

Town of Amherst Local Waterfront Revitalization Program

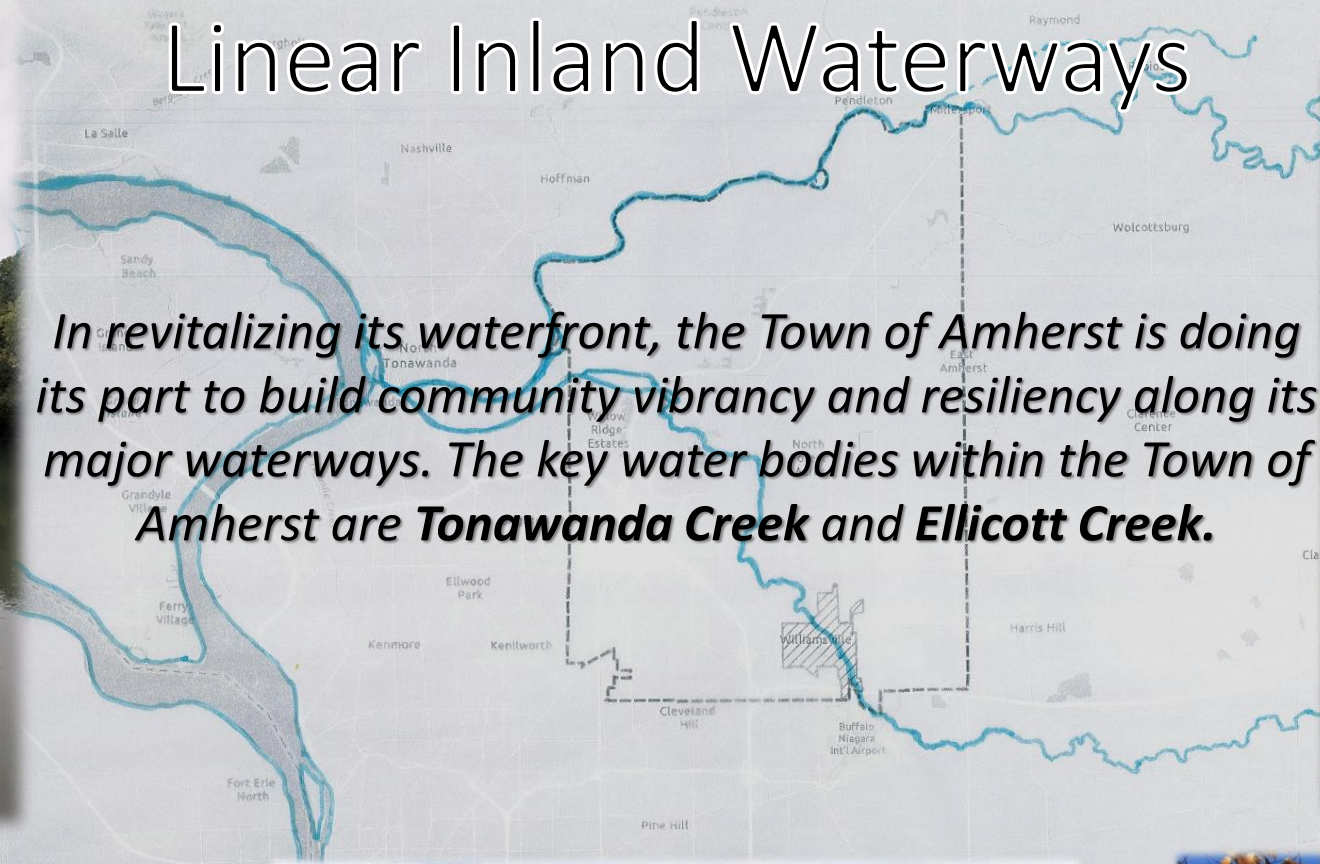
Complete Draft Plan & Third
Public Meeting

February 2023



Linear Inland Waterways

*In revitalizing its waterfront, the Town of Amherst is doing its part to build community vibrancy and resiliency along its major waterways. The key water bodies within the Town of Amherst are **Tonawanda Creek** and **Ellicott Creek**.*



Tonawanda Creek (Erie Canal)



Erie Canal



Ellicott Creek



Erie Canal



Ellicott Creek

Why is the Town developing Local Waterfront Revitalization Program (“LWRP”)?

The extensive waterfront areas surrounding these water bodies meander through the Town, lending a beauty and uniqueness that define Amherst today.

- Tonawanda Creek is part of the Erie Canal system, which connects the Town to many navigable waterways of North America.
- Revitalization of the waterfront area represents a celebration of the existing waterfront under a new and renewed approach to development.
- The Plan will seek to balance economic priorities with things like public access to the waterfront and environmental stewardship.
- An LWRP is a way to monitor and respond to the ever-changing health of waterways and surrounding communities.
- Key changes addressed in this LWRP relate to the impacts anticipated from climate change and the implementation of resilient solutions to address those impacts.



Benefits to Communities

Participation in the LWRP ensures that all proposed actions within the WRA, including state and federal actions, are consistent with policies that promote LWRP goals. Through the New York State LWRP, communities have the opportunity to:

- increase environmental protection
- incentivize economic development
- protect valuable water resources
- improve public waterfront accessibility
- seek funding through the New York State Environmental Protection Fund for proposed projects
- increases the community's eligibility to obtain other public and private funding for identified projects.



