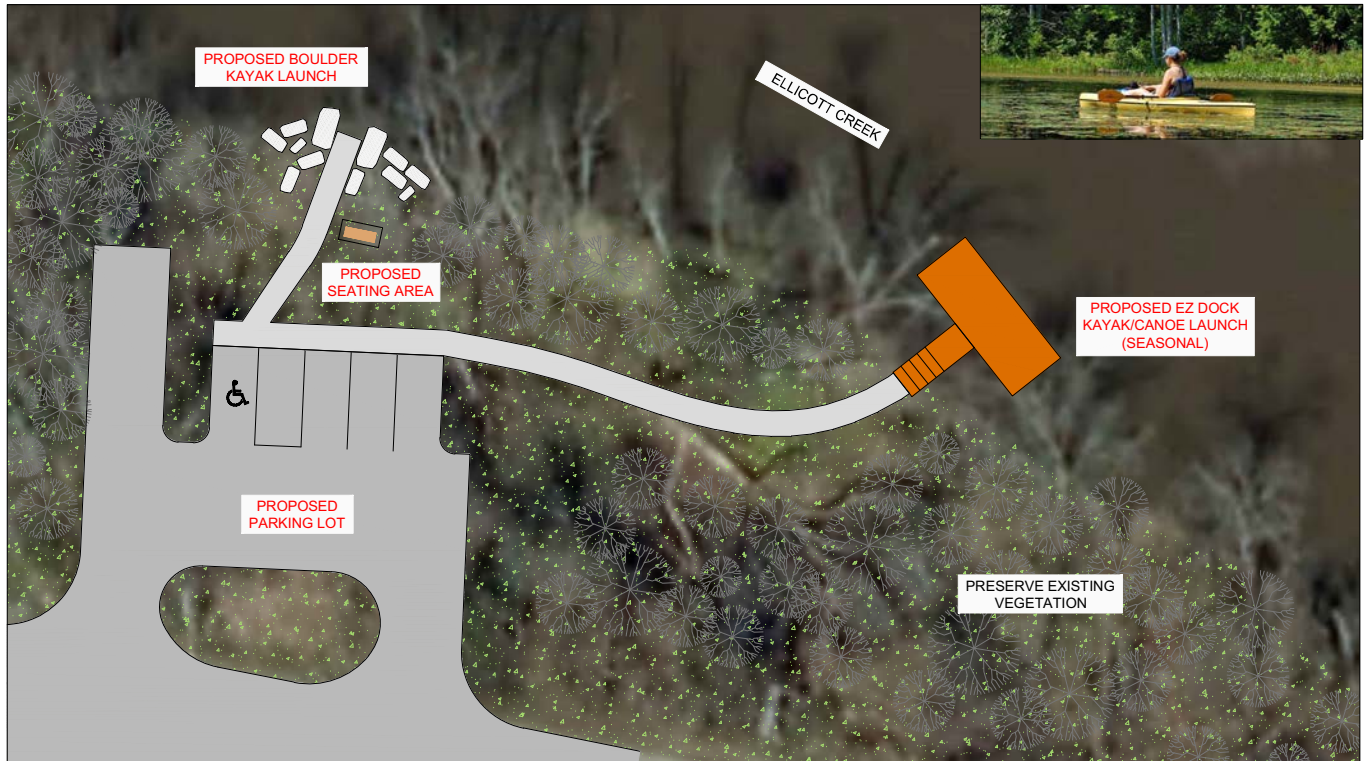
STREETSCAPE IMPROVEMENT EXAMPLES



OLD NIAGARA FALLS BOULEVARD STREETSCAPE IMPROVEMENTS

CONCEPT PLAN June 2016

Prepared by the Town of Amherst Planning Department



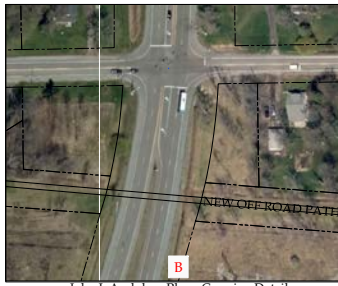
ELLICOTT CREEK KAYAK LAUNCH SITE

CONCEPT PLAN June 2016

Prepared by the Town of Amherst Planning Department



Ellicott Creek Trailway to N. Forest Rd.



John J. Audubon Pkwy Crossing Detail

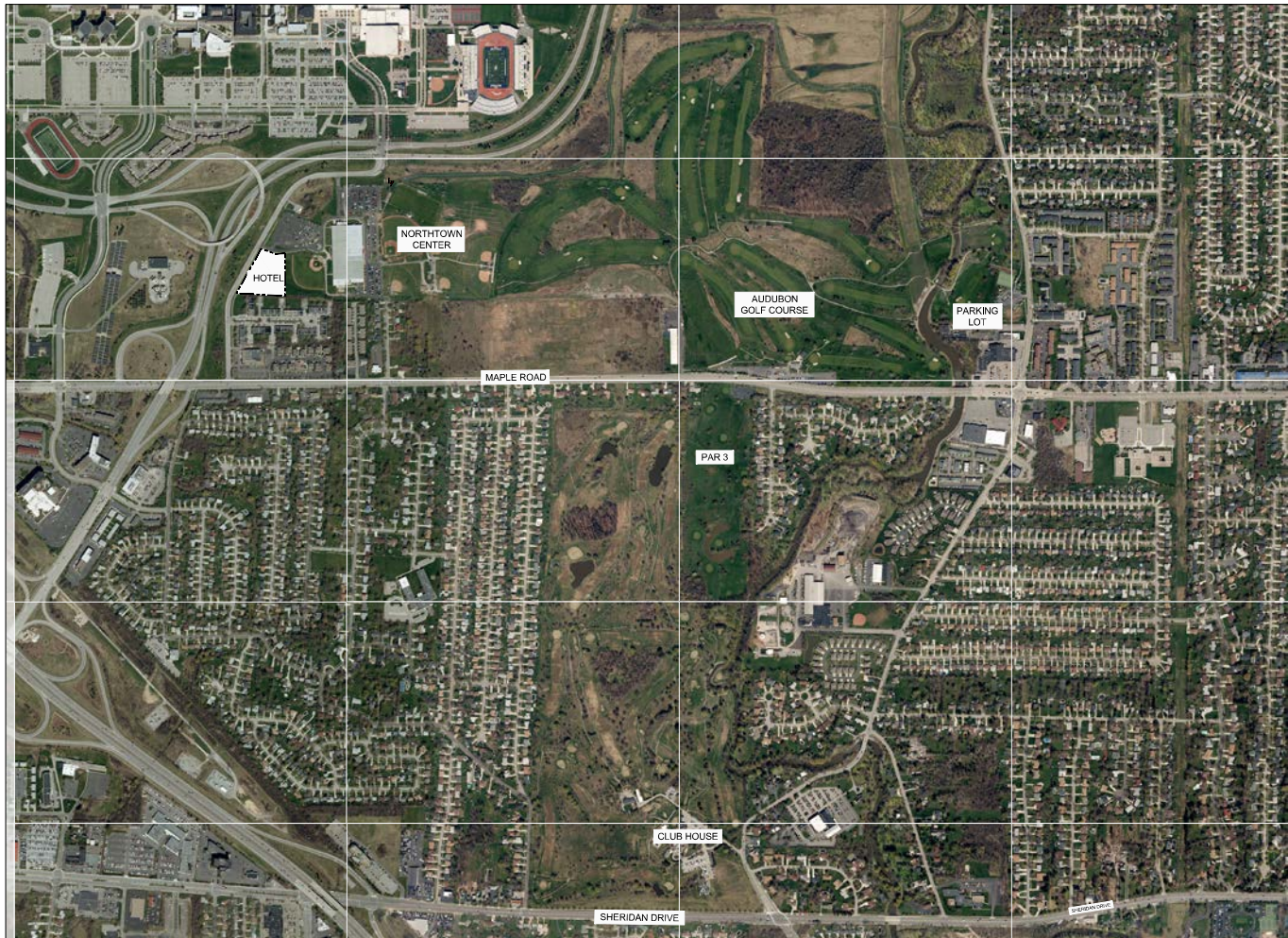


Robin Ridge Road Crossing Detail



**ELLICOTT CREEK TRAILWAY MULTI-USE TRAIL EXTENSION**

CONCEPT PLAN June 2019

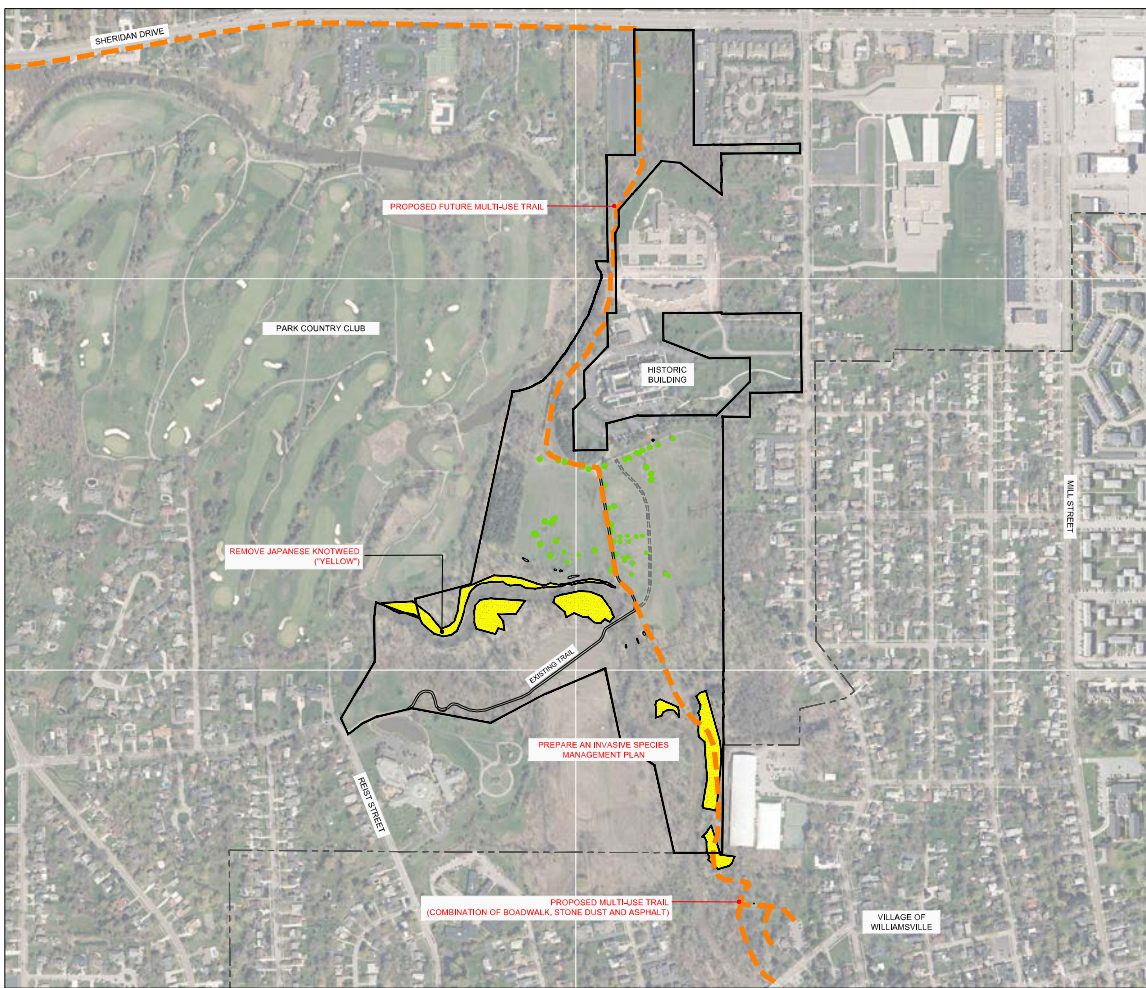


**AMHERST CENTRAL PARK**

CONCEPT PLAN June 2019



Prepared by the Town of Amherst Planning Department



**AMHERST STATE PARK BOARDWALK TRAIL & PARK IMPROVEMENTS**  
 CONCEPT PLAN June 2014

**AMHERST WATERFRONT PLANNING**  
**Results/Summary of the Public Meeting July 10, 2019**  
*Recorded Comments for the Second Public Meeting*

The following represents a summary of public comments received by those attending the 2nd public meeting on the Amherst Local Waterfront Revitalization Program (LWRP) held at the Amherst Senior Center on John James Audubon Parkway. Approximately 21 people were in attendance.

**What are your *THOUGHTS* on the proposed LWRP Projects?**

Comments

- We like the idea of completing the connections between bike paths.
- Improvement of kayak and canoe access is great and would help everyone get in the water without falling in.
- Would like more places to access the creeks on foot as banks are too steep.
- More access is needed beyond Niagara Falls Boulevard and Veterans Park.
- Launches should not be just for plastic boats since the boats are crushed.
- How will Buffalo Waterkeeper be involved?
- Retain Amherst Central Park as a green passive park with cultural center, possible formal or informal gardens.
- The idea of a comfort station and seating near the Buffalo-Niagara Heritage Village (BNHV) Museum
- Fisherman's Wharf improvements appears to be a support by a number of respondents
- Trail and park improvements at various parks and points along Tonawanda Creek and the Empire State Trailway are needed and welcomed by respondents.
- The park and facility improvements at Creek Woods Park would be a lower priority than other waterfront type projects.
- The Ellicott Creek Trailway extension would be a priority project as indicated by respondents.
- In general safety to access from roads, along roads to town facilities or trails is important.

**What *CONCERNS* about the projects?**

Comments

- The future maintenance and management of the projects' kayak launches and bike paths is important.
- Long term maintenance and funding of the future/potential projects.
- Asphalt should be considered in certain locations. However, concrete or natural stone should be used in order to mitigate the negative impact of hydrocarbons in the local watershed.
- Waterfront development on private properties should be driven by the owner, not the municipality or state. Development on private properties should be a low priority for this plan.
- Would the town spend tax payer money to acquire private properties (Marina, Old Niagara Falls Boulevard)?
- The Town may want to consider trail improvements & signage and invasive species management prior to considering a "Nature Center" adjacent/within NVP.
- A boat launch at BNHV is too redundant and is not a priority

**What *OPPORTUNITIES* will be created if the projects are undertaken?**

Comments

- Increasing the number of bike paths will have a positive effect on the health of the users.
- Better access to biking along the creeks and canals.
- Safer kayak and canoeing than the Tonawanda and downtown Buffalo areas.
- The alternate route for the Niagara Falls Boulevard would be better. Riding on Tonawanda Creek Road is dangerous.

**AMHERST WATERFRONT PLANNING**  
**Results/Summary of the Public Meeting July 10, 2019**  
*Recorded Comments for the Second Public Meeting*

- Improve quality of life for residents
- Increase tourism
- More use of waterways and surrounding areas.

**Other Comments:**

- Water quality is poor in both creeks.
- Ellicott Creek can be really foul smelling and is probably dangerous.
- Fix the lack of sidewalks on Sweet Home Road near North Ellicott Creek Road. Better access to the bike path and canal is needed by residents in the areas. This is a very unsafe area with many new residents.
- I have used all of the areas in the plans and know others that have too.
- Repair existing trails, Tonawanda Creek Road first.
- Linking Audubon bike path to Williamsville is a priority.
- Another north to south bike route to the east is needed between Campbell Blvd and New Road.
- Walton Pond has litter in and near it.
- The town needs to address communicating the information to the public and improve the Town website to find information easier.



*Second Public Meeting Presentation*

Appendix G

Amherst Central Park Workshop and Planning

Draft

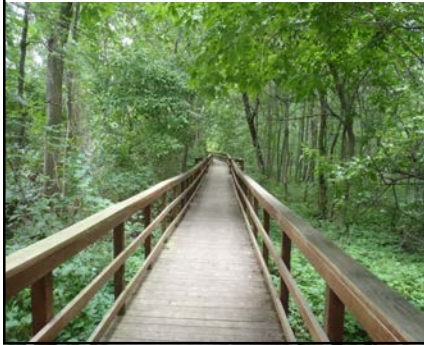
# AMHERST CENTRAL PARK

STAKEHOLDER WORKSHOP WRAP-UP  
JULY 2, 2020

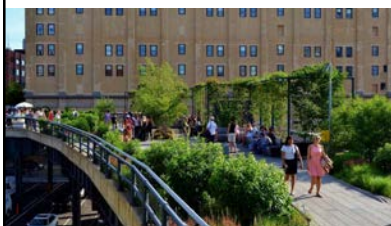


**AMHERST CENTRAL PARK**

## CENTRAL PARK: CONNECT TO NATURE



## CENTRAL PARK: CIVIC LIFE





# CENTRAL PARK: RECREATION

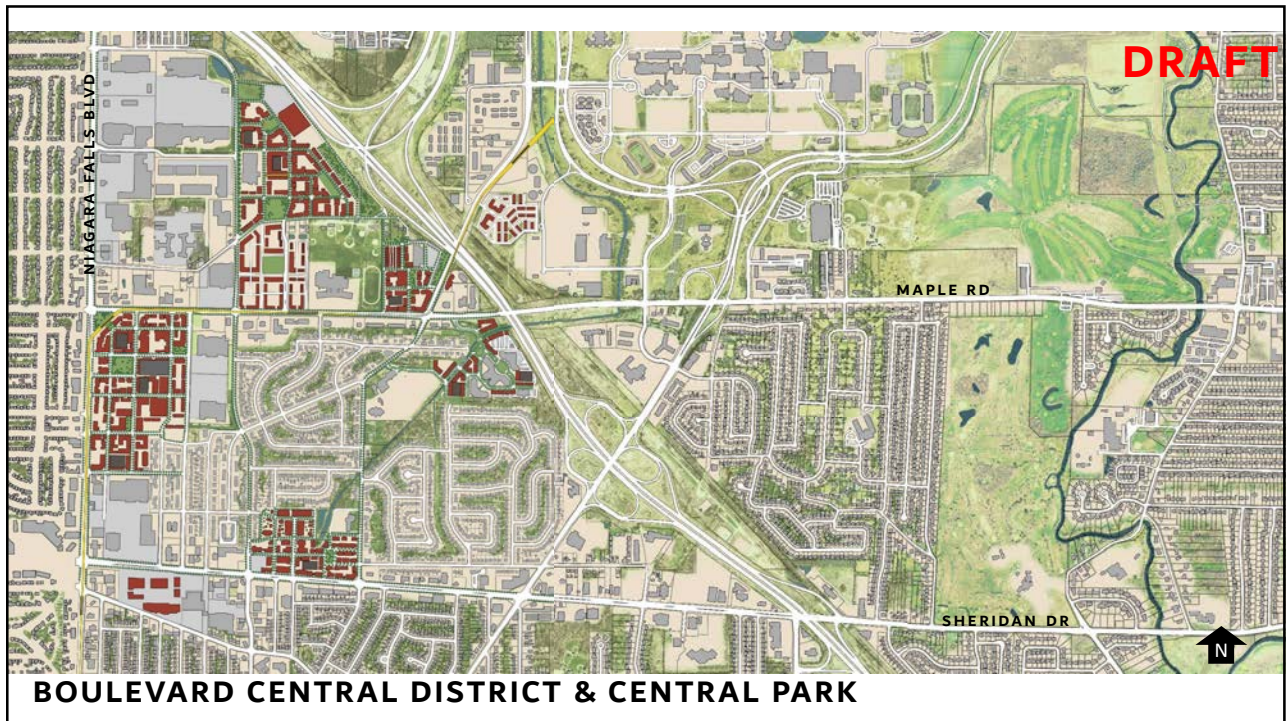
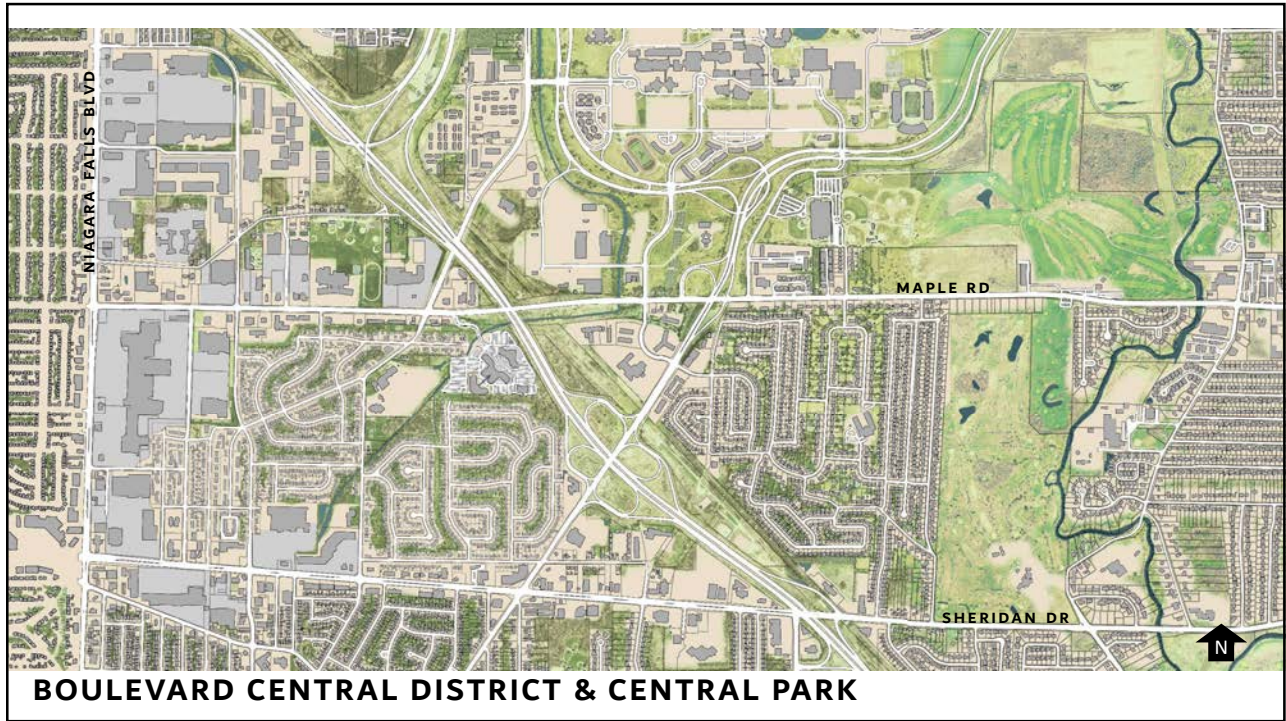


Amherst Central Park











## STAKEHOLDER WORKSHOP: JUNE 29 - JULY 1

Meetings with stakeholder groups to review Town plans to date, discuss opportunities & ideas for refinement

- Waterfront Stakeholders
- Community Group
- Recreation Committee
- Arts & Culture Committee
- Golf Committee
- Hamister Group
- Ciminelli
- Uniland
- Priam LLC

## IDEAS FOR PARK REFINEMENT:

- 4 seasons facilities: ice rink, sled/training hill, curling
- Ballfields: identify restroom / concessions areas, parking (overflow), improve access
- Cricket: add warm-up space
- Pickleball: want 16 - 18 courts
- Golf: add putting course
- More multi-purpose fields
- Gathering space for families
- Location for food trucks
- Pedestrian gateways / public art
- Connect to UB bike paths



## QUESTIONS:

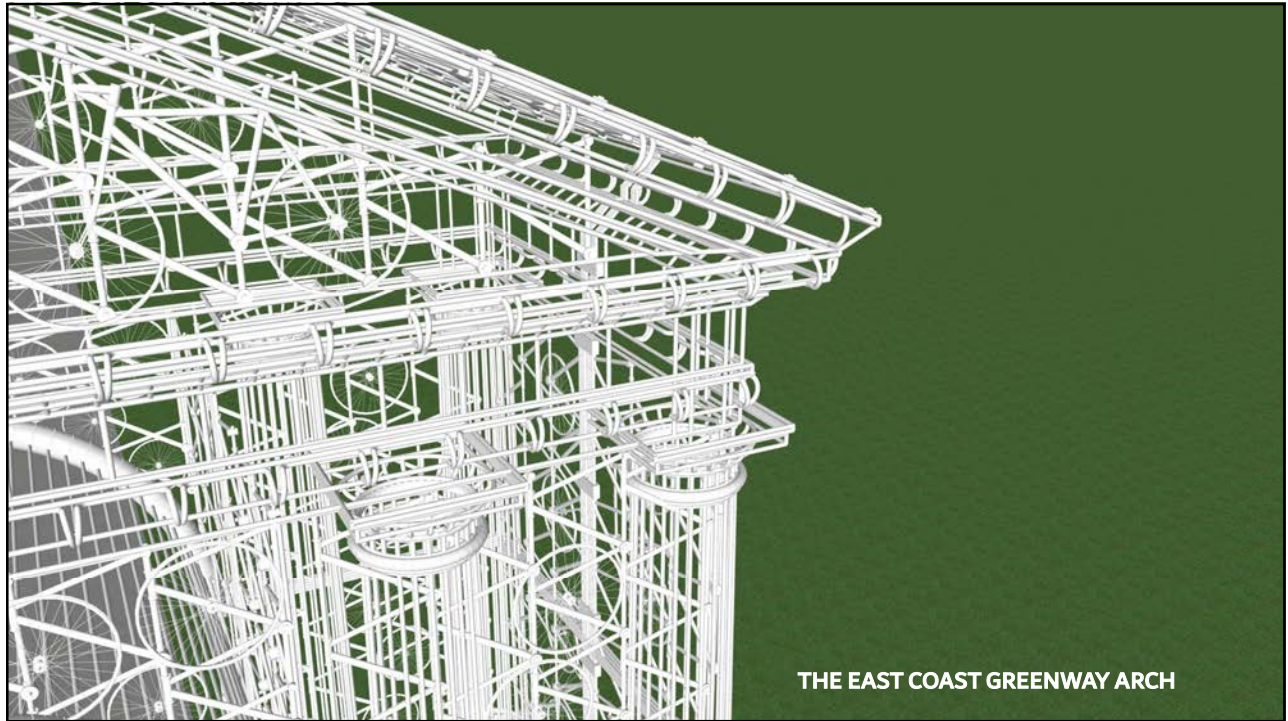
- Parking: How much is needed; multiple garage structures?
- Access: More ways to circulate? Connections to Maple Road? What about a connection to Millersport Hwy?
- How to upgrade experience & safety on Maple Road?
- Field House: How large of a footprint is needed?
- Ball fields: How many will have lighting?
- Golf: Where will there be a municipal 18-hole course?
- What about remediation on the Westwood site?









