

ZBA
mtg
9-11-07

Appeal No. 6
Daniel Singer
Residential Single-Family

Requests the Board of Appeals approve and grant a use variance to allow a commercial personal service shop (nail salon) in the Residential Single-Family Zoning District at 8353 Main Street.

Appeal No. 6 is in variance to Section 229-47, Permitted Uses.

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DISCUSSION:

Raymond Skaine refers to criteria regarding variances in section 229-163 (F) (1) (a) of the Town code which states that no such use variance shall be granted without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship, the applicant shall demonstrate to the Board of Appeals, for each and every permitted use under the zoning regulations for the particular district where the property is located: (1) that the applicant can not earn a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence and asks the applicant what he has to support this. Mr. Singer provides a letter from Clayt Ertel, a licensed Real Estate Broker. Mr. Ertel is present. Mr. Singer said he bought the property in 2004 based on it being zoned Commercial, in March 2005 the property was rezoned from Commercial to Residential.

Ryan Mills asked, with regards to the septic system, if the applicant has tried to obtain a variance for anything larger than a one or two-bedroom house. Mr. Singer has discussed his intended project with a representative of the Health Department; the rep said a nail salon would be a good fit at this location.

Mr. Ertel said it would be impossible for Mr. Singer to obtain a return if he were to have a single family home built on this parcel.

Mr. Skaine refers to the second item of the code which states that the applicant must prove the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. Mr. Singer said his situation is unique because he has the only parcel in the area that was rezoned; it was rezoned as a mistake.

Mr. Skaine refers to item 3 and 4 of the code which states the requested use variance, if granted, will not alter the essential character of the neighborhood and that the alleged hardship has not been self-created. Mr. Singer said he submitted a site plan with a building design that fit into the character of the neighborhood, he paid much attention to maintaining the greenspace next to the adjoining properties, he does not believe his proposal will alter the character of the neighborhood. The parking and driveway would be located on Main Street so as not to impact traffic on Susan Drive. The salon would be family owned and operated with minimal employees. Customers would be by appointment only, thereby reducing traffic. He feels his hardship is not self-created; it was created when the Town adopted the amendment on March 9, 2005 which included the rezoning of this property.

Mr. Michnik asked what will happen to the family owned and operated business 10 years down the road, Mr. Singer said he can not predict that. Jim Callahan identifies that, if this use variance is granted, the Zoning Board of Appeals should put a condition on the motion indicating that any changes on the use in the future is subject to Town Board approval. Mr. Singer said he does not have an issue with this.

Mr. Michnik is concerned with the customers that walk in off Main Street; is Mr. Singer going to turn them away because they do not have an appointment? Mr. Singer explains that he is buying a franchise, which includes guidelines in the agreement. He said the hours will probably by 8:00 a.m. to 6:00p.m. Tuesday through Friday, Saturday until 2:00 p.m., he may open on Mondays if the demand is there. He may be open some evenings for a special occasion such as a wedding or a prom. Mr. Michnik wonders if Mr. Singer will make evening appointments for anyone who wants one; there are many special occasions

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Mr. Skaine refers to Section 229-163 (F) (1) (b) of the Town Code which states the Board of Appeals, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

ACTION:

Motion by Raymond Skaine, seconded by Arthur Henning, to **approve** appeal #6, under Old Business, with the following conditions:

- The applicant is applying for a nail salon.
- The business hours will be controlled and adhered to, as agreed by Mr. Singer, which is 8:00 a.m. to 8:00 p.m., never open on Sundays.
- The applicant will abide by the current laws of the Town of Clarence in the Traditional Neighborhood District (TND) which states no parking in the front yard of the building, and can not come before the Board of Appeals for a variance to this condition.
- Any other change in use or additional modifications for this property is to be addressed by the Town Board.
- The applicant is to work with the neighbors, through the Landscape Committee, to provide a berm, trees or possibly a fence in order to shield the neighbors from the headlights of the vehicles that visit the site.

ON THE QUESTION:

Town Attorney Steve Bengart suggests the applicant state the hours of operation that his business will, undoubtedly, not extend past, this will eliminate any chance for interpretation of the motion; this is reflected in the motion and Mr. Singer agrees with it. Mr. Bengart also wants the applicant to understand that if there is a complaint of his business operating after hours he will be put on notice, if it happens again a violation will be issued and he can ultimately end up in court.

Mr. Singer said he designed the parking in the front of the building so as not to have any concerns with the neighbors on Susan Drive. Mr. Skaine said the design had no concern for the laws of the Town of Clarence; if the applicant can not abide by the parking condition stated in the motion, he can withdraw his application and put a halt to the project.

Mr. Singer asked if he was allowed to have parking on the side of the building. Mr. Callahan explains that the TND limits parking in the required front yard setback so it pushes the building and the architectural style up front and the parking to the rear; parking is allowed on the side of the building. Mr. Ertel points out that the neighbors will have to deal with headlights from the cars that pull into the parking lot behind the building. Mr. Singer is in agreement with parking on the side of the building and behind the building.

Mr. Michnik voices his concern with the issue of headlights shining on to the neighbor's property from the vehicles that visit the site. He wonders if the applicant would be willing to erect a 6' fence to mitigate the issue. Mr. Singer said there is a fence and evergreens on the neighbor's property that is behind his site. He would agree to putting in a small berm with some evergreens on his property, he also agrees to work with the neighbors through the Landscape Committee; this is a condition of the motion.

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Raymond Skaine	Aye	Daniel Michnik	Aye
Arthur Henning	Aye	Ryan Mills	Aye
David D'Amato	Aye		

MOTION CARRIED.

