

CARMINAWOOD DESIGN

September 30, 2026

Scott Marshall, Principal Planner
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Re: Site Plan Review - SP-2026-08
Uptown Apartments Development
Address: 2190-2220 Wehrle Drive
Amherst, NY

Mr. Marshall:

On behalf of our client, Young Development, please find enclosed the following documents being submitted in connection with the pending request for Site Plan Approval for the above-referenced project:

- (9) Plan Set 24" x 36", last signed and dated 09/29/26;
- (3) Engineer's Report revised September 2026; and
(3) SWPPP Report revised September 2026
- (9) Letter from Amy Dake, dated Sept 21, 2026 addressing ATSB Approval Memo dated Aug 6, 2026
- (9) Updated Part 1 EAF, dated Sept 30, 2026
- (9) 11x17 10-unit Apartment Type C Apartment Building, dated 06/09/25

The following sections of this letter have been prepared for the purpose of responding to the written comments from the Town of Amherst and involved agencies regarding the review of the Project Sponsor's pending request for Site Plan Approval from the Planning Board for the proposed Uptown Apartments Development project. For convenience, each of the written comments received are included below in *italics*, followed by a response.

I. ENGINEERING SERVICES DIVISION REVIEW: Letter dated 8/13/26:

1. *Hydrants have been added to the landscape plan however it appears 3 of the 4 hydrants have conflicts with the proposed trees. Please revise plans accordingly.*

Response: The Landscape Plan has been updated accordingly to remove trees in conflict with hydrants.

2. *The Preliminary Existing Water System Analysis Report provided during the BCPA-2025-01 shall be updated and submitted. Please ensure the unresolved comments*

from Engineering Services letter dated October 20, 2025 are addressed. Please note, this is not the responsibility of ECWA and should be performed by the design engineer utilizing the expected demands as well as the proposed booster pumps.

- This comment has not been addressed with the August 3, 2026 submission. The emails from ECWA were provided to this office during the rezoning and the review comments provided on October 20, 2025 from this department shall be satisfied.*
- The provided response letter notes that booster pumps will not be used. The water system analysis model and report still need to be updated; however, booster pumps do not need to be included if they are not proposed. Please remove the reference within the water calculations that still note booster pumps are proposed.*
- Please also note, the change in elevation from the main to the highest fixture is slightly higher than what is provided within the Engineer's Report and puts the pressure at the highest fixture at 20 psi. It is understood that the petitioner acknowledges this and as part of the current submission and conditional approval, booster pumps are not allowed and shall not be installed later.*

Response: This comment will be addressed before the Planning Department stamps the final engineered plans as approved.

- 3. ECWA and ECDOH approvals shall be provided to Engineering Services prior to issuance of PIP or plumbing permits.*

Response: The Project Sponsor acknowledges the need to comply with this standard condition.

- 4. PIPs are required for the proposed sanitary sewers, waterlines, and possibly the public storm connection. Please coordinate with Jessica Boudreau at JBoudreau@amherst.ny.us for PIP application and submission requirements a minimum of one month prior to the anticipated start of construction. All PIP improvements shall be installed in accordance with the current Town design standards and/or requirements at the time of PIP issuance.*

Response: Acknowledged. The Project Sponsor will obtain the required PIPs from the Town Board prior to the commencement of construction of the project.

- 5. Utility as-builts of the entire parcel shall be provided to the Engineering Services Division prior to issuance of Certificate of Occupancies. The as-builts shall note the liber and page of any existing or proposed easements.*

Response: The Project Sponsor acknowledges the need to comply with this standard condition.