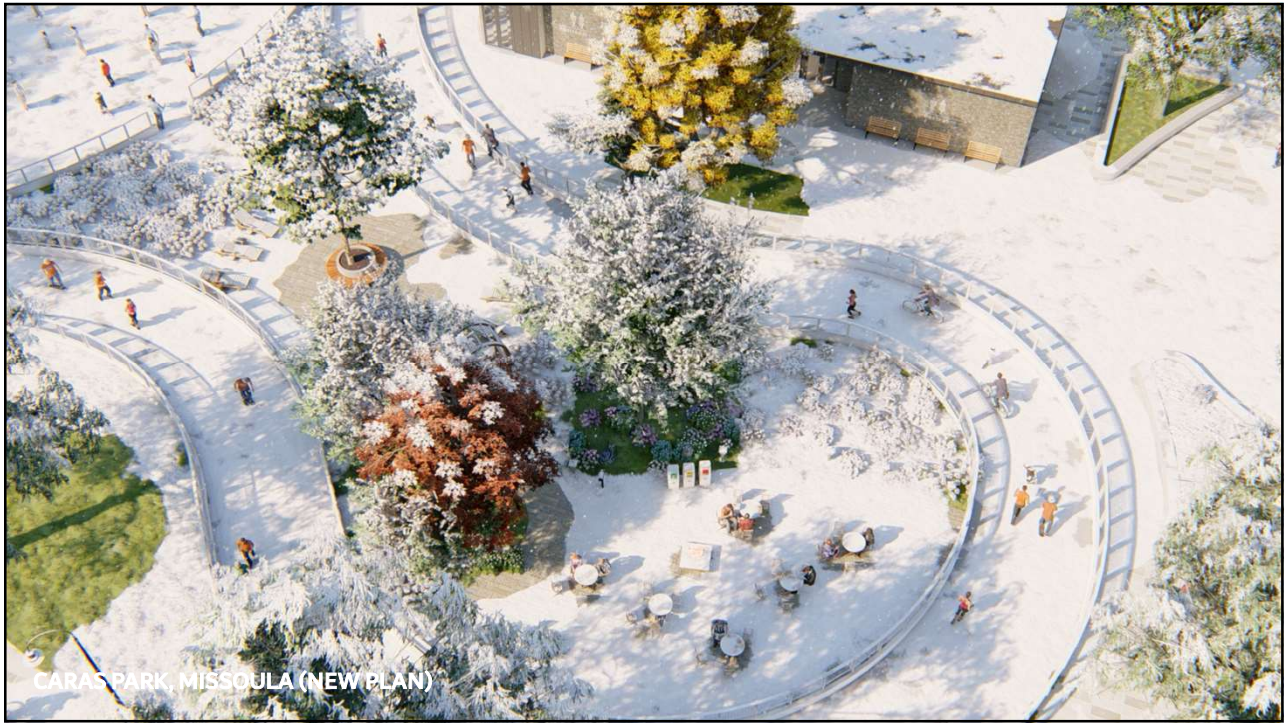


THE EAST COAST GREENWAY ARCH



CARAS PARK, MISSOULA (TODAY)





CARAS PARK, MISSOULA (NEW PLAN)



CARAS PARK, MISSOULA (NEW PLAN)



**ICE RIBBON: SECOND MOST PREFERRED PARK USE**



**ICE RIBBON IN HERRIMAN CITY**



**ICE RIBBON IN HERRIMAN CITY**



## ICE RIBBON IN HERRIMAN CITY



## SCALE COMPARISON

Existing Conditions



## SCALE COMPARISON

Notable Streets: Benjamin Franklin Parkway, Philadelphia



## SCALE COMPARISON

Notable Streets: Champs-Elysees, Paris





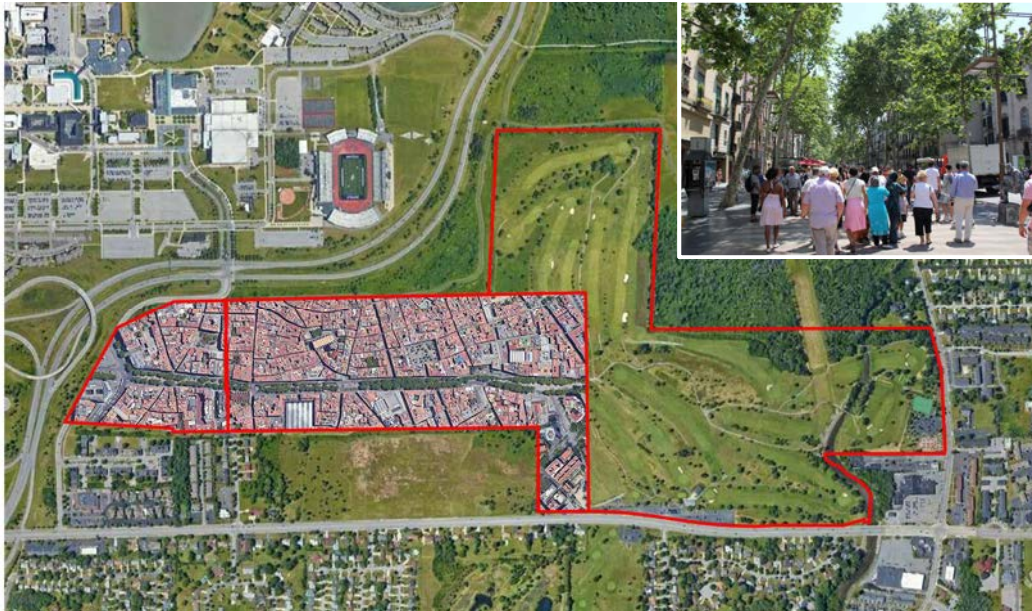
# SCALE COMPARISON

Notable Streets: Commonwealth Avenue, Boston



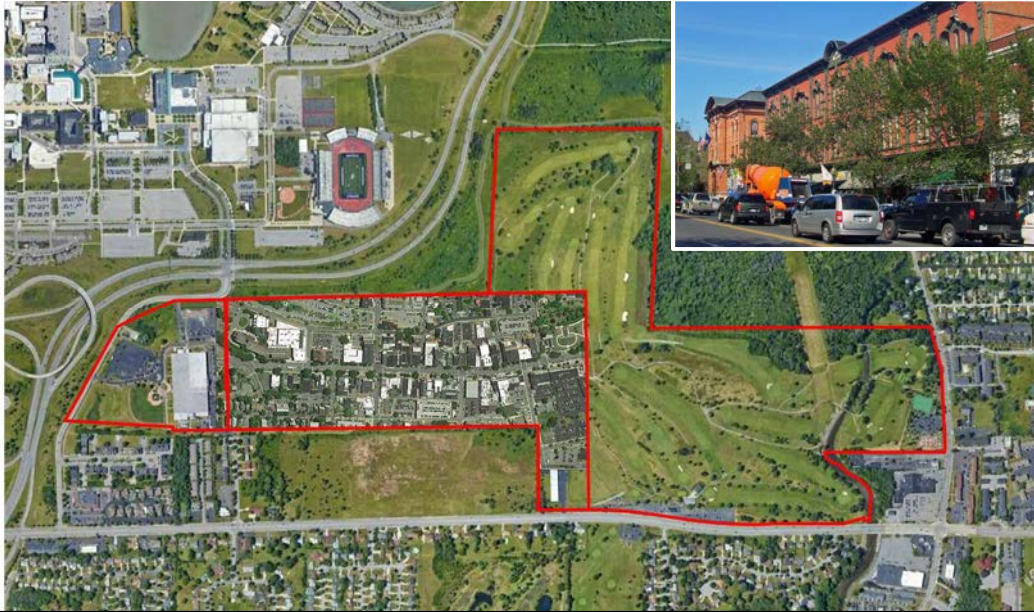
# SCALE COMPARISON

Notable Streets: La Rambla, Barcelona



# SCALE COMPARISON

Notable Streets: Saratoga Springs, NY



# SCALE COMPARISON

Notable Spaces: Lincoln Road, Miami Beach



# SCALE COMPARISON

Notable Spaces: Mizner Park, Boca Raton



# SCALE COMPARISON

Notable Spaces: Piazza Navona, Rome



# SCALE COMPARISON

Notable Places: Balboa Park, San Diego, CA



# SCALE COMPARISON

Notable Places: Savannah, GA



**DRAFT**



# AMHERST CENTRAL PARK

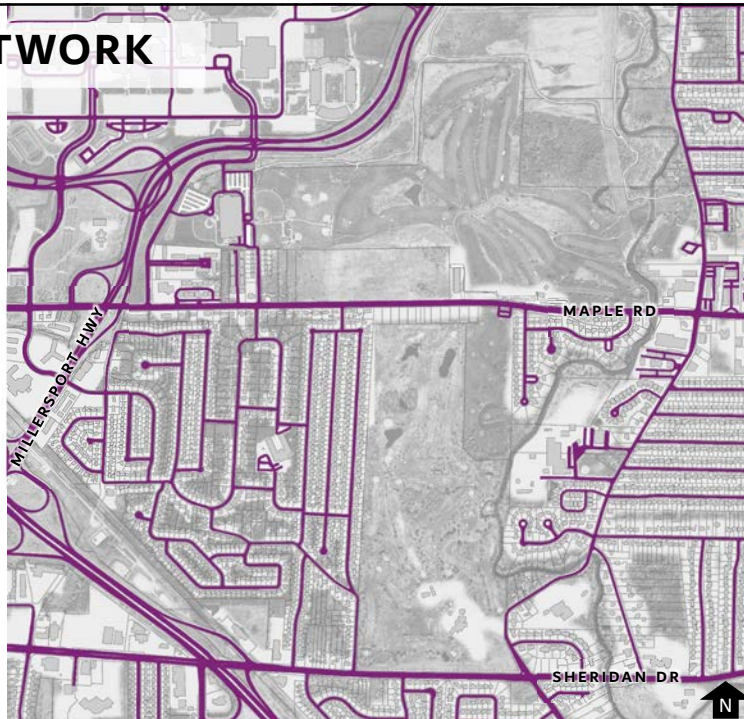
Potential Future Conditions

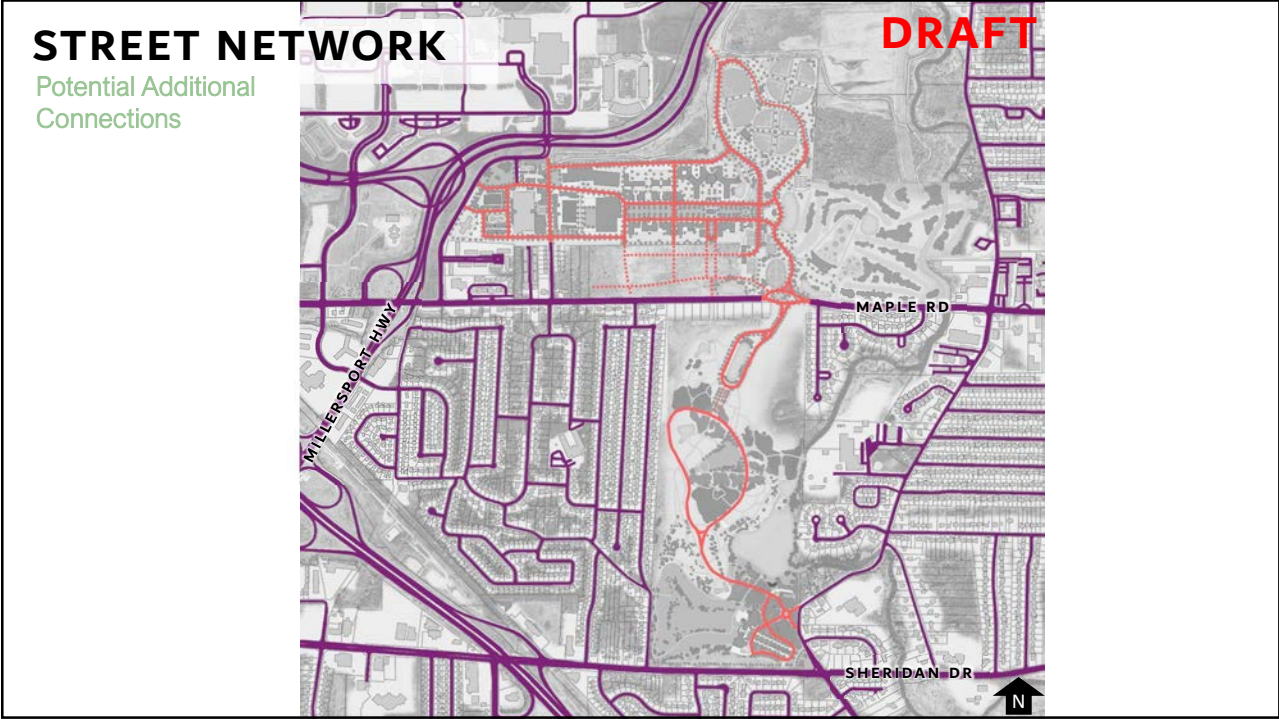
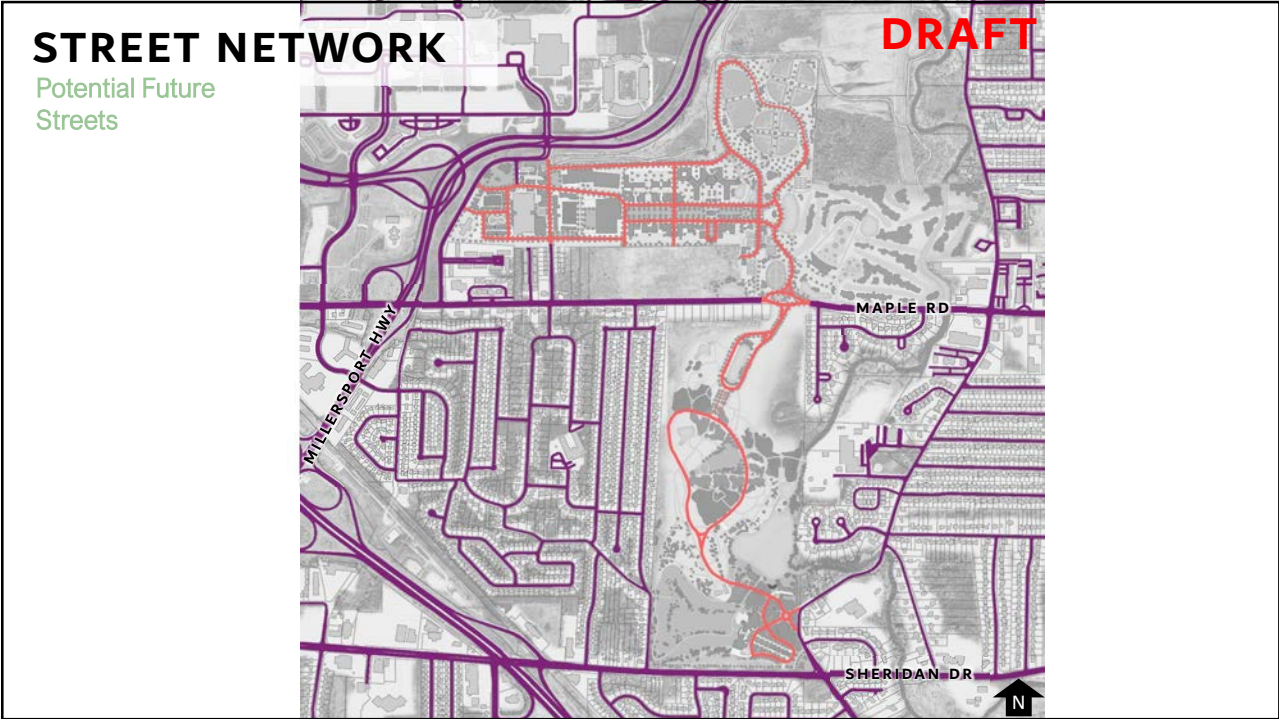
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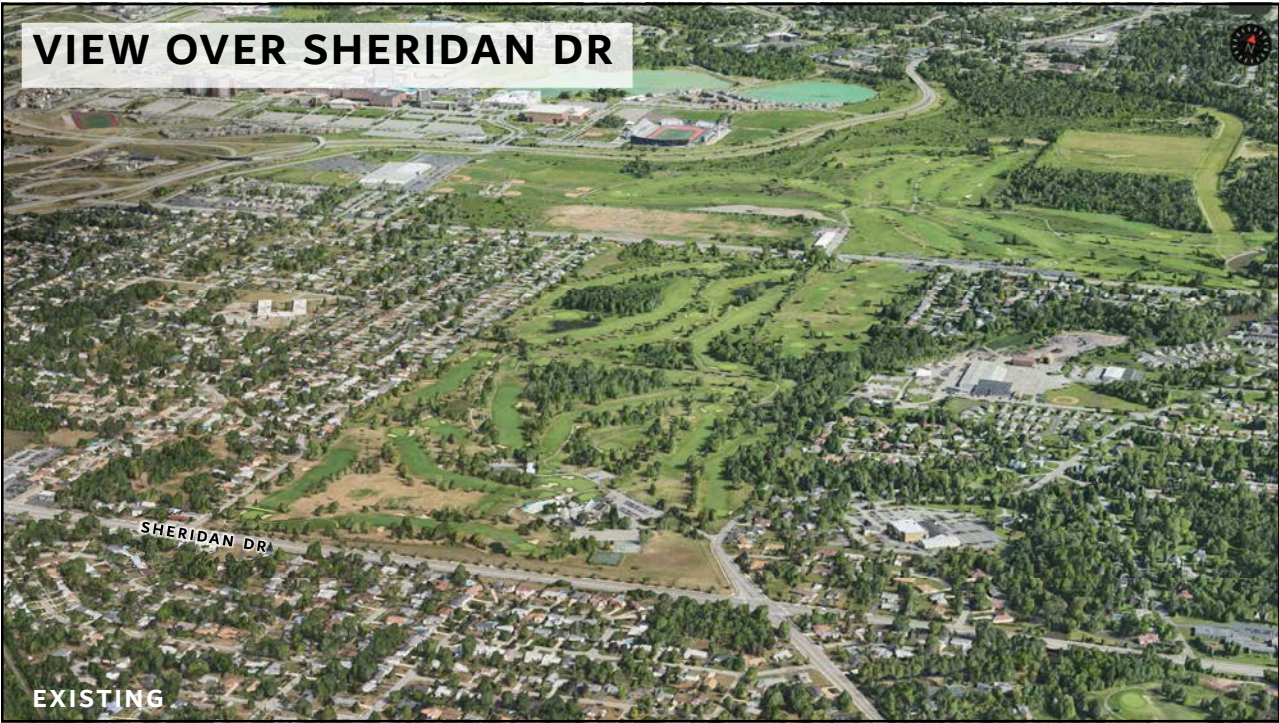


# STREET NETWORK

Existing Conditions









## IDEAS FOR WESTWOOD

(SOME ARE INCLUDED IN THE LWRP REPORT)

- In general, emphasis on pastoral view, passive activities
- Ellicott Creek could be dammed at the weir to form a lake.
- Repurpose the club house for civic uses.
- Reuse the pedestrian paths, perhaps widen them
- Connect this park to the Audubon site.



## IDEAS FOR WESTWOOD

(CLOSER VIEW, PROPOSED POND)

- In general, emphasis on pastoral view, passive activities
- Ellicott Creek could be dammed at the weir to form a lake.
- Repurpose the club house for civic uses.
- Reuse the pedestrian paths, perhaps widen them
- Connect this park to the Audubon site.
- Do not connect the road directly to Sheridan Dr to reduce cut-thru traffic



## IDEAS FOR WESTWOOD

### THE ROADWAY

- Not a direct route north to south.
- Has locations where motorists are forced to slow down, and sometimes stop.
- The character of the roadway changes along its length. This has an affect of making the drive “feel” longer, plus it will be more enjoyable.
- The south entrance connects to N. Forest Rd, not directly to Sheridan Drive.
- Roundabout at entrance to separate motorists to the civic venues from those going deeper into the park, and to make an attractive and well landscaped entrance.



## IDEAS FOR WESTWOOD

### THE PATHWAYS

- A network of ped and bike pathways.
- Uses existing paths, but adds more.
- Creates locations everywhere for interesting views to nature, manicured landscapes, displays of public art, architectural elements, shelters for multiple activities
- Fashioned in the romantic Olmsted tradition.



## IDEAS FOR WESTWOOD

### STRUCTURES WITHIN THE PARK

- Repurposed Club House.
- Next to it a Theater Arts building.
- Possibly to add the “compound” an Arts facilities: maker spaces, displays, sculpture garden, etc.
- Fashioned in the romantic Olmsted tradition.
- Pavilions for public events and rentable for private functions.
- Restrooms and Comfort Station
- Small structures, if necessary to manage activities such as outdoor skating, sledding, canoeing, etc.

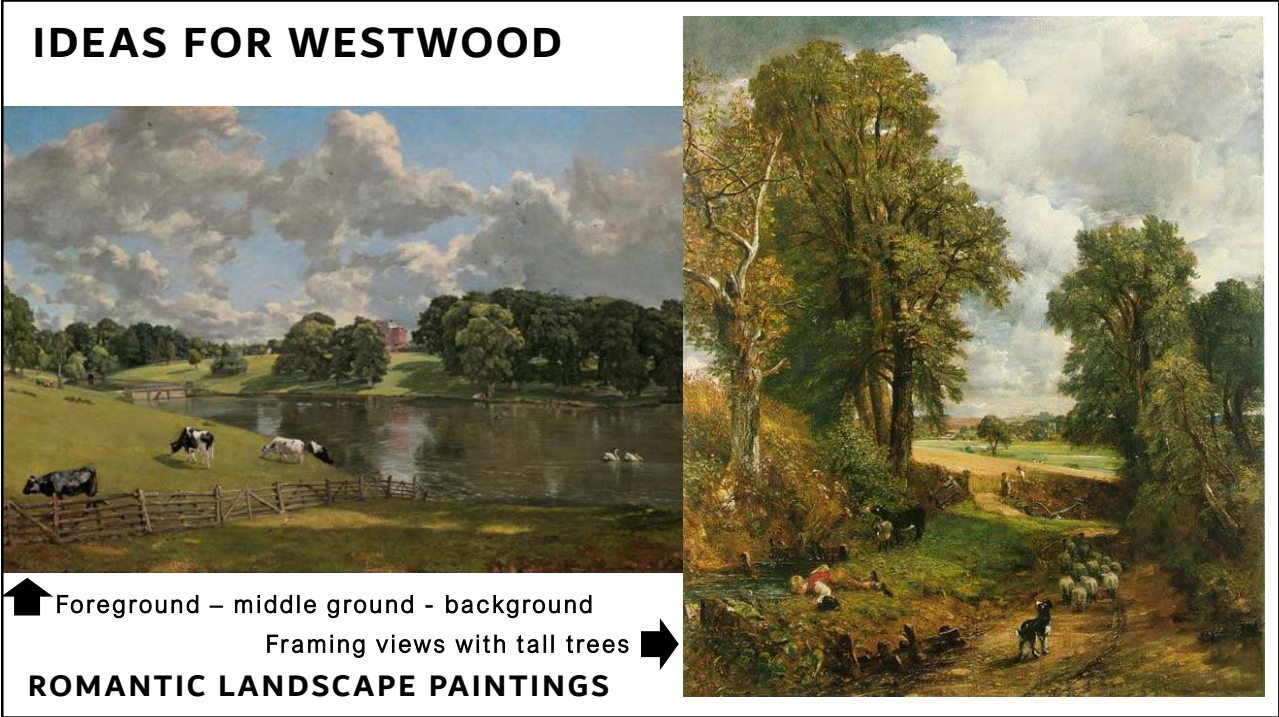


## IDEAS FOR WESTWOOD

### MORE TREES NEEDED!

- Retaining Existing Trees and landscaping. There are wonderful mature trees on site.
- This project is not just for us, but for future generations.
- Large tree canopy has an urban cooling effect, good for our environment.
- Sets up a range of experiences in the park: passing from small spaces enclosed by trees and shade to other large areas of sunlight and sky.





