



TOWN OF AMHERST PLANNING DEPARTMENT
Application for Facility Improvement Plan Review

For Official Use

File #: _____ **Acreage** _____ **Fee \$** _____

**Address Verified by
Assessor's Office**

VERIFIED BY _____ DATE _____

**Materials Received by
Planning Department**

RECEIVED BY _____ DATE _____

To Be Completed By Applicant

Petitioner: Name: _____ Town of Amherst, [Elizabeth Burakowski](#)
Address: _____ 5583 Main Street

_____ [Amherst](#) _____ [NY](#) _____ [14221](#)
city state zip code
Phone: _____ Fax: _____
E Mail: _____

Representative (Architect, Engineer, Landscape Architect, Surveyor, or Attorney):

Name: _____ [Elizabeth Burakowski, Director of Special Projects](#)
Address: _____ [5583 Main Street](#)

_____ [Williamsville](#) _____ [NY](#) _____ [14221](#)
city state zip code
Phone: _____ Fax: _____
E Mail: _____ eburakowski@amherst.ny.us

FACILITY IMPROVEMENT PLAN APPLICATION (con't)**Page 2****Project Location** (must be verified by Town Assessor's Office):Address: 750 N. Forest RdWilliamsville, NY 14221SBL No(s): 68.01-1-1.21 – 750 N Forest Rd – Owner: Town of Amherst**Project Name:** Amherst Central ParkFacility Improvement Plan**Project Description:**

Park improvements will include the removal of the existing tennis courts and construction of a new inclusive playground, an event space / winter market area, new walkways, and a new restroom building. The playground will feature accessible design elements including a gently sloping sidewalk to upper play elements, along with modern playground surfacing (artificial playground turf). The restroom building will include three single-occupancy accessible restrooms, as well as provisions for use during winter. The building features durable siding and roofing materials. New site lighting (as an alternate) and security camera conduits are also planned to enhance safety.

Modifications to portions of the existing parking lot where it abuts new sidewalks are necessary. New stormwater drainage features will be added, and site landscaping will be refreshed through the removal of select brush and trees; new trees and plantings may be added.

FACILITY IMPROVEMENT PLAN APPLICATION (con't)**Page 3**

Please identify the components from the approved PUD plan, please describe the proposed changes (include type and size of existing structures and number of existing parking spaces, see the overall PUD tracking spreadsheet):

Based on the Concept Plan dated 10/2/23 (and approved via Resolution 2023-1010 on 12/18/2023), this Facility Improvement Plan identifies components on a newly created 8.07 acre parcel at 750 N. Forest. This parcel was previously part of a larger 170.5 acre parcel. Features that have been updated or developed since 10/2/23 include the restroom building, winter market and accessible playground as follows:

- The restroom building has been downsized from approximately 9,400 SF to 1,670 SF. Spaces for concessions, skate rentals and ice equipment have been removed. Remaining rooms include accessible restrooms and a small covered picnic area.
- The public plaza / winter market has been downsized from approximately 20,000 sf to approximately 18,000 sf.
- The accessible playground remains approximately 12,500 sf, but has shifted slightly south to allow the existing parking lot to remain.
- Elements that were shown within this 8 acre area but will not be developed are the ice ribbon and rink (approx 20,000 sf), the splash pad (approx 6,100 sf), and the new parking lot. (*Sizes from PUD Application 12/18/23*)

Gross Floor Area (non-residential):	<u>0</u> existing	<u>1,674 sf</u> proposed	<u>1,674 sf</u> total
Gross Floor Area Residential:	<u>0</u> existing	<u>0</u> proposed	<u>0</u> total
Number of Residential Units:	<u>0</u> existing	<u>0</u> proposed	<u>0</u> total
Number of Parking Spaces:	<u>76</u> existing	<u>+9</u> proposed	<u>85</u> total
Number of Impervious Area:	<u>43,922 sf</u> existing	<u>+ 22,944 sf</u> proposed	<u>66,866 sf</u> total

Acreage of Parcel:	8.070 acres
Frontage on Public Roads:	North Forest Rd 537.25'
	Sheridan Drive 783.49'
Existing Zoning District(s)	RC

List and describe any proposed adjustments to the Town Zoning Ordinance (Chapter 203):

N/A

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REVISED June 2026

Exhibit 1

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Proposed Inclusive Playground		
Project Location (describe, and attach a general location map): 750 North Forest Road [SBL No. 68.01-1-1.21] - Town of Amherst Erie County		
Brief Description of Proposed Action (include purpose or need): See Attachment A for a description of the proposed action.		
Name of Applicant/Sponsor: Town of Amherst		Telephone: 716.631-7030
		E-Mail: eburakowski@amherst.ny.us
Address: 5583 Main Street		
City/PO: Williamsville	State: NY	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Elizabeth Burakowski, Director of Special Projects		Telephone: 716.631-7030
		E-Mail: eburakowski@amherst.ny.us
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Town Board - Amherst Central Park Facility Improvement Approval	July 2026
b. City, Town or Village ☐ Yes ☒ No Planning Board or Commission		
c. City, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		
d. Other local agencies ☒ Yes ☐ No	Building Department - Building Permits	To be determined
e. County agencies ☐ Yes ☒ No		
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☒ Yes ☐ No	NYSDEC - SPDES Permit	To be determined
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

Remediation Sites: C915291, Remediation Sites: 915291, NYS Heritage Areas: West Erie Canal Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
The Project Site is zoned Planned Unit Development District pursuant to the Town of Amherst Zoning Map.

- b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

- c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

- i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? Williamsville Central School District

- b. What police or other public protection forces serve the project site?

Town of Amherst Police Department and Erie County Sheriff's Office

- c. Which fire protection and emergency medical services serve the project site?

Volunteer Fire Department for fire district in which the Project Site is located.

- d. What parks serve the project site?

The proposed project consisting of an inclusive playground will be located on land that will become parkland.

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Recreational project consisting of an inclusive playground.

- b. a. Total acreage of the site of the proposed action? 8.07 acres

- b. Total acreage to be physically disturbed? 2.1 acres

- c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 8.07 acres

- c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

- i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

- d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

- i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

- ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

- iii. Number of lots proposed? _____

- iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

- e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

- i. If No, anticipated period of construction: _____ months

- ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☒ No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No	
If Yes,	
i. Total number of structures <u>1</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>17'-3"</u> height; <u>31'-0"</u> width; and <u>54'-0"</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>452</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☒ Yes ☐ No	
If Yes,	
i. Purpose of the impoundment: <u>Storm water management</u>	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☒ Other specify: <u>Runoff from impervious surfaces</u>	
iii. If other than water, identify the type of impounded/contained liquids and their source. <u>Not Applicable</u>	
iv. Approximate size of the proposed impoundment. Volume: <u>0.12</u> million gallons; surface area: <u>0.17</u> acres	
v. Dimensions of the proposed dam or impounding structure: <u>N/A</u> height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): <u>Surface dry detention basin, graded. Earth fill.</u>	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☒ No	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ 1,200 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

- Name of district or service area: ECWA

• Does the existing public water supply have capacity to serve the proposal?

☒ Yes ☐ No

• Is the project site in the existing district?

☒ Yes ☐ No

• Is expansion of the district needed?

☐ Yes ☒ No

• Do existing lines serve the project site?

☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

• Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If, Yes:

• Applicant/sponsor for new district: _____

• Date application submitted or anticipated: _____

• Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 1,200 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary wastewater.

