



**TOWN OF AMHERST PLANNING BOARD
REVIEW AND APPROVAL PROCEDURES FOR
OPEN DEVELOPMENT AREA APPLICATION ITEMS**

This application package includes the following:

- Application Procedures
- Application Form
- Full Environmental Assessment Form (EAF)

-IMPORTANT-

1. Applicant obtains application from the Planning Department, 5583 Main Street, Williamsville, NY 14221. (716) 631-7051 or on-line at www.amherst.ny.us , keyword: planning.
2. A pre-submittal consultation with Planning Department staff is *strongly recommended* prior to submitting an application. The pre-submittal meeting gives the applicant an opportunity to discuss with staff such items as:
 - Determining what specific information will be required to be submitted with the application
 - Identifying and discussing issues that must be addressed as part of the SEQR review.

An appointment is required for all meetings with Planning Department Staff

3. This Open Development Area petition is subject to the requirements of 6 NYCRR Part 617, State Environmental Quality Review Act (SEQR) and Chapter 104 of the Town of Amherst Code, as amended. The Planning Board cannot make a SEQR determination unless a complete Full Environmental Assessment Form (EAF) is submitted. This includes

- completing Part 1-A.3.a on Page 5a and submittal of any required supplementary information, such as traffic impact studies, archaeological reports, wetland delineations or geotechnical reports. SEQR issues may be discussed with Planning Department staff at a recommended pre-submittal meeting.
4. The applicant shall file twelve (12) copies of the completed application and attachments with the Planning Department with the necessary fees. (See Schedule of Fees on first page of application and make checks payable to: Town of Amherst.) Each package must be collated and folded into no larger than 9" x 12" in size. The following information must be included in each application package:
- A completed, signed and notarized application form with all required attachments
 - A conceptual development plan, drawn to scale (no larger than 24" x 36" in size)
 - An 8 1/2" x 11" reduction of the conceptual development plan
 - Boundary survey prepared by a NYS licensed land surveyor that shows the acreage of the parcel and all other typical survey data
 - A legal description of the subject area.
 - A completed and signed Full Environmental Assessment Form (EAF), including any required supplementary reports such as traffic studies, geotechnical reports, archaeological surveys, or wetland delineation reports
5. Planning Department transmits copies of the application for a review by:
- Commissioner of Building
Town Engineer
Superintendent of Highways
Traffic / Safety Board
Fire Chiefs' Association
Other Agencies, as applicable

6. The applicant may be required to submit revised plans, reports, or materials to address review agency comments. The procedures for submittal of revised information are as follows:
- A cover letter addressing all comments received to date is required.
 - “Highlight” the area of change on the conceptual development plan drawings and provide a notation describing the change.
 - Ten (10) complete sets of the revised materials are required. Recommend that you contact Planning staff to determine if fewer sets are needed.

7. Planning Board Meeting Procedures:

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

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

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

The Planning Board will hold both a hearing on the proposed action and a concurrent SEQR hearing. Upon receipt of all required SEQR materials, the Planning Board will make a SEQR recommendation and a recommendation on the proposed rezoning per the requirements of Sections 8-1, 8-2, and 8-3 of the Zoning Ordinance.

8. After the Planning Board issues their recommendation, the petitioner may choose to proceed with the Open Development Area application. To do so, he/she shall file a written request with the Town Clerk for a public hearing before the Town Board.
9. A final determination will be made by the Town Board per the requirements of the Zoning Ordinance



TOWN OF AMHERST PLANNING DEPARTMENT
Open Development Area Application

File #:	_____	Acreage	_____	Fee \$	_____
					<u>Fill In</u> <u>Applicable Fees</u>
	Open Development Area Review or Amendment			\$1,300.00	_____
	Affidavit Fee for Public Hearing			\$ 15.00	_____
				TOTAL FEE:	\$ _____
	Materials Received by Planning Department	_____	_____	RECEIVED BY	DATE
	Materials Accepted by Town Clerk & Fee Paid	_____	_____	ACCEPTED BY	DATE

To Be Completed By Applicant

PETITIONER: Name: _____
Address: _____
City _____ State _____ Zip Code _____
Phone _____ Fax: _____
E-Mail _____

PROJECT ADDRESS: _____
No. _____ Street _____ SBL# _____

PROJECT DESCRIPTION: _____

PART 1—PROJECT INFORMATION

Prepared by Project Sponsor

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

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

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

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

A. Site Description

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

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

2. Total acreage of project area: _____ acres.

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

3. What is predominant soil type(s) on project site? _____
- a. Soil drainage: Well drained _____ % of site Moderately well drained _____ % of site
 Poorly drained _____ % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? _____ (in feet)

5. Approximate percentage of proposed project site with slopes: 0-10% _____ % 10-15% _____ %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? _____ (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: _____
 a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name _____ b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
 a) If Yes, does sufficient capacity exist to allow connection? Yes No
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor _____ acres.
- b. Project acreage to be developed: _____ acres initially; _____ acres ultimately.
- c. Project acreage to remain undeveloped _____ acres.
- d. Length of project, in miles: _____ (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed _____ %;
- f. Number of off-street parking spaces existing _____; proposed _____.
- g. Maximum vehicular trips generated per hour _____ (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure _____ height; _____ width; _____ length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? _____ ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? _____ tons/cubic yards
3. Will disturbed areas be reclaimed? Yes No N/A
 - a. If yes, for what intended purpose is the site being reclaimed? _____
 - b. Will topsoil be stockpiled for reclamation? Yes No
 - c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? _____ acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? Yes No
6. If single phase project: Anticipated period of construction _____ months, (including demolition).
7. If multi-phased:
 - a. Total number of phases anticipated _____ (number).
 - b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
 - c. Approximate completion date of final phase _____ month _____ year.
 - d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction _____; after project is complete _____.
10. Number of jobs eliminated by this project _____.
11. Will project require relocation of any projects or facilities? Yes No If yes, explain _____

12. Is surface liquid waste disposal involved? Yes No
 - a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
 - b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain _____
15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
 - a. If yes, what is the amount per month _____ tons
 - b. If yes, will an existing solid waste facility be used? Yes No
 - c. If yes, give name _____; location _____
 - d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
 - e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
 - a. If yes, what is the anticipated rate of disposal? _____ tons/month.
 - b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
If yes, indicate type(s) _____
22. If water supply is from wells, indicate pumping capacity _____ gallons/minute.
23. Total anticipated water usage per day _____ gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
If Yes, explain _____

25. Approvals Required:

	Yes	No	Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
City, Town, Village Planning Board	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
City, Town Zoning Board	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
City, County Health Department	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Other Local Agencies	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Other Regional Agencies	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
State Agencies	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Federal Agencies	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
- What is the zoning classification(s) of the site? _____
- What is the maximum potential development of the site if developed as permitted by the present zoning?

- What is the proposed zoning of the site? _____
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?

- Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
- What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

- Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? Yes No
- If the proposed action is the subdivision of land, how many lots are proposed? _____
 a. What is the minimum lot size proposed? _____
- Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

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

E. Verification

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

Applicant/Sponsor Name _____ Date _____
 Signature _____ Title _____

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

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

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

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

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

- Geotechnical report attached
- Not applicable

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

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

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

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

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

Describe

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