**IDEAS FOR WESTWOOD**



**HISTORIC RIVERBANK "BLUFF" IS VISIBLE IN GOOGLE EARTH**

**IDEAS FOR WESTWOOD**



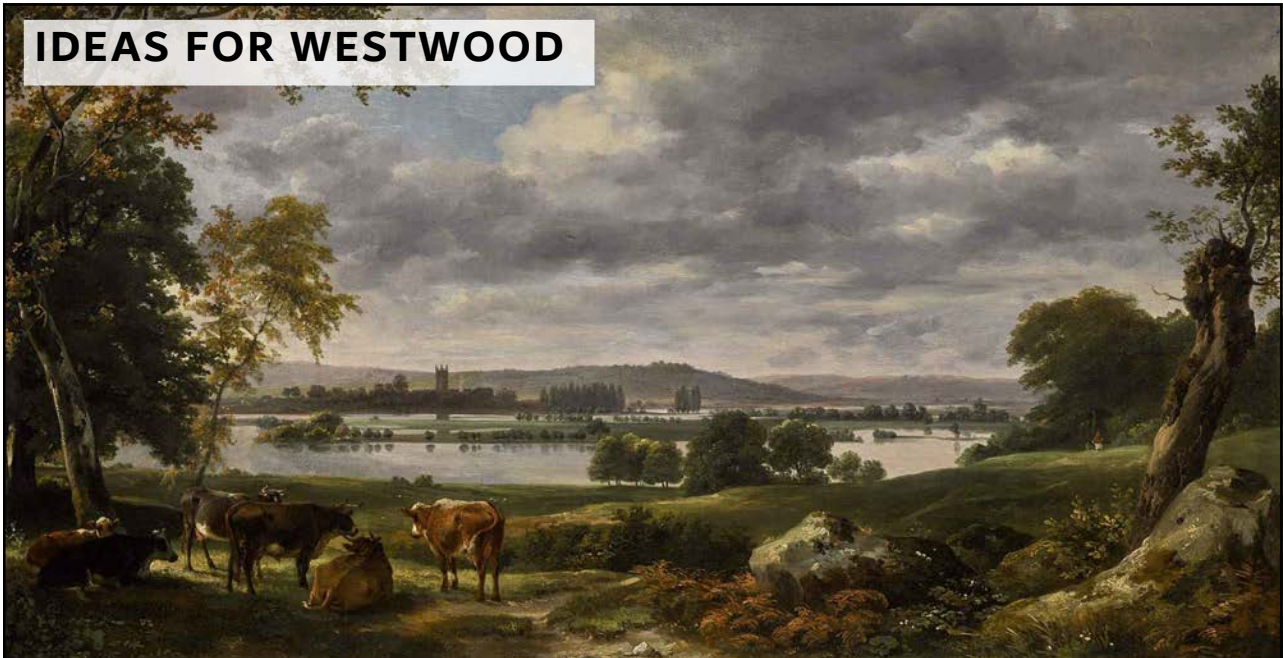
**THE SHAPE AND NATURE OF THE WATER REMAINS TO BE DESIGNED**

**IDEAS FOR WESTWOOD**



**THE SHAPE AND NATURE OF THE WATER REMAINS TO BE DESIGNED**

**IDEAS FOR WESTWOOD**



**THE SHAPE AND NATURE OF THE WATER REMAINS TO BE DESIGNED**

**IDEAS FOR WESTWOOD**



**CHARACTER OF WPA ERA PARK BUILDINGS: CONTINUE THAT TRADITION?**

**IDEAS FOR WESTWOOD**



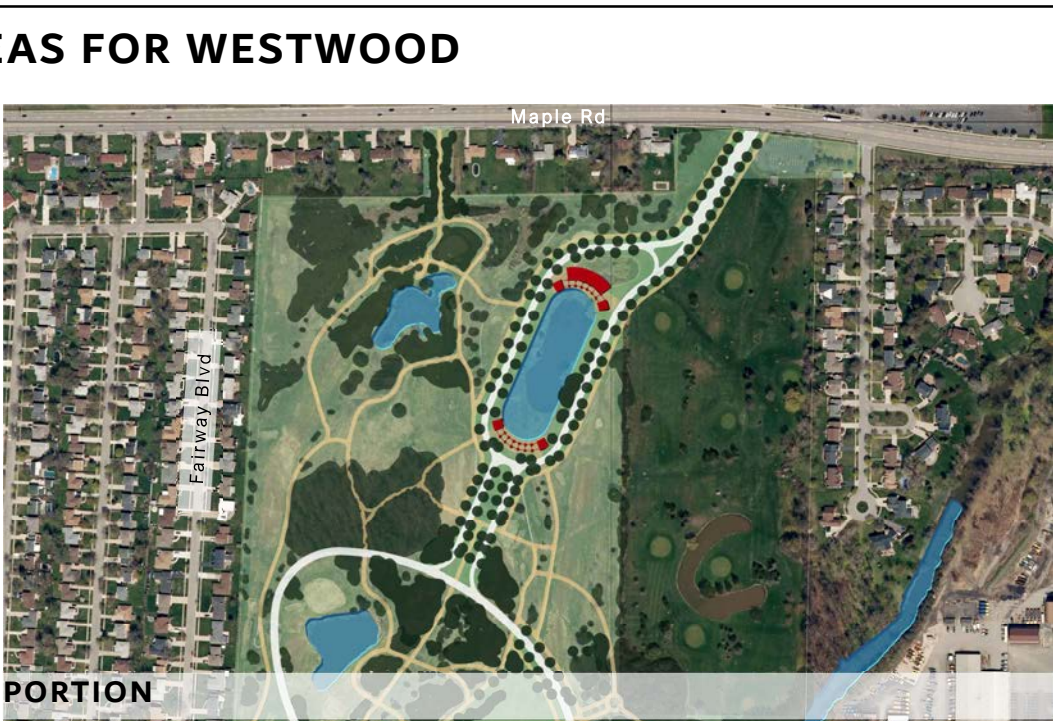
**ENTRY POINT POSSIBLE FROM FRANKHAUSER ROAD, A WIDE VIEW**

# IDEAS FOR WESTWOOD



MIDDLE PORTION

# IDEAS FOR WESTWOOD



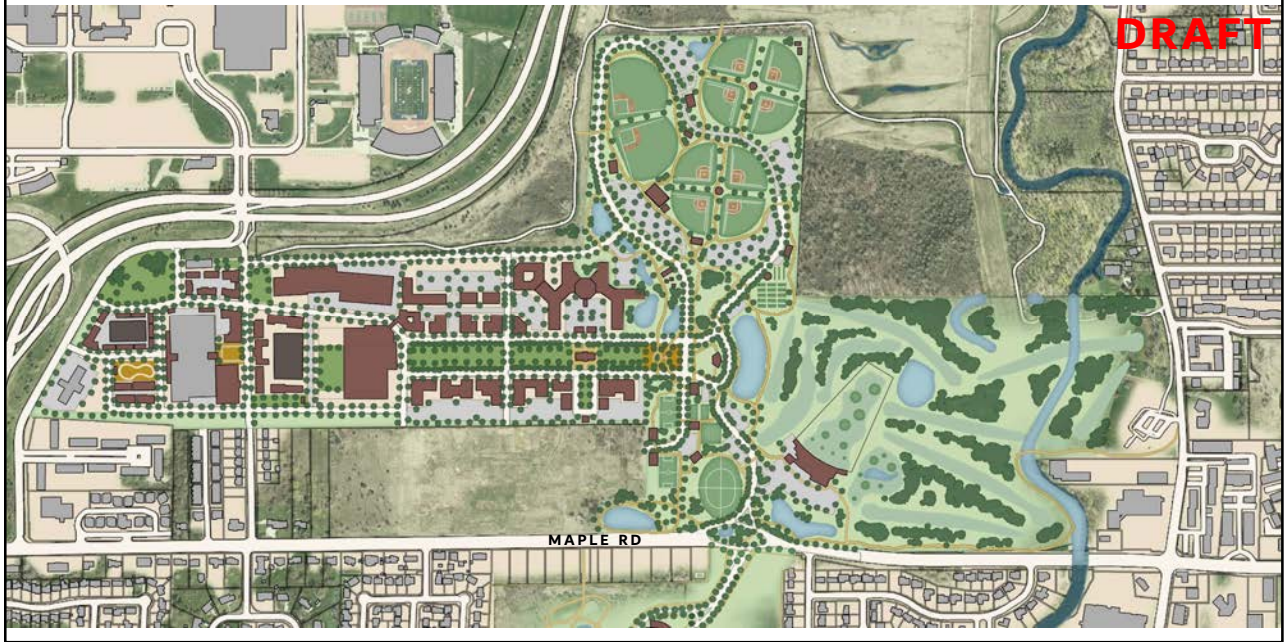
TOP PORTION



# IDEAS FOR AUDUBON



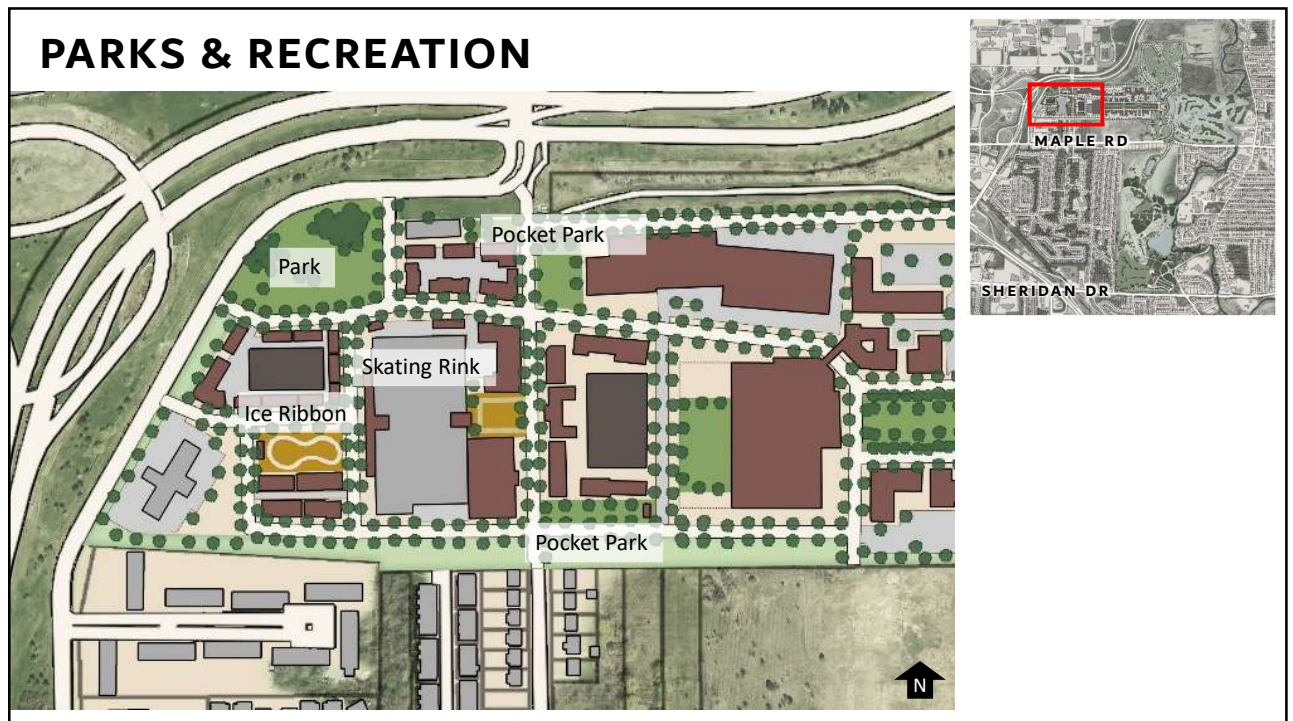
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# VIEW OVER MAPLE ROAD



EXISTING



# CENTRAL LAWN



# CENTRAL LAWN

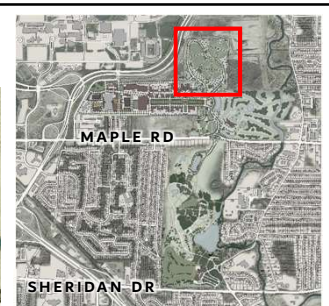




# RECREATION



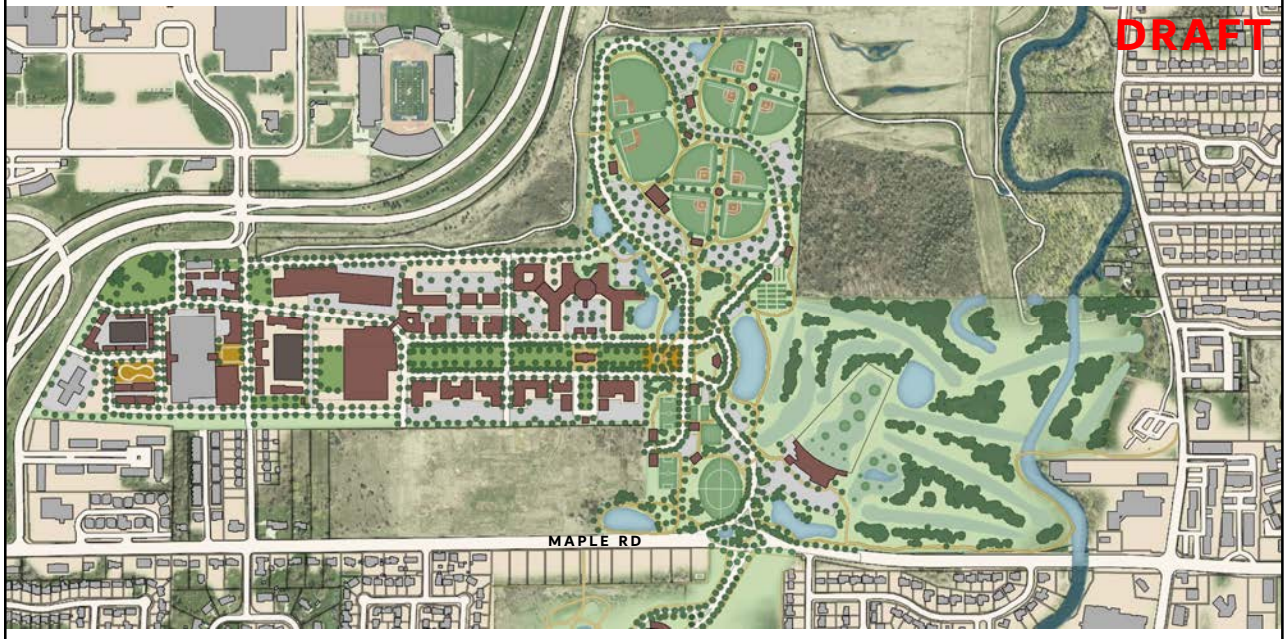
# BALL FIELDS



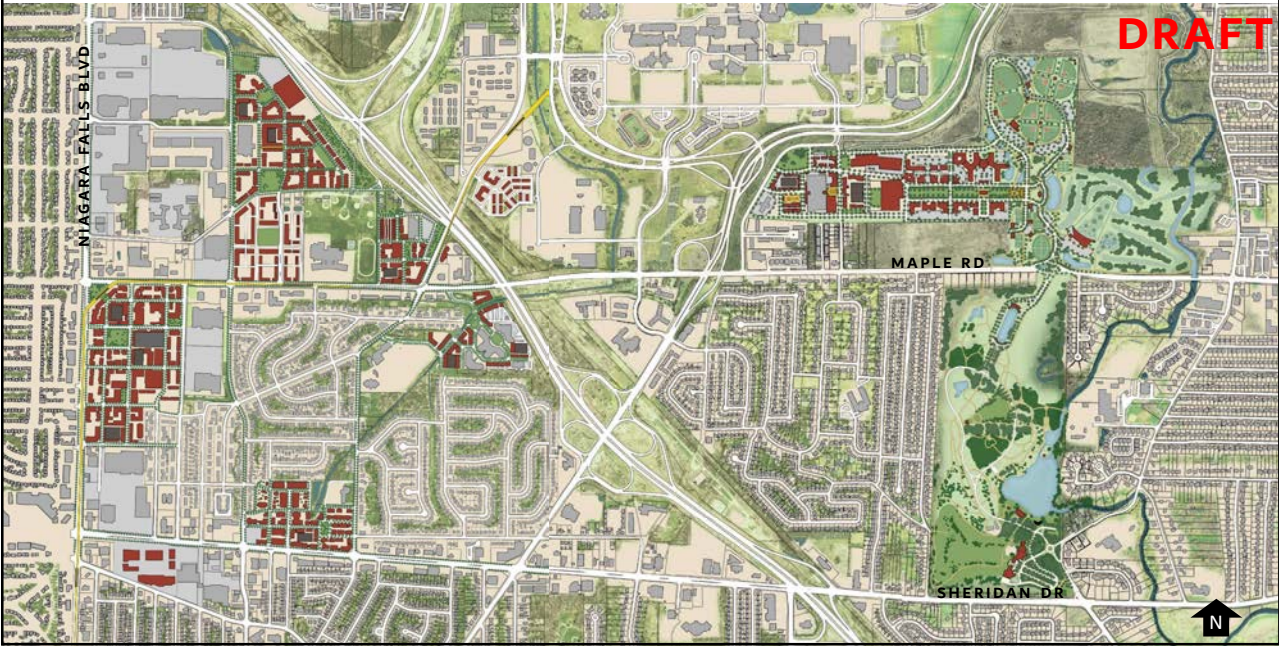
# GOLF ZONE



# IDEAS FOR AUDUBON



# A REGIONAL VIEW



# Q & A

# Audubon/Westwood Stakeholder Workshop: June 29-July 2

## Stakeholder Meeting Notes

### Monday, June 29

#### 9:30am: Town of Amherst

- Attendees:
  - Town of Amherst: Brian Kulpa, Town Supervisor; Jackie Berger, Town Board & Rec Liaison; Kim Amplement; Ellen Kost; Jeff Szatkowski; Emily Melski; Dan Howard; Jeff Borroughs; Chris Schregel; David Mingoia, IDA
  - Molly Vendura
  - DK&P: Victor Dover, Joe Kohl, Amy Groves, James Dougherty, Adam Bonosky, Pablo Duenas
- Stakeholder Meetings:
  - LWRP/Community/Rec Committee: at meetings, should ask about opportunities, park demands/needs, brainstorm new ideas. Use existing graphics to start conversation. Town will start meeting with orientation of work to date.
  - Arts & Culture: Talk with Musical Fare about square footage needs, Molly based footprint on their drawing.
  - Uniland: owns existing hotel, interest in additional development west of Northtown, office/residential. Skate park in that area owned by private foundation; need another ice hockey sheet.
  - Golf: Town is exploring options for 18-hole course elsewhere. Latest plan includes 9-hole course at Audubon
  - UBMD: ambulatory center, parking
  - Priam: field house
  - Ciminelli: partner with UBMD, far along with site plan
  - Hamister: senior housing, hotel, mixed use. Exchanging development rights at Westwood. Likes Mizner Park as precedent for central green
- Gun club property – vacant, could consider that area for planning purposes, think about street network/connections if that property develops
- North/south student traffic – think about how people and cars will move through the area
  - In later meeting: Town brought up desire to accommodate 25,000 people for 4<sup>th</sup> of July fireworks at the site. Police prefer multiple exits. Exit north of ballfield to Millersport Hwy could help. Would also help move people from ball fields.

#### 1:30pm: Waterfront Stakeholders

- Attendees:
  - Town of Amherst: Brian Kulpa, Town Supervisor; Kim Amplement; Jeff Szatkowski
  - Stakeholders (and interest):
    - Nate Hartrich, Morningside Homeowners Assoc
    - Elizabeth Dagostino, conservation council, park enthusiast
    - Tim Trabold, retired GBNRTC
    - AJ Baynes, CEO of Chamber of Commerce
    - Joe Buscaglia, historic preservation and longtime resident
    - Eric Guzdek, Parks and Rec, athletic liaison



## Audubon/Westwood Stakeholder Workshop: June 29-July 2

- Traci Murphy, Daemen Athletics
  - Wendy, prior meeting facilitator
- Molly Vendura
- DK&P: Victor Dover, Amy Groves
- What opportunity is most exciting to you / what are you most interested in?
  - AJ: Neighborhoods have high level of expectation. Chamber wants to see business friendly redevelopment, compliment the University
  - Nate: Look at examples like NYC highline, want a world class park here. Nervous about development
  - Joe: Development should say “This is Amherst”. Opportunity for signature park and development.
  - Elizabeth: Want active and passive park areas, areas for conservation, new and innovative ideas for programming
  - Eric: Athletics, sports turf to serve residents, best sports facility
  - Tim: Wildlife can take over in some areas. Field trips to see other areas/examples. Connect park to the neighborhoods. Senior housing
  - Traci: Indoor recreation, multi-use, host championships
  - Molly: previous input included artificial turf fields; coordinate with developers; keep more golf; access for schools; keep Westwood green
- Ideas:
  - 4-seasons approach. Ice trail/ribbon of ice (see Ontario/Toronto example). Are there sustained temps for natural (not refrigerated) ice? Curling in the woods, sledding at Westwood. Showed Missoula example of ice track.
  - Waterfront: boat trips, canoe, kayak
  - See LWRP plan – connectivity along the water
  - Connect park facilities and north campus with bikeway/trail
  - Pay attention to arterials, connections for pedestrians, Maple Road crossing is an issue. Make it safe, comfortable, walkable.
  - Improve tree canopy, re-tree efforts. Plant native species
  - Sculptures along trails, near clubhouse. Include public art.
  - Include interpretation/education signage on trails. Could include signage for types of plantings.
  - Sports-related recreation. Include all kinds of sports; need more places to play b-ball, tennis; cricket and other popular/emerging sports
  - Create kids scavenger hunts
  - Multiuse facility – look at Nazareth college, Golisano facility; and Pinnacle
  - Will fields be turf or grass? Hybrid model, can have turf infield and grass outfield
  - Field lights – LED technology. Need 90’ fields because of new aluminum bats
  - What is uniquely Amherst? Buffalo classic-style architecture.
  - Opportunity for cool/edgy things, draw people here
  - Tourism opportunity

### 3:30pm: Community Stakeholders

- Attendees:
  - Town of Amherst: Brian Kulpa, Town Supervisor (left after intro presentation); Kim Amplement; Jeff Szatkowski
  - Stakeholders (and interest):

## Audubon/Westwood Stakeholder Workshop: June 29-July 2

- Chris Belling, retired/interested in quality of life
- Mike Chmiel, Planning Board/music venue
- Hadar Bordon, UB staff, youth sports/public art
- Jasmine Chen, real estate/ Chinese Chamber of Commerce, arts/golf/senior center
- Mustafa Syed, UB grad/ cricket
- Siby Nair, public art/cricket
- Allison Fiut, mom/family-friendly facilities
- Jim Bojanowski, pickleball and other sports
- Michelle Maccagnano, Amherst Girls Softball
- Rob Goldberg, Buffalo Jewish federation, open spaces, diversity
- Mike Szukala, Councilmember, listening
- Shawn Lavin, public art
- Yan Liu, Chinese Chamber of Commerce, inclusive programming
- Nate Varnum: girls softball league
- Molly Vendura
- DK&P: Victor Dover, Amy Groves
- Ideas/Comments:
  - Precedent: Delaware Park
  - Is there enough open space?
    - space to just relax
    - central park lake
    - canalside: kayaks, access to water
  - Is more retail space needed here?
  - Chautauqua is good example – gathering space for families
  - Petting zoo, farm animals
  - Need activities for kids and teens. What about roller hockey. Will Town talk to them, find out what they want?
  - Creation of topography – sledding, exercise, scenic
  - Softball area:
    - Access; thousands come on weekends, memorial day thru September. What if there is an injury?
    - Where are the restrooms? Snack stands? Need to be close to all diamonds
    - Parking: 24 teams at a tournament, this does not look like enough, where is the overflow area?
    - Phasing – need to have 8 diamonds. Season cannot be interrupted
  - Concessions. What about food trucks near a gathering area
  - Cricket- too close to water. Needs more area for warm-up. They can provide plans.
  - Need safe way to get across Maple Rd, safe entrance from Sheridan Dr.
  - Access from UB bike path to new park/trails

### 5:30pm: Recreation Committee Members

- Attendees:
  - Town of Amherst: Kim Amplement; Jeff Szatkowski
  - Recreation Committee:
    - Jacqui Berger: Town Board & Liaison to Rec Committee
    - Mary-Diana Pouli: Exec Director Amherst Youth & Rec

## Audubon/Westwood Stakeholder Workshop: June 29-July 2

- Kevin Durawa: Amherst Rec Committee
- Mike McDonald: Rec Committee and Athletic Director at Daemon
- Eric Guzdek: Athletic League Liaison
- Gary Witter
- Pamela Hart, Kim Kriner: Amherst Skating Club and Rec Committee
- Molly Vendura
- DK&P: Joe Kohl, Amy Groves
- Ideas/comments:
  - Golf: will course be shut down before another is built? There may be pushback, golf is crowded now with distancing and nice weather. Keep 9 holes and improve, working with golf consultant
  - Adding more ice at Northtown. Could improve façade. The location of 5<sup>th</sup> rink takes away accessible parking. Would be better to the west? Or relocate parking near entrance. Drop-off area needed
  - Is there a traffic study? Want to understand traffic patterns on Maplemere Road, and access to the site. Difficult to cross Millersport, Maple Road. Could there be a pedestrian bridge?
  - Sledding hill / speed training hill. Example at Billy Wilson Park.
  - Frisbee golf for the younger crowd
  - Flex fields (in place of youth soccer, multi-use fields for soccer, lacrosse, etc.; this could be for cricket warm up too)
  - Pickleball – need 16 minimum, ideally 18 to 20. Near gathering place and parking.
  - Extend bike path
  - Bathrooms
  - Area for flex use / food trucks
  - Will the fields be open to the general public for use, when not programmed?
  - What is the impact of COVID on the plans?