Short Environmental Assessment Form
Part 1 - Project Information

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AUG 26 2014

ZONING OFFICE

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

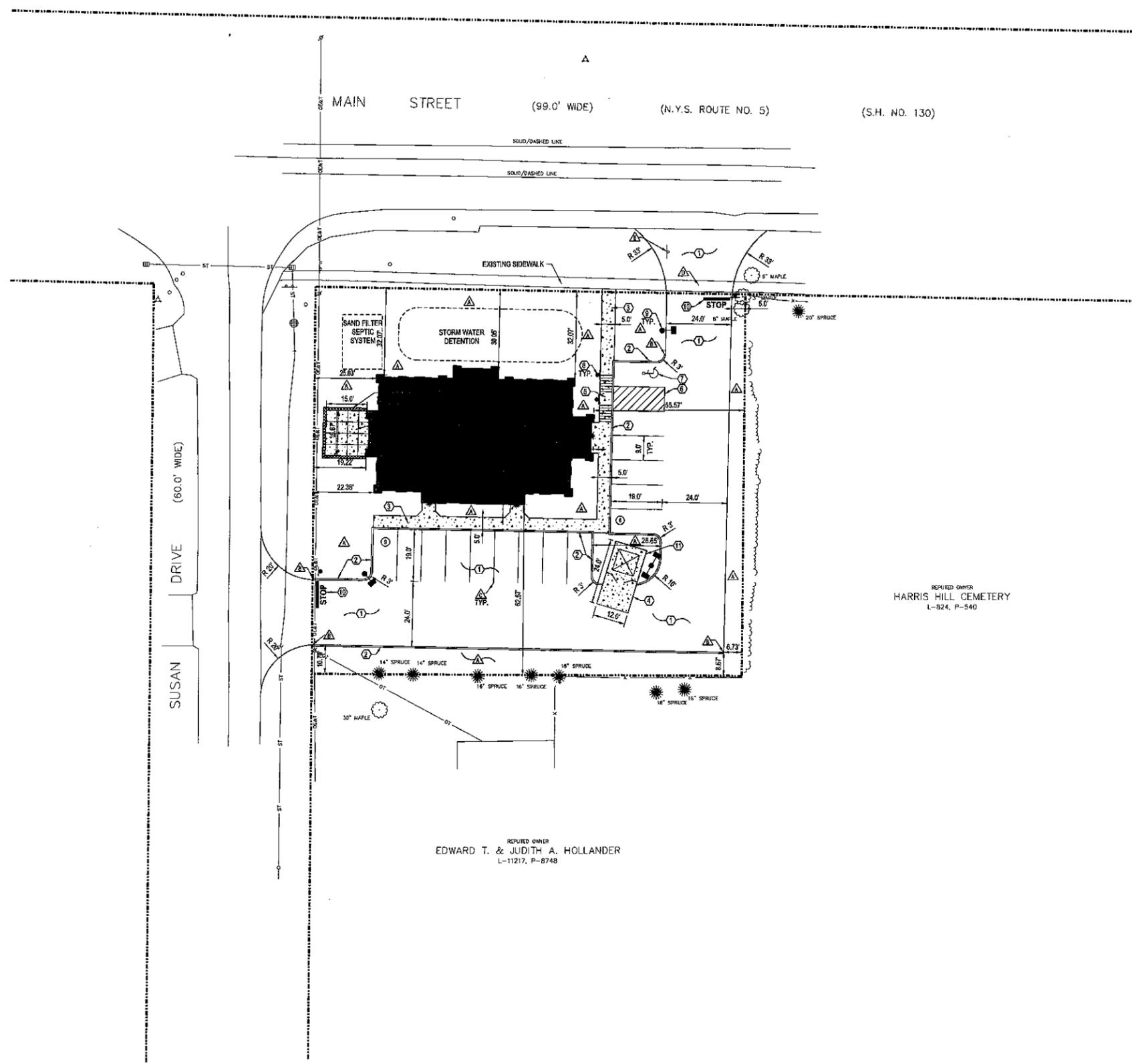
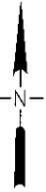
Part 1 - Project and Sponsor Information				
Name of Action or Project: Seventeen Hundred Properties, Inc.				
Project Location (describe, and attach a location map): southeast corner of intersection of Main Street (NYS Route 5) and Susan Drive, Clarence, NY				
Brief Description of Proposed Action: The project involves the construction of a 3,400 s.f. single story office building on a 0.52 acre parcel with associated site improvements, located at the southeast corner of Susan Drive and Main street, in the Town of Clarence. Site improvements include asphalt paved parking for 15 vehicles (including 1 HC accessible space), a stormwater detention basin, a domestic water service, a septic system and landscaping.				
Name of Applicant or Sponsor: Lowell Dewey, P.E. (C&S Engineers, Inc.)		Telephone: 716-847-1630 E-Mail: ldewey@cscos.com		
Address: 141 Elm Street, Suite 100				
City/PO: Buffalo		State: NY	Zip Code: 14203	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Town of Clarence Planning Board - Site Plan Approval, Erie County Dept. of Health - Septic System Approval Erie County Water Authority - Domestic Water, NYS Dept of Transportation - Highway Work Permit			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0.52 acres		
b. Total acreage to be physically disturbed?		_____ 0.52 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.52 acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland				

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ During a rainfall event, stormwater runoff is temporarily detained on-site in a detention basin, then discharges to the NYSDOT drainage system in Main Street.</p>	<p>NO <input type="checkbox"/></p>	<p>YES <input checked="" type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>LOWELL DEWEY, P.E.</u> Date: <u>8/26/14</u> Signature: <u><i>Lowell Dewey</i></u></p>		

	70.18-5-21	70.18-5-22	70.18-5-23.1 70.18-5-23.2	70.18-5-24	70.18-6-24.1
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Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes NOTE: SITE HAS BEEN PREVIOUSLY DISTURBED
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



SITE DATA:

ACREAGE: 0.52
CURRENT ZONING: RESIDENTIAL SINGLE FAMILY
-VARIANCE GRANTED FOR COMMERCIAL USE WITH TRADITIONAL NEIGHBORHOOD DISTRICT ZONING REGULATIONS
PARKING REQUIRED: 3400 / 200 = 17 SPACES
PARKING PROVIDED: 15 SPACES

GENERAL NOTES:

- 1. SURVEY INFORMATION WAS PROVIDED BY MANTOSH & MANTOSH, P.C. DATED 07-01-14. C&S ENGINEERS, INC. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.
- 2. CONTRACTOR TO VERIFY ALL FIELD CONDITIONS AND UTILITY LOCATIONS PRIOR TO THE START OF CONSTRUCTION. CONTACT THE ENGINEER WITH ANY DISCREPANCIES FOUND IN THE FIELD.
- 3. ALL DIMENSIONS FROM PROPERTY LINES ARE 90° FROM PROPERTY LINE UNLESS OTHERWISE NOTED.
- 4. ALL DIMENSIONS ARE FROM FACE OF CURB UNLESS OTHERWISE NOTED.
- 5. COORDINATE EXACT LOCATION OF SIDEWALKS AT DOORWAYS WITH ARCHITECTURAL PLANS.
- 6. ALL WORK TO BE COMPLETED TO TOWN OF CLARENCE STANDARDS AND THOSE OF THE RESPECTIVE UTILITY COMPANIES. CONTRACTOR TO OBTAIN RIGHT-OF-WAY CONSTRUCTION PERMITS FROM THE NYS DOT.