II. **TRAFFIC SAFETY BOARD REVIEW : Letter dated 8/6/26:**

1. *Similar to comments provided during the rezoning phase, the Traffic Safety Board continues to have concerns regarding the existing operational deficiencies at Wehrle Drive and Garrison Road. Public complaints continue to be received regarding excessive delay. While the applicant previously noted that the project would increase total intersection volumes by only approximately 2%, they also acknowledged that improvements may be achievable through revised signal timing and/or phasing. As approximately 29% of site-generated traffic is projected to utilize this already deficient intersection, the Town is requesting revised AM and PM timing plans to better balance delay and improve overall operation.*

Response: This comment was also made on behalf of the Traffic Safety Board during its review of the Comprehensive Plan Amendment that was previously approved by the Town Board on October 27, 2025. The Town Board also issued a Negative Declaration pursuant to the State Environmental Quality Review Act ("SEQRA") in connection with the Comprehensive Plan Amendment. Given the very low volume of traffic to be generated at during the weekday peak travel periods the intersection of Wehrle Drive and Garrison Road as a result of the project, mitigation measures for existing traffic conditions at this intersection are not the responsibility of the Project Sponsor.

2. *The submitted TIS reports the existing AM westbound left-turn movement at Wehrle Drive and Garrison Road as LOS C with 23.2 seconds of delay, and the westbound thru/right movement as LOS A at 4.3 seconds of delay. These modeled results are not consistent with the Town's continuous signal performance data. ATSPM data from May 1 through August 5, 2026 indicates the westbound left averaged approximately 64 seconds of delay, with a median cycle delay of approximately 70 seconds, and experienced split failures during approximately 38% of AM peak-period cycles. The Town is requesting that the applicant reconcile the modeled results with the available ATSPM data and revise the existing condition analysis as necessary for all approaches during both the AM and PM peak periods. These findings should also be incorporated into the revised AM and PM signal timing evaluation requested in Comment #1.*

Response: Amy Dake, P.E. of Passero Associates has provided a letter addressing this comment and it has been included as a separate attached at the end of this letter.

3. *Revised Site Plans do not show the gated emergency-only access to Limestone Drive assumed in the submitted TIS. At this time, the Traffic Safety Board is not recommending closure of the connection. However, the Board cannot complete its review until the TIS is revised to reflect the full-access connection to Limestone Drive shown on the current plans and evaluate the resulting traffic distribution and impacts on the surrounding roadway network.*

Response: The Project Sponsor has proposed a two-way driveway connection to Limestone Drive based on input received during the Site Plan Application review process. This driveway connection satisfies the emergency access requirement for the project per Appendix D of the NYS Fire Code.

4. *Provide a vehicular connection to Garfield Road. While this specific connection is not specifically identified in the Amherst Bicentennial Comprehensive Plan, Chapter 6 supports roadway connections within and between subdivisions to improve local circulation, provide alternative routes, and reduce reliance on major corridors. The Plan also specifically identifies nearby Garfield Road connections as part of the Town's long-term roadway network. Consistent with these objectives, the Town is requesting that the applicant incorporate a connection to Garfield Road or demonstrate why such a connection is not feasible.*

Response: During the project review process, the Project Sponsor held numerous informational meetings with residents and they repeatedly expressed their strong opinion that the project not including a driveway connection to Garfield Road. The residents that spoke during the public hearings previously held by the Planning Board and the Town Board indicated they were opposed to a driveway connection to Garfield Road. It is important to note that the connectivity language cited from Page 6-6 of the Comprehensive Plan states as follows: "In general, connections should be provided in the Town's overall road network and within/between subdivisions to enhance vehicular circulation and reduce congestion. Traffic calming measures should be used where needed to protect neighborhoods from non-local, "cut-through" traffic (see Transportation Policy 6-2)." The above cited language applies to adjacent residential subdivisions which typically include public roadways. As such, the connectivity recommendation does not apply and it is also important to mention that Section 6.2 of the Comprehensive Plan specifically mentions connecting Garfield Road with the existing public roadways for existing residential subdivisions to the east of the Project Site. .

