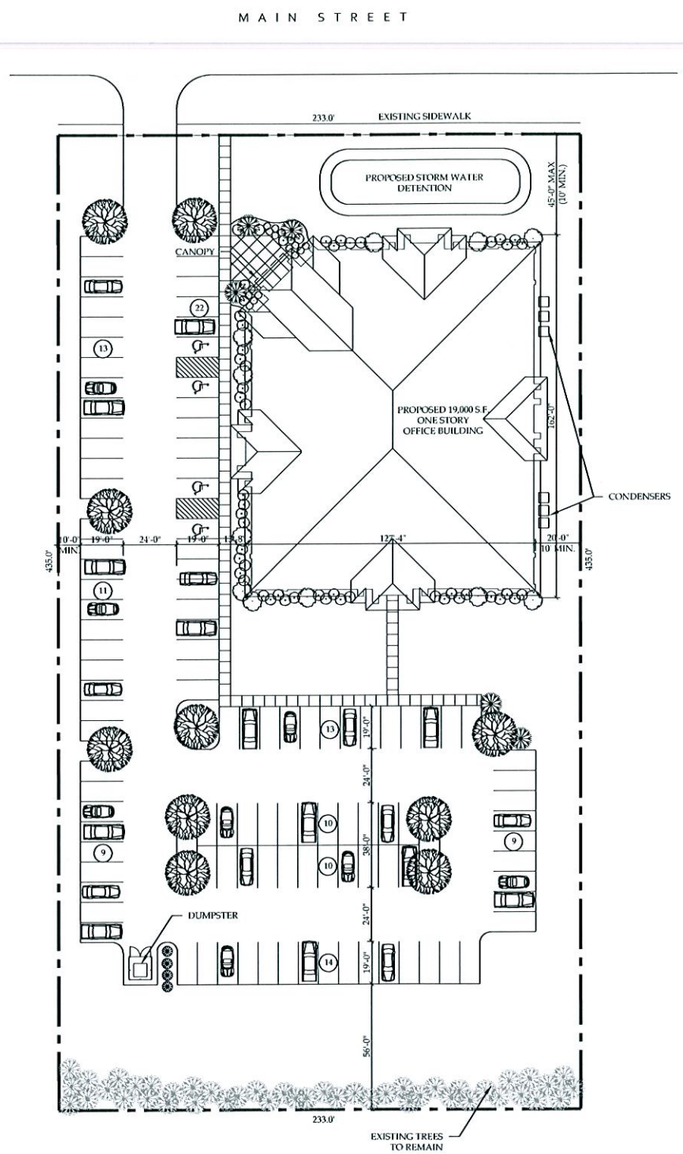

N

A1 SITE PLAN
1" = 20'-0"

SITE DATA:

SITE AREA: 2.33 ACRES
ZONING: TRADITIONAL NEIGHBORHOOD
(PROFESSIONAL OFFICE BUILDING ALLOWED)

BUILDING AREA: 19,000 S.F.

PARKING :

PARKING REQUIRED: 19,000 g.s.f./200 = 95 SPACES
PARKING PROVIDED: 99 PARKING SPACES

REQUIRED GREEN SPACE : 40%
PROVIDED GREEN SPACE : 41%

REQUIRED BUILDING SETBACKS:

FRONT: 10' MIN.
45 MAX.

SIDES: 10'
REAR: 25'

RECEIVED
JUL - 8 2013
ZONING OFFICE

NOTICE

This document, the property of, prepared and issued by the architect, is submitted for the specific project namely _____ and the recipient by accepting this document assumes custody and agrees that this document will not be copied or reproduced in part or in whole, and any special features peculiar to this design shall not be incorporated in any other project, unless prior agreement has been obtained in writing. These documents will be returned immediately upon completion of the project or upon the request of the architect.
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McGuire Development Co.