PROPOSED LEGEND:

- PROPERTY LINE
- ▲ PROPOSED SIGN
- ▬ PROPOSED CONCRETE PAVEMENT / SIDEWALK
- ▬ PROPOSED CONCRETE CURB
- ⓪ NUMBER OF PARKING SPACES
- ◀ DOOR LOCATION
- E.P. EDGE OF PAVEMENT
- ⊕ LIGHTING FIXTURES
- ★ WALL LIGHT FIXTURE

NOTE LEGEND:

- ▲ 4" TOPSOIL & SEED IF NO PLANTINGS-SEE LANDSCAPING PLAN.
- ▲ MATCH EXISTING CURB OR RUN OUT IN 4'-0"
- ▲ 4" WIDE PAINTED WHITE PAVEMENT STRIPES
- ▲ REMOVE SIDEWALK, REPLACE WITH STANDARD DUTY ASPHALT
- ▲ RELOCATE SIGN

DETAIL LEGEND:

- ① STANDARD DUTY ASPHALT
- ② CONCRETE CURB
- ③ CONCRETE SIDEWALK
- ④ EXTERIOR CONCRETE SLAB-ON-GRADE
- ⑤ ACCESSIBLE CURB RAMP 'A'
- ⑥ ACCESSIBLE PAVEMENT MARKINGS
- ⑦ INTERNATIONAL ACCESSIBLE SYMBOL
- ⑧ ACCESSIBLE OR 'NO PARKING' SIGN
- ⑨ LIGHT POLE FOUNDATION
- ⑩ STOP BAR/STOP SIGN
- ⑪ DUMPSTER ENCLOSURE



NOTICE
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This document is the exclusive property of the architect, no rights to ownership are transferable, or shall be lost by the filing of this document with any and all public authorities for the purpose of compliance with Codes and or Ordinances, i.e. Building Permit, etc.

C&S COMPANIES
C&S Engineers, Inc.
141 Elm Street Suite 100
Buffalo, New York 14203
Phone: 716-847-1630
Fax: 716-847-1454
www.ccsny.com

Seventeen Hundred Properties, Inc.
Main St. & Susan Dr.
Town of Clarence,
New York

ISSUE:

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

SEAL:

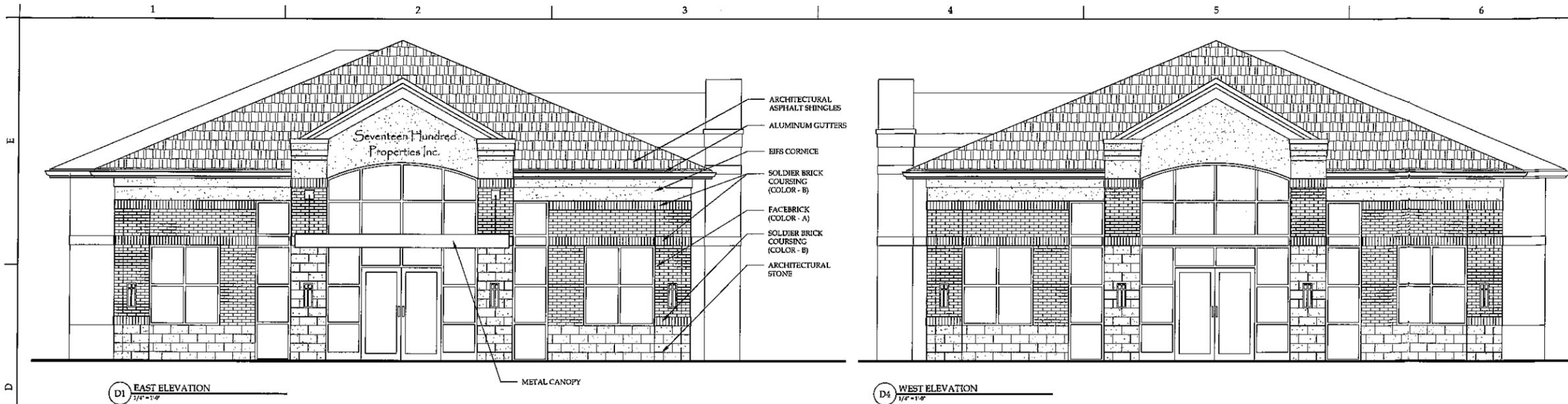
TITLE:

SITE PLAN

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

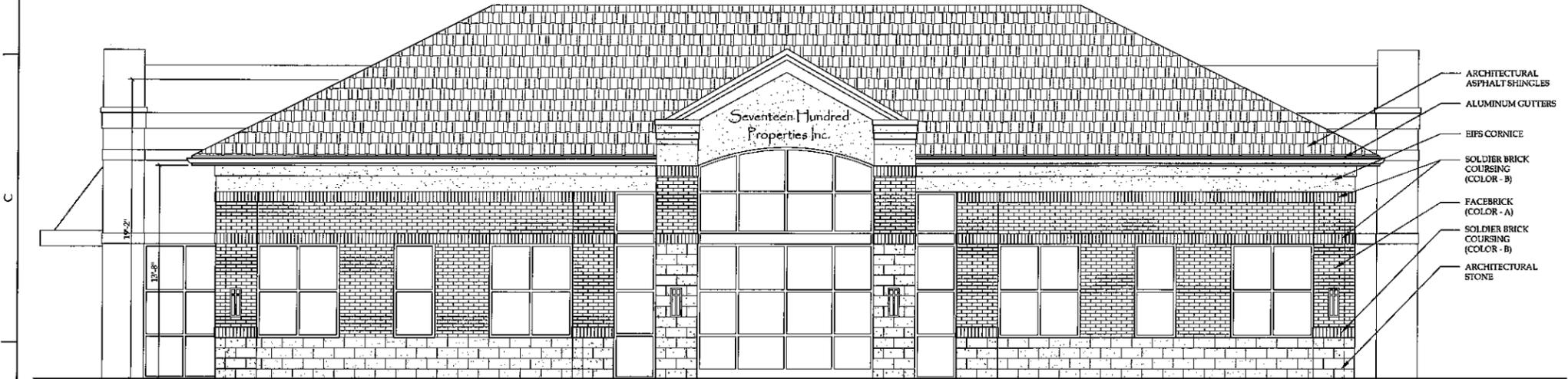
SA JOB #: 14077-01
DATE: 08-26-14

DRAWING #: C-101

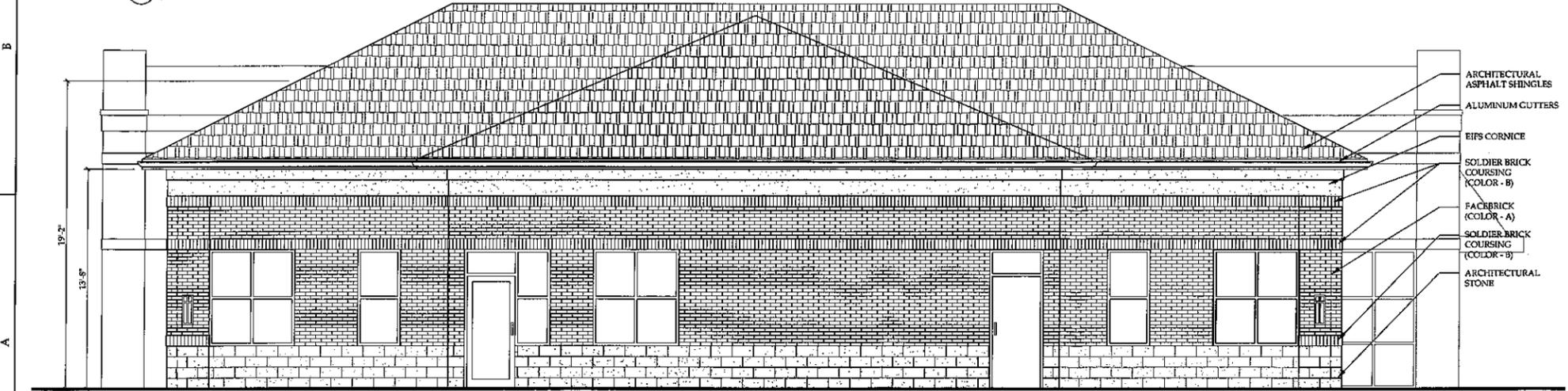


D1 EAST ELEVATION
1/4" = 1'-0"

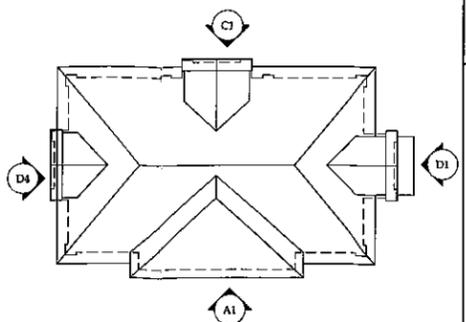
D4 WEST ELEVATION
1/4" = 1'-0"



C1 NORTH ELEVATION
1/4" = 1'-0"



A1 SOUTH ELEVATION
1/4" = 1'-0"



A1 KEY PLAN
NTS

NOTICE
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Seventeen Hundred Properties, Inc.

Main St. & Susan Dr.
Town of Clarence,
New York

ISSUE:

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

SEAL:

TITLE:
EXTERIOR ELEVATIONS



SILVESTRI ARCHITECTS + PC

1321 MILLERSPORT HWY PH. 716.651.0900
AMHERST, NY 14221 FAX 716.651.4773

SA JOB #: **14077-01** DATE: **08-25-14**

DRAWING #: **A-201**

**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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Michael Development Business Park		
Project Location (describe, and attach a general location map): Wehrle Drive, west of Shisler Road, Clarence, Erie County, New York		
Brief Description of Proposed Action (include purpose or need): Construction of a Business Park on 29.4 acres of land		
Name of Applicant/Sponsor: Michael Development	Telephone: 716.937.6575	E-Mail: davec@zoladz.com
Address: 13600 Railroad Street		
City/PO: Alden	State: NY	Zip Code: 14004
Project Contact (if not same as sponsor; give name and title/role): Dave Clare, Business manager	Telephone: 716.937.6575	E-Mail: davec@zoladz.com
Address: 13600 Railroad Street		
City/PO: Alden	State: NY	Zip Code: 14004
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State: NY	Zip Code:

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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 Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Development Plan	October 2014
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Health Dept.: Septic Erie County Highway : ROW permit	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC: Stormwater	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes,		
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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. If Yes, what is the zoning classification(s) including any applicable overlay district? Industrial Business Park	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C.4. Existing community services.	
a. In what school district is the project site located? Clarence	
b. What police or other public protection forces serve the project site? State Troopers, Erie County Sheriffs	
c. Which fire protection and emergency medical services serve the project site? Clarence Fire District No 1	
d. What parks serve the project site? Clarence Town Park	

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)? Industrial	
b. a. Total acreage of the site of the proposed action? _____ 29.4 acres b. Total acreage to be physically disturbed? _____ 17.0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 29.4 acres	
c. Is the proposed action an expansion of an existing project or use? 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: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____ ii. Is a cluster/conservation layout proposed? _____ iii. Number of lots proposed? _____ iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Will proposed action be constructed in multiple phases? i. If No, anticipated period of construction: _____ months ii. If Yes: • Total number of phases anticipated _____ 6 • Anticipated commencement date of phase I (including demolition) _____ 11 month _____ 2014 year • Anticipated completion date of final phase _____ 10 month _____ 2020 year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ --- NONE ---	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

f. Does the project include new residential structures? 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 17 +/-

ii. Dimensions (in feet) of largest proposed structure: 35 height; 50 width; and 280 length

iii. Approximate extent of building space to be heated or cooled: 100% 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: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

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): Fine grading of banks around existing on site pond

ii. Describe how the proposed action will 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:

The pond has been created by years of past mining. Fine grading of the pond banks will enhance the looks of the pond.

The pond is to remain upon completion of the project.

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe:

iv. Will 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: _____ 4000 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: _____
- 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), 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: _____ 4000 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: _____
- Name of 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? Yes No
 - Will line extension within an existing district be necessary to serve the project? Yes No
- If Yes:
- Describe extensions or capacity expansions proposed to serve this project: _____

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
- If Yes:
- Applicant/sponsor for new district: _____
 - Date application submitted or anticipated: _____
 - What is the receiving water for the wastewater discharge? _____

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):
 On site septic system with subsurface disposal _____

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? Yes No
- If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or 8.9 acres (impervious surface)
 _____ Square feet or 29.4 acres (parcel size)

ii. Describe types of new point sources. Stormwater to existing on site stormwater management pond

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)?
Existing in site Stormwater Management Pond

- If to surface waters, identify receiving water bodies or wetlands: _____
On site pond

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

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? Yes No

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)

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? Yes No

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) Yes No

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)

h. Will the proposed action generate or contribute to 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 semi-trailer truck trips/day: _____

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 1/2 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: _____
184,000 kWh

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

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

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

i. During Construction:

- Monday - Friday: _____ 7 a.m. - 7 p.m.
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____ 6 a.m. - 10 p.m.
- Saturday: _____ 6 a.m. - 10 p.m.
- Sunday: _____ 6 a.m. - 10 p.m.
- Holidays: _____ 6 a.m. - 10 p.m.

m. Will the proposed action produce noise at or above existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
Construction activities

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Wall mounted low level lighting for security.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

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? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):
Lawn care.

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)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ 2 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: Commercial Hauler recycling program

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Commercial Hauler
- Operation: Commercial Hauler

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 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): _____
 ii. If mix of uses, generally describe:
 The project site is located in a mixed use area with industrial and residential (single family) uses.