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

• Name of wastewater treatment plant to be used: Town of Amherst Waste Water Treatment Plant

• Name of district: Town of Amherst Consolidated Sewer District

• Does the existing wastewater treatment plant have capacity to serve the project?

☒ Yes ☐ No

• Is the project site in the existing district?

☒ Yes ☐ No

• Is expansion of the district needed?

☐ Yes ☒ No

• Do existing sewer lines serve the project site? • Will a line extension within an existing district be necessary to serve the project? If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☒ Yes ☐ No ☐ Yes ☒ No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☒ No	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? 22,944 Square feet or 0.52 acres (impervious surface) 351,529 Square feet or 8.07 acres (parcel size) ii. Describe types of new point sources. New roofing, playground and pavement surfaces. On-site storm water management system to be installed per the applicable storm water quality and quantity standards of the NYS Department of Environmental Conservation iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? Stormwater runoff from new improvements will be conveyed into on-site storm water management facilities and then conveyed into Ellicott Creek at a controlled rate per the applicable stringent standards. • If to surface waters, identify receiving water bodies or wetlands: _____ Ellicott Creek • Will stormwater runoff flow to adjacent properties? _____	☒ Yes ☐ No ☐ Yes ☒ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?		
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)	☐ Yes ☒ No ☐ Yes ☒ No	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)		☐ Yes ☒ No ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
Anticipated new electrical load is 225 AMP. Proposed service is 400 AMP.

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
National Grid

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____ 7:00 AM to 5:00 PM
- Saturday: _____ Not Applicable
- Sunday: _____ Not Applicable
- Holidays: _____ Not Applicable

ii. During Operations:

- Monday - Friday: _____ Dawn to Dusk
- Saturday: _____ Dawn to Dusk
- Sunday: _____ Dawn to Dusk
- Holidays: _____ Dawn to Dusk

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? If yes: i. Provide details including sources, time of day and duration: During construction, the project will result in temporary and unavoidable short-term noise impacts resulting from the operation of construction equipment.	☒ Yes ☐ No
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Describe: _____	☐ Yes ☒ No
n. Will the proposed action have outdoor lighting? If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: Outdoor lighting that may be installed in connection with the project will be dark sky compliant and will comply with the lighting standards contained in the Town of Amherst Zoning Code. There will not be any lighting spillover onto residential properties.	☒ Yes ☐ No
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Describe: _____	☐ Yes ☒ No
o. Does the proposed action have the potential to produce odors for more than one hour per day? If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	☐ Yes ☒ No
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	☐ Yes ☒ No
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? If Yes: i. Describe proposed treatment(s): _____	☐ Yes ☒ No
ii. Will the proposed action use Integrated Pest Management Practices?	☐ Yes ☐ No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ less than 1 tons per _____ month (unit of time) • Operation : _____ less than 1 tons per _____ month (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: By Contractor _____ • Operation: Waste Management or similar provider _____	☒ Yes ☐ No

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): parkland

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.01	1.54	+0.53
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	7.06	6.53	-0.53
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>N/A</u>	0	0	0

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☒ Yes ☐ No
If Yes,
i. Identify Facilities:
There is a group home located on North Forest Road located within 1,500 ft. of the Project Site.

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☒ Yes ☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☒ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☒ Yes – Environmental Site Remediation database Provide DEC ID number(s): C915291
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
Covered by P Order for 772 North Forest Road

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☒ Yes ☐ No
If yes, provide DEC ID number(s): C915291
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
Erie County conducted remediation at 772 North Forest Road

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No													
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____													
E.2. Natural Resources On or Near Project Site													
a. What is the average depth to bedrock on the project site? _____ >10 feet													
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Claverack Loamy Fine Sand</td> <td style="width: 20%; text-align: right;">_____</td> <td style="width: 20%; text-align: right;">%</td> </tr> <tr> <td>_____</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">%</td> </tr> <tr> <td>_____</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">%</td> </tr> </table>		Claverack Loamy Fine Sand	_____	%	_____	_____	%	_____	_____	%			
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f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;">☒ 0-10%:</td> <td style="width: 30%; text-align: right;">_____</td> <td style="width: 30%; text-align: right;">% of site</td> </tr> <tr> <td>☐ 10-15%:</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">% of site</td> </tr> <tr> <td>☐ 15% or greater:</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">% of site</td> </tr> </table>		☒ 0-10%:	_____	% of site	☐ 10-15%:	_____	% of site	☐ 15% or greater:	_____	% of site			
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☐ 10-15%:	_____	% of site											
☐ 15% or greater:	_____	% of site											
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____													
h. Surface water features.													
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No													
ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No													
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.													
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
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v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? ☐ Yes ☒ No													
j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No													
k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No If Yes:													
i. Name of aquifer: _____													

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No	
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ >10 feet	
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_____	_____ %
_____	_____ %
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☐ Moderately Well Drained:	_____ % of site
☐ Poorly Drained	100 % of site
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☐ 10-15%:	_____ % of site
☐ 15% or greater:	_____ % of site
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If Yes, describe: _____	
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ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____	Classification _____
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l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No	
If Yes:	
i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ Typical suburban species _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☒ Yes ☐ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: Eligible property: 829 NORTH FOREST RD, AMHERST iii. Brief description of attributes on which listing is based: 1840's brick farmhouse in greek revival style. National Register eligible.	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☒ Yes ☐ No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No	
If Yes: i. Describe possible resource(s): ii. Basis for identification:	
h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☒ No	
If Yes: i. Identify resource: ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No	
If Yes: i. Identify the name of the river and its designation: ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