5. *The TIS identifies Oakwood Drive as a potential cut-through route between Wehrle Drive and Main Street, but does not evaluate the effect of the proposed development on traffic volumes or travel patterns along Oakwood Drive. In conjunction with the revised Limestone Drive access analysis and requested Garfield Road connection, revise the TIS to evaluate anticipated site-generated traffic through the surrounding local roadway network, including Oakwood Drive.*

Response: At the previous request of the Traffic Safety Board, the Traffic impact Study dated June 24, 2025 included Section 4.4 which addressed this comment and concluded the project will not result in any potentially significant adverse traffic impacts on Oakwood Drive.

6. *Provide additional sidewalk connections from the residential units to the central sidewalk system. As currently shown, the connections are limited and spaced for enough apart that pedestrians are likely to create informal paths across lawn areas rather than walk to the nearest designated connection. Additional connections should be provided between Buildings 600 and 800, 1000 and 1200, 1700 and 1900, and 2100 and 2300. Berms should be bisected or modified as necessary to accommodate these pedestrian connections.*

Response: Additional sidewalk has been added to provide a hardscape path to the central sidewalk system as requested.

7. *Install stop signs and stop bars at both Wehrle Drive site exits. Ensure that proposed screening and landscaping do not obstruct required sight distance at either driveway.*

Response: Stop signs and stop bars have been added as requested.

8. *Provide a second pedestrian connection to the public sidewalk along Wehrle Drive on the west side of the front traffic loop, mirroring the connection on the east side.*

Response: A second sidewalk connection has been added as requested.

9. *The new tenant parking area adjacent to the interior loop island in front of the clubhouse is not properly striped, signed, or geometrically configured for parking. Either revise the area to properly accommodate parking or remove the parking designation.*

Response: New tenant parking area adjacent to the interior loop island has been removed as requested.

III. **ERIE COUNTY DPW HIGHWAY REVIEW: Letter dated 8/13/26:**

1. *Sheet C-302: Proposed easterly entrance drive interferes with the existing catch basin. Revise plan sheet to include installation of a new structure outside of the entrance drive or relocate the entrance drive.*

Response: The plan has been revised as requested.

2. *Sheet C-402: Trench restoration for proposed waterline connection shall consist of full depth select backfill, 4 inches of base course, and binder course to match existing pavement grade. Final restoration shall also include a 1.5-inch mill and overlay 100 LF, centered on trench.*

Response: A note has been added to plan describing trench restoration as requested

Permit Requirements

1. *The Developer will be required to apply for and obtain an Erie County Highway Work Permit for Utility Work for the construction of utilities within the Wehrle Drive (CR-290) highway right-of-way.*

Response: Acknowledged.

2. *The Developer will be required to apply and obtain an Erie County Highway Work Permit for Non-Utility Work, for the construction of a subdivision entrances within the Wehrle Drive (CR-290) highway right-of-way.*

Response: Acknowledged.

IV. ENGINEERING DEPARTMENT SWPPP REVIEW - Letter dated 8/27/26:

1. *The quantitative stormwater discharge data must be included in the SWPPP.*

Response: Quantitative stormwater discharge will be included in the SWPPP as requested.

2. *Please add the grades to the micro-pool details (drawing no. C-305 & C-306).*

Response: The micro-pool details have been updated as requested.

3. *The outlet pipes shall have trash racks on the end at the ponds.*

Response: Trash racks have been added to the outlet pipes as requested.

4. *Please identify who will be responsible for long-term maintenance. A Stormwater Control Facility Maintenance Agreement will be required to be executed and filed with the Erie County Clerk's Office before close of project. A draft agreement shall be submitted to the SMO before three signed copies are required*

Response: The Project Sponsor will be responsible for the long-term maintenance of the on-site stormwater management system. A draft of the Stormwater Control Facility Maintenance Agreement will be provided as requested for review and approval by the Engineering Department prior to it being recorded at the Erie County Clerk's Office.

V. ZONING ENFORCEMENT OFFICER REVIEW - Letter dated 9/9/26:

1. *Buildings Nos. 300, 500, 700 (east property line) and 1500 (north property line) do not meet the minimum setback to the adjacent property lines required by §203-3-15-5 A (4) of Town Code. The setback required is 54.6 feet based on the building height of 27.3 feet.*

Response: A Variance Application has been submitted to the Town's Zoning Board of Appeals for the area variances being sought due to the Project Site being developed as two phases.

