



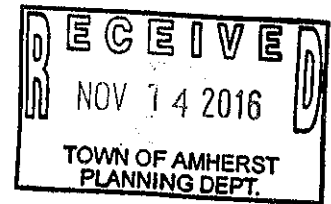
# TOWN OF AMHERST

ENGINEERING DEPARTMENT

ERIE COUNTY – NEW YORK

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

November 11, 2016



TO: Ellen M. Kost, AICP – Associate Planner

FROM: Jeffrey S. Burroughs, PE – Town Engineer *JSB*

SUBJECT: Request to Rezone 146.7+/- Acres – Amendment I  
RC to TND, MFR-7 & GB & Planned Unit Development  
Z-2014-23

ADDRESS: 772 North Forest Road and 385 & 391 Maple Road  
(Westwood Country Club)

PETITIONER: Mensch Capital Partners, LLC

This office has reviewed the Rezoning Application for a Planned Unit Development – Amendment I and offers the following comments:

- 1 It is important to note that there is no available capacity in the Sheridan Drive trunk sewer which is the planned location for the sanitary sewage flows produced by the proposed development. During wet weather events, wastewater surcharges to an elevation of 586 feet within the Sheridan Drive trunk sewer. Noting that these surcharge conditions exist, and upon review of the (preliminary) elevations of the sanitary system as proposed in the DGEIS, the proposed onsite sewer would also surcharge to similar elevations leading to poor hydraulic conditions within the proposed development. Given these conditions, the Town of Amherst Engineering Department will not grant downstream capacity approval for this development's tie in to the Sheridan Drive trunk sewer.
- 2 The Town of Amherst Engineering Department disagrees with the petitioner's statement in Section 6.12.1 of the DGEIS that "...the project sponsor will be required to provide for approximately 1,962,240 gallons of I&I reduction with the Town's sanitary system." It is the Town of Amherst Engineering Department's understanding of the NYSDEC's I&I offset requirement that project sponsors must provide I&I reductions of 4 times the peak flow, which for this development would be 3,997,600 gallons per day (999,400 gallons per day X 4).
- 3 Two of the three I&I reduction strategies proposed by the petitioner in Section 6.12.1 of the DGEIS such as sanitary retention facilities and oversized SSO relief sewers are unacceptable and will not be approved for I&I offset credits within the Town of Amherst. These strategies are peak flow mitigation strategies but do not reduce any existing in-system I&I.
- 4 As noted within the Amended Rezoning Application (Exhibit F) and Section 6.12.1 of the revised DGEIS, sanitary flow monitoring completed by the petitioner confirms that "during storm events that generate greater than a half inch of daily rainfall, there is a surcharge within the downstream sanitary system". The petitioner also notes within this section that a full Downstream Sanitary Sewer Capacity Analysis (DSCA) will be required to be completed and approved by numerous regulatory agencies. Further noted by the petitioner within the current revisions are the potential environmentally significant measures that may need to be

employed to address the noted surcharging and to also meet the requirements of the NYSDEC policy requiring that developments proposing to convey more than 2,500 gallons per day are also required to also provide a mandatory I&I flow offset mitigation plan. While one of the three proposed methods may be acceptable to the Town (targeted sanitary system improvements), the petitioner has provided no comments by any regulatory agencies regarding their potential acceptability of these significant measures if they were to be proposed by the petitioner. It is important to note that substantial on and off-site capital improvements will be required to address the existing lack of downstream sanitary sewer capacity to accommodate this development and to address the mandatory requirements for I&I flow offsets.

- 5 Exhibit F of the Amended Rezoning Application is devoid of any information relative to the required detailed hydraulic analysis that must be provided to the Town's Floodplain Administrator and also submitted to the Federal Emergency Management Agency ("FEMA") for review and approval. This analysis is required due to the proposed placement of earthen fill within the 100-year floodplain of Ellicott Creek and requires a Letter of Map Revision Based on Fill ("LOMR-F") to be obtained from FEMA. The LOMR-F is a revision and modification of the effective Flood Insurance Rate Map ("FIRM") as the result of fill placement within the floodplain of Ellicott Creek. The LOMR-F process requires that a detailed hydraulic analysis prepared by a licensed engineer be completed and submitted for review and approval. The detailed hydraulic analysis will determine any base flood elevation impacts associated with filling within the 100-year floodplain area as proposed and will also be used to analyze and establish limits of fill to mitigate any of these potential impacts.
- 6 It is important to note that the proposed incorporation of fill into a portion of the 100-year floodplain will ultimately remove the filled portion(s) of the project site from the 100-year floodplain and without the submission of this detailed analysis, the impacts to the balance of the Ellicott Creek floodplain are impossible to determine.
- 7 Stormwater sections of the Amended Rezoning Application and revised DGEIS continue to present the likely requirement for a Stormwater pump station to be employed due to "preliminary assessment of existing site topography, storage capacity requirements and the flood elevations within Ellicott Creek". As also noted further, "as the detailed stormwater management elements of the proposed project evolve and are further evaluated, analyzed and designed the Project Sponsor will evaluate the avoidance of utilizing a stormwater station in favor of a traditional gravity stormwater management system". We continue to note that if a new stormwater pump station is ultimately proposed by the petitioner that it would be required to be owned, operated and maintained by the petitioner or contractual third-party. Further, please note that this arrangement would also dictate other ownership and maintenance responsibilities as no public stormwater can be tributary to a private pump station.
- 8 The Town of Amherst Engineering Department strongly objects to the addition of another traffic signal within the heavily traveled corridor of Sheridan Drive/North Forest/I290. It is this department's opinion that other site configurations must be considered to minimize the traffic impact on the aforementioned corridor.

cc: Barry A. Weinstein, M.D. – Town Supervisor