19,000 S.F. OFFICE FOR TRONCONI SEGARRA & ASSOCIATES

8321 Main Street,
Clarence, NY

ISSUE:

SA PROJECT TEAM: PRINCIPAL P.Silvestri
PROJ. ARCH. _____ DRAFTER _____
JOB CAPT. _____ INTERIORS _____

SEAL:

TITLE:
SITE PLAN

SILVESTRI ARCHITECTS • PC
1321 MILLERSPORT HWY AMHERST, NY 14221
PH. 716.691.0900
FAX 716.691.4773

SA JOB #: 13012
DATE: 06-04-13
DRAWING #: AS-101

Tronconi Segarra
& Associates

MCGUIRE OFFICE BLDG
8321 MAIN ST.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable?** The reviewer is not expected to be an expert environmental analyst.

! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.

! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.

! The number of examples per question does not indicate the importance of each question.

! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.

b. **Maybe** answers should be considered as **Yes** answers.

c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.

d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.

e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.

f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
Impact on Land			
1. Will the Proposed Action result in a physical change to the project site? NO ☐ YES ☒			
Examples that would apply to column 2			
• Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.	☐	☐	☐ Yes ☐ No
• Construction on land where the depth to the water table is less than 3 feet.	☒	☐	☐ Yes ☐ No
• Construction of paved parking area for 1,000 or more vehicles.	☐	☐	☐ Yes ☐ No
• Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.	☐	☐	☐ Yes ☐ No
• Construction that will continue for more than 1 year or involve more than one phase or stage.	☐	☐	☐ Yes ☐ No
• Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a santary landfill.	☐	☐	☐ Yes ☐ No
• Construction in a designated floodway.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)
   ☒ NO ☐ YES

• Specific land forms:	☐	☐	☐ Yes ☐ No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)
   ☒ NO ☐ YES

Examples that would apply to column 2

• Developable area of site contains a protected water body.	☐	☐	☐ Yes ☐ No
• Dredging more than 100 cubic yards of material from channel of a protected stream.	☐	☐	☐ Yes ☐ No
• Extension of utility distribution facilities through a protected water body.	☐	☐	☐ Yes ☐ No
• Construction in a designated freshwater or tidal wetland.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

4. Will Proposed Action affect any non-protected existing or new body of water?
   ☒ NO ☐ YES

Examples that would apply to column 2

• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	☐	☐	☐ Yes ☐ No
• Construction of a body of water that exceeds 10 acres of surface area.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
5. Will Proposed Action affect surface or groundwater quality or quantity? ☐ NO ☒ YES			
Examples that would apply to column 2			
• Proposed Action will require a discharge permit.	☒	☐	☐ Yes ☐ No
• Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	☐	☐	☐ Yes ☐ No
• Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	☐	☐	☐ Yes ☐ No
• Construction or operation causing any contamination of a water supply system.	☐	☐	☐ Yes ☐ No
• Proposed Action will adversely affect groundwater.	☐	☐	☐ Yes ☐ No
• Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	☐	☐	☐ Yes ☐ No
• Proposed Action would use water in excess of 20,000 gallons per day.	☐	☐	☐ Yes ☐ No
• Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	☐	☐	☐ Yes ☐ No
• Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.	☐	☐	☐ Yes ☐ No
• Proposed Action will allow residential uses in areas without water and/or sewer services.	☐	☐	☐ Yes ☐ No
• Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change	

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?
   ☒ NO ☐ YES

Examples that would apply to column 2

• Proposed Action would change flood water flows	☐	☐	☐ Yes	☐ No
• Proposed Action may cause substantial erosion.	☐	☐	☐ Yes	☐ No
• Proposed Action is incompatible with existing drainage patterns.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow development in a designated floodway.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

IMPACT ON AIR

7. Will Proposed Action affect air quality?
   ☒ NO ☐ YES

Examples that would apply to column 2

• Proposed Action will induce 1,000 or more vehicle trips in any given hour.	☐	☐	☐ Yes	☐ No
• Proposed Action will result in the incineration of more than 1 ton of refuse per hour.	☐	☐	☐ Yes	☐ No
• Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow an increase in the amount of land committed to industrial use.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow an increase in the density of industrial development within existing industrial areas.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?
   ☒ NO ☐ YES