### Tuesday June 30

#### 9am: Arts & Culture

- Attendees:
  - Town of Amherst: Brian Kulpa, Town Supervisor; Kim Amplement; Jeff Szatkowski
  - Stakeholders:
    - Enid Edelman, Williamsville Art Society, musical arts / artist community
    - Randy Kramer, Musical Fare, musical theater
    - Joan Fishburn, Amherst Symphony Orchestra, health/music
    - Carly Kirchberger, Albright Knox, sculptural art
    - Fran Spoth, Town Clerk & Arts Liaison
  - Molly Vendura
  - DK&P: Victor Dover, Amy Groves
- What opportunity is most exciting to you / what are you most interested in?
  - Open spaces, sports, senior housing
  - Concerns about tree removal (not a lot of tree removal planned – area of development is largely golf)
  - Need more facilities for music performance. Musical Fare is different from symphony
  - What would Symphony need?

## Audubon/Westwood Stakeholder Workshop: June 29-July 2

- Summer concerts, need a better outdoor space
- Clarence example – for outdoor concert
- Money needed for indoor facility may be cost prohibitive. But it could be used for high schools, graduation and event space. Would be amazing facility for the Town
- Musical Fare: dance, acting, education. Shaw Festival, with main stage and terrace, good example
- Wish list from local artists:
  - Gallery space with hanging system
  - Classroom space – paint, photography, woodworking. Need good lighting, fresh air (operable windows)
  - Meetings areas, with overhead projector
  - Gift shop, sell local artists work
  - Supply art for walls of existing building
  - Woman arts show
  - Space for outdoor classes, sculpture
  - Convenient parking
  - Performance space for bands (not just at bars)
  - Existing clubhouse could be home for the arts, and fit many above needs
- Outdoor festivals (like at Glen Falls)
- Could there be a public/private partnership – where local museums loan pieces for display. Also could sell local artists work.
- Public art program can activate paces. Can talk with Aaron Ott to create a plan. Should celebrate regional voices. Sculpture can be costly.
- Young people need places to play music. A co-op for garage bands? Buffalo Central public library has a recording space as part of their maker space
- Health: Outdoor permanent exercise equipment. Outdoor play (chess tournament)
- Street art: include public spaces for it
- Trees: need to plant more trees. 1 million tree initiative
- Maple Road is the hinge between these sites. Needs to feel like you've entered the park realm as you pass through this area (slow down, safe crossing for pedestrians).
- Central Park entry at Columbus Circle, precedent for art and sculpture to mark entry

### 11am: Uniland

- Attendees:
  - Town of Amherst: Brian Kulpa, Town Supervisor; Kim Amplement; Jeff Szatkowski
  - Uniland: Carl Montante, Jr.; Michael Montante; Kellena Kane
  - Molly Vendura
  - DK&P: Victor Dover, Amy Groves, Adam Bonosky
- Uniland owns hotel on Amherst Manor; interested in additional development in this area, including adjacent ball field. Mixed-use, including potentially ground floor retail, residential, office (medial and non-medical) uses
- Hotel opens August 1. Signage will be at Amherst Manor Drive. (feels Amherst Manor Drive is more conducive to vehicular traffic)
- Maplemere Rd. – wondering how important is that connection? Northtown Center, parking deck, big box civic uses in this areas, need to plan around them. How will people access and move around?

## Audubon/Westwood Stakeholder Workshop: June 29-July 2

- Maplemere could be designed to be more pedestrian friendly, to be less of a barrier to access parking across the street. Discussion about the “fronts” of buildings to face streets (active uses), which can line parking and blank facades that detract from pedestrian experience
- Could another parking deck be north or west of Northtown Center?
- This area could include a plaza, outdoor open space for tournaments and events
- Need to bridge barrier for movement east to west across the site. Connect to park and amenities. Perhaps the central lawn could shift north, so there is a more direct connection across the site. (the senior center would need to move to the south side of the lawn)
- Improve portion of facade at Northtown. Could be a liner building along some portion, to include active uses, and more appearance.
- Need to have good connection between hotel and Northtown Center. Easy Wayfinding, good pedestrian connection.
- Can include green spaces, playgrounds or dog park.
- Right now, Northtown Center is an island. Could have a chain of pocket parks, connect the public/park spaces through the development, make everything connect together. Parks help “create addresses” and create differentiation in the marketplace for adjacent commercial.
- Discussed idea of ice track. This could be west of Northtown Center. Perhaps it could utilize the cooling equipment of Northtown Center.
- Like the idea of year-round facilities
- Maybe there should be more passive spaces also, formal gardens
- What is the market for retail? For office? Uniland sees demand for office but not necessarily 1<sup>st</sup> floor storefronts.
- Parking ramp and Elmwood & Chippewa is a good local example, has ground floor retail
- There is a parcel northwest of Northtown Center that is UB property. No development should be planned there, could be parking

### 2pm: Golf Committee

- Attendees:
  - Town of Amherst: Brian Kulpa, Town Supervisor; Jacqui Berger, Town Board & Liaison to Rec Committee; Kim Amplement; Jeff Szatkowski
  - Stakeholders:
    - Dave Mingoia, Amherst IDA
    - Jeff Fleishman, Golf Consultant, Golf Business Advisors
    - Dick Duquin, Golf Committee
    - Steve Bartkowski, Golf Committee
    - Melinda MacPherson-Sullivan, Golf Committee
    - Chris Myers, suburban women’s golf league
  - Molly Vendura
  - DK&P: Victor Dover, Amy Groves
- Ideas/Comments:
  - Would like to see: enhanced par 3 at Westwood, add Top Golf, keep 9 holes at Audubon
  - Look at green size, side slope and other enhancements to holes that will be kept
  - Top of the Rock by Jack Nicklaus – example of enhanced par 3
  - What is going on with the gun club?
  - What kind of remediation is needed?

## Audubon/Westwood Stakeholder Workshop: June 29-July 2

- Would like to see a putting course. 1/5 acre to 1 acre, free-form setup (sent link of examples by Tiger Woods, Bandon Dunes). Can be picturesque, rolling topography.
- Where can one go to play 18 holes? (Town answered, working to find 18-hole public course)
- Where is the money for improvements coming from? (Town answered, value of development, tax offset can fund parks and rec budget. Plus revenues from players outside of Amherst)
- Youth recreation programming, is big in Amherst today. Golf programming does not exist
- What is your favorite non-country club course (precedents)?
  - Glen Oak
  - Ivy Ridge
  - Arrowhead – like layout.
  - Harvest Hill
  - Deerwood (layout, green size)
  - Willowbrook
  - Jeff: courses in Portsmouth, VA and Jamestown RI
  - Cherry Hills
  - How many trees, quality of cart paths, landscaping adds to the experience (especially when having a bad game day)
  - Wayfinding maps, restrooms are important
  - Need to have 1 golf course architect
  - Should see if can extend season (many close in Oct which is too early)

### Wednesday July 1

#### 9am: Sports Fieldhouse / Priam LLC

- Attendees:
  - Town of Amherst: Jacqui Berger, Town Board & Liaison to Rec Committee; Kim Amplement; Jeff Szatkowski
  - Stakeholders:
    - Paul Kolkmeier, Priam
    - Gene, Priam
    - Mark, Priam
    - Pete Harvey, Buffalo Niagara Sports
    - Mike Even, Buffalo Niagara Sports
    - Patric Kaler, Buffalo Niagara Sports
    - Eric Guzdek: Athletic League Liaison
    - Traci Murphy, Daemen College
  - Molly Vendura
  - DK&P: Victor Dover, Amy Groves, Adam Bonosky
- Ideas/Comments:
  - Priorities: 2 indoor soccer fields, indoor track, 8 basketball courts
  - Working on size/scope. Maybe overlay/stack features? Working estimates:
    - 2 soccer fields: 75,000sf
    - Indoor track: 75,000sf
    - 8 basketball courts: 40,000sf
    - Total: 240,000sf

## Audubon/Westwood Stakeholder Workshop: June 29-July 2

- Going to tour examples in PA and NYS (will send list)
- Examples discussed
  - Golisano, 108,000 square feet, \$23.8 million, 1,000 seats
  - Pinnacle Athletic Complex: 135,000 square feet; 90,000sf field house, 45,000sf offices
- Regional events, want minimum seating for 2,500; also need locker rooms, spectator space
- 2015 master plan, needs for Erie County: soccer (and field hockey/lacrosse) basketball/volleyball courts, track, coach rooms, locker rooms, scoreboards; ADA parking; storage rooms/waiting areas
- Outdoor baseball/softball will have lighting. Not cricket/soccer, that is closer to exist homes. No plans to fence fields. There will be bleachers/concessions
- National competitions, want to have night games (lights), and fencing (for ticketed events)
- Turf vs grass fields? It is more expensive to maintain grass (water bill, more wear-and-tear). Think it is worth the upfront costs for turf
- Buses – need places to load and unload. And a pace to send the busses during events.
- Need to bring trucks and equipment to field house. Where are the loading docks. Think about the turning radius for nearby streets.
- Families come in vans not compact cars – need parking
- How many spaces on parking deck? (estimated 1,250)
- Should be a covered pedestrian connection between parking and field house
- How will the building address nearby public space? Need a public façade to face the main lawn. Other facades may have blank walls. Could be covered by murals?
- Example: Ocean Breeze, Long Island – lots of windows, natural light
- Demand analysis – ongoing now, to understand needs and coordinate programming/scheduling more efficiently

### 11am: Ciminelli

- Attendees:
  - Town of Amherst: Brian Kulpa, Town Supervisor; Kim Amplement; Jeff Szatkowski
  - Ciminelli: Paul Ciminelli, Amber Holycross
  - Molly Vendura, Wendy Salvati
  - DK&P: James Dougherty, Amy Groves
- Ideas/Comments:
  - Current site plan: assumes using existing ball fields through 2021
  - Amherst Central Park is the “hole in the donut”
  - Provides 52-acres of tax-generating amenities
  - Cost of Westwood clean-up? TBD; could cap, lake is the biggest disturbance
  - Roads going through the gun club property? Needs to be able to work without it, they have not been part of planning so far. Are they willing to be part of special taxing district?
  - Senior housing – footprint looks large
  - Parking – complementary uses. Only need the ramp during the day for UBMD
  - UBMD site plan:
    - includes 200 surface parking spaces
      - Building is 177,000 sf. Required parking is 4.5 parking spaces per 1,000sf. Asking for 600 spaces to be provided (code requires more)
    - loop road required for fire access
  - Ideas for Master Plan:

## Audubon/Westwood Stakeholder Workshop: June 29-July 2

- Bike path is great amenity, connect to it
- Sustainable building: solar, wind
- Inclusivity: housing and public amenities. Public spaces can be a draw. Diversity of housing, well-designed affordable housing
- More emphasis on pedestrians
- All season recreation; think like a Canadian, winter can be an asset
- Public transit: bus stops, connect to NFTA extension
- Westwood: show where there could be connections to adjacent residential areas for pedestrians

### 2pm: Hamister Group

- Attendees:
  - Town of Amherst: Kim Amplement; Jeff Szatkowski
  - Hamister: Dan Hamister, Exec VP; Mark Hamister, Chairman & CEO; Josh Kotzback, VP Construction and Architectural Design
  - Molly Vendura
  - DK&P: James Dougherty, Amy Groves
- Ideas/Comments:
  - Hamister is part of Mensch, owns Westwood, trading for Audubon. Going from 170 acres to 45 acres. Parceling out areas for redevelopment by others; has interest in senior housing, hotel, multi-family
  - There are new greens/roads in draft workshop concept plan. These should not reduce building parcels/buildable area
  - Who will pay for pavilions being shown? And additional roads?
  - Senior Living Building:
    - Program:
      - 120 assisted living units, including memory care
      - 250 independent living apartments
      - Daycare center
    - Width of buildings as drawn is 75', Hamister typical corridor is 70'. Orchard Heights is example that could look at – although that has less units and is not as tall
  - UBMD – may want an option to expand in area of hotel
  - Parking for multi-family housing needs to be considered; maybe not enough is shown
    - Does not have program/size and number of units yet in mixed use buildings. Anticipates footprints as shown. North of the promenade is anticipated to be 5 stories.
  - Prefer to have one large parking garage east of Maplemere to address parking needs
  - Mizner Park example: likes how fronts of buildings relate to the greens, design of a sequence of spaces
  - Would like to see a “living space” with activities on the green. DK&P mentioned Bryant Park as an example for outdoor rooms
  - Discussed site access. Including a road on north property line would be helpful for moving traffic and access to hotel.



**Audubon/Westwood Stakeholder Workshop: June 29-July 2**

**Amherst Central Park  
Summary of Fall 2019 Stakeholder and Committee Meetings**

**June 6, 2019  
Amherst Central Park Art-Culture Committee Ex Sum**

- On the conference call; Arts and Culture Committee (see sign in sheet)
- **Reason:** Discuss/Brainstorm the current uses and proposed future uses of the Westwood building and adjacent exterior space

**Notes from the Meeting**

- Musical Fare would like a 20,000 SF Theater/Event space
- Musical Fare at 25,000 and may reach up to 50,000 patrons
  - Easy to access
  - Central location
  - Not competing with downtown
- Space large enough for graduations, weddings
- Review Senior Center upgrades and problems with the facility. Evaluate the overall limitations of the facility.
- Art Festival Space – indoors (use as alternative locations during weather conditions)
- Light Industrial / Studio space?
- Makers space?
- Diverse Uses to increase funding sources. Include an Educational component.
- What's the draw/focus of the site?
- How will the Town Manage the Site? What changes to the town staff will need to take place?
- 3<sup>rd</sup> party ownership/maintenance of the space?
- Need an AV Staff in Youth and Rec Department
- Budget would be a portion of the Youth and Recreation budget
- Food on site
- Townhall located on site
- Transportation – Buses, Shuttles ???

**Amherst Central Park  
Summary of Fall 2019 Stakeholder and Committee Meetings**

<p><b>June 11, 2019 Amherst Central Park Senior Housing Committee Ex Sum</b></p>
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- In Attendance; Senior Housing Committee (see sign in sheet)
- **Reason:** Discuss/Brainstorm the Senior Housing Component of the project; recreation and housing needs.

**Notes from the Meeting**

**Recreation**

- Identify the needs of the Town as seek/partner with non-Town facilities (as per 2018 Recreation and Parks Master Plan)
- The agreement with Uniland allows for access to the Hotel pool during “off-peak” hours
- Weinberg Campus partnered with 3<sup>rd</sup> parties
- Transportation is an issue (shuttles, vans, etc..)
- Creative Shared Staffing, Non-Jurisdictional,
- The Town does not have a year round pool
- Indoor/Outdoor Pool, Pickleball, Booce, Shuffleboard Courts
- Event Stage space
- Universal Access
- Walking Trails indoor/outdoor
- Possible indoor walking trail on 5<sup>th</sup> Rink
- Integrate Housing into the Park
- Park Amenities needed – Billy Wilson Park (shade, bathrooms, bike racks, trees, exercise fitness equipment, etc..)
- Intergeneration spaces and programs
- Stock the ponds for fishing
- Meditation gardens, community gardens, etc...
- Makers Space – CNC Routing, Fabricating, Dedicated arts room, Wood Shop, Upholstery
- Plan for retirement (need activities)
- Wellness Center for mental health
- Augmented Reality/Gaming
  - Training
  - Understanding the needs of seniors
  - Live Experiences – Go Pro
- Adult Day Care Facility (state of the art, comfortable, dedicated spaces, etc..) – 1950-s setup

**Amherst Central Park  
Summary of Fall 2019 Stakeholder and Committee Meetings**

**Housing**

- Affordable, independent living, varieties, patio homes, townhouses, facilities, mixed
- Spectrum: **Barracks** (200 unit) ----- **Patio Homes** (single family detached)
- What demographics 55+, 75+?
- Examples; Brothers of Mercy, Brompton
- DO not like Barracks (200 unit facilities)
- Want inviting, neighborhood, community, sustainable, security, not isolation of the suburbs,
- Need Activity, "Town Square" – example Chatauqua Institute
- Need Transportation partners
- Occupancy Rates at 95% - demand for Senior Housing is high
- Ease of "Transitioning"
- Level of Service: Home Healthcare (home visits), Light level to medical care, Shared Aid and Services
- Where should facility be located near UB or at Town Square/Clubhouse

**Amherst Central Park  
Summary of Fall 2019 Stakeholder and Committee Meetings**

**June 25, 2019  
Amherst Central Park Indoor Facility Committee Ex Sum**

- In Attendance; Indoor Facility Committee (see sign in sheet)
- **Reason:** Discuss/Brainstorm the Indoor Athletic Facility Component of the project

**Notes from the Meeting:**

**Indoor Facility**

- Identify the needs of the Town and feasibility of an Indoor Facility. Hire a consultant to prepare a program and the “right” type/size of facility for Amherst
- Potential partners with a 3<sup>rd</sup> party provider, depending on the need
- Y-R wants a facility for “all” users of all abilities
- A Field House could potentially be a Regional Draw/Travel Sports & Leagues
- Buffalo Niagara Sports Commission
  - ID priorities for the Town of Amherst
  - Increase Eco. Development of the Town / Tourism
  - Travel Teams
  - Lighting Needed on Outdoor Facilities
  - NTC – 1% Bed Tax yields \$1 million for Town
- Inventory of WNY Indoor Facilities and Availability/Capacity

**“New” Multi-Use Indoor Fitness Facility**

- **Example:** Ocean Breeze, Staten Island, NY
- Training Space for off-season
- Schools need soccer field size turf with multiple lines for different sports & Indoor Track
- Schools do not need more Basketball Courts
- Host Championships
- Use NFL Turf, potentially incorporate the NFL
- Multi-Court Surface
- Sports; Basketball, Soccer, Field Hockey, Football, Baseball, Volleyball, Tennis, Pickleball, Baseball, etc...
- Space for Unified Sports/Special Olympics
- Meeting & Coaching Rooms
- Kitchen/Water/Ice/Locker Rooms/Training Rooms, etc.....
- Partner with New Era or other 3<sup>rd</sup> party will not be beneficial for “all” users as they become specialized and pick off the elite talent
- Create an atmosphere such as Gloria J Parks; fitness, sports & education in one facility

**Youth League Basketball**

## **Amherst Central Park**

### **Summary of Fall 2019 Stakeholder and Committee Meetings**

- 120 Teams Oct. to March 6am – 9pm – 2hrs./wk
- 5 courts minimum needed to satisfy the 2 hrs./child per week
- Clearfield contains 50% of the program's need
- Largest Youth League in Amherst

### **Outdoor Sport**

- Turf needed and in Demand – ALL Schools
- Not worth the money to build grass fields
- Town has an inventory of its park space 2018 Rec and Park Plan, M-D has a binder of needs, future facility inventory
- Create fields on other Town property – ie.) Saratoga Park
- Need outdoor space for summer camps
- What is happening with the NARC?

**Amherst Central Park  
Summary of Fall 2019 Stakeholder and Committee Meetings**

**July 9, 2019  
Amherst Central Park Golf Course Committee Ex Sum**

- In Attendance; Golf Committee (see sign in sheet)
- **Reason:** Discuss/Brainstorm the Golf Component of the project

**Notes from the Meeting:**

- Potential loss or relocation of Golf and Softball Fields in the land swap
- Rec. Commission says we need a municipal 18 hole traditional affordable course
- USGA is potentially thinking about 9-Holes course across the USA
- Trends in Traditional Golf are changing

**Users:**

- Golf Purist – Traditional Course
- Non Traditional – Generational Shift to Golf Entertainment/Social
- Town Mission with Municipal Golf – Town Residents

**Goals**

- Identify the needs of the community, inventory # of users and existing facilities
- Hire Golf Business Advisor – Jeff Fleischman to prepare a feasibility study/assessment for the Town of Amherst
- Identify/Re-structure the user fee
- Sustainability – Prioritize the Cost to management and maintenance a municipal course
- Likely, an affordable / accessible course is needed

**Golf Trends**

- Golf Centers, Sports Complex
- Top Golf – Recreation/Entertainment
- Shot Tracking, Short Game features, Virtual Reality, Augmented Reality
- Indoor/Outdoor Venues, NO Domes
- Tee Boxes are setup for a variety of users
- Indoor Facility climate controlled
- Need a variety of hours available for the golf community
- John Prince Golf Center

**Cindy Miller – Golf Trends**

- Need to build Sports Complex right, or business will suffer
- With Top Golf Complex the town would still need 9-holes on site
- Top Tracer Technology is popular

## **Amherst Central Park**

### **Summary of Fall 2019 Stakeholder and Committee Meetings**

- 2 Domes currently in Buffalo
- No Domes in Summer
- Age ranges from Seniors to Toddlers on training course sessions
- Location of Audubon is perfect
- Training facility with both personal and professional services offered
- Facility could be a warehouse/garage setup or converted
- Talk to National Golf Foundation

#### **Audubon**

- Potentially re-configure holes 7, 8 & 9
- “Old, archaic” “poor drained soils” “not 1<sup>st</sup> choice to play golf”
- \$15 million to complete an overhaul (Banquet facility, tourism, better course, USGA standards)
- Canandaigua has a popular 9-Hole course
- Re-configure may result in nets placed along Maple Road – 350 yards???