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	8.9	+8.9
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	23.1	6.1	-17.0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	6.3	6.3	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Lawn	0	8.1	+8.1

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: _____

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): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____

 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): 915068,915243
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
 Unknown _____

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? _____ > 5 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:

Palmrya (PbB, PbA)	_____	30 %
Cazenovia (CgC)	_____	35 %
Ovid (Ova)	_____	35 %

d. What is the average depth to the water table on the project site? Average: 0.5 to 2 feet

e. Drainage status of project site soils: Well Drained: 65 % of site
 Moderately Well Drained: 0 % of site
 Poorly Drained: 35 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 100 % of site
 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 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 _____
- Lakes or Ponds: Name On site pond _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

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: Principle Aquifer _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____</p>	<p>_____ local WNY wildlife</p>
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____ _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Per NYSDEC EAF Mapper - unspecified species</p>	
<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____ _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: <u>Clarence Bike Path</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Local bike path/Trail</u>	
iii. Distance between project and resource: _____ <u>0.6 miles.</u>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

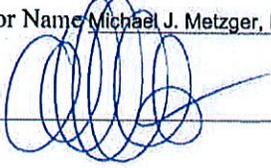
Attach any additional information which may be needed to clarify your project.

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 Michael J. Metzger, P.E. - Metzger Civil Eng. Date 9/19/14

Signature  Title Agent _____

SITE DATA		
ZONING = INDUSTRIAL BUSINESS PARK		
WETLANDS = NONE		
100 YEAR FLOOD PLAIN = NONE		
MIN LOT SIZE	REQUIRED 1.0 AC.	PROPOSED 29.4± AC.
MIN LOT WIDTH	125'	2,367'±
MIN LOT DEPTH	200'	221'-858'
MIN. FRONT YARD SET BACK	80'	80'
MIN. SIDE YARD SET BACK	20'	20'
MIN. REAR YARD SETBACK	25'	25'

RECEIVED
SEP 10 2014
ZONING OFFICE



NOTES
 1) BOUNDARY INFORMATION PROVIDED BY SURVEY DATED 09.15.13 BY OTTNEY AND MILLER, LSPC. TOPOGRAPHIC INFORMATION PROVIDED FROM AERIAL MAPPING AND SHOULD BE CONSIDERED TO BE APPROXIMATE.
 2) THIS PLAN IS NOT A PROPERTY OR TOPOGRAPHIC SURVEY.

Designed By:	ARH
Drawn By:	ARH
Checked By:	MJM
Cad File:	M 1410
NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW	
PROPERTY LINE	08.26.14 ARH/MJM
REVISIONS	DATE BY

