



October 7, 2016

Eric W. Gillert, AICP, Planning Director
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Re: **Rezoning & Planned Unit Development Application- *Application Amendment 1***
Project Name: Westwood Neighborhood
Project Site: 772 North Forest Road, 385 & 391 Maple Road
Applicant/Project Sponsor: Mensch Capital Partners, LLC

Dear Mr. Gillert:

Enclosed is a copy of the First Amendment to the Rezoning and Planned Unit Development Application and supporting documentation (“Rezoning Application”) being submitted on behalf of Mensch Capital Partners, LLC (“Mensch” or “Project Sponsor”) in connection with the proposed Westwood Neighborhood (“Westwood”) project. The Rezoning Application has been revised as per the Second Revised Draft Generic Environmental Impact Statement (“DGEIS”) that was determined to be complete and adequate for public review and distribution to all involved and interested agencies as per a formal resolution of the Town Board on December 28, 2015.

I. Overview of Proposed Mixed Use Redevelopment Project:

The Project Sponsor proposes to redevelop the Project Site as a traditional mixed use neighborhood with a pedestrian friendly design based on the mixed use and redevelopment planning goals and objectives contained in the Town’s adopted Bicentennial Comprehensive Plan (“Comprehensive Plan”). The Project Sponsor believes that the proposed project will provide a new pedestrian friendly and sustainable traditional neighborhood in the heart of Amherst featuring a variety of residential uses, an appropriately sized and scaled neighborhood center and numerous publicly accessible amenities such as an approximately 23 acre park, including an approximately 5 acre lake, adjacent to the Ellicott Creek corridor, over two miles of pedestrian and bike trails and designated areas for social gathering and events including the repositioned original Westwood Clubhouse, a structure originally constructed in 1928. Approximately 64 acres of the Project Site will consist of permanent open space, including a substantial buffer area along the western perimeter of the Project Site that will include berms and intensive landscaping.

A full size color Preliminary Conceptual Master Plan for the mixed use redevelopment plan is provided at Exhibit "G" of the enclosed Rezoning Application. The proposed mixed use project is predominantly residential and includes a broad range of residential uses (single-family residences, patio homes, townhomes, upscale apartments and mixed use buildings with residences on the upper floors) and senior living components (assisted and independent living apartments) as well as a mixture of commercial uses including a four-story hotel, neighborhood businesses (shops, restaurants and service businesses) and professional offices.

In connection with the mixed use redevelopment project, a new north-south public roadway to connect Maple Road and Sheridan Drive with traffic calming measures such as a traffic circle and a center landscaped median will be constructed and no roadway connections will be made to either the existing Fairways neighborhood to the west of the Project Site or North Forest Road.

II. Rezoning Application Amendments:

The DGEIS was revised based on input received from the Town Board, interested and involved agencies and comments made by residents during the public hearing regarding the proposed mixed use neighborhood. Please note the following summary of the amendments to the Rezoning Application based upon the changes made to the Preliminary Conceptual Master Plan:

- Two-Story Attached Condominium Townhomes: Relocation of the attached condominium townhome component from the portion of the Project Site between the new north/south public roadway and the adjacent residential subdivision along Fairways Boulevard to both sides of the new north/south public roadway extending from the intersection with Maple Road to the proposed traffic circle. This modification was made based on input from nearby property owners, and particularly those on the east side of Fairways Boulevard, indicating the attached two-story attached condominium townhouse buildings would not be viewed as being compatible with the scale and size of the existing single family homes. The portion of the Project Site between the new north/south public roadway and the adjacent single-family homes on the east side of Fairways Boulevard has been redesigned to consist of single-family patio homes that are similar in scale and size to the existing single-family homes on Fairways Boulevard. One of the benefits of this modification is that it eliminates a concentrated number of driveway curb cuts that were previously positioned along the new north/south public roadway to service the previously proposed single family residential lots, creating a number of potential conflict points with through traffic on the new north/south public roadway. The two-story attached condominium townhome units will now be serviced with rear entry garages and rear a private road for access as depicted on the updated Preliminary Conceptual Master Plan.

- Senior Living Development: The assisted and independent living senior care facility has been redesigned to consolidate parking from the rear to the front and side yard portion of the two-story building. This effort has created an opportunity to increase the rear yard setback from the building and parking area to the rear property lines of the homes on the eastern side of Fairways Boulevard. More specifically, the building setback has been increased from 175 ft. to 185 ft. and the parking setback has been increased from 110 ft. to 200 ft.