Examples that would apply to column 2

• Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site.	☐	☐	☐ Yes	☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	☐	☐	☐ Yes ☐ No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?
   ☒ NO ☐ YES

Examples that would apply to column 2

• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	☐	☐	☐ Yes ☐ No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?
    ☒ NO ☐ YES

Examples that would apply to column 2

• The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	☐	☐	☐ Yes ☐ No
• Construction activity would excavate or compact the soil profile of agricultural land.	☐	☐	☐ Yes ☐ No
• The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)
☒ NO ☐ YES

Examples that would apply to column 2			
• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	☐	☐	☐ Yes ☐ No
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	☐	☐	☐ Yes ☐ No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?
☒ NO ☐ YES

Examples that would apply to column 2			
• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	☐	☐	☐ Yes ☐ No
• Any impact to an archaeological site or fossil bed located within the project site.	☐	☐	☐ Yes ☐ No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?
☒ NO ☐ YES

Examples that would apply to column 2

• The permanent foreclosure of a future recreational opportunity.	☐	☐	☐ Yes ☐ No
• A major reduction of an open space important to the community.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?
☒ NO ☐ YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

• Proposed Action to locate within the CEA?	☐	☐	☐ Yes ☐ No
• Proposed Action will result in a reduction in the quantity of the resource?	☐	☐	☐ Yes ☐ No
• Proposed Action will result in a reduction in the quality of the resource?	☐	☐	☐ Yes ☐ No
• Proposed Action will impact the use, function or enjoyment of the resource?	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

☒ NO ☐ YES

Examples that would apply to column 2

• Alteration of present patterns of movement of people and/or goods.	☐	☐	☐ Yes ☐ No
• Proposed Action will result in major traffic problems.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☒ NO ☐ YES

Examples that would apply to column 2

• Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.	☐	☐	☐ Yes ☐ No
• Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☒ NO ☐ YES

Examples that would apply to column 2

• Blasting within 1,500 feet of a hospital, school or other sensitive facility.	☐	☐	☐ Yes ☐ No
• Odors will occur routinely (more than one hour per day).	☐	☐	☐ Yes ☐ No
• Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.	☐	☐	☐ Yes ☐ No
• Proposed Action will remove natural barriers that would act as a noise screen.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?
☒ NO ☐ YES

• Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.	☐	☐	☐ Yes ☐ No
• Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)	☐	☐	☐ Yes ☐ No
• Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.	☐	☐	☐ Yes ☐ No
• Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?
☒ NO ☐ YES

Examples that would apply to column 2

• The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.	☐	☐	☐ Yes ☐ No
• The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.	☐	☐	☐ Yes ☐ No
• Proposed Action will conflict with officially adopted plans or goals.	☐	☐	☐ Yes ☐ No
• Proposed Action will cause a change in the density of land use.	☐	☐	☐ Yes ☐ No
• Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.	☐	☐	☐ Yes ☐ No
• Development will create a demand for additional community services (e.g. schools, police and fire, etc.)	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	☐	☐	☐ Yes ☐ No
• Proposed Action will create or eliminate employment.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
☒ NO ☐ YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.

2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).

3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

   To answer the question of importance, consider:

   ! The probability of the impact occurring
   ! The duration of the impact
   ! Its irreversibility, including permanently lost resources of value
   ! Whether the impact can or will be controlled
   ! The regional consequence of the impact
   ! Its potential divergence from local needs and goals
   ! Whether known objections to the project relate to this impact.

1. Impact on Land.
   Construction will occur on land where the depth to water table is less than 3'--seasonally. This small to moderate impact cannot be avoided, however, construction techniques and the approved stormwater management system will aid in reducing potential impacts to non-significant levels.

5. Surface/Groundwater Impacts.
   The project will be subject to local stromwater management and erosion control requirements. Compliance with local laws and licensing of injection wells with the U.S. Environmental Protection Agency will control the level of potential impact to non-significant levels.