#### **Par 3**

- Provides affordable golf for individuals of all backgrounds, ages and playing ability
- Provides exercise
- In a great location

#### **Field House**

- Private funded field house
- Final ownership in question
- Agreements with schools for programming???
- Dome with no A/C is a problem

#### **Oakwood**

- Part of LWRP process/DOS
- Cost to refurbish/rebuild \$4 million (approximate)
- Glen Oak purchased for \$2.8 million (approximate)
- Location may lose Users



**Amherst Central Park  
Summary of Fall 2019 Stakeholder and Committee Meetings**

**August 16, 2019  
Amherst Central Park - Park Committee Ex Sum**

- In Attendance; Park Committee (see sign in sheet)
- **Reason:** Discuss/Brainstorm Park Planning

**Notes from the Meeting:**

- Active vs. Passive Space
- Potential loss or relocation of Golf and Softball Fields in the land swap
- Rec. Commission says we need a municipal 18 hole traditional affordable course
- Pickleball Courts will take place
- Vehicular Circulation through the site
- Consider other available green space in Town as well
- Maintenance Cost, Personnel, Future Expenditures are concerns

**Conservation Area**

- Dedicated Conservation Area (primarily along the water)
- Successional growth at certain locations
- ACOE water benches and man-made wetland areas along the Floodway
- ACOE re-naturalize the floodplain / floodway
- Re-vegetate the creek banks
- Apply Green Initiatives

**Softball**

- League has 7 diamonds currently
- Need: 6-8 diamonds, facilities, restrooms and concessions
- Indoor facility would be fantastic; NARC
- Zoned Parking for each different Programmed Feature
- Continuity of Services
  - Demo – August 2020
  - Season Starts – Spring 2021

**Cricket Field**

- Jacqui Berger has the dimensions
- Wide Open Green Space
- Can be Multi-Use with other field sports
- “Peace Park”

## **Amherst Central Park Summary of Fall 2019 Stakeholder and Committee Meetings**

### **Soccer**

- North French Soccer Fields currently
- Not enough fields, borrow from schools as needed
- Drainage is a problem by the interstate
- Members leave for Clarence for better opportunities
- Can be Multi-Use with other field sports
- Use of artificial turf

### **Pickleball**

- 1,000 players locally
- All Ages
- Strategy not Cardio
- Tennis Court can serve 4 pickball courts
- ACP needs 12-20 courts
- Cost effective lighting for night
- DO not build anymore tennis courts in Amherst
- Clearfield (2) Pickeball courts
- Willow Ridge (8) courts
- Pickle ball has fainter lines than tennis

### **Golf**

- Valuable Land
- Need 18-holes in Amherst
- Par 3 has a niche for a small user group (Young and Elderly)
- Priority in the Park Plan

### **Westwood**

- Cultural Aspect okay on site
- Passive Space needed
- Re-Build Pool on site
- Alternatives to pavement and reduce parking
- Clubhouse – Net zero efficiency

### **Olmsted**

- Passive vs. Active Spaces
- Preserve Open Space
- “Bridge to the Museum in NYC” = the Clubhouse Theater/Cultural Center
- Need programming for children under 5

### **Indoor Field House**

- Need for an Indoor Track and Mulit-Use fields

## **Amherst Central Park Summary of Fall 2019 Stakeholder and Committee Meetings**

- Need Basketball courts specifically

### **Bassett Park**

- Example of Open Green Space with Cultural Elements

### **Parking**

- Need charging station
- Underground parking too expensive
- Apply parking to previously disturbed areas
- Porous Asphalt needed
- Break up and screen parking
- Zoned parking

### **Natural Play Areas**

- Use topography and other natural elements into the design of play spaces
- Inclusive ADA access
- Multi-Generational Playgrounds

### **Chestnut Ridge Park**

- Active and Passive Facilities
- 1,200 AC
- Split into (2) – upper = picnic and lower = running
- Winter and Summer Activities
- Disc Golf strategically placed in the woods, trampling of tree roots
- Rotate Disc Golf basket locations to reduce trampling

### **2018 Rec and Park Master Plan**

- ID the Needs of Amherst
- Roles of Depts. To be considered and defined

### **Regional**

- Is there a similar site to ACP at the Regional Level researched by the Town?
  - Yes, for venues like Field House or Top Golf
  - No not needed for Trails, Parks, Playgrounds
- Will a feasibility study be administered?
- Functional at a Local Level with a Regional Draw
- Pop.
  - 127,000 residents
  - 180,000 daytime people

**Amherst Central Park  
Summary of Fall 2019 Stakeholder and Committee Meetings**

**August 26, 2019  
Amherst Central Park Maple Rd Committee Ex Sum**

- In Attendance; Maple Road Committee (see sign in sheet)
- **Reason:** Discuss/Brainstorm Traffic and Access Points to ACP

**Notes from the Meeting:**

**Kevin Brown (APD)**

- “Bridge over” Maple is a safe method to move pedestrians and bicyclists
- A formal signal is likely needed at Maple Road
- A single event space not crossing roads would be appealing from a traffic/public safety stand point.

**Traffic Safety Board/Liason**

- Formal Signal needed on Maple Road. The existing signal at Sandhurst is failing and could possibly be moved.
- Frankhauser signal could possibly be moved and relocate towards Westwood.

**Eric Guzdek**

- NTC “Drop Off” at peak times (6pm – 10pm) is needed on the east side of the NTC, the flow of traffic is reduced to 1 lane
- Student crossing through the parking lot from south of NTC towards Conventry

**Environmental/Existing Conditions**

- Under Berm old stone slabs from Old Sheridan
- Floodway at 579.0' Elev. At the ACOE project Maple and Ellicott Creek
- Possible Flooding or static pond at the island on Westwood

**Events/Venues**

- Sport fields north of Maple
- Fire work venue and the future of Amherst Fireworks???? – need large parking
- 5K runs on site –draw 2,000 people
- Art Festival – currently draws 10,000 people
- Sand Volleyball?
- Running Hills are popular

**Amherst Central Park  
Summary of Fall 2019 Stakeholder and Committee Meetings**

**Park Reference**

- Softball and Baseball setup in Pittsburgh, NY
- Niwanda Park
- Speaker's Corner
- Downview – Toronto
- Zaryadye Park - Moscow

**Amherst Central Park  
Summary of Fall 2019 Stakeholder and Committee Meetings**

**December 9, 2019  
Amherst Central Park Facility Committee Ex Sum**

- In Attendance; Facility Committee (see sign in sheet)
- **Reason:** Discuss Summary of the previous meetings and show potential build out scenarios

**Notes from the Meeting:**

**Priem – Paul Kochmeyer**

- Private sector, understand profitability before making decisions
- Needs: Daycare, Restaurant/Café, Lobbies
- Example Spookynook, PA complex

**Facility as a Town Asset**

- Private sector build and develops, Town owns and manages (Similar to NTC)
- Avoid competition with the YMCA on Tech Drive and other large facilities
- Feasibility Study/Market Analysis – Determine the Town's top priorities

**Schools Needs**

- Daemen needs Indoor for practices
- All schools need Indoor Track 300m, 6 lanes
- All schools need Turf Fields
- Schools receive many 3<sup>rd</sup> party requests to host events on their facilities
- Cheerleading and Drill Team needs a space
- Basketball needs 8 courts but could use 12-20 courts
- Could open up to parochial schools, ECC, UB intramurals

**Summary**

- The proposed facility would free up space to allow for more programming at Clearfield and the NARC. The Town take care of the needs of the Town first before the other stakeholders involved. There's a chance Amherst could have a premier facility to host large events that currently take place at Rochester and Syracuse.

Appendix H  
WAC Meeting Minutes

Draft



## Waterfront Advisory Committee (LWRP) Kickoff Meeting Notes (Revised)

June 20, 2018 | 8:30am | Northtown Center, Skybox B

### Attendees:

- Brian Kulpa, Town of Amherst
- Maggie Hamilton Winship, Town of Amherst
- Dan Howard, Town of Amherst
- Ellen Kost, Town of Amherst
- Jeff Szatkowski, Town of Amherst
- Mary-Diana Pouli, Town of Amherst
- Benjamin Vilonen, Village of Williamsville
- Anthony Panella, Amherst Central Schools
- Scott Martzloff, Williamsville Central Schools
- Gerry Stuitje, Sweet Home Central Schools (on behalf of Tony Day)
- Andrew Shaevel, Bobalew Ventures
- Nate Hartrich, Morningside Home Owners Association
- Tonga Pham, University of Buffalo
- Dave Mingoia, Amherst IDA
- Sharron Rich, Arts & Culture
- Judy Ferraro
- Tim Trabold
- Elizabeth Graczyk D'Agostino
- Bonnie Kane Lockwood, Representative from Higgins' Office
- Chris Fahey, Representative from Higgins' Office
- Forrest Wynn, Representative from Walters' Office
- Jonathan McNulty, Representative from Ranzenhofer's Office

### Not present:

- Legislator Thomas Loughran
- Francis Kowsky
- Mark Alnutt
- Bill Kindel
- Colleen DiPirro

### MEETING NOTES

1. Introductions of each individual
2. B. Kulpa: This is the start of what we hope is a meaningful planning process. We sit at the heart of this town and at the foot of UB campus. It's an important area for us as a Town, school districts, and as residents.

This process is called LWRP (Local Waterfront Revitalization Plan) – a process done that's done in conjunction with NYS. It gives local municipalities control over planning of waterfront and continuous open spaces, community facilities, parks, recreation, waterfront-based land use, zoning, physical construction, etc. For Amherst, it makes sense to do LWRP because we have 2 creeks, Ellicott Creek and Tonawanda. Amherst will be doing a comprehensive plan throughout the year for whole town in addition to a couple area plans – this is considered an area plan.

TOA is a population center in WNY, the 4<sup>th</sup> largest municipality. In terms of growth, 122,000 people and 23 public schools, we are a big municipality. Town is cut into 6 different economic zones. We'll stop doing capital improvements by scatter-shot. Will focus our efforts on clustered areas to get bigger impact. Been meeting with different neighborhoods, and now time to focus on collective center. About an 18 to 20-month overall process. Looking for how we create the next great place. Amherst Central Park can be the center of town that borders Ellicott Creek. LWRP is a process that moves us stage-by-stage in an orderly



manner. Will let us look at areas bordering and near the creeks, and help us address big questions that should happen with Westwood, with Audubon, with golf (examples of great parks shown/discussed). This is a process to create great places and start to redefine the center of our community, including the northern edge.

During this process, we will go through a series of exercises – inclusive of inventory analysis to planning process and policies in this area, and getting our hands dirty figuring out where things go, etc. Ultimately, we will build a plan. Public meetings and public outreach will be held throughout the process. Will try to use Legos to begin to sculpt areas and create spaces. We can utilize public events to set up a tent and do presentations. Hopefully we will go on some tours, i.e., Westwood, Audubon, UB property, site tours. Need to adequately see the spaces we will be working in. Then we'll start to talk about funding options and buildouts.

3. Ideas/early concepts – When you think of great places, what do you think of?

- Delaware Park, a special place
- Burlington Vermont, Church Street - in 1982 was converted into a pedestrian-friendly place, the #2 retail center in the state; also has bike path from Vermont to Canada along waterfront
- Crocker Park, Cleveland OH, great for community events (farmer's markets, other events) in addition to shopping and restaurants; also local bike paths
- Baltimore waterfront – has mixed use, sports, restaurants, vibrant
- Village of Williamsville – walking around Main Street; passive parks that are more accessible
- Can ride bike seamlessly from Delaware Park to outer harbor; Canal Side – very animated with many year-round initiatives, tons of greenspace and water
- English Garden in Munich; like an Olmstead Park but in an English Country manner in the middle of the city on a small river
- Amherst – an expansive area, good basis for open spaces and paths, just need to connect them and emphasize attributes of those areas
- Cazenovia Park in South Buffalo, part of Olmstead system; where you went to swim long time ago
- Hawaii – always different parks and beautiful areas to retreat to; areas around the island that are green, quiet, and beautiful; also, Zilker Park in Austin, TX – a retreat for the Univ of TX and a busy area, but the park was a place of retreat, did different functions at the holidays, Xmas festivals; Durant Eastman Park in Rochester, NY– green with Lake Ontario with a backdrop; need 'retreat' areas
- Most enjoyable places have a water feature; calming effects of water; locally, Lewiston and the escarpment area has a great feel and mix of recreation with some commercial; more serene area is Thousand Islands, again focused on water
- National Mall in Washington, expansive green space, concerts, venues, monuments; Boston Common or Jamaica Way – a lot of residential development built around reservoir – great to walk the space; space that blends University environment with the town, like Ann Arbor, MI or Chapel Hill, NC; need to break down the moat around the campus
- Central Park in NYC – has a lot of amenities, water is important for boating or restaurants around the area; very naturally relaxing
- New Orleans – restaurant at their city park with Riverwalk, area with sculptures, very preserved and a nice retreat
- Highline in NYC – take a rail line and turn into something amazing; turning something in Amherst into something great
- Love to hop on Tonawanda Creek and traverse in peace and solitude; Nature View Park – our own little wilderness in Amherst, a treasure to have that kind of wilderness accessible to us; Veterans Canal Park – a great model of how to interface with waterfront and park spaces
- Atlanta, GA Beltline – rail line that was underutilized and turned into a linear park to create a 'waterfront'; great connection without relying on a vehicle
- Ann Arbor – fantastic college town; coast on Lake Michigan with beautiful sunsets; Lockport – canal and bike paths along canal, eating by the canal; Wilson Harbor and Olcott with little shops and restaurants; bike path from Lockport along canal to Tonawanda a great connection of bike paths
- Prospect Park in Brooklyn has a zoo, gardens, open space, performances, and depending on where you enter the park, each place is completely different yet connected; great feeling there
- Southwest, Scottsdale and Sedona – ability to incorporate into plazas and parks some greenspace and sculpture; need to make Amherst have focus point (center), perhaps the Central Park would be the center of Amherst
- Wide open spaces in Wyoming county; Cleveland, Baltimore and Chicago have great spaces – everything feels natural and that it fits; nice to go to an area to get a cup of coffee and relax, escape, walk around, sit and relax near waterway; a space where you can feel like you are separated, yet relax and grab coffee
- Delaware Park, the local zoo, accessibility
- Water in Tonawanda; appreciate places along the water; enjoys college towns, the campuses are architecturally interesting with a lot of vibrancy

- Chestnut Ridge for family, picnics, sense of history, main building was built in 1930's; it's a year-round place with toboggan run

4. B. Kulpa: The first step was getting everyone together; next steps, we will send out phase-by-phase timeline of what we will be doing; we will set up different tours to see different places (NOTE: a van can be provided by Amherst Youth & Rec); we will try to get to Tonawanda Creek together; will probably be a couple different days throughout the summer to do some tours; if you can come and take an afternoon, that would be good; we'll see if we need golf carts where we need to walk more; will start to schedule those throughout summer and try to get hands-on working set of parameters.

By end of summer, we'll have a public outreach plan and round out final boundary of what we want to include in geographic locations to include in LWRP Plan. Jeff Szatkowski has already started some boundary work (preliminary); we will send along with phasing to everyone - we may tweak as a group. Come Autumn, we will be moving onto projects, what kinds of things we like to see. We can put anything we want into this plan. Ultimately funding sources have to come around and we can look for funding over time. We have the ability to really free-think as a group. Hopefully this is a fun plan we work on – we have the ability to be creative.

5. A. Shaevel: Because UB is a major stakeholder, would be great to hear from the University about its thinking of planning process.
6. B. Kulpa: Let's hear the University's plans and direction, and also Nature View Park, the school districts, Village of Williamsville, Arts & Culture and Amherst Recreation. Then we will put these into the agendas as roundtables or presentations (part of inventory analysis).

The TOA has disclosure rules of people serving on Committees; forms are being distributed for completion. Please fill out now or send to Julie via mail or email. The Forms must be returned within 30 days of today. If your form is already on file, no need to do another one.

**ACTION:** Send out roster of people on committee members with contact info.

**Meeting concluded 9:20AM.**

## WAC Meeting (LWRP)

### Minutes

November 1, 2018 | Northtown Center | 8:30am

#### Attendees:

Brian Kulpa	Ben Vilonen
Maggie Winship	Elizabeth Graczyk D'Agostino
Lisa Kistner	Judy Ferraro
Jacqui Berger	Mary-Diana Pouli
Dan Howard	Tim Trabold
Ryan McPherson	Joe Buscaglia
Asher Pontikos	Frank Kowsky
Ellen Kost	Katrina Zeplovitz (Ed Rath's office)
Jeff Szatkowski	Matt Roland (Hamister Group)
Brian Andrzejewski	Nate Hartrich
Sharon Rich	

#### 1. Presentation:

- a. Review of materials sent to committee members packet
- b. LWRP Roles & Responsibilities
- c. Resources – local, state, federal
- d. Recap of 5 tour areas
  - i. Diversity throughout Amherst with regards to residential, commercial, agriculture, waterfront, etc.
  - ii. Discussion of land use
  - iii. Northside of town
    1. Veterans canal park
    2. Cemetery
    3. Admiral's way – residential street with access to creek
    4. May be possibility to add bikepath
    5. Commercial corridor of NFB
    6. Connection between Amherst and Tonawanda
    7. Old NFB
    8. Nature View Park
    9. WW/sewer plant
    10. Creek Woods neighborhood – in boundary? Add to boundary?
    11. Subdivision
    12. Tonawanda Creek Road
    13. Agriculture area on Tonawanda Creek Road
    14. Spoth Farm/Hemp Farm
    15. Erie Canalway Trail
    16. Pedestrian Bike Path at Tonawanda Creek Road
    17. Marina on Tonawanda Creek Road
    18. Fisherman's Wharf
    19. Amherst Marina
    20. Oakwood Golf Course

21. Conservation greenspace area (behind Amherst Heritage Museum)
22. Heritage Village

2. Boiler House at Amherst State Park – scheduled for demo
3. Tonawanda Creek Bridge is scheduled for replacement in 2019
4. Audubon Parkway – one of the bridges will come off line; other bridge will be single lane for vehicles
5. Will be park between Library and Sr. Center
6. Scoring well in efforts to see funding from addition to Audubon Library
7. Pendleton – ‘island’ there that’s recreation based’ looking for ways to work jointly on this
8. Arts & Culture – began its efforts to see public sculpture implemented in Town facilities, i.e., Bassett Park
9. Amherst Symphony and Melody Fair – looking for permanent homes
10. Schools – looking for field house space to share or lease
11. Agriculture - working with ag district planning on ag research project, in correlation with schools
12. Focus of the remainder of this meeting is to get boundary set
13. Take of tours:
  - a. Favorite suggestion – making Tona Creek Road a scenic bi-way; work with UB and Village to have real tourism initiative for Amherst
  - b. Would like to focus on Western end of town and expand boundary to include neighborhoods; have many kids who live there, many who don’t have transportation; opportunity to support those neighborhoods; Y/R would be interested in taking over camp in Pendleton (Pouli)
  - c. Been involved with many events; Amherst State Park was to remain a natural park and not cut trees down; most interested in Westwood property; have great visions for this property; a tremendous opportunity for Town (Rich)
  - d. Realized underutilized potential in Town due to lack of access; need to get people to see these places; tourism is happening, but nothing to attract them to Amherst (Vilonen)
  - e. Last 18 years, from east side to Sheridan and Maple, need to rethink this space; boundary coming through University by Ellicott, also south to the west; would like to talk more about these areas; also east side of Millersport currently not developed; the ‘why’ would help at University understand the high-level of ‘why’ LWRP is so important; the ‘moat’ around UB – connection is so important at UB, a huge ecological connection (McPherson)
  - f. Impressed by Audubon connectivity with UB and Northtown Center, vast space
  - g. Important to keep in mind context; land use plan by Town likely to be re-done; don’t get fixed on boundary, but remember things are going on outside this boundary; will be looking at areas around these identified areas as well (Howard)
  - h. Would like to see more waterfront access; town has acquired a couple of parcels, near Highway Dept and Tonawanda & Sweet Home; Museum property is a trailhead for snowmobiling; connectivity issues still; would like to see Nature View included, a vast open space and may see new development opportunities there (Brian A)
  - i. Across from Oakwood, we saw gravel pulloff, where Ship & Shore restaurant is – a real gem and untapped resource; a lot of untapped resources in Amherst we should promote (Kost)
  - j. Dislikes huge berm; a lot of good spaces around; wants to see education so people are aware of what already exists and what will be done (Buscaglia)
  - k. Amazed to see what exists in Amherst, i.e., Ton Creek Road; beautiful rural settings; connectivity – should a whole system
  - l. Couldn’t believe some of the beautiful areas in Amherst; gaps between areas are available so waterfront could be connected with continuity; bi-way status would be good for Ton

Creek Road; the university, customers are the students; Chestnut Ridge – bring into connectivity (Trabold)

- m. Many waterways around town; at a great park in Town in terms of planning (Comp Plan, Parks & Rec Plan), a great path forward to take Town to next level; use water to connect all aspects of town; walkable downtowns with water and connectivity
  - n. Very good eye opener; promote all of this – make Amherst a destination; need to put it in a concise location – all information about trailways and waterways
  - o. Really enjoy what we already have; education is critical to let people know; residents should understand what the Town is trying to do to accommodate their wishes i.e., greenspace, trails, etc. (Ferraro)
  - p. Accessing the waterfront; if you want to take canoe/kayak over weekend, no place to stay/camp; we have center of land utilized a couple times during summer, but could utilize the land better for camping or other overnight facility (Kistner)
  - q. Visited all the sites; connectivity issue is a priority; northwest section especially; working with education programs important; schools close to parks/trails, etc.; working with Town and Parks & Rec on educating residents is important (D'Agostino)
  - r. For people who don't live within walking distance or along water/trails, need parking to have access to them; need to have markers so people know what things are; education is most important piece; glad to hear University is interested in doing something with 'moat'; need better access for students/residents; need to look at all of this as big picture so community knows about it and how to access (Berger)
14. Kulpa – this group can come together with Westwood as centralized topic, but also see that WW may be a driver, but we have an opportunity to reframe story of Amherst as community that is connected by 2 waters; the boundary is a magical line when you create LWRP, it includes area in LWRP and opens it to funding that wasn't available to it; however, unintended consequences; when LWRP is adopted, there will be WAC that continues; projects in the boundary needs to see approval from WAC; but have to be careful about creating unintended consequences
15. Water in these areas is polluted; need to think about actual water that is part of LWRP; not sure there is a way to clean the streams/creeks since so polluted; New Town in Virginia that is very much like Westwood; been meeting with a group about pollution, suggesting that Brian meets with them (Rich)
16. Group Activity conducted – discussion around the boundary line (using maps) to determine if it is accurate/appropriate, or should be modified for LWRP
- a. Included all of Nature View Park, UB, Audubon Library/Senior Center, Walton Woods and the camp in Pendleton off of Orbit Drive.



## Waterfront Advisory Committee (LWRP) Meeting Notes September 18, 2019 | 10:30am | Town Hall Chambers

### Attendees:

- Brian Kulpa
- Dan Howard
- Ellen Kost
- Jacqui Berger
- Jeff Szatkowski
- Mary-Diana Pouli
- Elizabeth D'Agostino
- Ben Vilonen
- Judy Ferraro
- Matt Roland
- Nate Hartrich
- Joseph Buscaglia
- Tom Loughran
- Tim Trabold
- Sharon Rich
- Anthony Day

### MEETING NOTES

- EDR presented about their approach to doing the LWRP, and responded to questions
  - Project Schedule and Scope:
    - 23 tasks required under the State for an LWRP; EDR involved in most
    - Tasks 1-8: been completed by Town already; administrative in nature and completed
      - Visually enhance maps
    - Task 8: LWRP boundary – still needs to be verified
    - Task 9 – Draft section II – Inventory and Analysis (in progress)
    - Task 10 – First public info meeting (completed)
    - Task 11 – Draft Section III – LWR Policies (in progress/to be done)
    - Task 12 – Draft Section IV – Proposed land and waterfront uses and projects (in progress/to be done)
    - Task 13 – Second public info meeting (completed)
    - Task 14 – Draft Section V – techniques for local program implementation (in progress/to be done)
    - Task 15 – Draft Section VI – Federal/state actions/programs affecting LWRP (in progress/to be done)
    - Task 16 – Draft Section VII – Local commitment and consultation (in progress/to be done)
    - Task 17 – Determination of significance and compliance with SEQRA (in progress/to be done)
    - Task 18 – Complete draft LWRP (to be done)
    - Task 19 – Third public info meeting (to be done)
    - Task 20 – Final LWRP (to be done)
    - Task 21 – MWBE Reporting
    - Task 22 – Project status reports
    - Task 23 – Project summary report / measurable results forms
  - Preliminary draft by end of 2019, pending various issues; Spring 2020 before final LWRP is complete
  - Inventory and analysis –
- Analyzing and identifying scenic views within the town
  - Three state policies regarding scenic policies
    - Policy 23-25
  - WAC to identify 15 of 45 photos of scenic preferences (will be prepared and sent from EDR)



## Waterfront Advisory Committee (LWRP) Meeting Notes November 17, 2020 | 10:00am | Virtual Meeting

### Attendees:

- Brian Kulpa
- Dan Howard
- Ellen Kost
- Jacqui Berger
- Jeff Szatkowski
- Mary-Diana Pouli
- Maggie Winship
- Eric Guzdek
- Elizabeth D'Agostino
- Nate Hartrich
- Tim Trabold
- Johnathan McKenna, Williamsville School District
- Dave Mingoia

### MEETING NOTES

- The Town provided the draft LWRP document (Sections I-VII) in advance of the meeting to all committee members
- EDR presented the status of the LWRP process, and responded to questions
  - Presented a quick overview of Sections I-VII
  - Highlighted the policy regarding the scenic views and the matrix formed by the committee exercise
  - Highlighted Project 1 at the Buffalo Niagara Heritage Village
  - Discussed the (3) sections V, VI & VII that have not been presented to the committee
  - Reviewed the remaining tasks to be complete and the 3<sup>rd</sup> public meeting
- Questions and Answer (Comment Period)
  - Supervisor Brian Kulpa
    - The Town Supervisor commented on the need to articulate and detail the Town review process for development projects in the WRA. The primary concern is the existing language under Local Applicability in Policy 6. **ACTION ITEM:** The consultant and Planning Department will revise and add the necessary content to this section.
    - The Supervisor provided another comment requiring more involvement from the school districts in Section IV projects. Due to the current situation the Town would like to review potential areas within the WRA for outdoor learning and other education opportunities. **ACTION ITEM:** The Planning Department will setup meetings with the district representatives to review Section IV and add/expand educational opportunities within the 14 identified projects.
  - Tim Trabold
    - Tim would like to see prioritization on the implementation side of Section IV projects.
    - Another comment is to seek Niagara Greenway funding for projects in the WRA. The Supervisor believes that the funding stops at the Niagara County border and does not continue into Erie County.
    - Tim mentioned that the document is "thorough" and loaded with a lot of information.
  - Nate Hartrich
    - Did not have any issues with the plan and mentioned that this is exactly what he was looking for
- The Town and the Town's consultant will make the necessary changes to the document (based on Department of State and WAC). A final draft plan will be completed for the committee to review this Spring/Summer.