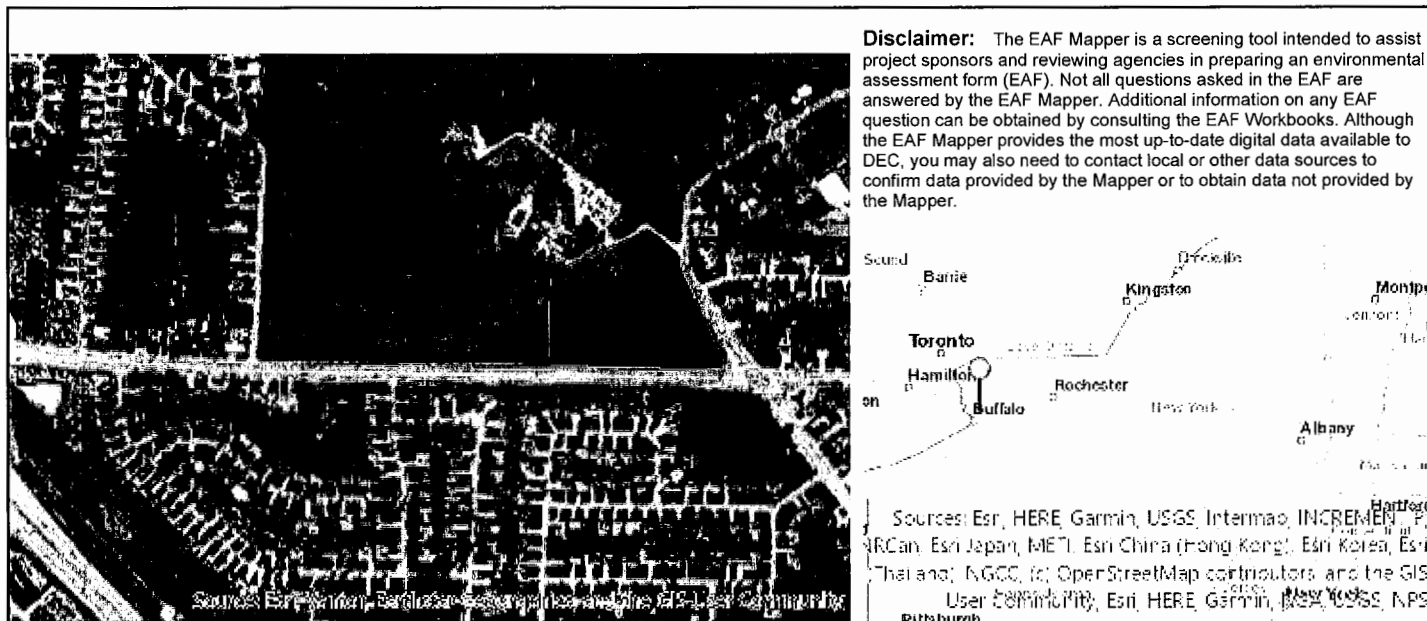
G. Verification

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

Applicant/Sponsor Name Town of Amherst Date July 24, 2026

Signature  Title Town Attorney

PRINT FORM



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites:C915291, Remediation Sites:915291, NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	C915291
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	C915291
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.h.ii [Surface Water Features]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No

E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:829 NORTH FOREST RD, AMHERST
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Attachment A of Part 1 of the Full Environmental Assessment Form

Brief Description of Proposed Action (include purpose or need):

The proposed action (the “project”) consists of an inclusive playground and related proposed improvements to be located on the approximately 8.07-acre parcel owned by the Town at 750 North Forest Road [SBL No. 68.01-1-1.21] (hereinafter the “Project Site”).

The scope of the proposed use of the Project Site includes the removal of the existing tennis courts and construction of a new inclusive playground, an event space / winter market area, new walkways, and a new restroom building. The playground will feature accessible design elements including a gently sloping sidewalk to upper play elements, along with modern playground surfacing (artificial playground turf). The restroom building will include three single-occupancy accessible restrooms, as well as provisions for use during winter. The restroom building will feature durable siding and roofing materials. There will potentially be new site lighting that will comply with the Town’s lighting standards (as an identified alternative) and security infrastructure is also planned to enhance safety. Modifications to portions of the existing parking lot where it abuts new sidewalks will occur. Landscaping will be refreshed through the removal of select brush and trees and new trees and plantings may be added.

The project will fulfill a public need to provide recreational uses and a winter market for the Town’s residents at a location that has previously been approved for recreational uses.

The project also includes storm water management improvements consisting of a bioretention basin and a dry basin as depicted on the engineered plans for the Project prepared by C&S Engineers. The new stormwater improvements will be installed to manage stormwater runoff per the storm standards of the NYS Department of Environmental Conservation and the Town of Amherst.

The Town Board granted Planned Unit Development Approval for the proposed development of the approximately 172 acres of land on December 18, 2023 via the adoption of Resolution 2023-1010, based on a Conceptual Development Plan dated October 2, 2023. The Planned Unit Development approved by the Town Board on December 18, 2023 included both the Project Site and the approximately 162-acre parcel acquired by Erie County at 772 North Forest Road [SBL No. 68.01-1-1.22] via a Warranty Deed recorded at the Erie County Clerk’s Office on May 11, 2026 at Liber 11460 of Deeds at Page 7008. The project does not include the parcel owned by Erie County at 772 North Forest Road.

The Conceptual Development Plan approved by the Town Board on December 18, 2023 depicted recreational components on the Project Site. Features to be located on the Project Site that have been updated or developed subsequent to the approval of the Planned Unit Development on December 18, 2023 include the restroom building, winter market and the playground. The restroom building as depicted on the approved Conceptual Development Plan was depicted at a scale large enough to include a concessions and skate rentals and is now smaller to accommodate only restrooms and a small, covered picnic area. The public plaza/winter market was approximately 20,000 sq. ft. and currently consists of 16,000 sq. ft. The accessible playground

remains approximately 12,500 sq. ft. but has shifted slightly south to allow the existing parking lot to remain.

Elements depicted on the approved Conceptual Development Plan that were shown on the Project Site previously but will not be developed are the ice ribbon and rink (approx. 25,000 sq. ft.), the splash pad (approx. 6,100 sq. ft.), and a new parking lot.

The environmental impacts of the proposed use of the Project Site were previously thoroughly evaluated pursuant to the State Environmental Quality Review Act (“SEQRA”) via a coordinated environmental review of then proposed overall development of the approximately 172 acres of land that was subject to the Planned Unit Development approved by the Town Board on December 18, 2023. The Town Board issued a Supplemental Findings Statement pursuant to SEQRA on December 18, 2023. Section 4.2 of the Findings Statement is titled “Review of Future Improvements”, and the environmental impacts of the Project will not result in any potential adverse environmental impacts that have not been previously thoroughly evaluated by the Town Board.

Exhibit 2



TOWN OF AMHERST PLANNING DEPARTMENT

Local Waterfront Revitalization Program (LWRP) Waterfront Assessment Form (WAF)

To Be Completed By Applicant

A. INSTRUCTIONS (Please print or type all answers)

1. Applicants shall complete this Waterfront Assessment Form (WAF) for proposed actions that are located within the Town of Amherst Waterfront Revitalization Area (WRA) and are subject to compliance with the Town's LWRP Consistency Review Law. This assessment is intended to supplement other information used by Town agencies (departments and boards) in making a determination that the proposed action will be consistent with the policies of the approved Amherst Local Waterfront Revitalization Program (LWRP). It is also used in the making of a determination of significance pursuant to the State Environmental Quality Review (SEQR) Act.
2. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in Section III of the Town of Amherst LWRP, a copy of which is available on the Town website (https://www.amherst.ny.us/content/projects.php?dept_id=dept_15&proj_id=proj_07&neworder=00). A proposed action should be evaluated based on beneficial and adverse effects upon resources in the Waterfront Revitalization Area and its consistency with the LWRP policy standards.
3. If any questions in Section C on this form are answered "yes", the proposed action may not be consistent with the LWRP policy standards, as contained in the Town of Amherst LWRP Consistency Review Law in such cases, the action should be analyzed in more detail and, if necessary, modified prior to making a final determination of consistency with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Name of applicant: Town of Amherst
Organization/Affiliation: _____
Mailing address: 5583 Main Street, Williamsville, New York 14221
Telephone number: (716) 631-7030 email: eburakowski@amherst.ny.us

Name of Landowner: Town of Amherst
Mailing address: 5583 Main Street, Williamsville, NY 14221
Telephone number: (____) _____ email: _____
2. **Project Location**
Property Tax Identification Section Block Lot (SBL) number: 68.01-1-1.21
Location of action (Street or Site Description and nearest intersection):
750 North Forest Road