2. *Some of the plantings proposed do not meet the minimum size requirements of §203-7-2-3 A (g) of Town Code. The small ornamental trees used in clump form must be a minimum of 10 feet in height and all shrubs must be 24" in height at time of planting unless used for screening then they must be 48". Revise the plant schedule.*

Response: Per the Town comment, the Plant Schedule has been revised. The clump form tree height has been updated, and a shrub screening note has been added for the 48" minimum requirement.

3. *Curbing of the landscape islands adjacent to both sides of the side loading garages is not provided in accordance with §203-7-2-3 A (3) (k) of Town Code.*

Response: Curbing has been provided along the landscape island, but not at the edge of the driveway for snow plowing purposes.

4. *Any future approval by the Planning Board shall be conditioned that supplemental plantings may be required to be provided to the existing vegetation along the eastern property line to improve screening during post construction inspections by the Planning Director as stipulated in §203-7-2-4 B (1) (a) of Town Code.*

Response: Acknowledged. A note has been added to the landscape plan to further define what will be expected for the perimeter screening conditions. That note will read:

WITHIN THE DESIGNATED PERIMETER ZONE(S), EXISTING TREES, SHRUBS, AND UNDERSTORY VEGETATION CURRENTLY PROVIDING VISUAL SCREENING SHALL REMAIN AND BE PROTECTED THROUGHOUT CONSTRUCTION, EXCEPT WHERE REMOVAL IS SPECIFICALLY INDICATED ON THE PLANS. THE CONTRACTOR SHALL INSTALL HIGH-VISIBILITY PROTECTIVE FENCING ALONG THE LIMITS OF PERIMETER VEGETATION TO REMAIN (AS SHOWN ON THE PLANS). MAINTAIN FENCING THROUGHOUT CONSTRUCTION. NO EQUIPMENT ACCESS, MATERIAL STORAGE, STOCKPILING, EXCAVATION, OR GRADING SHALL OCCUR WITHIN PROTECTED PERIMETER AREAS. FOLLOWING INITIAL SITE CLEARING AND GRUBBING, THE PROJECT LANDSCAPE ARCHITECT SHALL EVALUATE THE RETAINED PERIMETER SCREENING IN COORDINATION WITH THE TOWN'S LANDSCAPE ARCHITECT. WHERE GAPS OR INSUFFICIENT SCREENING ARE IDENTIFIED, PROVIDE SUPPLEMENTAL PLANTINGS DURING CONSTRUCTION AND PRIOR TO PROJECT COMPLETION. ADDITIONAL PLANTINGS SHALL BE DETERMINED BY THE PROJECT LANDSCAPE ARCHITECT IN COORDINATION WITH THE TOWN'S LANDSCAPE ARCHITECT. VEGETATION DESIGNATED TO REMAIN THAT IS DAMAGED OR REMOVED BY CONSTRUCTION ACTIVITIES SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.

5. *Unable to determine compliance with §203-7-3-3 A and §203-7-3-6 of Town Code for any building mounted lighting as no detail of the light fixtures for the buildings were provided. Building mounted lighting in contributory to the overall site lighting and must be shown to comply with §203-7-3 -3 A and §203-7-3-3 B of Town Code.*

Response: No building mounted lights have been included in the lighting plan shown on the site plan. Building mounted lights will consist of typical area low-level residential lighting for a residence which is typically not shown on a lighting plan for a project. Illustration of locations for building mounted lights are shown on the apartment building elevation plans.