MCE METZGER CIVIL ENGINEERING, PLLC
 8560 MAIN ST.
 WILLIAMSVILLE, NY 14221
 PH: 716-633-2601
 FAX: 716-633-2704

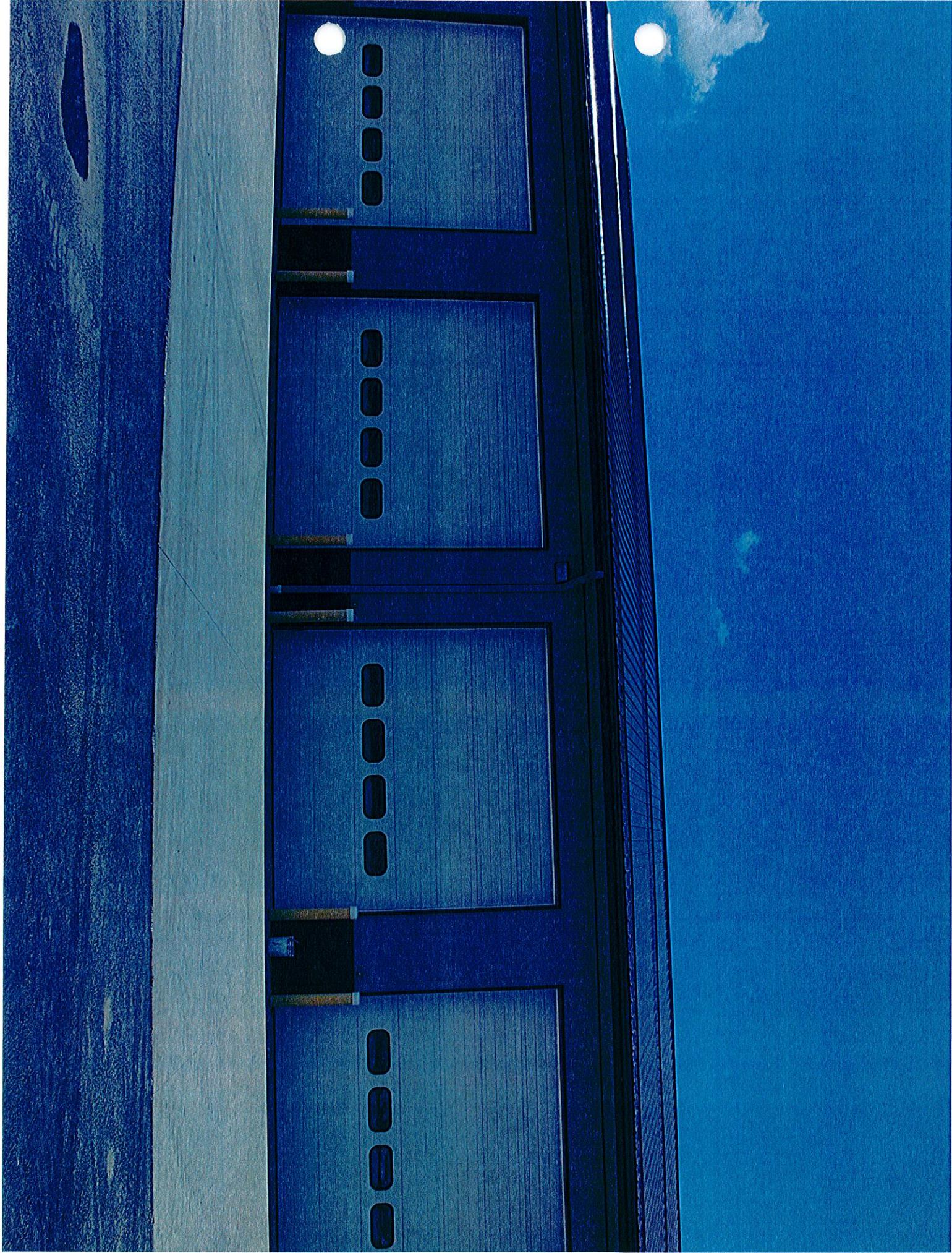
CIVIL ENGINEERING
 LAND PLANNING
 SITE DESIGN
 MUNICIPAL ENGINEERING

MICHAEL DEVELOPMENT BUSINESS PARK
 WEHLE DRIVE
 ERIE COUNTY, NEW YORK

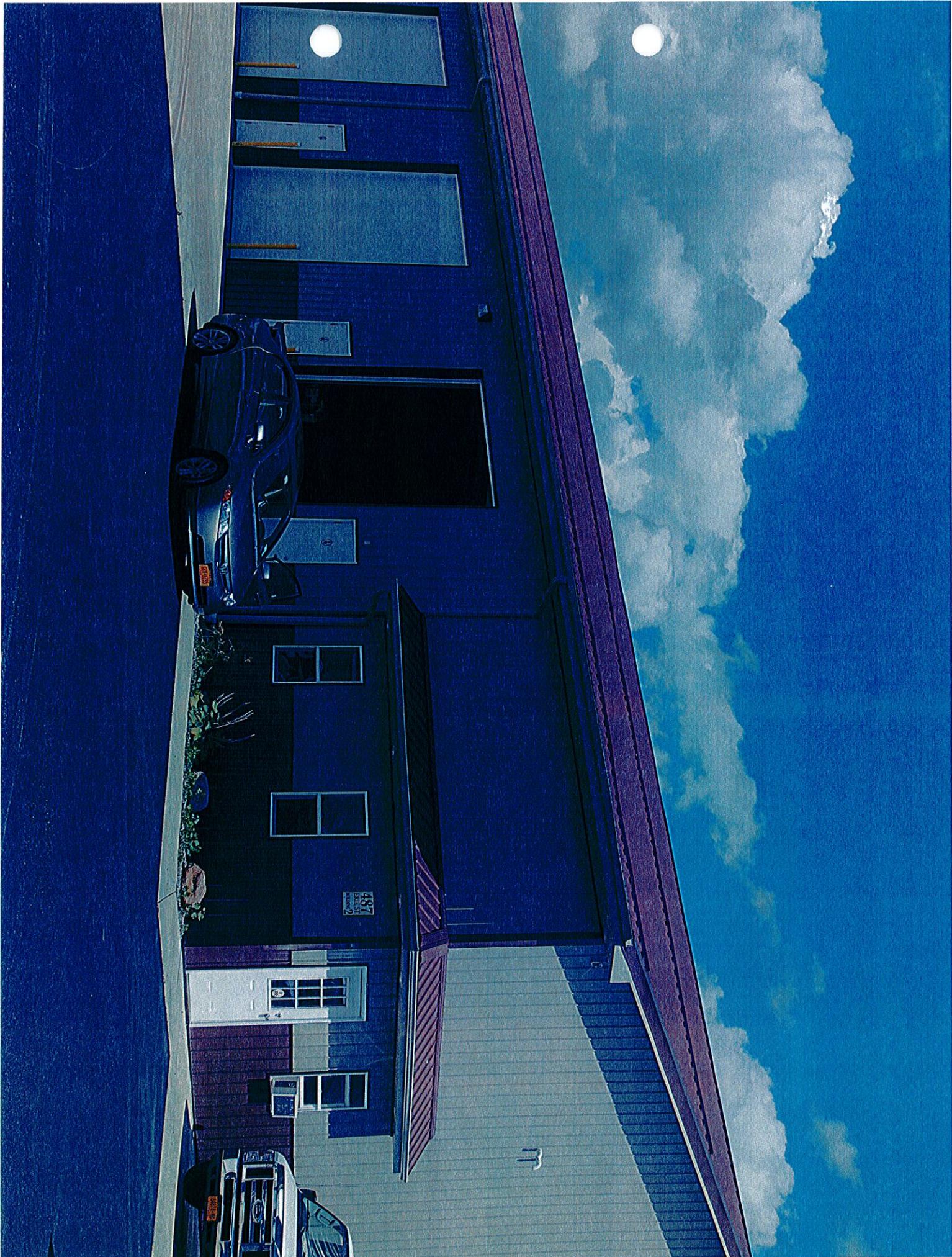
CONCEPT PLAN

SCALE:	1" = 80'
DATE:	AUGUST 20, 2014
JOB NO:	M-1410
SHEET NO:	CP - 2

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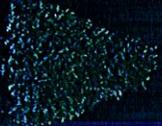
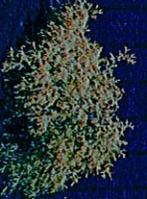
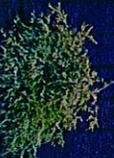
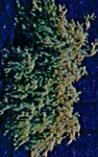
WHY PLUMBING CO
SINCE 1960

WHY PLUMBING CO

487
E. 10th St

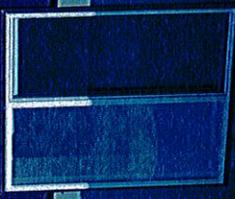


487



487

WHY PLUMBING CO



**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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Ransom Hollow Luxury Apartments		
Project Location (describe, and attach a general location map): 4880 Ransom Road, Town of Clarence, Erie County, New York [General Location Map from EAF Mapper attached]		
Brief Description of Proposed Action (include purpose or need): The proposed project ("action") consists of the development of the Project Site as four 4-unit upscale townhouse style multifamily units along with all related site improvements including driveways, parking spaces, sanitary sewer and water lines and connections, landscaping, etc. as depicted on the Concept Plan. The proposed action requires an amendment of Master Plan 2015 and a rezoning of the Project Site from R-SF to TND. The project has been defined broadly to include all site improvements and all required discretionary approvals and permits from the Town of Clarence and involved agencies. The project is an Unlisted Action pursuant to SEQRA and the Project Sponsor believes it will be appropriate for the lead agency to issue a negative declaration pursuant to SEQRA at the conclusion of a coordinated environmental review process.		
Name of Applicant/Sponsor: Lou Visone		Telephone: 716-207-2021
		E-Mail:
Address: 4470 Darcy Lane		
City/PO: Williamsville	State: New York	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Sean W. Hopkins, Esq., Hopkins & Sorgi PLLC		Telephone: 716.510-4338
		E-Mail: shopkins@hopkinssorgi.com
Address: 5500 Main Street, Suite 100		
City/PO: Williamsville	State: New York	Zip Code: 14221
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 Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Amendment of Master Plan 2015, rezoning, and special exception use permit for multifamily use	February 2014 - Amendment of Master Plan 2015 - To be determined for other approvals
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Concept Plan and Development Plan Approval	
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SWPPP Approval - Town of Clarence Engineering Department	TBD
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ECHD - Sanitary sewer or septic if sewer unavailable, ECDPW - Highway Work Permit	TBD
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - Sanitary sewer and stream disturbance permit pursuant to Article 15 of ECL	TBD
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACE - stream disturbance permit	TBD
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 currently zoned Residential Single Family ("R-SF") pursuant to the Zoning Map of the Town of Clarence.