PROJECT INITIATION

Completed Task

Remaining Task

2023

2018

(Remaining Tasks)

Project Schedule 23 Task Items

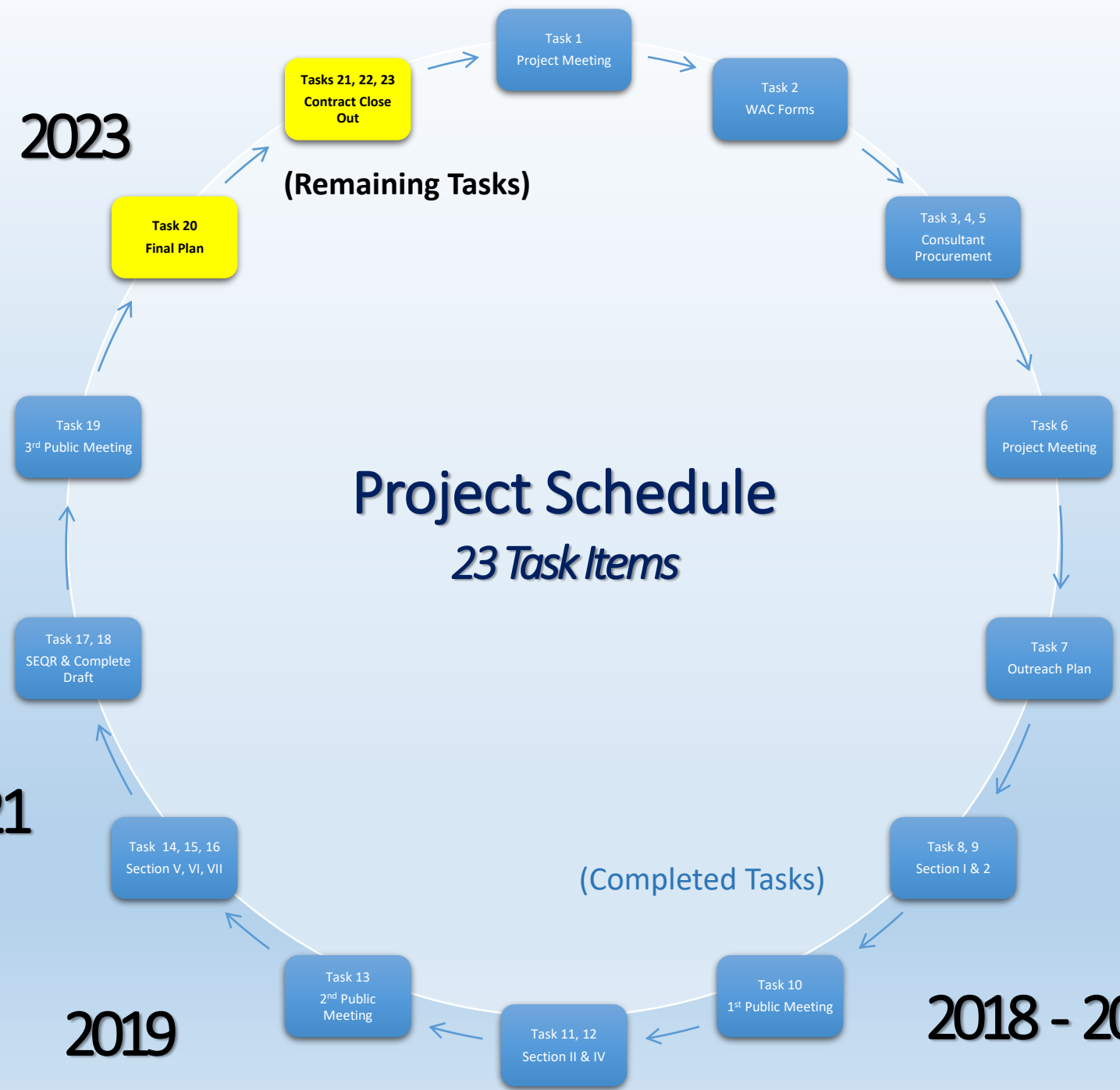
2022

2020-2021

2019

2018 - 2019

(Completed Tasks)



Public Outreach & Waterfront Advisory Committee



Tour #1 – Erie Canal



Second Public Meeting



Tour #4 – USACE Flood Wall



Tour #2 - Westwood

(2) Public Meetings

- **Public Meeting #1** – December 3, 2018 at Getzville Fire Station
- **Public Meeting #2** – July 10, 2019 at Senior Center

(5) Waterfront Advisory Committee (WAC) Meetings

- **WAC Meeting** - June 20, 2018 at the Northtown Center
- **WAC Meeting** - November 1, 2018 at the Northtown Center
- **WAC Meeting** - May 13, 2019 at the Northtown Center
- **WAC Meeting** - September 18, 2019 at the Northtown Center
- **WAC Meeting** - November 17, 2020 Virtual Meeting

(5) Waterfront Advisory Committee (WAC) Site Visits

- **WAC Tour #1** – August 17, 2018 at Tonawanda Sub Area (North)
- **WAC Tour #2** – August 24, 2018 at Ellicott Creek Sub Area (Westwood & ACP)
- **WAC Tour #3** – August 28, 2018 at Ellicott Creek Sub Area (Amherst State Park/Village)
- **WAC Tour #4** – September 6, 2018 at Ellicott Creek Sub Area (UB & Northtown Center)
- **WAC Tour #5** – September 13, 2018 at Tonawanda Creek Sub Area (Northwest Amherst)



Tour #1 – Erie Canal



Existing Water Uses



Boat Launch at Veterans Canal Park



Walking Trails
Amherst State Park



Private Canal Corp Permit Access

Private Marina



Trout Stocking at
Amherst State Park



Empire State Trail & Bike Path



Fishing



Underutilized Sites



Old NF Blvd



Private Business at Old NF Blvd



Existing Nature Trails



Westwood



Oakwood Golf Course



North Amherst Fire Station

The Waterfront Advisory Committee identified several underutilized sites during the 2018 site visits