Reset

STATE ENVIRONMENTAL QUALITY REVIEW ACT
FINALWRITTEN FINDINGS STATEMENT
July 17, 2013

This written findings statement has been prepared and is being issued by the Town Board of the Town of Clarence, New York ("Town") as Lead Agency in accordance with Article 8 of the New York State Environmental Conservation Law and the regulations promulgated under Article 8 and set forth at Part 617 of Title VI of the New York Code of Rules and Regulations (collectively referred to as "SEQR")

Project Name:

Clarence Hollow Pollution Abatement Project
Supplemented to Address Site Specific Impacts From:

The Northwoods Open Space Design Subdivision

Project Location:

East of Shimerville Road and North of Greiner Road in the Town of Clarence, Erie County, New York.

SEQRA Status:

Type I Action

Lead Agency:

Clarence Town Board
One Town Place
Clarence, New York 14031
Phone: (716) 741-8930

Contact Name:

James B. Callahan
Director of Community Development
One Town Place
Clarence, New York 14031
Phone: (716) 741-8933

Project Description:

The proposed action involves the construction of a 148 +/- unit mixed, residential housing development on a tract of land approximately 118.91 +/- acres in size, located east of Shimerville Road and north of Greiner Road, in the Town of Clarence, New York. The GEIS for the Heise-Brookhaven Trunk Sewer anticipated development of the subject parcel but did not address the specific impacts related to development of the subject land.

Findings:

GENERAL ISSUES:

1. A Positive Findings Statement was issued on August 22, 2001 by the Clarence Town Board to approve the Heise-Brookhaven Trunk Sewer Line. This pollution abatement project extended a private trunk sewer line to solve an existing pollution problem in Clarence Hollow in exchange for utilization of the reserve capacity within said trunk line. This reserve capacity was authorized for use to develop the equivalent of 1000 residential dwelling units at two distinct locations within the Town of Clarence. The proposed Northwoods Open Space Subdivision represents one of the site specific areas that will utilize the reserve capacity within the Heise-Brookhaven Trunk Sewer Line.

2. The Findings Statement for the Clarence Hollow Pollution Abatement Project identified that future project-related development that exceeded pre-determined thresholds must be evaluated by the Town to determine whether a Supplemental Environmental Impact Statement would be required. The Northwoods Open Space Subdivision exceeded the identified thresholds and the Clarence Town Board issued a Positive Declaration under SEQRA and required that a Supplemental Environmental Impact Statement be prepared.

3. Several alternatives to the project were developed and analyzed in the DSEIS and FSEIS. The null/no build alternative does not fulfill the agreed upon contractual obligation that grants utilization of reserve sewer capacity to the private development interests that helped make the Clarence Hollow Pollution Abatement Project a reality. The concept of the Town acquiring the open space via the Town Open Space Bond Act is not practical as the applicant is not a willing seller of the development rights of the property and the cost associated with the Town acquiring the open space would not be practical. The legality and cost associated with the Town purchasing the reserve sewer capacity would be cost prohibitive to the community and to any associated sewer district, rendering this alternative impractical.

4. The proposed Northwoods Open Space Subdivision is located within the Residential Single-Family zoning classification and the proposed use of the property for mixed single-family housing is a permitted use. The proposed design preserves 50% of the overall property as perpetual open space and conforms with section 229-106 thru 108 of the Clarence Zoning Law as to density and the amount of land identified for preservation.

5. Findings as forwarded by the Erie County Department of Environment and Planning are incorporated and made a part of this Final Findings Statement.

6. All findings as forwarded from the Erie County Department of Public Works as related to roadway mitigations are incorporated and made a part of this Final Findings Statement.

7. Project approvals are limited to the 118 acres as identified in the Project Description.

8. All Findings as identified in the original Clarence Hollow Pollution Abatement Project remain in full force.

SPECIFIC DESIGN ISSUES:

1. During the Conceptual Planning/Site Plan stage of the Northwoods subdivision, the recreational trail (bike path) will be integrated into the design of this project so that future residents can access the bike path that is to extend to the north, through the Waterford Village PURD and eventually to the Peanut Line. Appropriate buffers and siting of the path will be considered then. The recreational trail shall be consistent with the overall Master Plan goal of connecting public properties and communities and that the final design can support future connections in support of this goal. Construction of the recreational trail will be completed prior to the start of construction of any housing in the development.