## Waterfront Advisory Committee (LWRP) Meeting Notes January 8, 2021 | 1:00pm | Virtual Meeting

### Attendees:

- Ellen Kost
- Jeff Szatkowski
- John McKenna, Williamsville School District
- Anthony Panella, Amherst School District
- Tony Day, Sweet Home School District

### MEETING NOTES

- Summary: The Town reviewed all proposed LWRP projects from Section 4 with the School Superintendents. The Town and school districts discussed outdoor educational opportunities and facility needs/opportunities. All 3 Superintendents were enthusiastic to participate despite their busy schedules.
- **John McKenna, Williamsville School District**
  - Needs:
    - Indoor track facility to accommodate a 300m track (instead of traveling to Houghton or Fredonia State)
    - Music venue with a concentration on the arts (“Music Community”); use Westwood clubhouse
  - Outdoor Educational Opportunities
    - The education community could buy into outdoor learning curriculums, if the venues or facilities exist
    - Focus would be on environmental/science learning
    - Ideas could be explored at certain Town locations
  - Suggested the idea of a domed facility on the ACC property for indoor athletics
  - Williamsville would like to assist with the proposal to develop safe routes to school through the “Peanut Line” corridor.
  - Asked questions regarding proposals for a new skate park in Town
- **Anthony Panella, Amherst Central School District**
  - Needs:
    - Turf softball, baseball and multi-use field sports; school could have an annual contract with the Town
    - Indoor track facility
    - “Farm to Table” type of programs. The school district has explored the idea of applying for food service or community garden grants.
  - Is an outdoor amphitheater incorporated into any of these projects?
  - Amherst Central Park: Referred to the example of Ann Arbor Michigan, a walkable community with restaurants and a strong connection to the university.
  - How does Daemen College fit into the equation in regards to athletic fields and Town-wide planning projects?
- **Tony Day, Sweet Home School District**
  - Needs:
    - Field house / Indoor track
  - Outdoor Educational Opportunities
    - Reference made to Echo Island in Grand Island (former NIKE base)
    - Echo Island provides ecology, habitats, science and environmental learning experiences.



Appendix I  
Public Comments

Draft

## Tim Trabold – LWRP Feedback/Comments

### **Tour 2 – Westwood Country Club Only** *(Previous commitment made it impossible to tour the other sites that day)*

**August 24, 2018**

#### 1) Country Club Buildings

Problems: Original building has historic parts but wings/additions are awkward and look mismatched. Deteriorated and leaking roof. Some interior damage. May be too expensive to rehabilitate. Traffic noise is noticeable from Sheridan Dr.

Opportunities:

- Community lodge
- Potential privatization of building operations (like Audubon GC) for catered events, parties and social gatherings.
- Storage buildings may be an opportunity to relocate Amherst Parks Department from 450 Maple Rd.
- Might be an opportunity to creatively implement select mixed-development along Sheridan Drive to create a noise buffer shielding open property to the north.

#### 2) Former Golf Course Lands

Problems: Residentially developed along east side of Ellicott Creek. Residential properties on west side that have always backed up to open space. Lightweight bridge structures for golf carts. Man-made creek diversions for golfing aesthetics. Hard to connect property to Audubon Golf Course/Ellicott Creek Trailway since Maple Rd is difficult to cross. Retainage ponds may need to remain.

Opportunities:

- Beautiful landscape that is reverting to its natural state.
- Opportunity to have walking and bike trail access along the entire west side of Ellicott Creek through the property.
- An area where the topography isn't flat creates an opportunity for a natural bowl with winter sledding or possibly built-in seating for concerts and plays.
- Possibility of moving Par-3 course to occupy former northern end of Westwood GC and open up existing Par-3 site for development.
- HAWK signal to cross Maple and connect with existing Ellicott Creek Trailway

General Comment: I can see other member's view of this as "NYC Central Park" opportunity but I can also see a mixed-use development here after preserving the prime park sections to create a linear corridor.

### **Tour 3 – Amherst State Park / Glen Park / Lehn Springs Dr / Wehrle Dr & Creek Dr - North of I-90**

**August 28, 2018**

#### 1) Amherst State Park

Problems: Lacks a direct connection to Glen Park area. Lacks access from Reist St. Limited trails. Orchard in need of replanting. Limited wayfinding signage. Abandoned building foundations in woods hide youth parties and bonfires. Huge meadow not easily accessible. Rugged brush south of Park and along Ellicott Creek. Access drive off Reist St is marked "Private Rd"

Opportunities:

- Create a formal parking lot off Reist St for west side access to park.
- Use existing sidewalks and new bike lanes along Reist St and North Forest Rd to create a connection between Amherst State Park and Westwood. Ellicott Creek would also become accessible again.
- Extend trail system through woods to Reist Steet. Trails wide and strength should be able to facilitate police patrols.
- Raze abandoned foundations.
- Explore options for the meadow like an open field for neighborhood kids to play soccer or baseball, or a playground.
- Leave the open areas along the creek for at-grade human and animal access to the water.

- Systematically replant orchard to original design. Integrate picnic areas near/under mature trees.
- Consider a community garden in the orchard or meadow.
- Build a pedestrian and bike trail south along the west side of Ellicott Creek to connect with Glen Park at Glen Ave. Keep it as natural as possible because this provides an incredible experience of serenity along here.
- Repurpose hexagon building near Glen Ave and Mill St. for public use, including bathrooms. If water were made available, a small splash park would complement the area where the ice rink once was.
- Along any trail, label native vegetation and trees types.
- Enhance wayfinding with better maps and markings.

## 2) Wehrle Dr /Creek Dr

Problems: The old Lehigh Valley RR ROW runs diagonally through Williamsville and a portion has been converted to trails. That trail system ends at S. Cayuga Rd. and does not connect to anything to the east.

Opportunities:

- Construct an off-road trail along S. Cayuga to the I-90 and along the north side of the I-90 ROW to Wehrle.
- Construct a formal parking at Wehrle/Creek Dr to serve as a trailhead.
- From the new I-90 trail, access to Ellicott Creek may be possible via a pocket park on northern end of the Truth & Love of Christ Church property opposite Lehn Springs Dr.
- S. Cayuga in the northbound direction could be used to connect with Glen Park.

## **Tour 4 – Northtown Center / Ellicott Creek Trailway / St. Rita’s Lane / UB**

**September 6, 2018**

Problems: Ellicott Creek Trailways does not connect to East Amherst or ultimately to the Town of Clarence’s trail system. May attract additional retail developments along Amherst Manor Dr has businesses seek to service athletes and parents staying nearby and participating at Northtown Center events. The trail does not connect with Sweet Home Rd bicycle and pedestrian facilities but passes beneath it near Dodge Rd.

Opportunities:

- Bikesharing stations for visitors to Northtown Center.
- Treat Center as a tourist destination and add applicable amenities to fill time and prolong stay.
- Enhanced wayfinding with explicit directions to Ellicott Creek Trailways and local points of interest.
- The Ellicott Creek Trailways deserves permeant mileage markers, not pavement painted mileages.
- St Rita’s Lane on the north side of the creek might be used as a formal trailhead with designated parking to access the UB section of the trail system.
- A simple connection between the UB section of the trail and Skinnerville Rd (near the Newman Center and east of Bizer Creek) would allow users to access the bicycle and pedestrian facilities on Sweet Home Rd., create more direct access to Sweet Home High School and directly connect with the existing ped/bike overpass crossing the 990 to Willow Ridge area and the trail system on the west side of the Lockport Expressway.

## Kost, Ellen

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**From:** Judith Ferraro <jferraro@roadrunner.com>  
**Sent:** Monday, September 10, 2018 5:55 PM  
**To:** Brian Kulpa; Yates, Julianne M.  
**Cc:** Winship, Maggie; Howard, Dan; Kost, Ellen; Szatkowski, Jeffrey; Berger, Jacqueline; Kistner, Lisa; Mingoia, Dave; Pouli, Mary-Diana; Vilonen, Ben; Matt Roland; Timothy Trabold; Nathan Hartrich; Joseph Buscaglia  
**Subject:** Re: LWRP Tour 4/3

Another tour with a group that is a source of enjoyment, in and of itself.

The Northtown Center complex is remarkable with its "mixed-use" sports areas, whether ice rinks, ball fields or a skate park. It is impressive and an asset to the community.

Have only seen the Audubon Golf Course from afar. The panoramic view, with the boundaries of UB, the Gun Club, the Parks Dept and Ellicott Creek are vast and beautiful. It is part of our recreational zoning that should not be marred by commercial development or high-rise anything.

The Ellicott Creek Trail never fails to enchant. It provides exercise and tranquility while soaking up the wonders of nature through the abundance of flora and fauna. It is an example of what can be done in other Amherst areas to protect wetlands and floodways/plains while being recreational.

Had never been up close to multiple solar panels (farms..large or small). There are pros and cons surrounding them. Advancements in technology seems to be reducing the cons.

### RETROSPECT..TOUR 3

Amherst State Park, Mother House, Veterans Memorial, Gardens, Ellicott Creek:

This to me is a hidden treasure! The approximate 80-acre Amherst State Park encompasses the Sisters of Saint Francis Mother House campus. It is on the National Register of Historic Places and covers many acres. It is gratifying to see the care given to preserve some of the structures and character. The gardens are magnificent and something to behold, by themselves.

Additionally, they offer a spectacular floral tribute to our veterans at the Amherst Veterans Memorial.

Even though the Mother House was constructed in 1928, the founding of Amherst and the whole connecting area, dates back to the early 1800's. Ellicott Creek was/is significant. Wherever we can, we should recognize the humble and noble beginnings of the Amherst/Williamsville settlers. Would be great for tourism plus be a reminder to residents of what and who occupied the land before we did. Improving and continuing trails, possibly with markers, would be both educational and healthy. IMHO.

Looking forward to Thursday's tour.

Judy

**Kost, Ellen**

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**From:** Judith Ferraro <fferraro@roadrunner.com>  
**Sent:** Wednesday, September 26, 2018 1:52 PM  
**To:** Brian Kulpa; Yates, Julianne M.  
**Cc:** Howard, Dan; Winship, Maggie; Kost, Ellen; Kistner, Lisa; Szatkowski, Jeffrey; Pouli, Mary-Diana; Vilonen, Ben; Matt Roland; Nathan Hartrich; Joseph Buscaglia  
**Subject:** Re: LWRP Tours/tour 5

Thank you all again for the efforts put forth in providing insight into what Amherst has to offer by way of existing trails, waterways/fronts, natural green spaces and wetlands.

And, along the way, visiting places that may not be familiar to the general public. The five tours were fun, enlightening and inspiring. I'm grateful I was able to participate.

Some thoughts:

Would be great, if the irregular, fits-and-starts trails could have connectivity throughout Amherst.

Ellicott Creek has its own beauty, no matter where it is meandering. We should respect it and find even more ways of protecting it, keeping it clean and enjoying it.

It is obvious that sections of Niagara Falls Blvd. are extremely dangerous for pedestrians and drivers. It will only get worse as more development is allowed.. e.g.

a car wash and another complex on forested land. As with other developments, have independent studies been conducted to determine the need for what we are told we desperately need, regardless of consequences? Are wetlands respected?..No diverting, filling-in, etc...that serves only to delay the inevitable.

Wetlands are part of a delicate, God-given ecosystem. History has demonstrated "experts" are not infallible. That fallibility has resulted in nightmarish conditions for homeowners. Should be about truth...Not business.

"Thanks for the memories."

Judy

✓

TOWN OF AMHERST  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)  
Public Meeting #2 – July 10, 2019

Name: Vic Shell, Owner/President Address: 900 Campbell Blvd Amherst NY

Email: \_\_\_\_\_

**COMMENT SHEET**

We welcome your input regarding the Town of Amherst's *Local Waterfront Revitalization Program*.

What are your **thoughts** on the proposed LWRP projects?

As the president of the Amherst Marine Center, after reviewing the proposal for 1900 Campbell Blvd I did not find any benefit to our business. I believe there are better locations that are more suitable for these plans. These options should have been explored earlier.

Do you have any **concerns** about the projects?

This proposal would financially ruin the Amherst Marine Center and could put it out of business.

What **opportunities** will be created if the projects are undertaken?

None



Please leave your Comment Sheet with Town staff.  
If you prefer to mail / email your comments, send to:

Town of Amherst Planning Department  
5583 Main Street  
Williamsville, New York 14221  
[lwrp@amherst.ny.us](mailto:lwrp@amherst.ny.us)

Additional comment space on  
reverse side.

TOWN OF AMHERST  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)  
Public Meeting #2 - July 10, 2019

Other Comments:

We are in no way interested in this proposal or project and would like to be taken off the revitalization site list. If you have any questions please call me at 432-0202

Sincerely  
Uri Shell  
President / owner

v

TOWN OF AMHERST  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)  
Public Meeting #2 – July 10, 2019

Name: Kate Hacker Address: [REDACTED]  
Email: [REDACTED]

**COMMENT SHEET**

We welcome your input regarding the Town of Amherst's Local Waterfront Revitalization Program.

What are your thoughts on the proposed LWRP projects?

I like the idea of completing the connections between bike paths. Improvement of kayak + canoe access is great and would help everyone get in the water without falling in. More access is needed beyond NSB & Veterans park. Launches should not be just for plastic boats since other boats can be crushed. Water quality is poor in both creeks. Elliott can be really foul smelling and probably dangerous.

Do you have any concerns about the projects?

Maintenance of launch sites and bike paths might not be done in the future.

What opportunities will be created if the projects are undertaken?

Safe kayaking + canoeing thru the townwater area and downtown areas. Better access to biking along the creeks and canals. I have used all of the areas in the plans and know others that have too. Thanks for working on this.



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Town of Amherst Planning Department  
5583 Main Street  
Williamsville, New York 14221  
[lwrp@amherst.ny.us](mailto:lwrp@amherst.ny.us)

Additional comment space on reverse side.



TOWN OF AMHERST  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)  
Public Meeting #2 - July 10, 2019

Other Comments:

Fix the lack of sidewalks on Sweet Home near McAllister Creek road. Better access to the bike path & canal is needed by residents in the area. This is a very unsafe area with many new residents.

Repair existing Trails (Ton Cr) Great - bad bumps  
The alternative route for the NSB route would be better.

Riding on Ton Cr Rd is scary!

Linking the Andover PF to Waver is a priority!

How about more places to access the creek on East - banks  
Somehow we need to get to the  
Too steep

Another bike route to the canal is needed. A path  
1/2 mi?

Walton pond is full of Senior ctr trash.

✓

TOWN OF AMHERST  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)  
Public Meeting #2 - July 10, 2019

Name: Thomas L. TRABERT Jr. - Owner Address: 900 Campbell Blvd.  
Email: TRABERT@AMHERST.NY.US

**COMMENT SHEET**

We welcome your input regarding the Town of Amherst's *Local Waterfront Revitalization Program*.

What are your thoughts on the proposed LWRP projects?

Projects proposed on public property are well thought out.  
Project proposed for Amcra will greatly impede our business

Do you have any concerns about the projects?

Amcra proposal concerns ① Safety - This is an operating business with large equipment in use at any time.  
② Proposal as outlined will hamper operations severely ie - curbing will limit boat storage and movement of equipment. Pedestrians and bicyclists will interfere in normal marina procedure ③ Parking for Boat owners and visitors is already at a premium ④ We have attempted smaller efforts at "Snack Services" at least →

What opportunities will be created if the projects are undertaken?

None to the benefit of Amcra.



Please leave your Comment Sheet with Town staff.  
If you prefer to mail / email your comments, send to:

Town of Amherst Planning Department  
5583 Main Street  
Williamsville, New York 14221  
[lwrp@amherst.ny.us](mailto:lwrp@amherst.ny.us)

Additional comment space on reverse side.

TOWN OF AMHERST  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)  
Public Meeting #2 - July 10, 2019

Other Comments:

→ 6 other occasions in my 35 years of involvement with operations, and all failed miserably. (5) The restaurant as shown in your proposal would take away from our limited greenspace and eliminate much old growth trees.

I hope this meets your requirements

Thomas D. Trubert Jr.

owner / Board of Directors member.

✓

**TOWN OF AMHERST**  
**LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)**  
**Public Meeting #2 - July 10, 2019**

Name: Alanna Pohl Hughes Address: [Redacted]  
Email: \_\_\_\_\_

**COMMENT SHEET**

We welcome your input regarding the Town of Amherst's Local Waterfront Revitalization Program.

What are your thoughts on the proposed LWRP projects?

Amherst Central Park as green passive park  
w/ cultural center, possible formal or  
informal gardens

Connecting bike paths and walking trails throughout the town  
would be great. as much as possible

Do you have any concerns about the projects?

Spending tax payer dollars on private property in  
would have aquatic properties? (Maine & <sup>slip</sup> falls  <sup>Blvd</sup>)

What opportunities will be created if the projects are undertaken?

improve quality of life for residents  
attract some tourism & give people visiting things to do so  
they might stay a bit longer / spend more money here.  
more use of waterways and surrounding areas



**Please leave your Comment Sheet with Town staff.**  
**If you prefer to mail / email your comments, send to:**

Town of Amherst Planning Department  
5583 Main Street  
Williamsville, New York 14221  
[lwrp@amherst.ny.us](mailto:lwrp@amherst.ny.us)

Additional comment space on  
reverse side.

TOWN OF AMHERST  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)  
Public Meeting #2 – July 10, 2019

Name: Carlton Skude Address: \_\_\_\_\_  
Email: \_\_\_\_\_

**COMMENT SHEET**

We welcome your input regarding the Town of Amherst's *Local Waterfront Revitalization Program*.

What are your thoughts on the proposed LWRP projects?

*We are a private marina, this will create a loss to this marina*

Do you have any concerns about the projects?

*to many people entering our property with this many boats here*

What opportunities will be created if the projects are undertaken?

*None*



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If you prefer to mail / email your comments, send to:

Town of Amherst Planning Department  
5583 Main Street  
Williamsville, New York 14221  
[lwrp@amherst.ny.us](mailto:lwrp@amherst.ny.us)

Additional comment space on reverse side.

## Kost, Ellen

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**From:** Szatkowski, Jeffrey  
**Sent:** Friday, July 19, 2019 2:21 PM  
**To:** Kost, Ellen  
**Subject:** LWRP Comments

**From:** Karen Ford [mailto:kford@verizon.net]  
**Sent:** Friday, July 19, 2019 12:54 PM  
**To:** lwrpDL  
**Subject:** LWRP feedback

Hello,

I was unable to fully attend the last public meeting for the LWRP. I think this is just such a HUGE opportunity for our town!

So I am very excited to see progress and am very interested in continuing to follow the progress that must be made. Below is a brief summary of feedback for the suggestions.

### #1 museum site

Would love to see this area better developed, but not with these ideas.

Definitely need a small parking area or just better access from across road if able to use that lot. Love the idea of a comfort center-that being some covered/shaded seating, a place to get water, air pump, etc. are great ideas. Also all along the bike path from here to Campbell just do path improvements with shaving off the raised bump areas and general repair. I could see a vista development, don't think it is a priority. Definitely DO NOT want to see boat launch, there are boat launch areas nearby, too redundant.

### #2 9 mile camp

If this is owned by Pendleton, why are we improving it? But as long as Pendleton would do their share, I think it could be a great place to develop. But I think other places should take priority.

### #3 fisherman's wharf

Totally agree with refreshing this area. For the dollars suggested, this would be a great value and return on investment. Great useable area, just needs a little love to make it more user friendly.

### #4 North Amherst site

Again, a little love could make this a great area. Better trail access, maybe a playground, some benches/picnic tables and this area could be better utilized. Also note as mentioned in number 1, the path itself needs some maintenance in this area.

### #5 Amherst marina

if this is owned by a private business, not sure why we are getting involved. Totally disagree with putting these dollars into restaurant development.

Probably my least favorite suggestion on the list.

### #6 empire state trail

I am all for improving bike paths. But this idea seems like too many dollars for the return. I agree that the existing sections mentioned need some improvement, but I think just adding a bike lane to these areas would be a much more workable idea. Love the idea, but not the method of execution.

#7 nature view

My personal first choice for where to put dollars, but not the way suggested. Don't need a large interpretive center, a few kiosks to post information at various areas would be sufficient. Already have 2 parking areas, don't need more at this point. DO need to allocate dollars to getting some well done trail sections completed. There are many existing trails, just need some improvements to them to make them more permanent and user friendly. Also a great place to put an ADA boardwalk trail!! Could get incredible return on investment in this nature area.

#8 creekwoods

I think this area could benefit from a community center, but that isn't the purpose of these funds. Not a place to put trails. Playground improvements maybe. Bottom of the list.

#9 old falls

A great place for a little improvement. Section A, improving the trail is a great idea. B and C, not so much. I would like to see the commercial/streetscape area improve, but on a pretty small scale. It would be great to get an ice cream place or burger/snack shack with a little rest area, stuff more pedestrian friendly.

#10 Ellicott creek kayak

This isn't my thing, but I think this would be a good idea. Would like to see more kayaks and canoes able to utilize. Based on what I see in Tonawanda and at harbor, people like to do this and it would be great to have local access in Amherst.

#11 Ellicott creek railway

One of the very best ideas out of the bunch! Additional bike path development is a priority. This would be a huge step in the right direction.

#12 Amherst central

I think very little development needs to be done to this site. NO to senior housing, community center, or shops. Revegetation, trails, tennis+pickle ball courts are all great ideas, however.

I hope this helps as I see a lot of great ideas in the suggestions, and also some not so good. Please note that I would like to stay in the loop, and would be more than willing to provide more input as things progress.

Again, I am super excited to see Amherst take advantage of this and get some much needed enhancements and progress made in this critical part of town development.

Thank you,  
Karen Ford

1374 North French Rd

## Kost, Ellen

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**From:** Szatkowski, Jeffrey  
**Sent:** Monday, July 29, 2019 9:22 AM  
**To:** Kost, Ellen  
**Subject:** Nature View Park

Ellen,

There are a number of comments regarding the "Nature Center" in NVP.

Jeff

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Jeffrey Szatkowski, Landscape Architect  
Town of Amherst Planning Department  
5583 Main St.  
Williamsville, NY 14221  
P: (716) 631-7051

**From:** Lois Shriver [mailto:loishriver@roadrunner.com]  
**Sent:** Monday, July 22, 2019 11:59 PM  
**To:** Josh Balisteri, WNYLC; Hatha Bartlett; Larry Beahan Jr.; Mark Beal; Karen Ford; Piotr Pete Gajowka; Griebner, Sarah; Andrew Hannes; Lucey, Tim; Beth Lucia; Winship, Maggie; Al Parenti; Lois Shriver; Kulpa, Brian J.; Szatkowski, Jeffrey; Joe Wilczewski  
**Subject:** \*\*Local Waterfront Revitalization Project - Nature View Park

Hi everyone,

I hope that you have been receiving my emails pertaining to the Town of Amherst **Local Waterfront Revitalization Project and how it relates to Nature View Park**. Nature View Park is located within the **Preliminary Waterfront Area Boundary**.

Over the years, you have expressed concern over the state of Nature View Park and what can be done to help preserve the park, make it more visitor friendly, and provide educational opportunities for residents and visitors to the park. The NVPAC has moved ahead with a new parking lot on Sweet Home Road, a kiosk at that site, and several trails have been marked. We have accomplished this with very little funding and a limited number of dedicated volunteers.

The TOA has two significant creeks, Tonawanda Creek - a navigable waterway, and Ellicott Creek, which in 2015 was classified as a designated inland waterway. The presence of these two significant creeks enables the TOA to take advantage of the NYS Department of State's Local Waterfront Revitalization Project (LWRP).

I am attaching several links that will provide additional information about the project. Please send me comments and suggestions - pro or con - about the project. This is an excellent opportunity for our voices to be heard, and for us to have input into this very important project.