3. Size of site (acres): 8.07 acres
4. Amount of site to be impacted (acres): 2.1 acres

TOWN OF AMHERST LWRP WATERFRONT ASSESSMENT FORM

5. Present land use: Parking Lot and vacant land
6. Present zoning classification: Recreation Conservation District
7. Describe nature and extent of action: Inclusive playground, winter market, restroom building and other related site improvements as depicted on the project plans submitted with the Amherst Central Park Facility Improvement Application.
8. Type of Action (complete appropriate response):
- a. Directly undertaken (e.g., construction, planning, regulation, land transaction)
Construction of proposed project.
- b. Financial assistance for project (e.g., grant, loan, subsidy):
DASNY Grant previously issued for construction of an inclusive playground including benches and restroom facility.
- c. Applicant permit, approval, license, or certificate:
Project requires Amherst Central Park Facility Improvement Approval from the Town of Amherst Town Board.
- d. Name of Agency undertaking the action: Town of Amherst Town Board
9. Describe any unique or unusual landforms on the project site (i.e., wetlands, creeks, other geological formations):
Not applicable.
10. Percentage of site that contains slopes of 15% or greater: 0%
11. Streams, lakes, ponds or wetlands (state or federal regulated) existing within or continuous to the project area?
- (a) Name Not applicable.
- (b) Size (in acres) _____
12. Is the property serviced by public water? YES ☒ NO ☐
13. Is the property serviced by public sewer? YES ☒ NO ☐
14. Will the action be directly undertaken or require funding or approval by a State or federal agency? YES ☒ NO ☐
- If yes, which State or federal agency? NYS Department of Environmental Conservation
SPDES Permit

TOWN OF AMHERST LWRP WATERFRONT ASSESSMENT FORM**C. WATERFRONT ASSESSMENT** (Check either "Yes" or "No" for each of the following questions). If the answer to any question in Section C is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 1. Will the proposed action be located in, contiguous to, or have a potentially adverse effect upon any of the resource areas found within the waterfront area identified in the Amherst LWRP? | ☐ | ☒ |
| (a) Locally significant fish or wildlife habitats? | ☐ | ☒ |
| (c) Important scenic view/vistas ¹ ? | ☐ | ☒ |
| (d) Historic or cultural resources of significance? | ☐ | ☒ |
| 2. Will the proposed action have a significant effect upon: | YES | NO |
| (a) Scenic quality of the waterfront environment? | ☐ | ☒ |
| (b) Development of future or existing water-dependent uses? | ☐ | ☒ |
| (c) Designated State or Federal freshwater wetlands? | ☐ | ☒ |
| (d) Recreational use of fish and wildlife resources? | ☐ | ☒ |
| (e) Existing or potential public recreation opportunities? | ☐ | ☒ |
| (f) Structures, sites, or districts of historic, archaeological or cultural significance in the Town of Amherst? | ☐ | ☒ |
| (g) Stability of the Ellicott/Tonawanda Creek shoreline? | ☐ | ☒ |
| (h) Surface or groundwater quality? | ☐ | ☒ |
| 3. Will the proposed action involve or result in any of the following: | YES | NO |
| (a) Physical alteration of land along the shoreline, underwater land, or surface waters? | ☐ | ☒ |
| (b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area? | ☒ | ☐ |
| (c) Expansion of existing public services or infrastructure in undeveloped or low-density areas along the waterfront? | ☐ | ☒ |
| (d) Excavation, filling or dredging in surface waters? | ☐ | ☒ |
| (e) Reduction of existing or potential public access to or along the shoreline? | ☐ | ☒ |
| (f) Sale or change in use of publicly owned lands located on the shoreline or on lands underwater? | ☐ | ☒ |
| (g) Development within a designated flood hazard area? | ☐ | ☒ |
| (h) Development in areas that provide protection against flooding or erosion? | ☐ | ☒ |
| (i) Construction or reconstruction of erosion protective structures? | ☐ | ☒ |
| (j) Diminished or degraded surface or groundwater quantity and/or quality? | ☐ | ☒ |
| (k) Removal of ground cover from the site? | ☐ | ☒ |
| (l) Siting or Construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law? | ☐ | ☒ |
| 4. Project | | |

¹ LWRP Scenic Views available on Town of Amherst Website

https://www.amherst.ny.us/pdf/planning/lwrp/231212_high_res_maps.pdf

TOWN OF AMHERST LWRP WATERFRONT ASSESSMENT FORM

	YES	NO
(a) If a project is to be located adjacent to the shore:		
(1) Does the project require a waterfront location?	☐	☐
(2) Will water-related recreation be provided?	☐	☐
(3) Will public access to the foreshore be provided?	☐	☐
(4) Will it eliminate or replace a water-dependent use?	☐	☐
(5) Will it eliminate or replace a recreational use or resource?	☐	☐
(b) Is the project site presently used by the community or neighborhood as an open space or recreation area?	☐	☒
(c) Will the project protect, maintain, and/or increase the level and type of public access to water-related recreation facilities?	☐	☒
(d) Does the project presently offer or include scenic views or vistas that are known to be important to the community?	☐	☒
(e) Is the project site presently used for recreational fishing?	☐	☒
(f) Will the surface area of the Ellicott/Tonawanda Creek corridor or wetland areas be increased or decreased by the proposal?	☐	☒
(g) Is the project located in a flood prone area?	☐	☒
(h) Is the project located in an area subject to erosion?	☐	☒
(i) Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?	☐	☒
(j) Do essential public services or facilities presently exist at or near the site?	☐	☒
(k) Will the project involve surface or subsurface liquid waste disposal?	☐	☒
(l) Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	☐	☒
(m) Will the project involve shipment or storage of petroleum products?	☐	☒
(n) Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into coastal waters?	☐	☒
(o) Will the project involve or change existing ice management practices?	☐	☒
(n) Will the project alter drainage patterns or surface water runoff flowing on, to or from the site?	☐	☒
(p) Will best management practices be utilized to control storm water runoff into coastal waters?	☐	☒
(q) Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates?	☐	☒
(r) Will the project affect any area designed as a freshwater wetland?	☐	☒
(s) Will the project utilize or affect the quality or quantity of surface waters or sole source water supply?	☐	☒

D. REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES" Include the question number in description below. (Add any additional sheets necessary)

If you require assistance or further information in order to complete this form, please contact the Town of Amherst Planning Department (phone: 716-631-7051). Please submit completed form, along with one copy of a site plan application materials/plat plan to:

Town of Amherst Planning Department
5583 Main St.
Williamsville, NY 14221
P: (716) 631-7051

E. VERIFICATION

Applicant/Sponsor Name: Town of Amherst

Date: July 24, 2026

Signature:

Title: Town Attorney

Exhibit 3



**Town of Amherst
Erie County, New York**

Adopted
Dec 18, 2023 7:00 PM

**Resolution
RES-2023-1010**

**Approval of Planned Unit Development For
772 North Forest Road, 385 Maple Road & 391 Maple Road**

Information

Department:
Category:

Planning
Resolution

Sponsors:

Attachments

Printout
2023-12-13 Amended PUD Application_scanned
SP-2023-11 WAF signed TB agenda 121823
SP-2023-11 WAF signed TB agenda 121823

Financial Impact

None

Body

WHEREAS, the Town Board seeks to convert the 772 North Forest Road, 385 Maple Road, and 391 Maple Road ("Property") from an abandoned private golf course to a community park to include cultural, recreational and civic public spaces called the Amherst Central Park; and

WHEREAS, the Town intends to develop the Property pursuant to the Planned Unit Development ("PUD") Process set forth in Section 6-9 of the Zoning Code, as the Property is in excess of 30 acres; and

WHEREAS, the Town Board prepared the Planned Unit Development Application for the Property, as amended on October 13, 2023, which is attached hereto and incorporated herein as Exhibit 1 ("PUD Application"); and

WHEREAS, pursuant to Zoning Code 6-9-2, the PUD Application sets forth the adjustments to the regulations, standards, and criteria of the Zoning Ordinance for the Amherst Central Park to implement the Conceptual Development Plan set forth therein; and

WHEREAS, the PUD Application sets forth the adjustments that will govern the development of the Property, including but not limited to the allowable uses at the Property; and