Scenic View Exercise Results

Figure 2.48 – Scenic Views within the Amherst WRA



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



Ellicott Creek at Amherst State Park

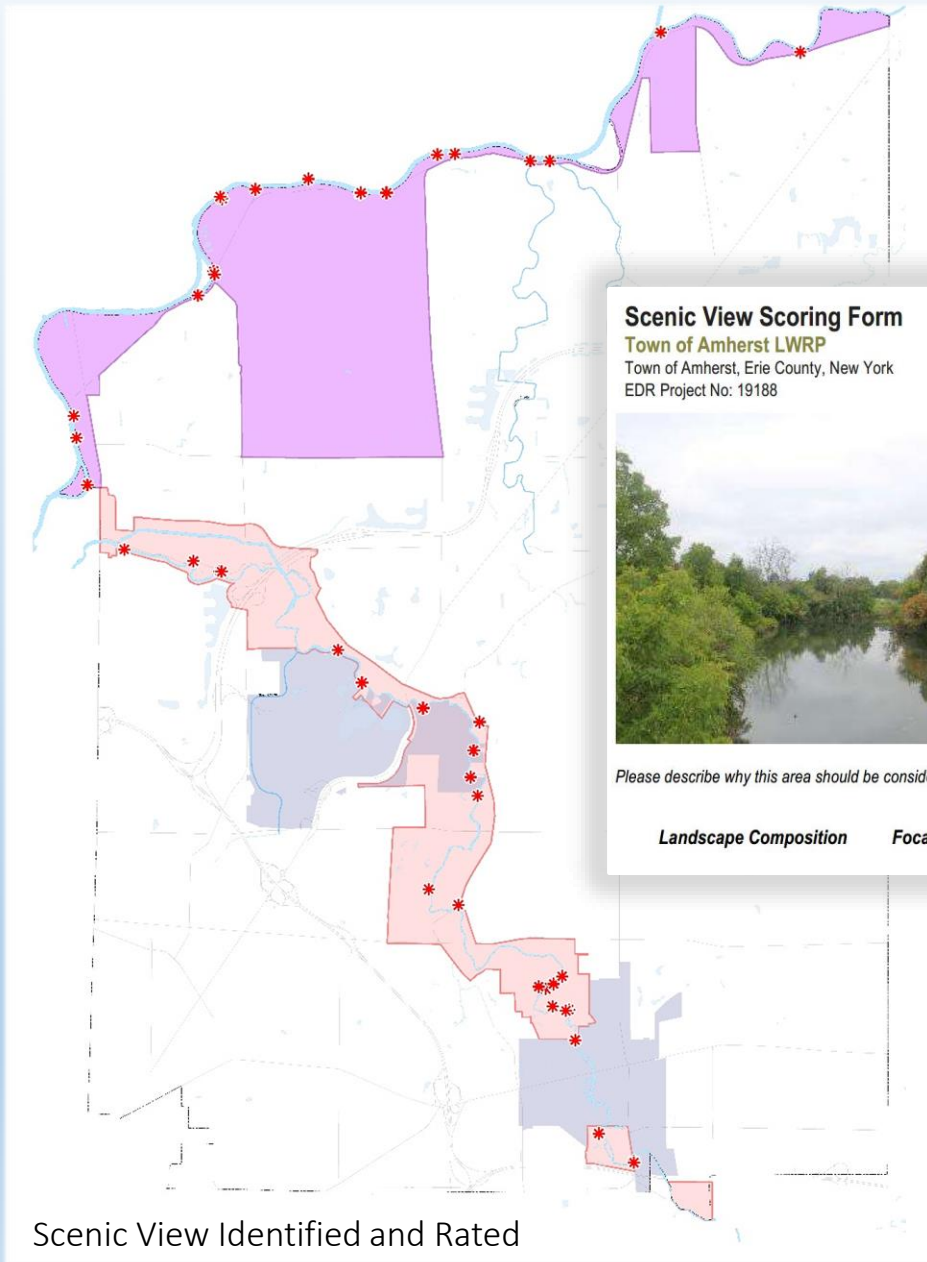


Ellicott Creek at University at Buffalo



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

Significant Local Scenic Views



Scenic View Identified and Rated

Policy 25

“Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but scenic quality which contribute to the overall of the waterfront area.”

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

Scenic View Scoring Sheet



Section II: Scenic View Exercise

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.”

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.

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.