- Clubhouse & Public Event Space: In order to ensure sufficient parking will be available for future use of the existing clubhouse facility as commercial and/or community facility space, approximately 64 additional parking spaces have been added within a new parking field directly south of the clubhouse.

- Sheridan Drive Limited Access Driveway: The Preliminary Conceptual Master Plan included in the initial DGEIS submitted on July 7, 2014 included a limited access “right-in/right-out” only driveway from the Project Site to Sheridan Drive. Based on input received from the New York State Department of Transportation (“NYSDOT”) regarding its preference for a single roadway connection to Sheridan Drive, which is a NYS Highway, the previously proposed “right in/right out” only driveway has been eliminated.

- Synagogue Site: In an effort to provide for a more diverse offering of mixed uses and to accommodate a prospective interested user, the updated Preliminary Conceptual Master includes a 25,000 square foot synagogue in the northeast corner of the Project Site. The preliminary conceptual synagogue plan includes 184 parking spaces and would provide for a 100 ft. permanent open space buffer to existing residents along the south side of Maple Road.

- Maple Road Intersection: The Project Sponsor has entered into a contingent contract to purchase the existing parcel at 375 Maple Road, which currently consists of a rental single-family home. The Project Sponsor entered into a contract to purchase 375 Maple Road in order to increase the frontage of the Project Site on Maple Road, which will better accommodate the proposed intersection with the new north/south public roadway connecting Maple Road and Sheridan Drive.

III. Requested Rezoning Description:

In order to accommodate the mixed use project, the Project Sponsor is requesting that the zoning classification of portions of the Project Site be amended as follows:

- 131.71 acres from Recreation Conservation District (RC) to Traditional Neighborhood Development District (“TND”);
- 13.59 acres from Recreation Conservation District (RC) to Multifamily Residential District Seven (“MFR-7”);
- 1.40 acres from Recreation Conservation District (RC) to General Business District (“GB”);

It is important to mention that the proposed mixed use redevelopment project is subject to the Town’s Planned Unit Development (“PUD”) review process since the size of the Project Site is greater than 30 acres. The Project Sponsor has thoroughly considered the PUD performance standards in connection with the project layout and Exhibit “P” of the enclosed Rezoning

Application provides a detailed narrative prepared for the purpose of describing the manner by which the Project Sponsor intends to comply with the applicable PUD performance standards. Additionally, Exhibit "Q" provides the proposed Draft Planned Unit Development Agreement ("Agreement") which is intended to clearly define and stipulate the conditions and restrictions that shall be considered as conditions precedent to the issuance of building permits and certificates of occupancy for the proposed mixed use project. The conditions and restrictions as defined within the Agreement are further detailed within the Westwood Design Standards ("Standards") attached at Exhibit "R". The Standards provide a framework of desired characteristics for the development of the mixed-use neighborhood and include design considerations for architectural features, materials, building massing, vehicular circulation, parking, pedestrian access, site landscaping, lighting and signage. The Standards are meant to provide a manual which establishes the design criteria that will be implemented to ensure the mixed use project will be in compliance with the PUD objectives.

The Rezoning Application includes detailed supporting documentation and a complete listing of the exhibits may be found at Exhibit "A" ("Exhibit Listing").

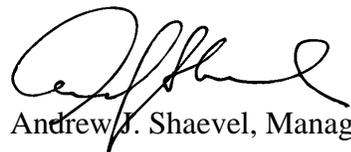
III Conclusion:

The Project Sponsor has worked diligently in collaboration with locally and nationally respected consultants to design and propose the new Westwood Neighborhood as a mixed use development that is purposefully aligned with the development and planning goals and objectives outlined in the Town's Comprehensive Plan. We believe that our proposal will generate significant social, environmental and economic benefits for the Town and its residents, and will further support and enhance the quality of life and livability in the Town of Amherst.

If you have any questions regarding the enclosed Rezoning Application, Planned Unit Development Applications or the proposed mixed use redevelopment project, please feel free to contact Andrew Shaevel at 362-7880 or via e-mail at andy@menschcapitalpartners.com or Sean Hopkins at 510-4338 or via e-mail at shopkins@hopkinsorgi.com.

Sincerely,

MENSCH CAPITAL PARTNERS LLC



Andrew J. Shaevel, Managing Partner

Enc.

cc: Dr. Barry A. Weinstein, Supervisor- Town Board
Steven D. Sanders, Deputy Supervisor- Town Board
Ramona D. Popowich, Councilmember- Town Board
Dr. Deborah Bruch Bucki, Councilmember- Town Board

Cover Letter to Eric W. Gillert, AICP, Planning Director

October 7, 2016

Page 5

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