Jeff Szatkowski, Town Landscape Architect in the Planning Department has provided the following links for you to review:



<http://www.amherst.ny.us/content/projects.php> This link shows a list of potential projects. Click "Local Waterfront Revitalization Project" for project information.

<http://www.amherst.ny.us/pdf/planning/lwrrp/projects/Project%20%20Nature%20View%20Park%20-%20Nature%20Center.pdf>

This link is the Draft Description and Map for the potential project at Nature View Park

Karen Ford, Larry Beahan, Larry's father, Beth Lucia and I have begun discussing the project, and we need more participants to join the conversation. I did not attend this meeting. There has not been any communication about the next meeting. I will check on that. We have tried to copy our comments to all committee members, but in case you didn't receive them, below is a list of the comments:

**\*Karen Ford - 7/10** (From Waterfront Revitalization meeting)

This was their idea of what to do with funds for nature view

<http://www.amherst.ny.us/pdf/planning/lwrrp/projects/Project%20%20Nature%20View%20Park%20-%20Nature%20Center.pdf>

**\*Karen Ford - 7/11**

The meeting was last night, they haven't proposed the next date.

Check out the website, under projects and initiatives, there are like 14 ideas.

[http://www.amherst.ny.us/content/projects.php?category=Local%20Waterfront%20Revitalization%20Program%20\(LWRRP\)&neworder=00](http://www.amherst.ny.us/content/projects.php?category=Local%20Waterfront%20Revitalization%20Program%20(LWRRP)&neworder=00)

And yes, please share because the more interest and feedback in an idea, the better its chances. And of course, it can be edited to improve its chances. So maybe we could just push for trails, clean up, and the nice kiosk thing.

Like anything this is still in the working stages. We basically petition to get the grant money, so the better the ideas, the better the chances.

But any of these things would be an improvement, and better greenspaces in the town will still be a win.

**\*Lois Shriver - 7/11**

Wow! Thanks, Karen. I knew there was to some talk about putting more "effort" into three parks including NV, but I had no idea this was what they were thinking about. I wonder if any of them have ever been to the park?

We can't get the damn (pardon me) holes filled and they are talking about building a Nature Center at the park? With it's own parking area!

"Perhaps linking to a small system of established trails in the future."

OH, BOY!

Is this something I can share with the rest of the group? By the way, when was this meeting held?

Thanks again, Karen

Lois

**\*Jeff Szatkowski - 7/11**

All,

We held a public meeting last night in regards to our Local Waterfront Revitalization Program projects. A list of potential projects are listed in the "LWRP Project" web page.

Please click on the attached link to view the project status.

<http://www.amherst.ny.us/content/projects.php>

We are moving toward the Policy portion of this report with our consultant over the next few months. We will need feedback from the ACAC on these policies (once drafted).

Thanks,

Jeff

**\*Larry B. - 7/11**

Lois,  
I actually think it is a good idea.  
As Mark commented, it seems like the construction would violate the easement rules.  
And we would have to discuss with the land conservancy people.  
But if they have real money available to build something like was pictured, then a workaround might be to purchase adjoining property that would not fall under the easement.  
But I have no idea how real any of this – it all came out of the blue.  
Larry

**\*Beth Licia - 7/11**

Yes, interesting ..even more, ENCOURAGING. Has Jeff spoken to any committee member?

**\*Lois - 7/11**

Hi everyone,  
  
Apparently you have all received this email from Jeff. If you haven't already done so, may I suggest you go to the site, click on "Local Waterfront Revitalization Program (LWRP). We need to discuss this project, and I would like to start an email discussion about the project. Some of you have already contacted me, and I think our comments should be shared to all Committee members.

Please let me know of your thoughts, ideas, concerns and questions so we can discuss them. You know where I am, and it won't take long to send me any comments. We need to get started so we can be prepared for the future plans as they happen.  
Lois

**\*Larry - 7/12**

Yes - share.  
And I see you started the conversation in your next email.

**\*Larry - 7/15**

Lois,  
  
My father (Also Larry Beahan) was part of the previous Nature View committee sent me an email with some comments (inserted below).  
I think he has some very good points.

**The Natureview Committee should get together with the WNY Land Conservancy and have some input to this LWRP, Local waterfront revitalization Program.**

**They may get you a bunch of money for something you may not want and build it right in the middle of your Nature Preserve.**

**When I was on the Committee for Glen Park they built us a nice nature building, had some programs in it once and thereafter stored tractors there.**

**You might lobby for programs for Natureview or for Trails or for invasive species removal ...or maybe you folks can see a need for a building.**

**Jajeon Rose would be a good person to talk to at WNY Land Conservancy 'Jajeon Rose' <[jajeon.rose@wnylc.org](mailto:jajeon.rose@wnylc.org)>;**

First – if there is anything to be built in Natureview, we certainly need input from WNY Land Conservancy. It does not seem that we have had much involvement from the land conservancy lately. Who is our currently assigned representative? Anyway, we could contact Jajeon Rose if we are not getting satisfaction with our current rep.

And if we can build, we really need to decide if we really want to. The town would have to commit to funding for utilities and maintenance.

And we would actually need to do something with it! And seeing that we really have done nothing with the kiosks, I question what that might be.

And judging from our current ability to get even miniscule funding, I would be very concerned about getting commitment for long term funding.

Additional concerns might be that it is likely to be a little out-of-the-way and subject to vandalism.

I am not total against the idea, but these concerns really need to be addressed first.

Personally, I would be much more interested in spending money on real professionally done trails and informational signage showing history, wildlife and vegetation information.

Or how about securing real legal access to the archery club road – possibly purchasing the land that currently has the questionable easement.

Maybe putting up a waterfowl blind at the pond.

Anyway – we REALLY need to talk about this.

How real is this?

What do we want?

How to maintain this long term?

Larry Beahan

**\*Beth Lucia - 7/16**

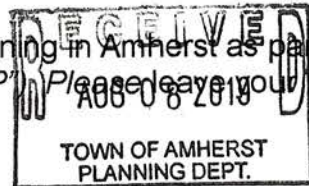
excellent response..we have some productive homework to do.

Beth

**Please join the conversation. Your input is important.**  
**Lois**

Name: MARY = Richard  
SchravenAddress: [REDACTED]  
Amherst**COMMENT SHEET**

Please offer any thoughts or preferences you have regarding Waterfront Planning in Amherst as part of the Department of State Local Waterfront Revitalization Program ("LWRP") response sheet or mail it to the address below.



What are your Thoughts on the proposed LWRP Boundary alignment?

We would like to comment on the proposal concerning Amherst State Park: Please consider adding an improvement to that Park to allow for more convenient Kayak launching. The muddy bank is becoming eroded and with more Kayak traffic it will get worse - Either a natural "beach" shoreline access or an aluminum, removable Roller Dock.

What Concerns should the Town understand in regards to the boundary or the area?

Around the Amherst Bike trail near Millersport/UB area: Please reduce the Grass mowing to allow large areas to Naturalize with Native, pollinator friendly plants. No need for large expanses of mowed grass (no where near the flood control areas.) As this is not picnicing or ball fields.

What Opportunities exist along/within the boundary or the area?

We are excited by these proposals and would want to emphasize support for reducing fertilizer & lawn chemicals, rainwater runoff and other sources of pollutants into the 2 waterways. It is an unsafe place to Kayak Now - mid summer with excessive green algae built up. Water quality is very poor. This is very concerning.

If you prefer to mail/email your comments, please send to the Amherst Planning Department:



Town of Amherst Planning Department  
5583 Main Street  
Williamsville, New York 14221

algae built up.  
Water quality is very poor.  
This is very concerning.  
Thank You!

## Kost, Ellen

---

**From:** Heather Toscano (Cahill) [REDACTED]  
**Sent:** Thursday, September 05, 2019 3:12 PM  
**To:** lwrpDL  
**Subject:** Proposal

Hello!

My name is Heather Cahill. I am a School Psychologist, member of the Village of Williamsville Youth and Recreation committee, and resident at 46 Lynette Lane in Amherst. I am a married woman to husband, Michael, and we have two boys, Lincoln, age 4 (Kindergarten at Heim), and Oliver, age 1. We love the outdoors, walking down the creek path, we adore our home and our yard, we are Disney fans, and we love getting together with our neighbors for fun things like s'mores and movie nights. We like to discuss our tries at vegetable gardens, and we spend a lot of time driving to playgrounds where we moms enjoy our Tim Hortons and our children play slide tag and compete to see who can swing on the swings higher. We truly love Amherst.

Now, on to how this relates to LWRP. I recently came across a document with notes from a December 3, 2018 LWRP meeting discussing public thoughts, concerns, and opportunities. Unfortunately, I was unaware of this meeting and did not get the chance to attend (on follow up, I learned that there was also a public meeting in July.). Upon reading the document, I first noticed that the new development, Muir Woods, was a site to be included in the boundary. I also noticed discussion of the need for more involvement for young families, the opportunity for more accessible parks, and the importance of natural areas. I would therefore like to propose the development of a playground, an accessible playground, or a natural playground (such as the one recently erected in Amherst State Park near Glen Falls in Williamsville) in or next to the new Muir Woods development. Some of the benefits to a playground include the following:

1. Playgrounds bring the community together, particularly for young families, in a way that other areas do not offer.
2. Playgrounds allow for multisensory childhood development, and provide opportunity for exercise and outdoor play for children in that area that are otherwise stuck indoors.
3. Playgrounds are typically the first opportunities for children to socialize with peers.
4. Playgrounds are a relatively inexpensive way to improve the community that last for an extensive amount of time.

The Muir Woods development is allotting for over 130 residences, all sized and priced for young families looking to live in the Williamsville Central School District, and connects to a well-developed neighborhood (Lynette, Joanie, and Nancy) that has had over 10 real estate transactions over the last 2 years, most being sold to young families with children (including ourselves, as well as good friends of ours). Both of these neighborhoods exit onto busy roads: North French and Campbell Blvd, neither of which have sidewalks nor large shoulders, and both of which are quite dangerous for children to be on. This makes the neighborhood completely unwalkable and young families and growing children have virtually no access to any social areas unless they risk the walk on a busy street or drive, which ultimately secludes both of these neighborhoods. I and my friends and neighbors strongly believe that a playground in this area would greatly benefit the growing number of children and families here, including our own, and would create a stronger sense of community for us all in a cost-effective way that will continue to benefit us for years to come.

I sincerely hope this proposal is seriously considered, and I truly appreciate you taking the time to review and discuss this. I can be reached by email or by phone, 716-250-8829. I look forward to hearing back.

Appendix J  
Public Meeting Notices

Draft



Brian J. Kulpa  
Supervisor  
Daniel C. Howard, AICP  
Planning Director  
Ellen M. Kost, AICP  
Assistant Planning Director

November 29, 2018

## MEMORANDUM

**TO:** Town Board Members

**FROM:** Ellen Kost, Assistant Planning Director *EMK*

**SUBJECT:** Amherst Waterfront Planning Public Meeting - December 3, 2018

Supervisor Kulpa and the Planning Department will hold a public meeting on **Monday, December 3, 2018 at 6:30 pm at the Getzville Fire Hall** to introduce residents to the NYS Department of State's Local Waterfront Revitalization Program (LWRP) project being undertaken by the Town.

The meeting will include a formal presentation followed by a group exercise. The presentation will focus on the State's LWRP process, the benefits and objectives of this program, and a summary of the work undertaken on the Amherst project to date. We will also provide information gathered during the tours with the Waterfront Advisory Committee held in August-September. A photo summary of observations made during the tours will be displayed.

The small group session will be arranged similar to the 10 Neighborhood Forum meetings held in the spring. Participants at each table will be asked to provide feedback on the proposed Amherst Waterfront Area Boundary as well as their overall comments on the project. A comment sheet will be provided to all attendees, and responses will be encouraged.

Town Board members are welcome to attend to hear the presentation and participate in the public outreach for this important project.

The presentation will also be posted on the Town of Amherst website, for those unable to attend.

If there are any questions, please contact me in the Planning Department at 631-7051.

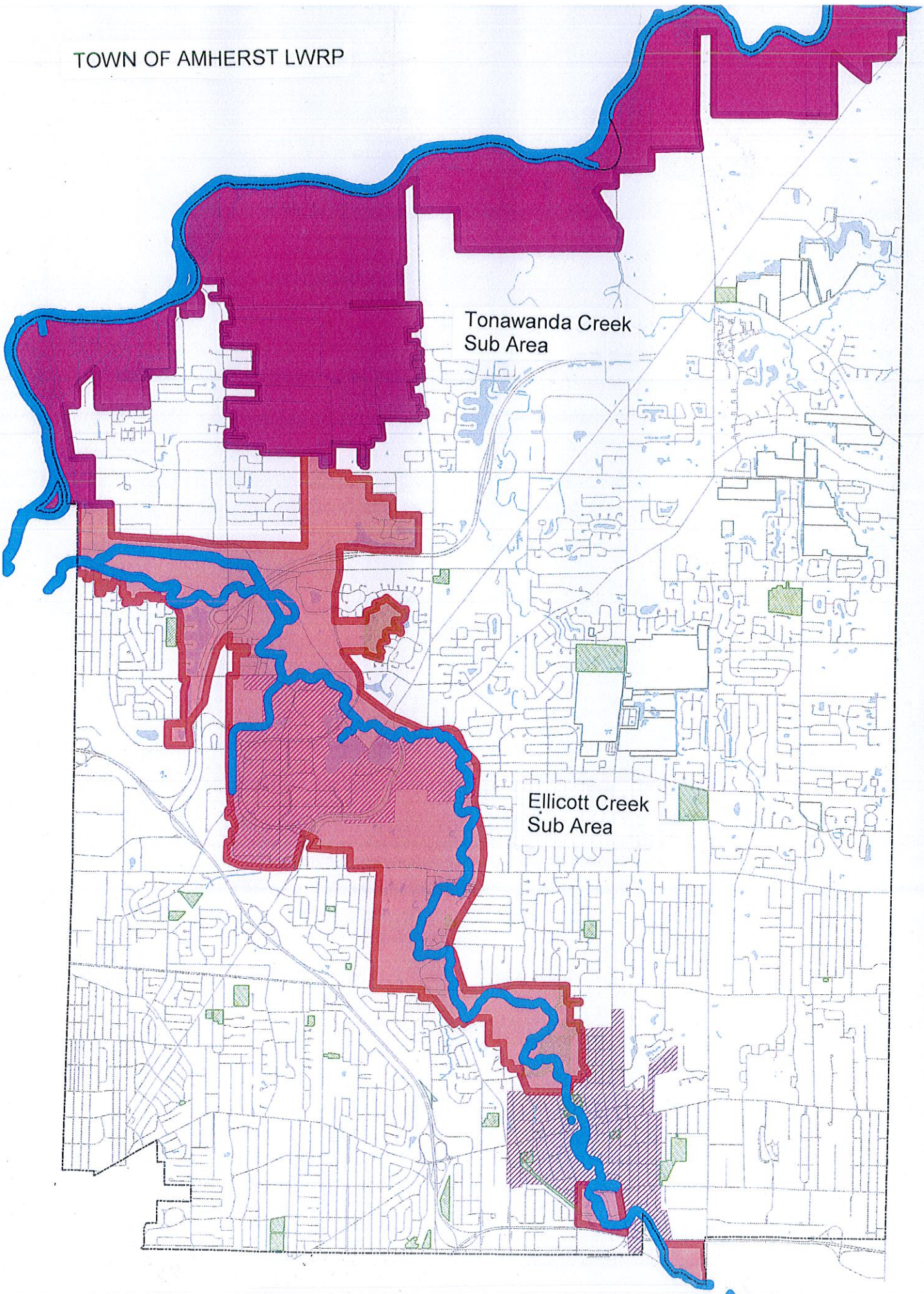
Thank you.

Attachment (LWRP Preliminary Boundary Map)

JDS/

X:\Special\_Projects\LWRP\Community Outreach\001 First Public Meeting\2018-11-29 Town Board Memo.doc

TOWN OF AMHERST LWRP







Tonawanda Creek  
Sub Area

Ellicott Creek  
Sub Area

Preliminary Waterfront Revitalization Boundary



**Legend**

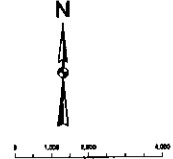
-  Tonawanda Sub Area
-  Ellicott Creek Sub Area
-  Parks
-  Hydrography  
(Creeks are graphically enlarged showing a 150 ft Buffer)

# Tonawanda Creek

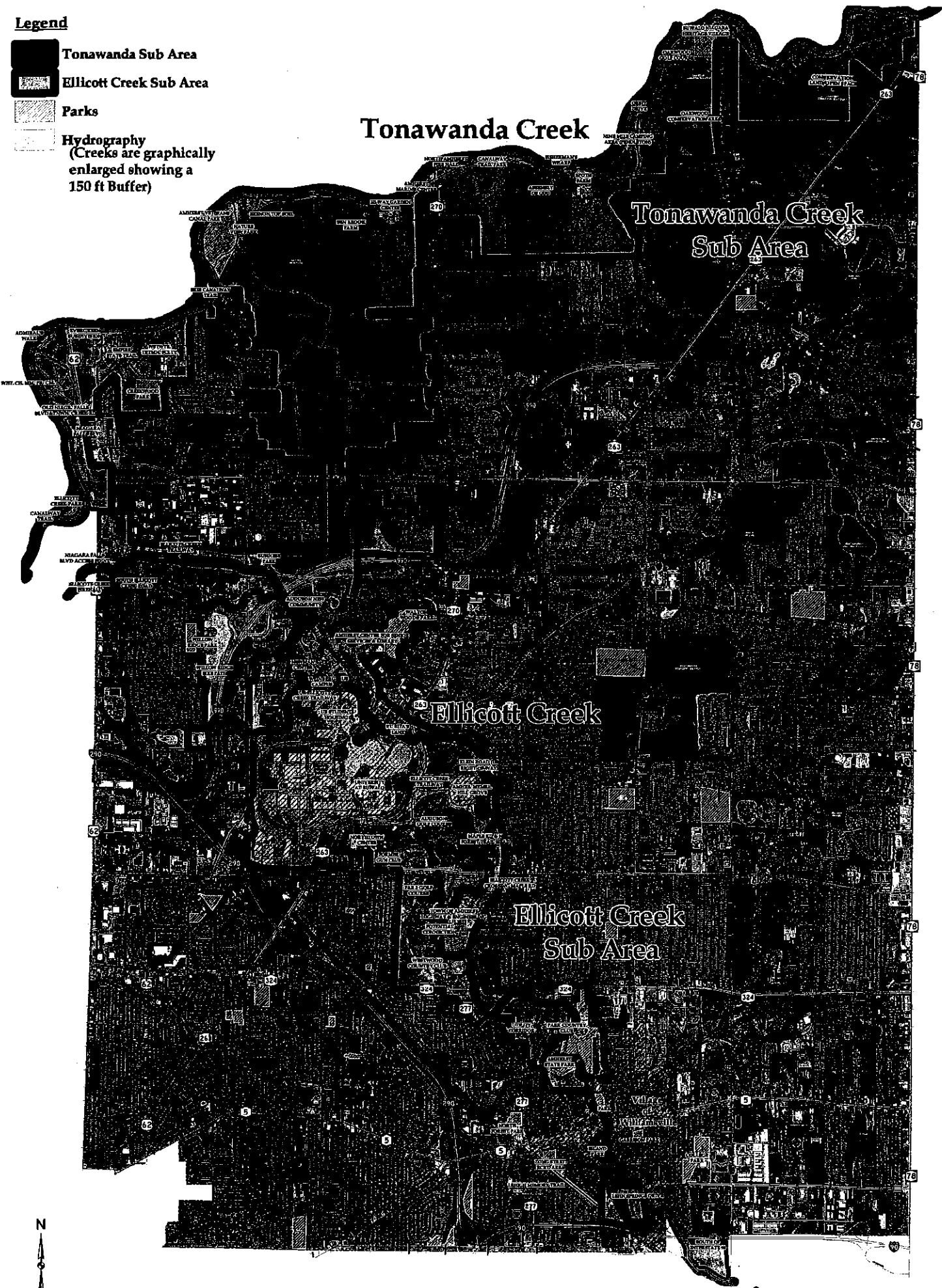
## Tonawanda Creek Sub Area

## Ellicott Creek

## Ellicott Creek Sub Area



### Preliminary Waterfront Revitalization Boundary



# Town sets public meeting for Dec. 3

## Amherst to develop waterfront program

The Town of Amherst is beginning the process of developing a Local Waterfront Revitalization Program, an initiative sponsored by the New York State Department of State, and is hoping to gather residents' feedback.

Amherst Supervisor Brian Kulpa and the Planning Department will hold their first public meeting on the initiative from 6:30 to 8:30 p.m. Monday, Dec. 3, at Getzville Fire Hall, 630 Dodge Road.

At the meeting, an overview of the LWRP pro-

ject will be presented, initial findings will be discussed and representatives will be able to answer questions.

According to the Planning Department, LWRPs are overall plans for enhancing waterways, maximizing public access, and preserving the quality and beauty of valu-

able water resources.

Amherst possesses a vast amount of waterfront land, with Tonawanda Creek as its northern border and Ellicott Creek traversing the center of the town.

The LWRP will enable Amherst to identify specific

*(Continued on page eight)*

# Zeplowitz elected McMahon wins

by ANNA DEROSA  
Associate Editor

Jeffery C. Zeplowitz is Amherst's new town clerk.

Zeplowitz, who was chosen by voters in last week's election, has worked in the private sector and is currently president of The Zeplowitz Group.

As town clerk, he will be responsible for recording activities of town government in addition to administrative tasks, such as marriage licenses, notary services and permits.

The Town Clerk's Office is open from 8 a.m. to 4:30 p.m., Monday through Friday, at Town Hall, 5583 Main St.

While all of the results are still unoffi-

cial, the following is a list of election outcomes according to data from the Erie County Board of Elections.

### Town clerk

Zeplowitz, who was coordinator of Support Services in the New York State Legislature for more than 22 years, garnered 61 percent of the votes against current town deputy supervisor Francina J. Spoth.

Approximately 8,303 votes separated Zeplowitz from Spoth. Zeplowitz totaled 22,977 votes while Spoth tallied 14,674.

# Town sets (Continued from page one)

projects that can meet important objectives: improving or enhancing existing water amenities, creating new facilities, providing public access to waterfront areas or addressing water quality issues.

A future "Amherst Central Park" will be a key component in the town's LWRP endeavor. The town intends to rely on its recently adopted Recreation and Parks Master Plan to assist in identifying residents' recreational needs and preferences.

When completed, Amherst will join 15 other communities in Western New York who have an adopted LWRP. Currently, the Village of Williamsville is preparing its own LWRP.

According to the Planning Department, the town and village expect to work closely to ensure consistency and compatibility between the two plans along their Ellicott Creek waterfronts.

For more information, contact the Planning Department at 631-7051.



Zeplowitz



McMahon

Zeplowitz was on the Republican, Independence and Reform party lines while Spoth ran on the Conservative line.

The town clerk's term is four years.

### 146th District

In the race for the 146th District Assembly seat, Democrat Karen McMahon defeated Republican incumbent

Ray Walter.