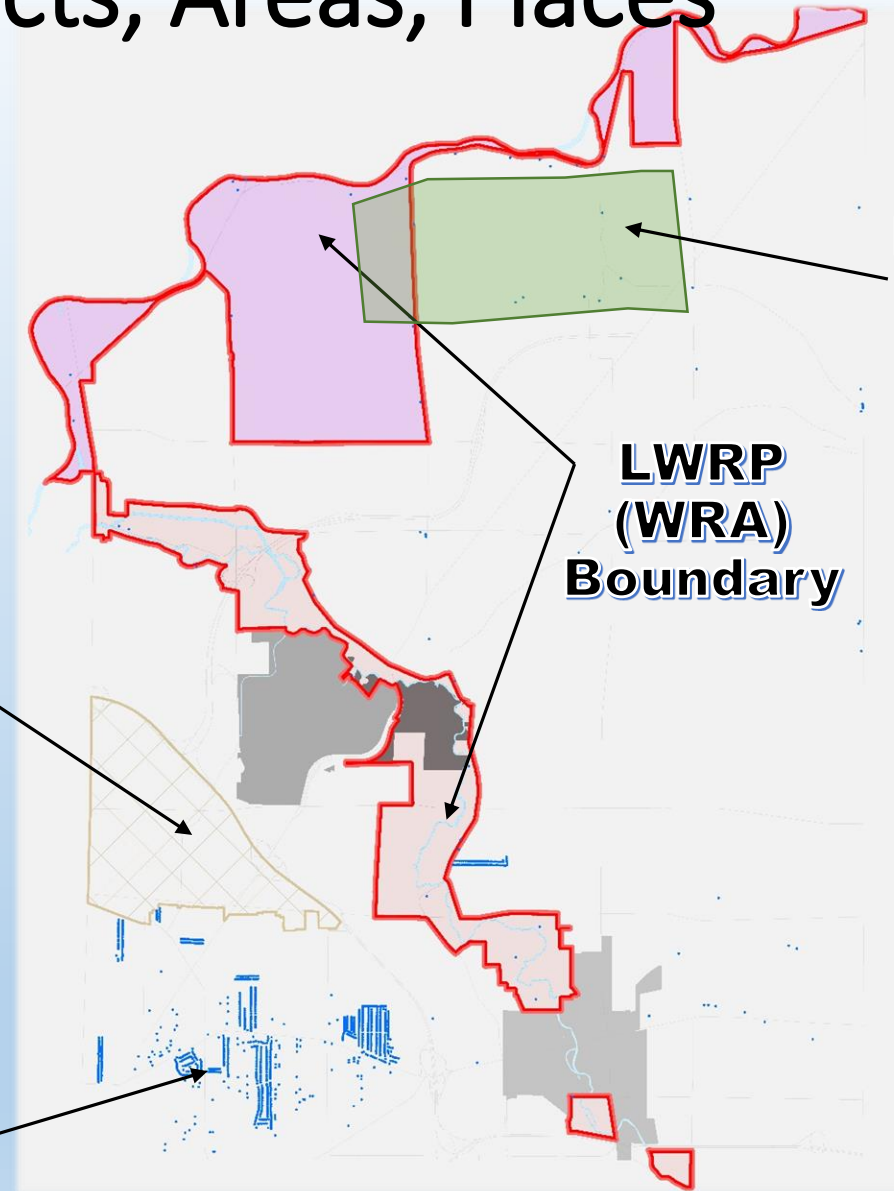
Weather/Seasonal Scenes: Please note any conditions that, if different, could influence the perceived scenic quality of the existing features of the landscape (atmospheric condition, seasonal changes, etc.). High scoring photos would have a strong scenic quality in all four seasons, while low scoring photos would have no scenic quality in any season.



Special Town Districts, Areas, Places

The Town of Amherst contains many special districts and historic property designations. To determine if your property is within a special district or identified as a historic residence please visit the Town website. Special considerations may apply to your property.

The Local Waterfront Revitalization Program boundary encompasses 8.19 square miles. There are approximately 2,300 landowners within the boundary. Single family homes and a majority of places where the Town issues permits related to residential property are exempted from the WRA. However, certain actions may trigger a consistency review as part of the Town's local law, as described. Appendix A.



**Erie County
Ag District
#17**

**LWRP
(WRA)
Boundary**

**Boulevard
Central
District**

**Blue Rated
Historic
Properties**



Sections of the LWRP Plan

SECTION 1 – WRA BOUNDARY

SECTION 2 – INVENTORY & ANALYSIS

SECTION 3 – POLICIES

SECTION 4 – PROJECTS

SECTION 5 – IMPLEMENTATION

SECTION 6 – STATE ACTIONS & PROGRAMS

SECTION 7 – LOCAL COMMITMENT

APPENDIX A – CONSISTENCY REVIEW



Components of the LWRP

An LWRP is a comprehensive land and water use program that expresses a vision for the waterfront area and provides the framework to achieve that vision. The LWRP contains seven sections detailing different aspects of the Amherst Waterfront Revitalization Area (WRA). In addition includes the local law to ensure consistency of local actions with the LWRP.

- **Section I** Description and map of the Town of Amherst WRA boundary. (Predominantly follows roadways or road right-of-ways)
- **Section II** Inventory of existing resources & conditions within the WRA and an analysis of the needs & opportunities facing the WRA.
- **Section III** A complete list of the LWRP policies along with explanations regarding the state & local context of each policy.
- **Section IV** Proposed long-term land and water uses within the WRA, along with short and long-term projects that the Town would like to pursue to revitalize its WRA.
- **Section V** Overview of local laws, management structures, and financial resources necessary to implement the LWRP vision, policies, and proposed projects.
- **Section VI** A list of State actions and programs which must be undertaken in a manner consistent with the LWRP.
- **Section VII** Summarizes the Town's actions to obtain local input and support for the development of this LWRP.
- **Appendix A** Includes the local consistency review law that supports the implementation of LWRP policies, the municipal management structure for the implementation of the LWRP, and the related Waterfront Assessment Form (WAF). This form is used during the review of potential development in the WRA.



Shared Waterfront Goals and Policies

- The Comprehensive Plan recognizes the Town's waterfront area as a significant community asset and includes goals and policies related to natural resource protection and public waterfront access.
- These waterfront goals and policies are, in turn, supported by the LWRP.