WHEREAS, the PUD Application establishes the creation of the Amherst Central Park (ACP) Planning Team that will implement the improvements authorized in Amherst Central Park through the ACP Facility Improvement Review Process; and

WHEREAS, the Town Board referred the PUD Application to the Planning Board for review and recommendation; and

WHEREAS, the Planning Director prepared a staff report and provided same to the Planning Board; and

WHEREAS, the Planning Board conducted a public hearing on November 16, 2023; and

WHEREAS, the Planning Board recommended to the Town Board approval of the PUD application on November 16, 2023; and

WHEREAS, the Town Board held a public hearing on the PUD Application on December 4, 2023; and

WHEREAS, the Town Board prepared and issued a Supplemental Generic Environmental Impact Statement ("SGEIS") pursuant to the State Environmental Quality Review Act ("SEQRA") on December 4, 2023; and

WHEREAS, the Town Board issued a Supplemental Findings Statement based upon the SGEIS on December 18, 2023; and

WHEREAS, the Town conducted a Local Waterfront Revitalization Program Plan Consistency Review pursuant to the Town of Amherst Local Waterfront Revitalization Program ("LWRP"); and

WHEREAS, the Town board now desires to make a decision on the PUD Application,

NOW, THEREFORE, BE IT RESOLVED,

A. The PUD Application is consistent with the Town of Amherst Local Waterfront Revitalization Program;

B. The PUD Application is hereby approved in its entirety, including the adjustments to the regulations, standards, and criteria of the Zoning Ordinance, as set forth therein;

C. The uses set forth in the PUD Application will be allowed in the Amherst Central Park;

D. The ACP Planning Team is hereby established to implement all improvements authorized in Amherst Central Park. The ACP Planning Team includes, but is not limited to, the Director of Facilities (Expansion Coordinator of Special Projects), the Town Engineer, the Town Architect, the Building Commissioner, the Planning Director, and a Police/Fire representative.

e. The ACP Planning Team shall utilize the ACP Facility Improvement Review Process set forth in the PUD Application in its implementation of the projects set forth in the PUD Application, as well as any other uses allowed in the underlying Recreation Conservation ("RC") district.

12/18/2023

A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Berger and unanimously approved 5-0.

Meeting History

Dec 18, 2023 7:00 PM	Town Board	Regular Meeting of the Town Board
RESULT:	ADOPTED [UNANIMOUS]	
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Jacqualine Berger, Councilmember	
AYES:	Brian J. Kulpa, Deborah Bruch Bucki, Jacqualine Berger, Shawn Lavin, Michael Szukala	

Discussion

 Add Comment

Exhibit 4

**AMHERST TOWN BOARD FINDINGS STATEMENT
AMHERST CENTRAL PARK
PUD CONCEPTUAL DEVELOPMENT PLAN
December 18, 2023**

1.0 INTRODUCTION

The Town of Amherst, NY ("Town") proposes adoption of a conceptual development plan for a planned unit development ("PUD") for the conversion of an approximately 170.5± acre parcel located at 772 North Forest Road and 385 & 391 Maple Road ("Property") to a community park to include cultural, recreational and civic public spaces ("Amherst Central Park", "Park", "ACP").

Development of the Property by a private developer for a project known as the Westwood Neighborhood (sometimes referred to herein as the "Mixed-Use Project") was formerly the subject of a Generic Environmental Impact Statement (GEIS). Based on the Lead Agency's GEIS Findings Statement, the Mixed-Use Project was denied. Section 1.1 summarizes the findings and basis of denial for that project.

The Property was subsequently sold to the Town. The Town initiated a public planning process to re-examine the needs and purpose for the Property and to develop a new alternative action that would better serve the community. A new conceptual development plan based on the PUD process ("PUD Plan") was prepared to develop the Property as the Amherst Central Park, as summarized in Section 1.2.

With the original GEIS analysis and supporting studies as a foundation and pursuant to the State Environmental Quality Review Act (SEQRA), the Town as Lead Agency prepared a Supplemental Generic Environmental Impact Statement (SGEIS) to evaluate the Plan. The SGEIS evaluation found that no significant environmental impacts were anticipated to result from the Project, as summarized in Section 1.3.

1.1 Westwood Neighborhood GEIS

The Property was formerly the location of the Westwood County Club and was the subject of a GEIS in 2017 to evaluate a private development proposed by the owner, at that time Mensch Capital Partners LLC (Mensch). The action in the GEIS, known as the "Westwood Neighborhood", proposed a mixed-use development including 41 single-family residences, 83 patio homes, 310 attached townhomes and apartments, and 212 multi-family residential units in mixed use buildings, as well as a mix of commercial uses including shops, restaurants, businesses and offices, a four-story hotel, and senior living components (assisted and independent living apartments). The proposed action included the following rezoning requests from the existing RC (Recreation Conservation) District to:

- 134.79± acres from Recreation Conservation Zoning District ("RC") to Traditional Neighborhood Development Zoning District ("TND");



- 5.13± acres from RC to Multifamily Residential Zoning District Seven ("MFR-7"); and
- 1.16± acres from RC to General Business Zoning District ("GB").

The GEIS was reviewed by the Town Board as Lead Agency over a period spanning July 2014 to December 2017, including three amended submittals. The Final Generic Environmental Impact Statement (FGEIS) was issued in November 2017, and the GEIS Findings issued by the Lead Agency in December 2017 certified that:

- The requirements of 6 NYCRR Part 617 had not been met; and
- Adverse impacts would not be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
- The action would not achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

The GEIS Findings Statement was based on a number of considerations, notably:

- Insufficient sanitary sewer capacity and significant constraints on increasing that capacity.
- Traffic impacts associated with new commercial development in an area not previously planned for such development.
- Extensive new roadway and signal construction to address traffic impacts.
- Impacts associated with wetlands, hardwood swampland, floodplains, and Ellicott Creek.
- Conversion of land zoned RC to higher-density uses as housing and commercial development.
- Incompatibility of the proposed uses with surrounding neighborhoods.
- Loss of open space.
- A protracted construction period for roadways; infrastructure; and multiple patio and single-family homes, townhomes, apartments, and completion of mixed use and office buildings.

Based on the Lead Agency's GEIS Findings Statement, the Westwood Neighborhood application was denied.



1.2 PUD Plan

The PUD Conceptual Development Plan (sometimes referred to herein as the “PUD Plan”) includes the following features:

- Ice Ribbon and Ice Rink, approximately 25,000 SF
- Inclusive Playground, approximately 12,500 SF
- Splash Pad, approximately 6,100 SF
- Public Plaza, approximately 20,000 sf, including a Winter Market, approximately 5,000 SF (buildings)
- Renovation of the former clubhouse into a Community Building, approximately 2,500 SF addition to existing (approximately 44,500 SF total at completion, including basement and all floors), to provide services including space for a Universal Pre-Kindergarten (UPK) program
- Outdoor Amphitheater, approximately 3,300 SF
- Community Theater Building, approximately 31,600 SF
- New building for the Buffalo Niagara Heritage Village Museum – approximately 36,000 SF, as well as relocation of historical buildings associated with the museum, totaling approximately 20,000 SF
- Enhancement of an existing wetland as a decorative pond and associated onsite mitigation (if required) and filling or modification of non-regulated wetlands
- Ancillary park improvements such as playgrounds, gardens/greenhouses, pedestrian access/pathways, educational kiosks and access drives as shown conceptually on the PUD Plan
- Construction of required mechanical buildings, public restrooms, parking lots, and supportive utilities such as storm sewers and stormwater management features, sanitary sewers, water, fiber optic cables, electric and natural gas service

The northern portion of the Property is slated for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas.