Notes:

1. *The Town Board on March 9, 2026, rezoned the subject parcel from OB to MFR-5 with no conditions (Z-2025-03).*
2. *The Zoning Board of Appeals on March 27, 2026, granted the following variances for the subject parcel (ZB-2026-00 15):*
 - *§203-2-5-3 for the accessory pump house structure to be 67 feet from the centerline of Wehrle Drive, whereas the zoning ordinance requires 115 feet.*
 - *§203-3-15-5 A (4) for building No. 2300 (now shown as to. 200) to be 32.73 feet from the west property line, whereas the zoning ordinance requires 54.6 feet.*
 - *§203-3-15-5 A (4) for building No. 900 (now shown as No. 1600) to be 39 feet from the north property line, whereas 40.95 feet is required.*
 - *§203-3-11-B (2) for the density of the site comprised of 270 dwelling units consisting of 80, one bedroom, 162 two bedroom and 28 three-bedroom units requires 26.37 +/- acres whereas the petitioner's site is 24.91 +/- acres.*
 - *§203-7-2-3 A (3) (k) to eliminate curbing for the three interior islands fronting each building, whereas the zoning ordinance requires all landscaped islands to be provided with 6-inch concrete curbing.*
3. *The Zoning Board of Appeals on May 19, 2026, granted the following variances for the subject parcel (ZB-2026-0026):*
 - *§203-7-8-4B4(e) for the subdivision sign to be internally illuminated, whereas the zoning ordinance does not permit internally illuminated subdivision signs*
 - *§203-7-8-4B (D for the subdivision sign to be 64 sq. ft. in area, whereas the zoning ordinance permits a maximum of 20 sq. ft.*

VI. PLANNING DEPARTMENT STAFF REVIEW - Letter dated 9/9/26:

1. *The northerly vehicular connection to the property located at 17 Limestone Drive does not align with the existing easement for access. The connection is shown accessing the parking lot and not the drive/easement area further to the west on the property located at 17 Limestone Drive.*

Response: The project layout has been updated so that the driveway connection from the Project Site to 17 Limestone Drive is consistent with the location depicted on Schedule A of the Easement Agreement between Roy Jordan and the previous owner of the Project Site that was recorded at the Erie County Clerk's Office on October 7, 1999 at Liber 10958 of Deeds at Page 2458.

2. *If the refuse enclosure detail is not provided in the civil set of plans the architectural plans prepared by Daryl Martin for this feature will be required for final approved plan submittal.*

Response: Architectural plans for the refuse enclosure were previously submitted with the section submission package in July.

3. *The pedestrian connection to Garfield Road should be redesigned to provide connections to both the north and south sides of Garfield Road and extend the public sidewalk along both sides of Garfield Road to the existing public sidewalk on Bellingham Drive.*

Response: The proposed pedestrian connection on the north side of the Garfield Road stub street is adequate and there is not a need for sidewalks on both sides of the Garfield Road stub street. The sidewalk will connect to the existing public sidewalk on the west side of Bellingham Drive.

4. *Consider the addition of walkways and crosswalks east-west through the site to connect the central spine walkway within the development to the Garfield Road pedestrian sidewalk and any future recreational path to the east of the development.*

Response: The project layout has been deliberately designed to provide pedestrian connectivity from the central spine walkway/greenspace to the Garfield Road pedestrian connection.

5. *Reconsider connecting the walkway in front of the proposed clubhouse building from its southwest corner of the public sidewalk along Wehrle Drive to allow pedestrians that want to head east a shorter route, similarly to what has been done from the southeast corner of the walkway.*

Response: Additional sidewalk has been added as requested.

6. *The zoning districts on the site plan for the property to the east is incorrect. Correct zoning is Residential District Three (R-3).*

Response: R-3 zone is what is shown on the site plan sheets.

7. *Submit a request to the Town Attorney, requesting the Town Board abandon the existing sanitary sewer easement under proposed BLDG200 by L.9317, P.226.*

Response: On September 17, 2026, Robert Motz of Young Development Inc. submitted a letter to Town Attorney Steven Bengart, Esq. to request that the Town Board abandon the above referenced sanitary sewer easement.