Waterfront Goals

- Highlight the scenic and aesthetic beauty of the Town's waterways
- Increase public access to Town waterways
- Enhance amenities at existing public parks and create new public parks
- Add and enhance multi-use trails to 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



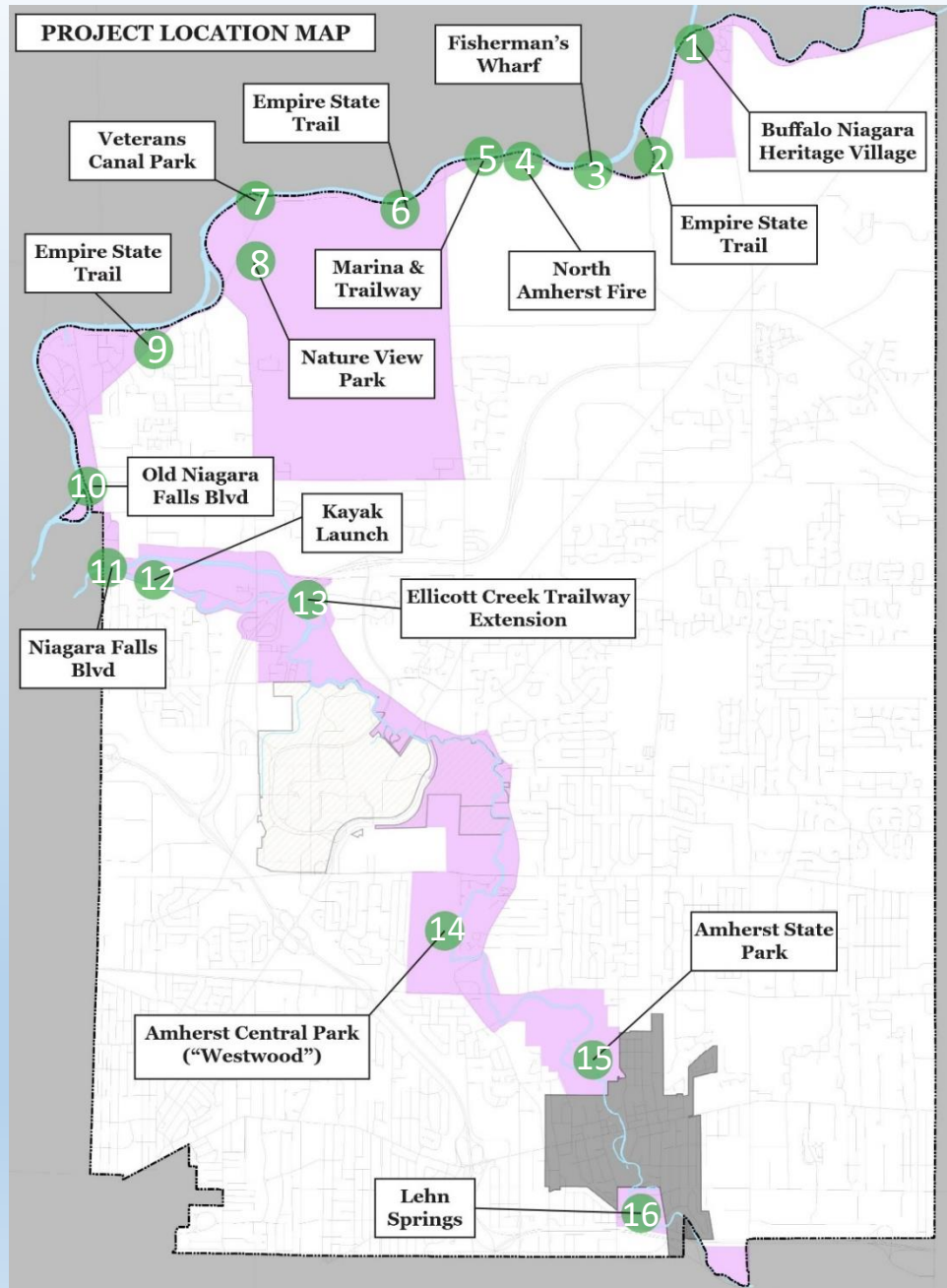
Framework for Implementation & Policies

The LWRP includes 44 policies that serve as a legal framework for its implementation. These policies are organized and grouped under eleven general headings:

- **Development Polices** (Policies #1-6)
- **Fish and Wildlife Policies** (Policies #7-10)
- **Flooding and Erosion Hazards Policies** (Policies #11-17)
- **General Policy** (Policy #18)
- **Public Access Policies** (Policies #19 and 20)
- **Recreation Policies** (Policies #21 and 22)
- **Historic and Scenic Resources Policies** (Policies #23-25)
- **Agricultural Lands Policy** (Policy #26)
- **Energy and Ice Management Policies** (Policies #27-29)
- **Water and Air Resources Policies** (Policies #30-43)
- **Wetlands Policy** (Policy #44)



Waterfront Revitalization Area (WRA) and Waterfront Project Location Map



Waterfront Planning Project Locations

Throughout the process the LWRP identified several specific locations for waterfront planning projects.

Tonawanda Creek Project Sites:

- 1) Buffalo Niagara Heritage Village -BNHV (Museum) & Oakwood Golf Course Improvements
- 2) The Empire State Trail – Connectivity and Amenities Improvements
- 3) Fisherman's Wharf Master Plan and Park Improvements
- 4) North Amherst Fire Station Waterfront Park Improvements
- 5) Amherst Marina Club House and Dock- Circulation Study and Access Improvements
- 6) Empire State Trail and missing Bike Path Connections
- 7) Veterans Canal Park Improvements
- 8) Nature View Park Master Plan and strengthening connections between inland waterways
- 9) Empire State Trail - Erie Canal greenway & adjacent recreation land connectivity and improvements

Ellicott Creek Project Sites:

- 10) Old Niagara Falls Boulevard Road Improvements
- 11) North Ellicott Creek Road Improvements
- 12) Proposed Kayak Launch Site
- 13) Ellicott Creek Trailway Extension and Multi-Modal Improvements
- 14) Amherst Center Park Site - Former Westwood Golf Course Improvements
- 15) Amherst State Park Boardwalk Trail and Park Improvements
- 16) Lehn Springs Neighborhood Flood Mitigation



Waterfront Planning Projects



Old NF Blvd near Ellicott Creek Park



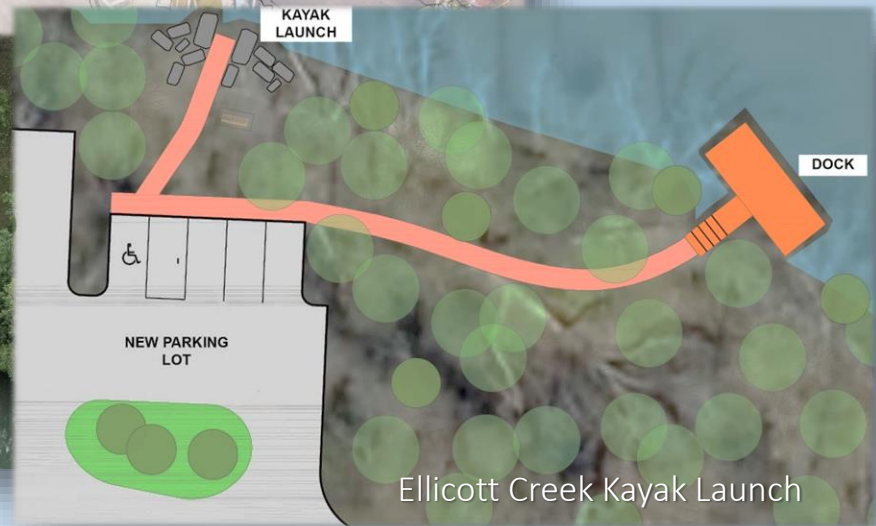
Niagara Falls Boulevard and Ellicott Creek



North Amherst Fire Station



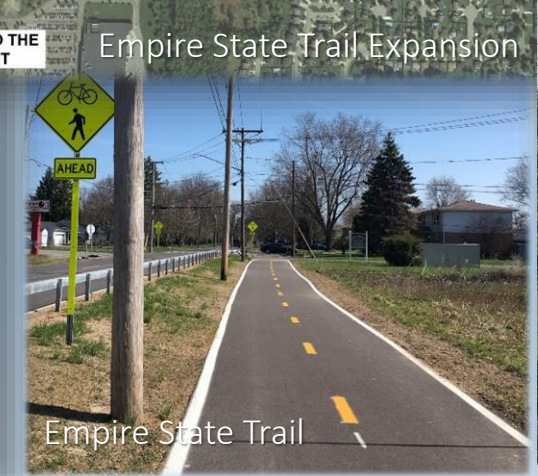
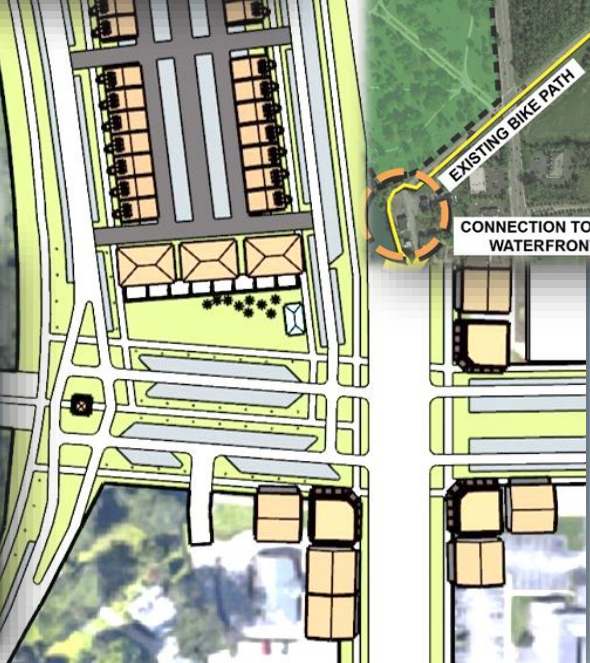
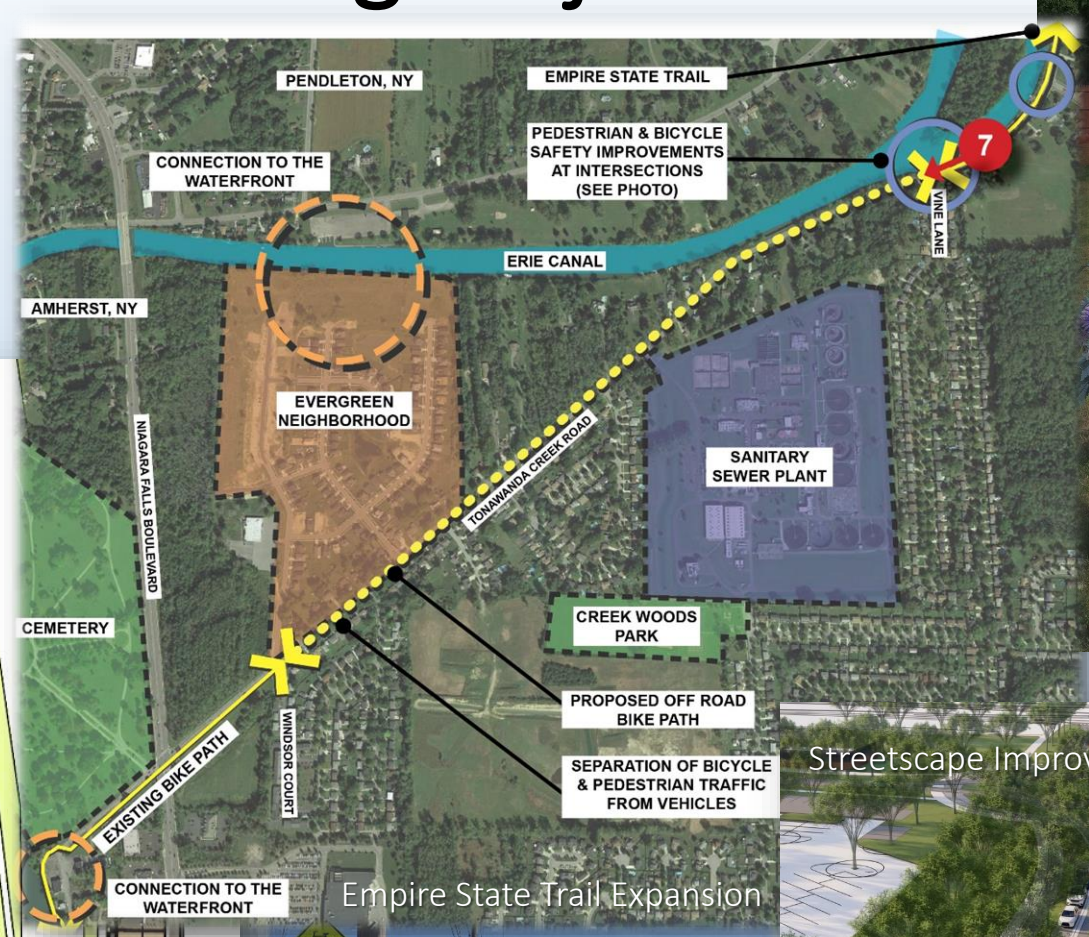
Boat Launch at Veterans Canal Park