2. The project will adhere with the Town of Clarence's Open Space Design Development ("OSDD") pursuant to the Zoning Law of the Town of Clarence, New York ("Zoning Law"). A minimum of 50 percent of the property will remain open space. As currently proposed, the location of the designated open space required under the Open Space Design Ordinance will need to be revised during the conceptual/site plan review process in order to maximize overall usage. The final design of the subdivision should not isolate open space but rather provide connectivity to enhance physical activity. Open space surrounding the Greiner Road Vista will also be addressed during the conceptual/site plan review process.

3. The project construction access will be located off of Roll Road for the duration of the project. The proposed connection and improvement to Country Club Drive must be constructed in accordance with Town specifications.

WETLAND & GOTT CREEK TRIBUTARY IMPACTS:

The NYSDEC has identified a need for wetland mitigation measures along the Roll Road entrance and for appropriate buffers surrounding the Gott Creek Tributary. The Clarence Planning Board identified the need for appropriate buffers surrounding the Gott Creek Tributary and to address hydric soils on site that will impact the proposed site layout.

1. Once the limits of freshwater wetlands jurisdiction have been identified by the NYSDEC, impacts to Wetland LA-8 and its regulated 100-foot adjacent area will be addressed, as necessary, using site plan amendments designed to limit disturbance associated with construction of the access road and home lots. On-site mitigation will be required by the applicant.

2. The Gott Creek Tributary is classified as a C(t) waterway per NYSDEC designation. A 50' buffer will be required on both sides of the Gott Creek Tributary per NYSDEC regulations. The proposed lot layout of the subdivision will comply with this regulation.

3. Wayland silt loam hydric soils are located immediately adjacent to the Gott Creek Tributary, with Lakemont mucky silt loam and Lakemont silt loam hydric soils located next to Wetland LA-8. The proposed lot layout of the subdivision must address the location of these hydric soils during the conceptual/site plan review stage. The final design must be in accordance with the original open space design development calculations that identified the hydric soils.

4. All required New York State Department of Environmental Conservation and United States Army Corps of Engineers permits must be issued prior to commencement of any construction related to the project development.

SEWER CAPACITY IMPACTS:

The Clarence Planning Board and NYSDEC listed concerns regarding available sewer capacity and the future extension of the service line for the project

1. Under the Heise Brookhaven EIS, a total of 1,000 sewer taps were made available. At this time, the project sponsor has provided assurances that capacity exists, from the original Clarence Hollow Pollution Abatement Project and the subsequent Heise-Brookhaven Trunk Sewer Line, to allow the project to move forward. The Town of Clarence Engineering Department will account for all sewer connections and prioritize capacity based upon chronological identification of EDU's based upon submitted legal documentation and/or project approvals. Once all permits have been applied for and approved by the department, no additional connections will be permitted as part of the Heise Brookhaven Private Sanitary Trunk Sewer agreement. Any future sewer connections will require additional environmental evaluations for sewer capacity.

2. A minimum 10 inch sewer line will be installed through the project and terminate next to the project's driveway connection to Greiner Road to provide possible future sewer service to the south of the project site.

All facts and findings of this review are on file at the Town of Clarence Department of Planning and Zoning, 1 Town Place, Clarence, New York 14031. These files may be examined by the public between the hours of 8:00 AM and 4:30 PM of any normal operating day.

In consideration of the above determinations and the relevant environmental impacts, facts and conclusions disclosed in the Final Supplementary EIS, the Town of Clarence has weighed and balanced relevant environmental impacts with social, economic and other considerations and certifies:

1. **The requirements of the Environmental Conservation Law have been met.**

2. **The action is one that avoids or minimizes environmental impacts to the 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.**