8. *Reviewing the project against the review criteria in §203-8-7-8 of Town Code the Planning Director finds the following:*

A. *The adequacy of usable space for active and passive recreation including pedestrian connections.*

The project provides internal walkways connected to existing public sidewalks and provides recreation facilities including a pool, pickleball courts, dog park, and clubhouse for the project's future residents. Pedestrian connections have been provided to the east at Garfield Road and should be provided to the west of the subject site for access to any future recreational trail.

Response: There are not any plans for a recreational trail with the utility right-of-way to the west of the Project Site so pedestrian connections are not being proposed since they would not provide any off-site pedestrian connectivity.

B. *Adequacy of open space lands for public ownership and use offered for dedication or other disposition to the town or other public entity.*

No open space for public ownership and use is proposed by the applicant.

Response: The project is not a residential subdivision, and publicly owned greenspace is not being proposed and is not typically provided for a multifamily project requiring site plan approval.

C. *Adequacy of school sites and facilities.*

Residents of the site will be provided service by the Williamsville Central School District who has previously indicated at the time of rezoning that transportation services will not be provided on private roads. The applicant has proposed a bus stop along the Wehrle Drive frontage of the parcel.

Response: Acknowledged. An area has been included in the plans along Wehrle Drive where kids can wait safely for their bus.

D. *The extension of roadways provided to adjacent property.*

The site plan indicates a two-way northerly private roadway/drive connection to the site located at 20 Limestone Drive which will afford the property to the north and those who use Limestone Drive to access Wehrle Drive. Additionally, no connection to the west is feasible but to the east is the existing public street Garfield Road terminus which abuts this site end the subject development could connect to affording additional routes for vehicular travel and dispersion and enhanced public safety.

Response: As mentioned previously, the Project Sponsor is not proposing a driveway connection to the Garfield Road stub street.

9. The following items need to be addressed or corrected on the Environmental Assessment Form submitted for review:

- Item C.3.c. Correct the answer to No. Rezoning of the parcel is not part of the site plan request.

Response: The Part 1 of the Full EAF will be corrected as requested since the Town Board approved the rezoning of the Project Site from OB to MFR-5.

10. Note that any other SEQR-related issues raised during the review process for this site plan must be addressed prior to action by the Planning Board.

Response: The Project Sponsor is requesting that the Planning Board issue a Negative Declaration pursuant to SEQRA. The Town Board has previously issued Negative Declarations on two occasions after completing coordinated environmental reviews of the proposed multifamily project.

11. *Please provide an 8-1/2" x 11" reduction of the site plan and an electronic version of and revised plans, amended or additional materials submitted for review.*

Response: As directed by the Town via email on 9/29/2026, 8.5"x11" reduced sets are not needed or required, and not provided with this submission. An electronic copy is being provided in the link received from the Town.

VII. LANDSCAPE ARCHITECT REVIEW - Letter dated 9/9/26:

1. *On drawing L-104 consider providing a chart showing the quantity and size of existing trees for which landscape credits may be given as indicated in §203-7-3 B (4) of Town Code in providing the screening and buffering required by §203-7-2-4 B of Town Code.*

Response: The site survey shows a number of existing trees, but nothing as specific and detailed as the town is suggesting. A note has been added to the plan (see Zoning note #4 above) highlighting the fact that if after construction and clearing activities have begun, that if perimeter screening is not adequate enough, the developer/contractor shall add the additional trees and shrubs as a supplement to the existing vegetation in coordination with the Town's Landscape Architect.

2. *On drawing C-001 show the location of and provide a detail of a tree protection barrier' used to protect "existing trees and bush to remain" as required by §203-7-2-3 B (3) of Town Code. An option may be to enhance the silt sock detail on drawing C-002 to delineate the limits of disturbance with visible (4-foot in height min.) markings.*

Response: Tree protection has been provided as requested on sheet C-001.

3. *On drawing L-100 revise the plant schedule to specify the size for the Siberian Cypress, St. John's Wort and Anthony Waterer Spiraea to a minimum of 24-inches in height (at the time of planting) as required by §203-7-2-3 A (l) (g) of Town Code.*

Response: The Plant Schedule has been updated.