Amherst Central Park Facility Improvements Review Process for the PUD

The Town is developing the Park pursuant to the PUD Process set forth in Section 6-9 of the Zoning Code, as the Property is in excess of 30 acres. As set forth in Zoning Code 6-9-1, the purpose of the PUD Process is to permit coordinated development that allows flexibility to respond to market demands. Pursuant to Zoning Code 6-9-2, the Town Board intends to adjust the regulations, standards and criteria of the Zoning Ordinance as part of the PUD Process for the Amherst Central Park to implement the



Conceptual Development Plan and to apply to future improvements that are not part of the Conceptual Development Plan.

1.3 SGEIS Prepared for the PUD Plan

The Town Board prepared a PUD Application, as amended on October 12, 2023 (“PUD Application”), pursuant to Town of Amherst Code Section 8-4 for the Planned Unit Development District portion of the Property. The PUD Application included a Conceptual Development Plan that reflects development of the Property.

Pursuant to Section 8-4-3, the Planning Director prepared a report that reviews the PUD application in light of any reports, recommendations, applicable plans and the general requirements of the Zoning Ordinance. In accordance with the zoning law, a copy of the report was provided to the Planning Board.

Pursuant to Section 8-4-4, the Planning Board held a public hearing on the PUD application on November 16, 2023 and following the close of the public hearing, the Planning Board prepared and furnished to the Town Board its findings that the PUD application is generally consistent with the Comprehensive Plan and the regulations, standards and purpose of the Ordinance and a recommendation that the PUD application be approved. Pursuant to Sections 8-4-5, the Planning Board made findings that the proposed conceptual development plan meets the objectives of the RC district in which the PUD is located.

Pursuant to Section 8-4-6, the Town Board held a public hearing on the pending PUD Application on December 4, 2023.



2.0 THE SEQRA PROCESS

The Amherst Town Board, as Lead Agency prepared a Supplemental Final Generic Environmental Impact Statement (FSGEIS).

GEISs and their Findings are particularly useful in setting forth the conditions, criteria or thresholds under which future site-specific actions may be undertaken. A SGEIS and its Findings should also include the thresholds and conditions that would trigger the need for supplemental determinations of significance or site-specific EISs. Lastly, SGEISs and their Findings provide for sound environmental planning and consideration of mitigation measures and alternatives at a time when there is greater flexibility.

All documents referenced herein, including, but not limited to the DGEIS, FGEIS, SEQRA Findings, DSGEIS, and FSGEIS are incorporated by reference in their entirety into these Supplemental SEQRA Findings.

Under the SEQRA regulations, this Supplemental Findings Statement must:

- consider the relevant environmental impacts, facts and conclusions disclosed in the FSGEIS;
- weigh and balance relevant environmental impacts with social, economic and other considerations;
- provide a rationale for the Town Board's decision;
- certify that the requirements of SEQRA have been met; and
- certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.



3.0 FINDINGS

3.1 Land Use and Zoning

- (a) The Property is zoned Recreational Conservation District (“RC”). As noted in Section 6-9-2, the PUD process is designed to apply the PUD criteria, standards and regulations to result in the optimum development and use of land in the Town. The criteria are intended to ensure full consideration of every planning element pertinent to the objectives of the PUD Process and the Comprehensive Plan. Conditions placed on individual use areas of a PUD may supersede regulations elsewhere in the Zoning code. Section 6-9 of the code sets forth design standards to guide PUD developments.
- (b) The PUD plan is consistent with the “Open Space” provisions at 6-9-3(E), by providing:
- i. Uncovered and unpaved lands or water areas in public, common or private ownership,
 - ii. Large areas of land in a natural state;
 - iii. Areas for active and passive recreation;
 - iv. Parks and large landscaped or wooded areas;
 - v. Drainage, runoff areas and flood plain areas and areas for stormwater storage and protection of water quality;
 - vi. Connectors between major open space areas;
 - vii. Pedestrian and bicycle circulation systems;
 - viii. Areas for preservation of wildlife, woodlands, wetlands and outstanding natural features, including geologic and topographic;
 - ix. Areas for public or private recreation, public education, community and cultural facilities when approved by the Town Board; and
 - x. Conservation facilities and areas.
- (c) The precise layout of improvements set forth in the Conceptual Development Plan, including the necessary signage and ancillary park improvements, will be the subject of an ACP Facility Improvement Review process for this Town-owned PUD to be implemented by the Director of Facilities and the ACP Planning Team.
- (d) The ACP Planning Team shall be made up of the Director of Facilities (which title is responsible for all Town-owned facilities), Town Engineer, Town Architect, Building Commissioner, Planning Director and a Police/Fire representative.



- (e) When future improvements are proposed within Amherst Central Park, the Town will take a stepwise approach to review as outlined in the ACP Facility Improvement Review process.
 - i. Minor Facilities Improvement Plans will be those that involve construction of less than 4,000 square feet and other Type II SEQRA actions.
 - ii. Improvements specified in the Conceptual Development Plan will be reviewed in accordance with the ACP Facility Improvement Review Process. Improvements not specified in the Conceptual Development Plan, but allowed within the underlying RC zoning, will be reviewed in accordance with the ACP Facility Improvement Review process.
 - iii. Improvements not specified in the Conceptual Development Plan and not allowed by the underlying RC zoning will require amendment of the PUD by the Town Board.
- (f) The Amherst Central Park is consistent with the adopted Bicentennial Comprehensive Plan.
- (g) The Amherst Central Park is consistent with the adopted Local Waterfront Revitalization Program.

3.2 Physical Alteration of Land Surface

- (a) The Property will be developed consistent with the PUD Application, which represents the maximum anticipated development of the Amherst Central Park.
- (b) The Amherst Central Park will include the improvements, with associated development areas, listed in Section 1.2.
- (c) The extent of physical alteration to land, at approximately 25 acres, would be substantially less than the 145 acres proposed for the Mixed-Use Alternative.
- (d) The PUD Plan focusses development on the southern portion of the Property and generally preserves the existing natural character and habitat in the northern portion, with the exception of certain enhancements (e.g. pollinator garden) and low impact improvements as shown in the PUD Plan.
- (e) Given adherence to stormwater regulations and code requirements, no substantial impacts due to physical alteration of the land surface were identified. Therefore, no mitigation measures are required.

3.3 Surface Water

3.3.1 Wetlands

- a) With regard to wetlands, the wetland boundary delineations were initially confirmed by the United States Army Corps of Engineers (USACE) in 2013. Based on subsequent USACE



review and site re-evaluation, the USACE issued a new jurisdictional determination on July 21, 2016. The new jurisdictional determination added Channel 1 as a regulated water of the United States (US), and reaffirmed that Ellicott Creek is a regulated water of the US. In addition, the new determination confirmed that the features identified as Wetlands 1-10 were not regulated and were outside of USACE jurisdiction.