Ellicott Creek Kayak Launch



Waterfront Planning Projects

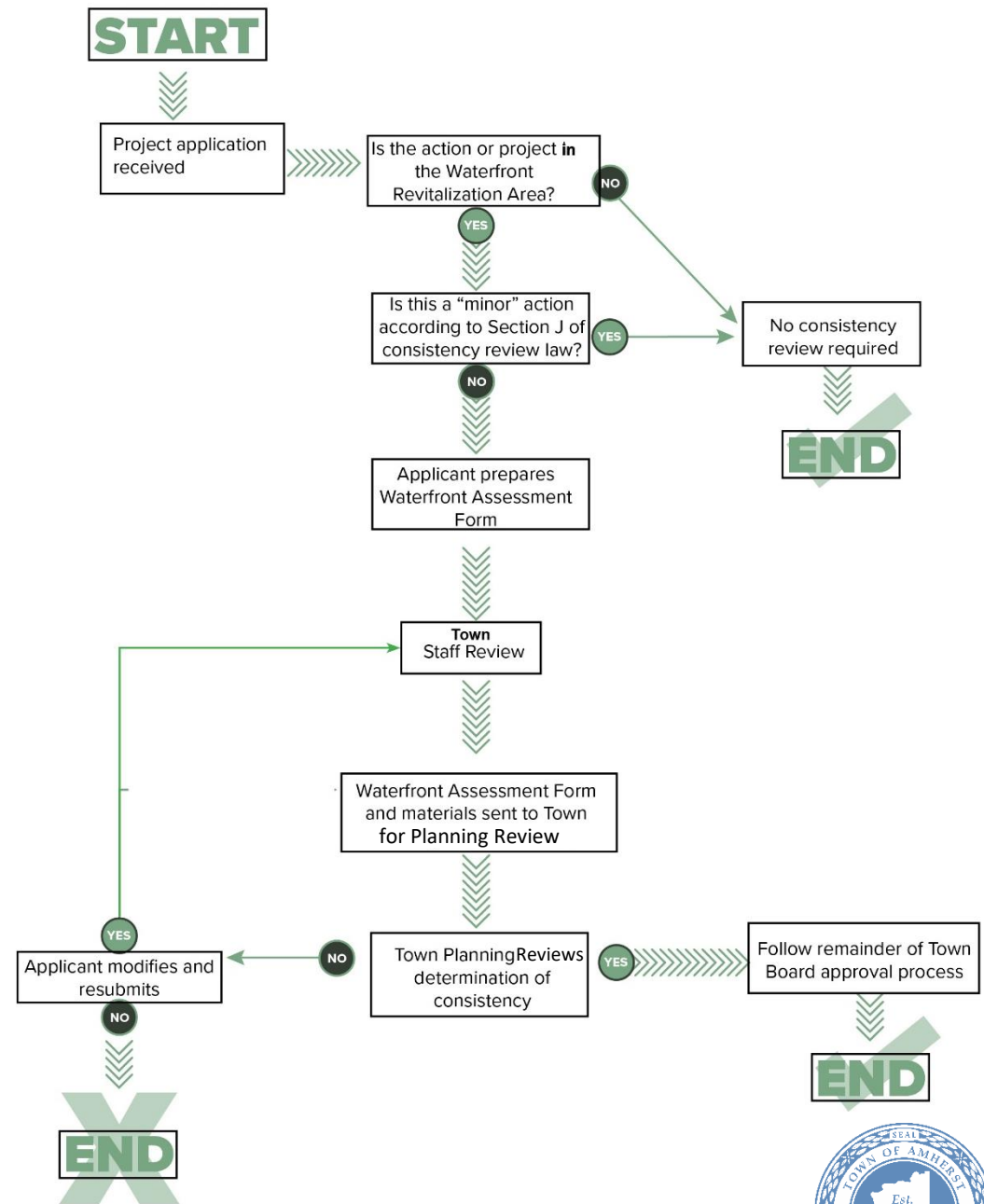


Consistency Review Law

How will the LWRP influence development along the waterfront?