4. *On drawing L-100 specify the Hydrangea Tardive screening the backflow preventor along Wehrle Drive to be a minimum of 4-feet in height (at the time of planting) as required by §203-7-2-3 A (l) (g) of Town Code.*

Response: The Plan/Plant Schedule has been updated accordingly.

5. *Within the landscape islands on drawings L-102 Bldg #2700, L-103 Bldg #800, L104 Bldg #400 locate all trees outside of the 3-foot clear space around the fire hydrant assembly as per 2020 Fire Code of BYS Section 507.5.5 "All fire hydrants shall have clear space around them. A 3-foot clear space shall be maintained around the circumference of fire hydrants." In addition, show this 3-foot clearance on detail C-408.*

Response: The Plan has been updated accordingly.

6. *All interior landscaped areas shall have a minimum planting soil depth of three feet and be free from all forms of construction debris and foreign material as required by §203-7-2-3 A (3) (j) of Town Code.*

Response: A note has been added to the plans to address this comment (Town Code).

7. *On drawing L-109 provide a typical screening detail for all above ground mechanical units needed at the residential buildings (ie. A/C or condenser units, telephone/cable equipment).*

Response: The Plans will be updated accordingly prior to the final submission.

8. *In the landscape islands on drawings L105 and L106 consider relocating the trees further away from the light fixture or use a smaller deciduous tree.*

Response: The Plans will be updated accordingly prior to the final submission.

9. *On drawing L104 additional conifer shrubs should be added adjacent to the proposed force main pump station.*

Response: The Plan has been updated accordingly.

10. *On drawing C-100 consider providing a separated walkway through the roadways and parking to connect to the future pathway east towards Bellingham Drive to the central walkway.*

Response: Additional sidewalk has been added as requested.

VIII. ENGINEERING DEPARTMENT REVIEW (SANITARY SEWER) - Letter dated 09/16/26:

The Memorandum issued by Vaishali Reberholt, P.E. of the Engineering Department dated September 16, 2026 approved the Site Plan Sanitary Sewer subject to conditions as follows:

1. Project sponsor acknowledges a PIP application is required for the proposed sanitary sewer installation.

Response: No response required.

2. Please provide an updated copy of the Engineer's Report, include the updated I&I mitigation payment calculations.

Response: An updated copy of the Engineer's Report and I&I letter will be provided prior to final approval.

3. Provide inside drop connections where sanitary sewers enter a manhole 24 inches or more above the invert. Where the elevation difference is less than 24 inches, fillet the manhole invert to prevent solids deposition. Label all proposed drop connections on the utility plan and profile, and include a standard inside drop connection detail.

Response: The notes and details have been updated as requested.

4. The pump station is noted as "designed by others." Please provide the pump station design drawings to this office, including the force main and associated restraint details.

Response: Pump station design plans will be provided prior to final approval.

5. Please label the utility plan to identify the sanitary sewers, pump station, and force main as private. Also, show the limits of the easement required for the operation and maintenance of the force main. Provide a draft agreement for the maintenance of the proposed 4-inch force main within the public right-of-way to the Town Attorney's Office.

Response: Labels have been added as requested. An easement has also been shown as requested. A draft easement for the maintenance will be provided under separate cover.

6. Lift station information is included with this letter. Please evaluate the existing lift station and provide documentation demonstrating that it has sufficient capacity to accommodate the additional flow. Include this evaluation within the updated Engineer's Report.

Response: An updated copy of the Engineer's Report with pump station analysis will be provided prior to final approval.

7. Project sponsor has provided a letter indicating this will be a 100% rental community under single ownership.

Response: No response required.

8. Pursuant to Chapter 160 of the Town Code, submit a commitment letter from the developer, addressed to the Town Engineer, acknowledging payment of the required I&I mitigation fee of \$ 147,551.53 to the Sewer Remediation Trust Fund. Payment must be received prior to acceptance of any PIP application. Include this letter within the updated Engineer's report.