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? Traditional Neighborhood District ("TND")

C.4. Existing community services.

a. In what school district is the project site located? Clarence

b. What police or other public protection forces serve the project site?
 Erie County Sheriff's Dept. and NYS Police

c. Which fire protection and emergency medical services serve the project site?
 Clarence Fire District

d. What parks serve the project site?
 Clarence Town Park

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)? The proposed project is exclusively residential and consists of 16 luxury apartments and related site improvements.

b. a. Total acreage of the site of the proposed action? 3.13 acres
 b. Total acreage to be physically disturbed? 2.5 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3.13 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 proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: 8-10 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.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				16
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 _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ 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: Stormwater management per applicable stormwater quantity and quality standards

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ .25 acres

v. Dimensions of the proposed dam or impounding structure: _____ N/A height; _____ N/A length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
N/A - Surface pond only.

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 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 proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will 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: _____ 4800 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: Erie County Water District
- 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), 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: _____ 4800 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 sewer

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 Treatment Plant on Tonawanda Creek Road
- Name of district: Clarence Sanitary Sewer District #9
- 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

Yes No
 Yes No

• Do existing sewer lines serve the project site?
 • Will line extension within an existing district be necessary to serve the project?
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 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? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ 1 acres (impervious surface)
 _____ Square feet or _____ 3.13 acres (parcel size)
 ii. Describe types of new point sources. _____

 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)?
 Runoff from impervious surfaces will be conveyed into on-site stormwater management facility and then discharged into Ransom Creek at a controlled rate per the stormwater management system to be designed by a licensed engineer and approved by the Clarence Eng. Dept.
 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No
 iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

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? Yes No
 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)

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? Yes No
 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) Yes No
 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 Hydroflouorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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 semi-trailer truck trips/day: _____

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: _____

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

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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00 a.m. to 7:00 p.m. • Saturday: _____ 7:00 a.m. to 5:00 p.m. • Sunday: _____ N/A • Holidays: _____ N/A 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
 Noise from construction equipment and construction activities. _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 There will be low intensity lighting provided on the Project Site for safety and security purposes and the on-site lighting will comply with the Town of Clarence's lighting standards.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

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? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

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)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (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: _____
- Operation: _____

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 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): Town's bike path
 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	.25	1	.75
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	2.78	.25	2.53
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)	<.1	.35	.25
• Wetlands (freshwater or tidal)	<.1	<.1	
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: <u>Lawn</u>		1.53	1.53

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: _____

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): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 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): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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? _____ 2-3 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:

Wassaic [WaA]	_____	30 %
Wassaic [WaA]	_____	70 %
_____	_____	_____ %

d. What is the average depth to the water table on the project site? Average: _____ 3-5 feet

e. Drainage status of project site soils: Well Drained: _____ 100 % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 100 % of site
 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* 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 837-46, 837-50 Classification C(T)
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters.... Approximate Size <.1
- Wetland No. (if regulated by DEC) _____

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: _____
 Name - Pollutants - Uses: Ransom Creek, Upper, and tribs - Pathogens; D.O./Oxygen Demand - Recreation; Aquatic Life

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: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 Deer and rabbits _____

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

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

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, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6 NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

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

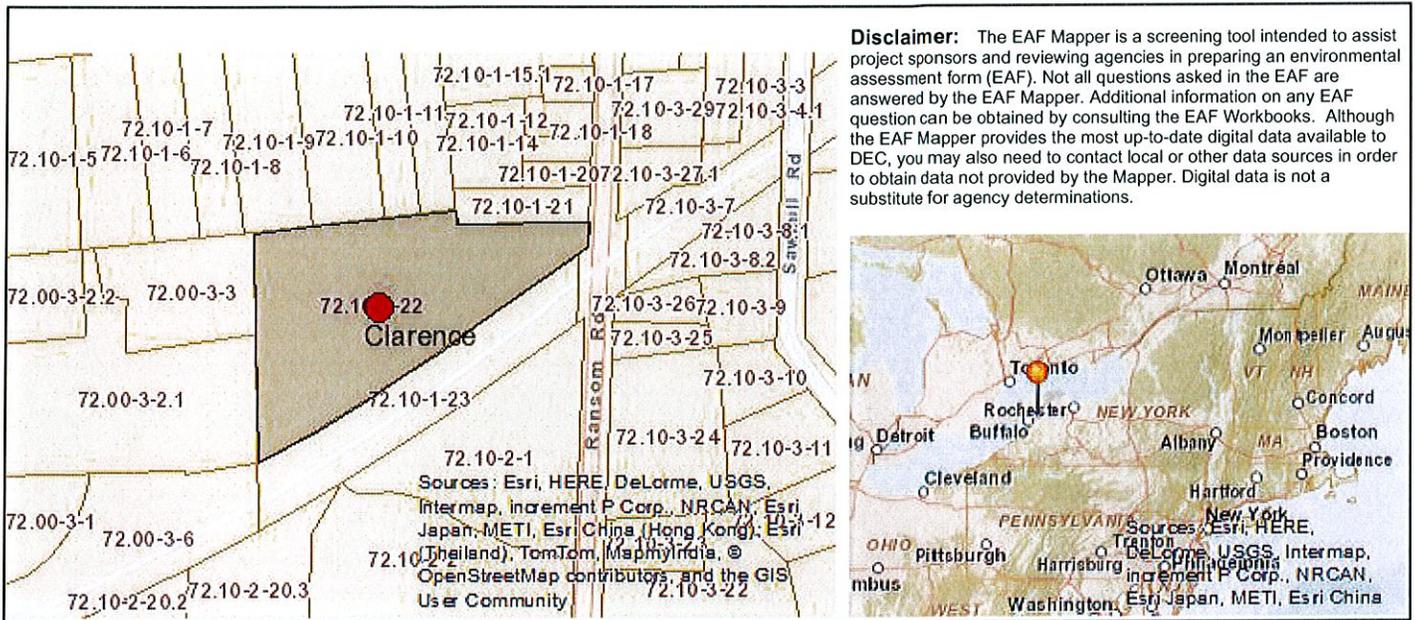
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Lou Visione Date September 5, 2014

Signature _____ Title Attorney for Project Sponsor



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]	NYS Heritage Areas: West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	837-46, 837-50
E.2.h.iv [Surface Water Features - Stream Classification]	C(T)
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, Federal Waters, Federal Waters, Federal Waters
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses: Ransom Creek, Upper, and tribs - Pathogens; D.O./Oxygen Demand - Recreation; Aquatic Life

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 Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

EXHIBIT "A"

Additional Information Regarding Potential Adverse Environmental Impacts – 4880 Ransom Road – Proposed Development of 16 Multifamily Units Town of Clarence

This Exhibit "A" has been prepared to provide the Town of Clarence as well as involved and interested agencies with additional information for consideration in connection with the coordinated environmental review of the proposed project ("action") as described in the Part 1 of the Long EAF.