Concurrent with the adoption of the LWRP, the Town may approve a local law entitled the Town of Amherst LWRP Consistency Review Law. The purpose of this local law is to provide a mechanism for the Town to ensure consistency with LWRP policies for proposed development actions/projects within the WRA.

- For a proposed project to be successfully implemented and developed within the WRA, the project must undergo a consistency review.
- Waterfront consistency review is necessary only if the proposed action occurs in the WRA and it is not a “minor” action as defined by Section J of the Waterfront Consistency Law.
- An applicant must complete a Waterfront Assessment Form to be reviewed by the Town. Upon approval of consistency with the LWRP, the proposed project/action can move to the next phase of implementation.



LWRP REMAINING STEPS

NYS DOS Concludes “60 Day Review” & Administrative Items (March 25th 2023)

Amherst Town Board Adopts the Local Waterfront Revitalization Plan (April 2023)

NYS Department of State starts the Approval Process

NYS Secretary of State Approves the Town of Amherst LWRP Plan



QUESTIONS?



REFERENCES/CITATIONS

- New York State Department of Environmental Conservation. July 31, 2000. revised December 13, 2019. "Program Policy: Assessing Mitigating Visual and Aesthetic Impacts ". DEP-00-2. Division of Environmental Permits, Albany, New York. Accessed October 2022. https://www.dec.ny.gov/docs/permits_ej_operations_pdf/visualpolicydep002.pdf
- State of New York. 6 NYCRR Part 617 – State Environmental Quality Review https://www.dec.ny.gov/docs/permits_ej_operations_pdf/part617seqr.pdf
- State of New York. Department of Environmental Conservation. SEQR. Question 9 – Impact on Aesthetic Resources – Full EAF Part II. Accessed October 2022. <https://www.dec.ny.gov/permits/91750.html>
- Smarden, R.C., J.F. Palmer, A Knopf, K. Grinde, J.E. Henderson and L.D. Peyman-Dove. 1988. "Visual Resources Assessment Procedure for U.S. Army Corps of Engineers. Instruction Report EL-88-1 ." Dept. of the Army, U.S. Army Corps of Engineers. Washington, D.C.
- James F. Palmer. June 2018. "The contribution of key observation point evaluation to a scientifically rigorous approach to visual impact assessment ". Landscape and Urban Planning 183 (2019) 100-110
- Northern Pass Transmission Line Project Environmental Impact Statement. Visual Impact Assessment. A Technical Report for the Northern Pass Transmission Line Project Final Environmental Impact Statement. Prepared for United States Department of Energy Office of Electricity Delivery and Energy Reliability. Prepared by T.J. Boyle Associates. August 2017.
- DOE/EIS 0463. Final Northern Pass Transmission Line Project Environmental Impact Statement Summary. U.S. Department of Energy Office of Electricity Delivery and Energy Reliability. Washington D.C. August 2017. <https://www.energy.gov/sites/prod/files/2017/08/f35/EIS-0463-FEIS-Summary.pdf>
- DOE/EIS 0463. Final Northern Pass Transmission Line Project Environmental Impact Statement Volume 2 Appendices A-K. U.S. Department of Energy Office of Electricity Delivery and Energy Reliability. Washington D.C. August 2017. https://www.energy.gov/sites/prod/files/2017/08/f35/EIS-0463-FEIS-v2_App_E-2.pdf
- Boyle Associates, T. J. (2017). Visual impact assessment: A technical report for the Northern Pass Transmission Line Project environmental impact statement. Washington, DC: US DOE, Office of Electricity Delivery and Energy Reliability.
- U.S Department of the Interior. Bureau of Ocean Energy Management. Visualization Study for Offshore North Carolina. Presentation prepared for North Carolina Visual Task Force. Prepared by Mangi Environmental, T.J. Boyle Associates, LPES, Inc. 2012. Accessed October 2022. <https://www.boem.gov/sites/default/files/renewable-energy-program/State-Activities/NC/NC-Visualization-Task-Force-Pres.pdf>
- Town of Amherst Local Waterfront Revitalization Program draft plan https://www.amherst.ny.us/pdf/planning/lwrp/220901_draft_lwrp.pdf
- Environmental Design & Research, P.C. September 2004. "Generc Visual Impact Assessment for the New York State Statewide Wireless Network".
- T.J. Boyle Associates www.tjboyle.com
- Tatiana Ilina. Architectural Precedents. Camouflage House. Suncrest Residence. Heliotrope Architects. Orcas Island, Washington, USA.
- Vermont Electric Power Company <https://www.velco.com/>
- Town of Amherst Surveys (Neighborhood Meetings 2018 & Waterfront Advisory Committee Meetings 2019)
- Photographs taken by staff from T.J. Boyle Associates and Jeffrey Szatkowski.
- Town of Canandaigua. Zoning. http://www.townofcanandaigua.org/documents/files/SCENIC%20VIEWSHED%20OVERLAY%20DISTRICT_10042021.pdf
- City of Newburgh. <https://dos.ny.gov/system/files/documents/2019/05/newburghappa.pdf>
- Cornell University. Conservation Overlay Zoning Webinar March 23, 2022. <https://cornell.app.box.com/s/nuiwcfywsbneo8tfgm5tt4p8k0j3kf1f>
- Empire State Trail Design Guide October 10, 2017. https://www.ny.gov/sites/default/files/atoms/files/2017.10.18_EST_Design_Guide_lr.pdf