McMahon, who also ran on the Working Families and Women's Equality

*(Continued on page eight)*

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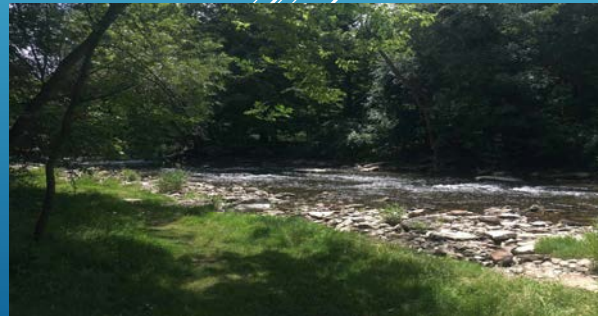
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TOWN OF AMHERST

## LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

September 19, 2019



### LOCAL WATERFRONT REVITALIZATION PLAN (LWRP)

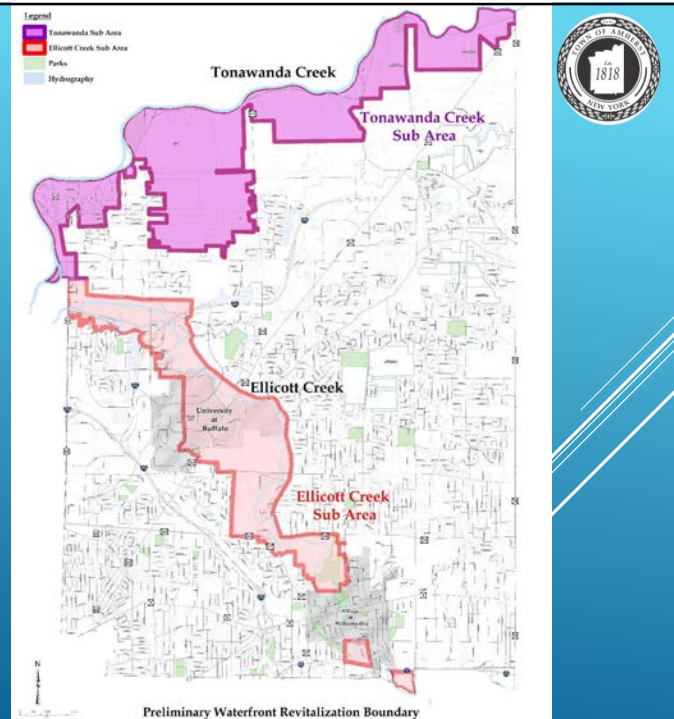


- ▶ A Local Waterfront Revitalization Plan (LWRP) is a program sponsored by the NYS Department of State (\$75,000 grant obtained)
- ▶ A comprehensive land and water use plan that:
  - Formalizes the community's vision for its waterfront
  - Provides a structure for carrying out waterfront projects



## Amherst LWRP

# Preliminary Waterfront Boundary



### Project Goals:

- ▶ Highlight the scenic and aesthetic beauty of the Town's waterways
- ▶ Increase public access to Town waterways
  - ▶ Enhance amenities at existing public parks
- ▶ Create new public parks / amenities
  - ▶ Add / enhance multi-use trails to Town trail system & Empire State Trail
- ▶ Enhance historic and cultural components within the LWRP boundary
  - ▶ Encourage appropriate economic development opportunities
- ▶ Improve the quality of the Town's water resources
  - ▶ Promote public safety
- ▶ Foster environmental education



## LOCAL WATERFRONT REVITALIZATION PLAN (LWRP)

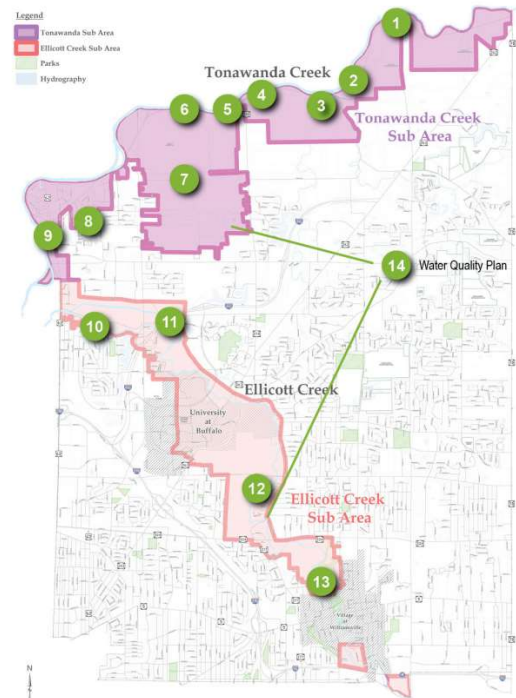


- Section 1** Waterfront Revitalization Boundary
- Section 2** Inventory & Analysis
- Section 3** Local Waterfront Revitalization Policies
- Section 4** Proposed Land & Water Uses & Proposed Projects
- Section 5** Techniques for Local Implementation of the Program
- Section 6** Federal and State Actions and Programs likely to Affect Implementation
- Section 7** Local Commitment and Consultation



## LOCAL WATERFRONT REVITALIZATION PLAN (LWRP)

### Project Location Map and Potential Projects



## LOCAL WATERFRONT REVITALIZATION PLAN (LWRP)



### Preliminary LWRP Projects:

1. Historic Empire State Trail and Museum Site
2. Nine Mile Island Recreation Center
3. Fisherman's Wharf
4. North Amherst Fire Station Improvements
5. Amherst Marina Restaurant and Dock
6. Empire State Trail and Missing Connections
7. Nature View Park "Nature Center"
8. Creekwoods Park
9. Old Niagara Falls Boulevard Improvements
10. Ellicott Creek Kayak Launch Site
11. Ellicott Creek Trailway Extension
12. Amherst Central Park
13. Amherst State Park Boardwalk Trail & Park Improvements
14. Water Quality Plan

December 23, 2019

# Town continues to plan for future, re-invest in older areas

**W**e have spent the last year advancing projects that will continue to keep our town pleasant, safe and prosperous for our residents and visitors to enjoy for the foreseeable future. Amherst is the fourth largest municipality west of Albany; in fact, our population is larger than Albany itself. As a result, we need to concentrate on planning for the future and continued re-investment in some of our older areas. During the past several months, town representatives and I have hosted numerous community meetings enabling the public to receive information and updates on projects and plans throughout the town. It was, as always, a pleasure to talk with our constituents and learn about their concerns and ideas.

In order to revitalize the Niagara Falls Boulevard Corridor, in September 2019, the town adopted new mixed-use zoning districts intended to replace outdated zoning and encourage different forms of development in its commercial centers, specifically the areas surrounding the Boulevard Mall. These new zoning districts are intended to be mapped in this area in 2020. The town will also complete a Generic Environmental Impact Statement for this area. We anticipate mixed-use development to be presented to the town in 2020 for the Boulevard Mall and Ridge Lea area, both catalysts for re-investment in this corridor.

Ellicott and Tonawanda creeks are currently in the state's Local Waterfront Revitalization Program. This past spring, a number of stakeholder groups toured these areas of Amherst looking at how we might enhance and increase the utilization of these water-

ways for the benefit of Amherst residents and to add to our regional draw. Within the Ellicott Creek corridor, the town is continuing to pursue the development of the Westwood property into a world-class park and recreation area called Amherst Central Park. It was announced last week that New York State has awarded the town a \$75,000 planning grant for the park, and Erie County has also allocated \$30,000 toward the advancement of this project. Many residents have attended meetings and provided input about features they would like to see in this area. Negotiations will continue in early 2020, and plans for the development of this recreation area will follow.

Recently, we have made a commitment to plant one million trees in Amherst during the next five years. The October storm of 2006 dealt a terrible blow to many existing trees

in Amherst, and the devastation we have experienced with the emerald ash borer has made a significant impact in Amherst. We need to re-tree our neighborhoods and continue to beautify our streets and parks. In another matter, in 2019, 59 individuals were served by our newly established opioid court. Our police training center and community policing office are now open on Bailey Avenue, bringing regional law enforcement agencies to Eggertsville for training. This has also had a positive impact on Eggertsville businesses now frequented by law enforcement.

We are on track for an exciting yet busy 2020. Whatever you may celebrate this time of year, we wish you a joyous and wonderful celebration. May you all have a prosperous and joyous New Year.



**BRIAN  
KULPA**

Town  
Supervisor

**Village of Williamsville Local Waterfront Revitalization Program  
Waterfront Advisory Committee Meeting Summary**

**Village of Williamsville Local Waterfront Revitalization Program  
Town of Amherst Coordination - Meeting Summary**

**Date of Meeting:** March 2, 2021  
**Meeting Time:** 11:00 AM  
**Meeting Location:** Virtual Meeting via Zoom

**Attendees:**

<input checked="" type="checkbox"/>	<b>Ellen Kost</b>	<input checked="" type="checkbox"/>	<b>Keaton DePriest</b>
<input checked="" type="checkbox"/>	<b>Kim Amplement</b>	<input checked="" type="checkbox"/>	<b>Wendy Salvati</b>
<input checked="" type="checkbox"/>	<b>Jeff Szatkowski</b>	<input type="checkbox"/>	

Introduction

Wendy Salvati noted that she requested a meeting with representatives from the Town of Amherst to discuss coordination between the Village and Town LWRP projects. Ellen Kost, who was joined by Jeff Szatkowski and Kim Amplement from the Town of Amherst met Wendy and Keaton DePriest to discuss projects that could be coordinated between the two communities. Wendy started the conversation by reviewing a list of projects she compiled based on discussions at the WAC meeting on 2/24/21, as noted below.

- Enhanced Trail Connection between Glen Park and Amherst State Park – Wendy said that the Village is proposing an improved connection to Ellicott Creek from the north side of Glen Park, in accordance with the Amherst State Park Master Plan. She noted that this area of the creek, which is in the Village, is the southern extension of Amherst State Park. Wendy spoke about the WAC’s thoughts on enhancing the trail through this area, but what is most needed is a safe means of access from Glen Park to the creek (which would qualify as a Village project, trail enhancement along the creek does not). Therefore, this project must be coordinated with the Town and State Parks. This is a location that was identified in the Master Plan as a park entrance, but to achieve this the entrance to the State park, it must originate through Glen Park. Currently, visitors who use the creek trail typically park their vehicles in the Glen Park lots. Jeff Szatkowski said that Supervisor Kulpa has spoken about installing a boardwalk feature somewhere in the area between the Glen Avenue Bridge and the Village Glen Tennis facility (which is shown on the Amherst State Park Master Plan map). The Amherst State Park Master Plan also includes recommendations for the installation of seating areas and interpretive signage adjacent to the trail and near the creek edge. Wendy explained the WAC’s concerns about flooding in this area and the fact that any type of permanent structure, such as a boardwalk, benches or signage that is attached to the ground, may wash out during flood events, are not sustainable, and will create ongoing maintenance problems. She said that the WAC had suggested the use of materials in this area that could delineate the



## **Village of Williamsville Local Waterfront Revitalization Program Waterfront Advisory Committee Meeting Summary**

location of the trail in a more permanent manner, such as larger stones or similar materials that would be less prone to wash away; stone dust would not be a permanent solution so the Town should rethink that. The Amherst representatives acknowledged these concerns and made note of the suggestions. Additionally, Wendy said that the use of wayfinding signage, which is recommended in the Master Plan, as an improved form of trail blazing would also be helpful to mark the trail through this area.

- Paddlecraft Launch in Amherst State Park – Wendy talked about the Village’s desire to install a paddlecraft launch at Island Park and the WAC’s thoughts on having such a launch installed just north of the Glen Avenue Bridge. She said that the WAC felt that a formal launch area was not needed; signage would be a better idea, as most paddlecraft users in the area have no problem getting into the water and any formal launch facility would likely be impacted by flood waters in this area. Wendy mentioned that the WAC suggested having a launch installed in Amherst State Park. Jeff Szatkowski said that representatives from NY State Parks told him that the only things that can be included/installed in the State Park must be identified in the Master Plan. If not, the GEIS for the Master Plan would have to be updated. Ellen Kost said that a paddlecraft launch was being considered for Amherst Central Park (the former Westwood Country Club property).
- Reduction of Pressure from Invasive Species – Ellen Kost mentioned that the Town is proposing a project for eliminating invasive species in the Amherst WRA, in particular Amherst State Park near the Ellicott Creek corridor. Wendy discussed the Village’s project and noted how their approach was changed from eradication to management based on the advice of members of the Village WAC. The Village’s approach involves the targeted removal of areas with pervasive problems, as well as the need for ongoing follow up and replacement plantings with native species, which the Town made a note of. Jeff said that he has spoken with staff at the NYSDEC and State Parks about the methods they are both using to eliminate invasives. He said they spray herbicides at certain times of the year and wants to make sure these agencies coordinate this activity. He also said that the Town has three employees in the DPW that are trained to spray. Wendy asked about water quality concerns, as that is an issue of concern for the Village WAC. Jeff said they are looking at possibly using certain plantings that might help address the issue of residual chemical runoff. Wendy also mentioned Jane Vohwinkel’s suggestion for including language that makes the incorporation of integrated pest management a part of any management program for invasives. Wendy said she would send the Town the project description that was put together for the proposed invasives management project.
- Pollinator Garden Corridor – Wendy told the group about the proposed project for establishing pollinator gardens and establishing a corridor along the creek, as well as the public education piece, which includes educating waterfront residents about the use of native plants and the possible replacement of lawn area with these gardens. Wendy noted that the Village was looking at areas along the eastern portions of Glen Park and Island Park, the western creek shoreline across from Island Park, and the shoreline south of Oakgrove Drive. She said the Village WAC was hoping the Town could undertake a similar project along other portions of Ellicott Creek and in Amherst State Park, where appropriate. Ellen Kost thought this was a good idea and could be incorporated into the Amherst LWRP. Wendy will send them the draft project description.

## **Village of Williamsville Local Waterfront Revitalization Program Waterfront Advisory Committee Meeting Summary**

- Lehn Springs – Jeff and Ellen said that the Town’s concerns in the Lehn Springs area related to flooding and erosion; they have not had any complaints about low water levels from residents in the area. Wendy explained the concerns that were raised by residents about low water levels and mucky conditions, which they attribute to the prior reconstruction of Wehrle Drive. There is a need to study this issue, and due to the fact that the islands straddle the municipal boundary between the Town and Village, the Town should be involved in this project. Here again, Wendy will send the Town the draft project description. While on the topic of Lehn Springs, Ellen said that the Town owns a parcel of land at the western end of the Lehn Springs Drive cul-de-sac; the property is the location of a sewer lift station. She said the Town will propose the use of this property for passive recreation (perhaps placement of some benches) to be used by nearby residents.
- Island Park Dam/Hydrologic Study for Ellicott Creek – The discussion of flooding that was part of the Lehn Springs discussion gave way to discussion of the Army Corps of Engineers Flood Resiliency Study of Ellicott Creek, from Lehn Springs to Stony Road in Lancaster, which will hopefully be released in April. Jeff said he was aware of the study and agreed that we need further study of the area between Glen Falls and Lehn Springs. Wendy explained the Village’s issues regarding the dam and how the dam plays a key role in the flooding problems. She mentioned the need to evaluate dam replacement or reconstruction to help mitigate flooding, as well as address shoreline erosion and riparian rights (she explained about the Supreme Court ruling). Wendy said that the Village is proposing a more extensive and comprehensive hydrologic study that takes all these issues into consideration and is hoping the Corps will assist with this. This includes how/where to rebuild the dam, the riparian rights matter, flooding impacts to upstream properties, shoreline erosion in the vicinity of Island Park, and proper operation and management of the dam.
- Stormwater Inflow and Infiltration – This is a project that the Town is approaching more comprehensively. While the Village is focusing on inflow and infiltration (I/I) as a specific project that is needed to accomplish consolidation of their sanitary sewer system with the Town of Amherst, the Town is proposing one project that calls for the retention of a hydrology consultant to undertake a comprehensive study of impacts to water quality in Ellicott and Tonawanda Creeks. In addition to the I/I project, the Village is proposing other projects to address elements that affect water quality in Ellicott Creek.
- Bike Boulevards/Bike Lanes – Wendy mentioned the Village WAC’s desire to create a “Bike Boulevard” and install bike lanes on Village streets. While the proposal will stay in the LWRP, this project is viewed as a community-wide issue that should be addressed in the proposed update of the Village’s comprehensive plan. This would enable better coordination with the Town.
- Dark Sky Compliant Lighting – The idea of installing dark-sky compliant lighting in Village parks/properties was noted as something that could be undertaken by the Town. Kim Amplement said that the Town is undertaking a capital improvement project to replace existing street lighting in the Town with LED fixtures; they are also buying private lighting systems in residential subdivisions. This is something that could be included in their LWRP. All agreed that this is really a comprehensive planning matter, which could be included as part of the Village’s proposal to update the Village’s comprehensive plan.

**Village of Williamsville Local Waterfront Revitalization Program  
Waterfront Advisory Committee Meeting Summary**

Wendy thanked the Town representatives for their time. Everyone felt the meeting was very helpful. Wendy will provide the Amherst Planning Department with the draft descriptions for the pollinator garden, invasive species, and Lehn Springs projects. Jeff would provide information for their flood resiliency study project for Ransom Creek. No additional follow up is required.

Meeting adjourned at 12:00 PM.

Respectfully Submitted,

*Wendy Weber Salvati*

WWS Planning

Appendix K  
Scenic View Exercise

Draft

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

Waterfront Advisory Committee Member

### Information:

Your Name:

Date:



Scenic View Selection Form  
Town of Amherst Local Waterfront Revitalization Program

# Instructions

**Project Name:** Town of Amherst LWRP      **EDR Project No:** 19188  
**Date:** October 7, 2019  
**Reference:** Scenic View Selection Form Instructions

These instructions are intended to guide Waterfront Advisory Committee members participating in the exercise to rank local scenic areas using this Scenic View Selection. The goal of this Scenic View Selection exercise will be to determine top priority areas of local scenic significance, which will have extra protection within LWRP policies, such as *Policy 25*:

*Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the waterfront area.*

More specifically, local tools available to protect these scenic areas may be implemented, including setback requirements from creeks, buffers, and building heights along water. This activity may also impact the decision to add pedestrian or bike path improvements to high ranking scenic areas. Per the recently updated 2019 DOS LWRP Guidelines, these locally significant scenic areas can be either locally important views to the water or locally important views from the water.

Please follow the instructions below when scoring individual places.

**Your Name/Date:** Please complete.

### Scenic Quality Scoring for Selection:

Please rate the scenic quality of the existing views. An undeveloped area containing a variety of landscape features at different distances from the viewer or an area containing one or more aesthetically important structures, might be at the high end of the scale, while a landscape that appears monotonous or is already impacted by infrastructure or industrial facilities might be at the low end.

- 1 = Insignificant Scenic Quality; Common Occurrence
- 2 = Minimal Scenic Quality; Common Occurrence
- 3 = Moderate Scenic Quality
- 4 = Appreciable Scenic Quality
- 5 = Strong Scenic Quality; Unique Area

Score each area "Yes" or "No" to help us determine whether this area should be included.

### Guidelines for Scoring Scenic Quality of Photos:

When developing a score for scenic areas, consider the following four components of the site:

- 1) landscape composition,
- 2) focal point,
- 3) historic cultural significance, and
- 4) weather/seasonal scenes.

Further definition of these components is described on the bottom of each scoring form (see Guidelines for Scoring Scenic Quality of Photos on the next page).

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

Waterfront Advisory Committee Member

### Information:

Your Name:

Date:



### Guidelines for Scoring Scenic Quality of Photos:

Please rate the scenic quality of the existing views. An undeveloped area containing a variety of landscape features at different distances from the viewer or an area containing one or more aesthetically important structures, might be at the high end of the scale, while a landscape that appears monotonous or is already impacted by infrastructure or industrial facilities might be at the low end. When developing a score for scenic areas, consider these characteristics described below, if relevant.

- *Landscape Composition:* The arrangement of objects and gaps in the landscape can be categorized by their spatial arrangement. Basic landscape components include vegetation, landform, land use, water, sky, and social activity (e.g. walkers, cyclists, boaters, cars, etc.). High scoring photos would have a blend of unique landscape components, while low scoring photos would have no blend of landscape components or very common features that occur throughout the region.
- *Focal Point:* Certain natural or man-made landscape features stand out as focal points and are particularly noticeable as a result of their physical characteristics. Examples include prominent trees, mountains and water features. Cultural features, such as a distinctive barn or steeple can also be focal points. High scoring photos would have a strong focal point, while low scoring photos would have no focal point.
- *Historic/Cultural Significance:* Areas can have both visible and non-visible cues that tie to a place's historic or cultural significance. Sites listed on the National or State Register of Historic Places or other culturally relevant areas should be noted, if known. High scoring photos would have a strong presence of historically or culturally significant components, while low scoring photos would have no historically or culturally significant components.
- *Weather/Seasonal Scenes:* Please note any conditions that, if different, could influence the perceived scenic quality of the existing features of the landscape (atmospheric condition, seasonal changes, etc.). High scoring photos would have a strong scenic quality in all four seasons, while low scoring photos would have no scenic quality in any season.

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 1

Photo Name: Tonawanda Creek Road

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 2

Photo Name: Tonawanda Creek Road

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 3

Photo Name: Ellicott Creek at UB

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 4

Photo Name: Tonawanda Creek Road

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member Information:

Your Name:

Date:



Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

### Photo Information:

Scenic Area Photo Number: 5

Photo Name: Tonawanda Creek Road

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

*Landscape Composition*

*Focal Point*

*Historic/Cultural Significance*

*Weather/Seasonal Scenes*



Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

### Photo Information:

Scenic Area Photo Number: 6

Photo Name: Tonawanda Creek Road

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

*Landscape Composition*

*Focal Point*

*Historic/Cultural Significance*

*Weather/Seasonal Scenes*

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 7

Photo Name: Tonawanda Creek Road

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 8

Photo Name: Erie Canal Corridor

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 9

Photo Name: Tonawanda Creek

Road

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 10

Photo Name: Tonawanda Creek

Road

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

Waterfront Advisory Committee Member

### Information:

Your Name:

Date:



### Photo Information:

Scenic Area Photo Number: 11

Photo Name: Veterans Canal Park

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



### Photo Information:

Scenic Area Photo Number: 12

Photo Name: Veterans Canal Park

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 13

Photo Name: Tonawanda Creek Road

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 14

Photo Name: Tonawanda Creek Road

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 15

Photo Name: Empire State Trail

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 16

Photo Name: Fisherman's Wharf

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 17

Photo Name: Erie Canal Corridor

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 18

Photo Name: Old Niagara

Falls Blvd

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 19

Photo Name: Old Niagara

Falls Blvd

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 20

Photo Name: Ellicott Creek Dog

Park

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 21

Photo Name: Empire State Trail

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 22

Photo Name: South Ellicott Creek Rd

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 23

Photo Name: North Ellicott Creek Rd

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 24

Photo Name: North Ellicott Creek Rd

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

## Waterfront Advisory Committee Member

### Information:

Your Name:

Date:



### Photo Information:

Scenic Area Photo Number: 25

Photo Name: North Ellicott Creek Rd

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



### Photo Information:

Scenic Area Photo Number: 26

Photo Name: Jewish

Community Center near UB

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 27

Photo Name: Ellicott Creek

Corridor

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 28

Photo Name: Ellicott Creek & UB

Bike Path

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

## Waterfront Advisory Committee Member

### Information:

Your Name:

Date:



### Photo Information:

Scenic Area Photo Number: 29

Photo Name: North Forest & Ellicott Creek

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



### Photo Information:

Scenic Area Photo Number: 30

Photo Name: Ellicott Creek Bike Path

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 31

Photo Name: Ellicott Creek at UB Bike Path

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 32

Photo Name: Audubon Golf Course

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member

#### Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 33

Photo Name: Ellicott Creek & Amherst State Park

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 34

Photo Name: Westwood/Ellicott Creek

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

Waterfront Advisory Committee Member

### Information:

Your Name:

Date:



### Photo Information:

Scenic Area Photo Number: 35

Photo Name: Indian Trail Rd & North Forest Rd

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



### Photo Information:

Scenic Area Photo Number: 36

Photo Name: Indian Trail Rd & North Forest Rd

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member Information:

Your Name:

Date:



#### Photo Information:

Scenic Area Photo Number: 37

Photo Name: Park Country Club

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



#### Photo Information:

Scenic Area Photo Number: 38

Photo Name: Park Country Club Bridge

#### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

#### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

Waterfront Advisory Committee Member

### Information:

Your Name:

Date:



### Photo Information:

Scenic Area Photo Number: 39

Photo Name: Ellicott Creek &  
Amherst State Park

### Scenic Quality Score:

Should this be considered a  
locally significant scenic area?  
(Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



### Photo Information:

Scenic Area Photo Number: 40

Photo Name: Ellicott Creek &  
Amherst State Park

### Scenic Quality Score:

Should this be considered a  
locally significant scenic area?  
(Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

Waterfront Advisory Committee Member

### Information:

Your Name:

Date:



### Photo Information:

Scenic Area Photo Number: 41

Photo Name: Amherst State Park

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



### Photo Information:

Scenic Area Photo Number: 42

Photo Name: Ellicott Creek & Amherst State Park

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

Waterfront Advisory Committee Member

### Information:

Your Name:

Date:



### Photo Information:

Scenic Area Photo Number: 43

Photo Name: Lehn Springs

Neighborhood

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**



### Photo Information:

Scenic Area Photo Number: 44

Photo Name: Wehrle Drive &

Ellicott Creek

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

# Scenic View Scoring Form

## Town of Amherst LWRP

Town of Amherst, Erie County, New York

EDR Project No: 19188

### Waterfront Advisory Committee Member Information:

Your Name:

Date:



### Photo Information:

Scenic Area Photo Number: 45

Photo Name: Aero Drive & Ellicott Creek

### Scenic Quality Score:

Should this be considered a locally significant scenic area? (Yes/No)

### Scenic Quality Score Chart

- 1 - Insignificant Scenic Quality; Common Occurrence
- 2 - Minimal Scenic Quality
- 3 - Moderate Scenic Quality
- 4 - Appreciable Scenic Quality
- 5 - Strong Scenic Quality; Highly Unique Areas

Please describe why this area should be considered a locally significant scenic area, if applicable (**CIRCLE ONE**):

**Landscape Composition**

**Focal Point**

**Historic/Cultural Significance**

**Weather/Seasonal Scenes**

Appendix L  
WRA Project Summary Table

Draft

**(PLACE HOLDER)**

**APPENDIX L WRA  
Project Summary Table**