Response: The Project Sponsor acknowledges the need to comply with this standard condition.

IX. TOWN ATTORNEY OFFICE - Letter dated 09/17/26:

The Memorandum issued by Town Attorney Steve Bengart, Esq. dated September 17, 2026 contained three comments as follows:

1. Any area variances required from the Zoning Board of Appeals as a result of the modification to the parcel at 2190-2200 Wehrle Road such that it will consist of two parcels must be sought and obtained prior to the Planning Board issuing a decision on the pending request for Site Plan Approval. If the Zoning Board of Appeals does not grant the required area variances needed for the creation of two parcels, the project layout will need to be updated accordingly.

Response: Acknowledged.

2. Open Development Area Approval is required from the Zoning Board of Appeals since one of the two parcels does not have any frontage on a public roadway.

Response: Acknowledged.

3. The petitioner will be required to record a Declaration of Restrictions for shared access, utilities, etc. between the two proposed parcels. The review and approval of the draft Declaration of Restrictions by this Department and the Zoning Enforcement Officer will be required and this can be addressed.

Response: A draft of the Declaration of Restrictions for shared access, utilities, etc. between the two parcels will be submitted for review and approval by the Town Attorney's Office and the Zoning Enforcement Officer.

X. ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND PLANNING - Letter of David Hall dated September 16, 2026:

The letter issued by David Hall of the ECDEP dated September 16th contained four comments as follows:

1. Adding a vehicle connection to Garfield Road should be considered. This road connection would provide easier access for emergency vehicles, public works vehicles, and school buses among others.

Response: During the project review process, the Project Sponsor held numerous informational meetings with residents and they repeatedly expressed their strong opinion that the project not including a driveway connection to Garfield Road. The residents that spoke during the public hearings previously held by the Planning Board and the Town Board indicated they were opposed to a driveway connection to Garfield Road. It is also important to mention that Garfield Road is a public roadway while the driveways, access aisles, etc. will be privately owned and privately maintained.

2. If a road connection is deemed infeasible, then the proposed pedestrian connection shown on drawings C-100 and C-101 should be improved. Instead of ending at a drive aisle, it should connect to the main north-south pedestrian path, labeled as “proposed internal sidewalk.” Sidewalks should also be added to the north and south sides of Garfield Road.

Response: The proposed sidewalk connection will be limited to the north side of the Garfield Road stub street.

3. Additional east-west pedestrian connections should be added to the proposed internal sidewalk, connecting residential buildings with this path via additional sidewalks or striped crossings.

Response: Additional sidewalk has been added to provide a hardscape path to the central sidewalk system that connects the residential buildings and allows access to the internal amenities and the public ROW.

4. An additional striped crossing should be added to the west of the landscaped island near the main entrance at Wehrle Drive. Drawing C-100 only shows one to the east of the landscaped island.

Response: Additional striped crossing and a second sidewalk connection has been added as requested.

XI. CONCLUSION:

The Project Sponsor requests that the Planning Board review the responses and submitted materials in preparation for its meeting to be held on October 15th to grant the project sponsors request for Site Plan Approval. The Zoning Board of Appeals will be holding a public hearing on the area variances being requested due to the project being developed in two phases during its meeting on Wednesday, October 14th. If you should have any questions regarding this letter, please contact me at (716) 501-5741. Thank you.

Sincerely,

Doug Feyes, PE | Senior Associate

Enc.

cc: Daniel Ulatowski, Assistant Planning Director/ZEO
Steven Bengart, Esq., Town Attorney
Vaishali Reberholt, P.E., Assistant Town Engineer
Chris Schregel, Traffic Safety Coordinator
Jeff Szatkowski, Landscape Architect
David Hall, Senior Planner, ECDEP
Garret M. Hacker, P.E., ECDPW
Bryan Young, Young Development Inc.
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