- b) In light of proposed PUD and regulatory developments since the 2012 delineation and subsequent Joint Determination, the Town commissioned a new wetland delineation report that would allow USACE and New York State Department of Environmental Conservation (NYSDEC) to determine their jurisdictional authority on the Property, pursuant to Section 404 of the Clean Water Act and Articles 15 (Protection of Waters) and 24 (Freshwater Wetlands) of the New York State Environmental Conservation Law. One additional wetland was identified onsite, compared to the September 2012 wetland delineation and evaluation report. Subsequently, Stream 3 was redesignated as wetland, bringing total wetlands onsite to twelve. NYSDEC affirmed that none of the wetlands are within their jurisdiction.
- c) In the Mixed Use Alternative, approximately 4.17± acres of non-regulated wetlands and Ellicott Creek (a state-regulated water body) would be impacted. This Alternative required construction of a 5-acre stormwater management “lake” which would permanently replace varied wetland types (emergent marsh, scrub-shrub, and forested wetlands) with open water managed for stormwater treatment and retention.
- d) In contrast, the Amherst Central Park concept includes the filling in of an approximately 0.17± acre wetland located along the southern edge of the Property, approximately a 95% reduction in impacts to non-regulated wetlands compared to the Mixed Use Alternative. The filling and/or modification of the on-site non-jurisdictional wetlands would result in direct and permanent impacts to the water quality of those resources. However, the small non-jurisdictional wetlands that will be impacted are not regulated by the USACE or the NYSDEC and these impacts will be isolated to each specific non-jurisdictional wetland.
- e) Wetlands 11 and 12, located in the southwestern portion of the Property and identified in the Amherst Central Park Plan for expansion into a larger pond may be subject to federal permitting if that water is connected to other waters. A jurisdictional determination has been requested from USACE and implementation of the PUD conceptual design will comply with associated regulatory requirements.
- f) Further, in the long-term, the Amherst Central Park is expected to contribute to an improvement in localized water quality through improved stormwater runoff management and infiltration control.

3.3.2 Stormwater Management

- (a) The Town will use Best Management Practices (“BMPs”), to be implemented pursuant to the Stormwater Pollution Prevention Plan (“SWPPP”), to prevent erosion and sedimentation into Ellicott Creek and other off-site locations. For example, areas of disturbed soils and spoil



piles will be protected with appropriate erosion and sedimentation controls in order to avoid the potential for sedimentation into Ellicott Creek. Therefore no substantial impacts to stormwater are anticipated.

3.3.3 Flood Hazard Zones

- (a) In contrast to the previously evaluated Mixed-Use Alternative, the PUD Plan will not impact flood hazard zone areas.

3.4 Transportation

- (a) For the 2017 GEIS, the Town found that the Traffic Impact Study (TIS) prepared by the applicant for the Mixed-Use Alternative was insufficient to determine that mitigation for the substantial increase in traffic was sufficient. However, proposed mitigation was proposed to include at least: (1) construction of new roadways and internal connections; (2) multiple revisions to existing roadways, turn lanes and entrances; (3) multiple new or revised signals; (4) parking lot mitigation measures including shared parking use between proposed uses.
- (b) In order to identify and evaluate the potential traffic impacts of the proposed Amherst Central Park, the Town commissioned a new TIS, including evaluation of traffic volumes and level of service, safety, bicycle/pedestrian circulation, and public transit. While signalization of the Sheridan Drive entrance was still recommended, along with pedestrian/bicycle and transit improvements, the recommended mitigation is substantially less in scope than mitigation required for the Mixed Use Alternative.
- (c) Access roads, parking, and bicycle/pedestrian access will be implemented in accordance with the PUD development standards at 6-9-3 (A) Off-Street Parking and Loading and (C) Local Circulation System. As stated in 6-9-3, the standards are designed to “*encourage convenience in accessibility to these uses through provision of pedestrian and bicycle pathways and public transportation services and to achieve the efficient sharing of parking and loading facilities by multiple uses.*” The standards are designed to address pedestrian and bicyclist accessibility and safety while promoting efficient circulation and providing site-appropriate landscaping and screening.
- (d) The ACP Planning Team will coordinate with the NYSDOT, Erie County DPW, the Niagara Frontier Transportation Authority (NFTA) and the Town Traffic Safety Board to identify and design mobility improvements that provide access to and movement within the Park. The Town will work with these agencies to obtain the required permits for Park transportation improvements.



3.5 Human Health

- (a) Since purchase of the Property in April of 2023, the Town has been in continuous communications with the New York State Department of Environmental Conservation (NYSDEC) towards executing a regulatory order which will provide for NYSDEC oversight during the development of the entire Amherst Central Park. The consent order will include NYSDEC-approved work plans for further investigation of the Property consistent with the intended use for active and passive recreation. All NYSDEC requirements for remediation for the intended use, including health and safety plans during site activities, will be completed consistent with NYSDEC-approved work plans.

3.6 CUMULATIVE IMPACTS

- (a) Development of the Amherst Central Park would result in cumulative benefits associated with the proximity of new improvements to the existing Audubon Park and the contribution of the Park toward achieving Town goals for development of parks and path networks according to the Bicentennial Comprehensive Plan and the Recreation and Parks Master plan.
- (b) As is the case with any development project, the proposed development of the Amherst Central Park will result in certain unavoidable short-term and long-term adverse impacts, including short-term construction impacts and long-term changes in the land use and character of the Property. The Town believes the Amherst Central Park Conceptual Development Plan will adequately address these changes and will result overall in positive community character impacts and other planning objectives outlined in the Comprehensive Plan.
- (c) The Amherst Central Park will not result in any direct or potentially significant growth inducing impacts. The Property is located within a developed portion of the Town that is currently served by a full complement of utilities including sanitary sewer lines, water lines and other existing utility infrastructure, which have adequate capacity to service the Amherst Central Park. The increases in traffic volumes associated with the Amherst Central Park on the roadway network in the vicinity of the Property have been properly accounted for within the 2023 TIS.



4.0 THRESHOLDS FOR FUTURE ENVIRONMENTAL REVIEW OF RELATED ACTIONS

The establishment of thresholds for the future environmental review of related improvements in the Amherst Central Park that are not set forth in the DSGEIS is an important component of these Findings. Examples of possible future related actions (aka improvements) may include changes to the Conceptual Development Plan or development in the northern section of the Property in a manner that is not entirely consistent with the approved Conceptual Development Plan. This may occur given that the layout of the improvements as depicted on the Conceptual Development Plan is conceptual in nature. Instead, the layout as depicted on the Conceptual Development Plan is meant to depict the anticipated components of the Amherst Central Park and the maximum potential development that could occur without the need for additional environmental review(s) pursuant to SEQRA. The precise layout of improvements will be the subject of an ACP Facility Improvement Review Process for this Town-owned PUD. The future improvements will be reviewed in accordance with the process established in the PUD Application.

The thresholds for environmental review for future improvements not included in the DSGEIS are intended to provide a framework for the Lead Agency and interested agencies to utilize to ensure compliance with the procedural and substantive requirements of SEQRA.

4.1 Thresholds for the Development of the Property

The Property will be developed consistent with the PUD Application and associated Conceptual Development Plan, which represents the maximum anticipated development of the Amherst Central Park.

1. As discussed above, the Amherst Central Park will include the following:
 - Ice Ribbon and Ice Rink, approximately 25,000 SF
 - Inclusive Playground, approximately 12,500 SF
 - Splash Pad, approximately 6,100 SF
 - Public Plaza, approximately 20,000 SF including a Winter Market, approximately 5,000 SF (buildings)
 - Renovation of the former clubhouse into a Community Building, approximately 2,500 SF addition to existing (approximately 44,500 SF total at completion, including basement and all floors), to provide services including space for a Universal Pre-Kindergarten (UPK) program
 - Outdoor Amphitheater, approximately 3,300 SF
 - Community Theater Building, approximately 31,600 SF
 - New building for the Buffalo Niagara Heritage Village Museum – approximately 36,000 SF, as well as relocation of historical buildings associated with the museum, totaling approximately 20,000 SF
 - Enhancement of an existing wetland as a decorative pond and associated onsite mitigation (if required) and filling or modification of non-regulated wetlands



- Ancillary park improvements such as playgrounds, gardens/greenhouses, pedestrian access/pathways, educational kiosks and access drives as shown conceptually on the PUD plan.
- Construction of required mechanical buildings, public restrooms, parking lots, and supportive utilities such as storm sewers and stormwater management features, sanitary sewers, water, fiber optic cables, electric and natural gas service.

The northern portion of the Property is slated for natural-passive recreation along with preservation of existing ponds, wetlands and hardwood areas.

2. Amherst Central Park will be developed in a manner that is consistent with the approved Conceptual Development Plan in accordance with the ACP Facility Improvement Review Process set forth in the PUD Application for this Town-owned Amherst Central Park PUD.

4.2 Review of Future Improvements

When future improvements are proposed within Amherst Central Park, the Town will take a stepwise approach to review in accordance with the ACP Facility Improvement Review Process, which also addresses compliance with SEQRA:

- If the future proposed improvement is substantially different than set forth in the PUD Application (e.g. area footprint (square feet) of use greater than 20%, or a change in type of use), then such use should be treated as a new proposed improvement.
- If the proposed improvement is set forth in the Conceptual Development Plan, then no additional SEQRA review is required before the Planning Director or Town Board acts.
- If the proposed improvement is not set forth in the Conceptual Development Plan, but constitutes a SEQRA Type II Action, no additional review is required before the Planning Director or Town Board acts.
- If the proposed improvement is not set forth in the Conceptual Development Plan, but constitutes a SEQRA Type I Action, a new Supplemental EIS or SGEIS will likely be required by the Town Board.
- If the proposed improvement is not set forth in the Conceptual Development Plan, but constitutes a SEQRA Unlisted Action, the Town Board will assess whether the potential environmental impacts associated with the improvement have been adequately addressed within the SGEIS, and the Supplemental Findings Statements.

In making this determination, the Lead Agency will need to determine whether the proposed Park Improvement is consistent with this SGEIS and Supplemental Findings to be issued. Specifically,

1. If the Town Board determines that the future improvement will be carried out in conformance with the thresholds established in the SGEIS or Supplemental Findings Statement, then no further SEQRA compliance will be required;



2. If the Town Board determines that the future improvement was adequately addressed in the SGEIS but not adequately addressed in the Supplemental Findings Statement, then an amended Supplemental Findings Statement must be prepared;
3. If the Town Board determines that the future improvement is not addressed, or not adequately addressed, in the SGEIS, but it will not result in any significant adverse environmental impact, then a negative declaration must be prepared; or
4. If the Town Board determines that the future improvement is not addressed, or is not adequately addressed, in the SGEIS and may have one or more significant adverse environmental impacts, then a supplement to the SGEIS must be prepared.¹

¹ See 6 NYCRR Part 617.10(d).



5.0 CERTIFICATION

The members of the Town Board have considered the relevant environmental impacts, facts and conclusions set forth in the FSGEIS, and have weighed and balanced the relevant environmental impacts associated with the Project with social, economic and other considerations, which rationale has been set forth in these SEQRA Findings.

After careful consideration of all relevant documentation and comments, the Town Board, serving as the Lead Agency, has determined that they have more than adequate information to evaluate all of the benefits and potential impacts of the Project, individually, and cumulatively. Therefore, in accordance with 6 NYCRR § 617.11, SEQRA's required balancing of potential for significant adverse environmental impacts against social, economic and other essential considerations, the Town Board hereby certifies that:

Consistent with social economic and other essential considerations from among the reasonable alternatives available, the Project avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable, and

The requirements of 6 NYCRR Part 617 have been met.

Attachment: PUD Application 10/12/23



Exhibit 5

LEGAL DESCRIPTION OF 750 NORTH FOREST ROAD

ALL OF THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Lot No. 60 & 66, Township 12, range 7 of Holland Land Company's Survey and more particularly described as follows:

BEGINNING at a concrete monument at the point of intersection of the northerly right of way of the Sheridan Drive, S.H. No. 9216, with the southwesterly right of way of the North Forest Road, C.R. No. 294, thence westerly along said northerly right of way of Sheridan Drive N 89°02'19" W, a distance of 783.49 feet to a point; thence N 00°57'41" E, a distance of 432.69 feet to a point; thence N 74°44'52" E, a distance of 152.81 feet to a point; thence N 16°53'32" E, a distance of 29.22 feet to a point; thence N 74°12'00" E, a distance of 296.50 feet to a point; thence S 53°16'58" E, a distance of 177.45 feet to a point on said westerly boundary of North Forest Road; thence along said right of way S 01°16'15" W, a distance of 28.50 feet to a point; Thence S 16°01'51" E, a distance of 49.53 to a point; thence S 25°59'53" E, a distance of 435.02 feet to a point; thence S 27°15'57" W, a distance of 24.17 feet to the point and place of BEGINNING.

The parcel consists of 8.070 acres of land.

Exhibit 6

Refer to separate PDF file w/
restrictions. Unable to group
with this PDF due to USACE
permissions.

Exhibit 7



New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation
P.O. Box 189, Waterford, New York 12188-0189
518-237-8643

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

June 10, 2014

Sean Hopkins
Hopkins & Sorgi
5500 Main Street, Suite 100
Williamsville, NY 14221
(via email only)

Re: SEORA
Westwood County Club
Maple Rd
Town of Amherst, Erie County
12PR04942

Dear Mr. Hopkins:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the *Phase IB Cultural Resources Investigation Report*, prepared by Robert Dean and dated December 2013, in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

Based upon this review, the OPRHP concurs with the recommendation for a Phase II Site Evaluation or avoidance of the Westwood Pre-Contact 1 site (A02902.001323), the Westwood Historic site (A02902.001326), and the Westwood Pre-Contact 3 site (A02902.001325). We have no further archaeology concerns with the Westwood Pre-Contact 2 site (02902.001324) or for any other portions of the current project area. If avoidance is chosen, the OPRHP requests an avoidance plan.

Please refer to the attachment for building/structure comments. I can be reached at ext. 3280 with any questions you may have.

Sincerely,

Nancy Herter
Historic Preservation Program Analyst, Archaeology

cc. Robert Dean (via email only)

**REQUEST FOR ADDITIONAL INFORMATION
BUILDINGS/STRUCTURES/DISTRICTS**

PROJECT NUMBER 12PR04942

(Westwood County Club/Maple Rd/T/AMHERST)

In order for us to complete our evaluation of the historic signification of all buildings/structures/districts within or adjacent to your project area we will need the following additional information

- ☐ Full project description showing area of potential effect.
- ☐ Clear, original photographs of buildings/structures 50 years or older.
 - ☐ within or ☐ Immediately adjacent to the project area

**** key all photographs to a site map**
- ☐ Clear, original photographs of the surroundings looking out from the project site in all direction,
keyed to a site map.
- ☐ Date of construction.
- ☒ Brief history of property. golf course
- ☐ Clear, original photographs of the following:
 - golf course typical and any outstanding design features
- ☐ Other:
 - History, contruction date, name of designer of golf course.

Please provide only the additional information checked above. If you have any question concerning this request for additional information, please call Robert T. Englert at 518-237-8643. ext 3268

**PLEASE BE SURE TO REFER TO THE PROJECT NUMBER NOTED ABOVE WHEN
RESPONDING TO THIS REQUEST**