I. Supplemental Responses to Questions in Part 1 of the Long EAF:

Question D.2.d [Page 5] – Question pertaining to Sanitary Sewer:

Additional Response: The Town's Engineering Department has advised the Project Sponsor that it will be necessary to obtain the approval of the Heise Brookhaven Sewage Works Corporation ("HBSWC") for sanitary sewer flows from the proposed project to be conveyed into the sanitary sewer line that was constructed by the HBSWC had not yet been dedicated to the Town of Clarence. If it is not feasible for the sanitary sewer from the project to be conveyed into the sanitary sewer line that is currently owned by the HBSWC to occur, then the Project Sponsor will consider installing a septic system in compliance with all applicable requirements and requiring approval of the Erie County Health Department.

Question E.2.h [Page 11] – Questions pertaining to Surface Water Feature/Wetlands:

Additional Response: The Project Sponsor has retained the services of Wetland Investigations Company to evaluate the Project Site. Based its review, it has been determined there is one area that is less than 1/10th of an acre along the western boundary of the Project Site and that is not located within the portion of the Project Site to be developed, that may qualify as a federal wetland per United States Army Corps of Engineers' criteria. Since this area will not be impacted by the project, the possible existence of a small federal wetland area on the Project Site will not result in any potentially significant adverse environmental impacts.

Wetlands

INVESTIGATION CO.

503 Maynard Drive • Amherst, New York 14226 • (716) 631-0546 (phone/fax) • (716) 830-3839 (cell)

Erik J. Krull, Biologist
erikkkrull@aol.com

September 4, 2014

Mr. Lou Visone
10151 Main St.
Clarence, NY 14031

Dear Mr. Visone

I conducted an on-site inspection on August 18, 2014 to determine if there are any wetland areas on your property at 4880 Ransom Rd., Clarence NY.

The site is located on moderately well drained soils with slopes between 2 and 6 percent and free from any natural wetlands. However there is a small manmade pond that holds water for a period each spring which straddles the western boundary of your property. The bottom of the pond may or may not be considered a federal jurisdictional wetland either way it is very small, likely under 0.1 acres in size. I understand your current development plan will not disturb this area. If you can avoid disturbing the pond basin no action is required on your part. Furthermore there is no buffer area required for federal wetlands. Silt fence should be installed to protect this area from sediments prior to clearing.

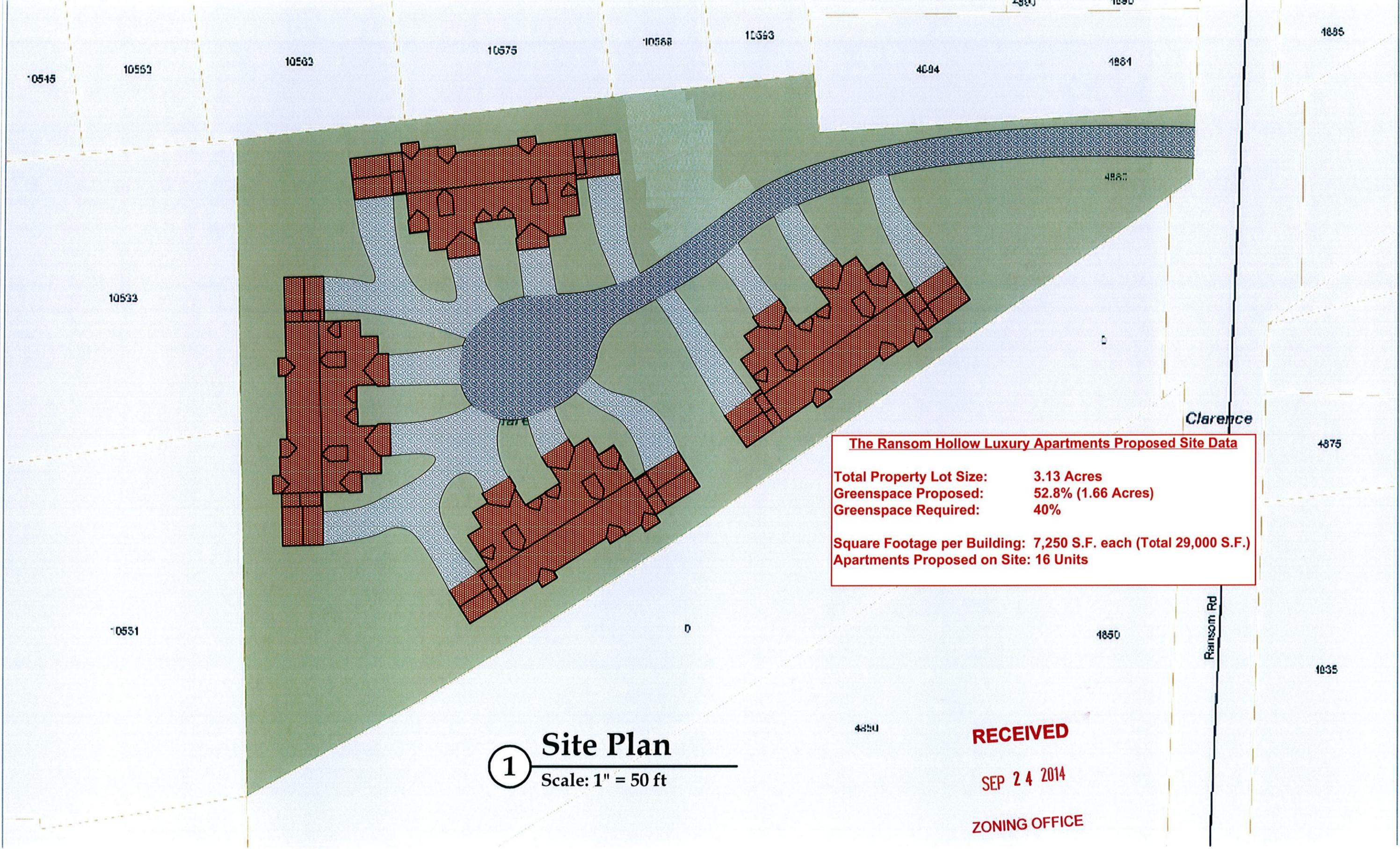
In addition I determined there are no NYSDEC wetlands located on or close to your property. Two branches of Ransom Creek flow on or close to the property. One crosses the east property line and then runs a short distance along the north property line. The other branch of Ransom Creek flows along part of the west boundary and across the northwest corner of the property. If the creek banks are disturbed by a new crossing or utility installation a NYS Article 15 stream disturbance permit will be required. These permits are fairly straight forward and I would not anticipate any issues in obtaining a permit. Silt fence should also be installed along the bank to prevent sediments from entering the creek. The creek and banks are under NYSDEC jurisdiction, your engineer can advise you regarding the DEC regulations and permitting. I am attaching a map showing the locations of the pond and the creek bank areas.

Sincerely



Erik J. Krull
Wetlands Investigation Co.

Wetlands Counseling
Delineation · Mitigation & Permitting



The Ransom Hollow Luxury Apartments Proposed Site Data

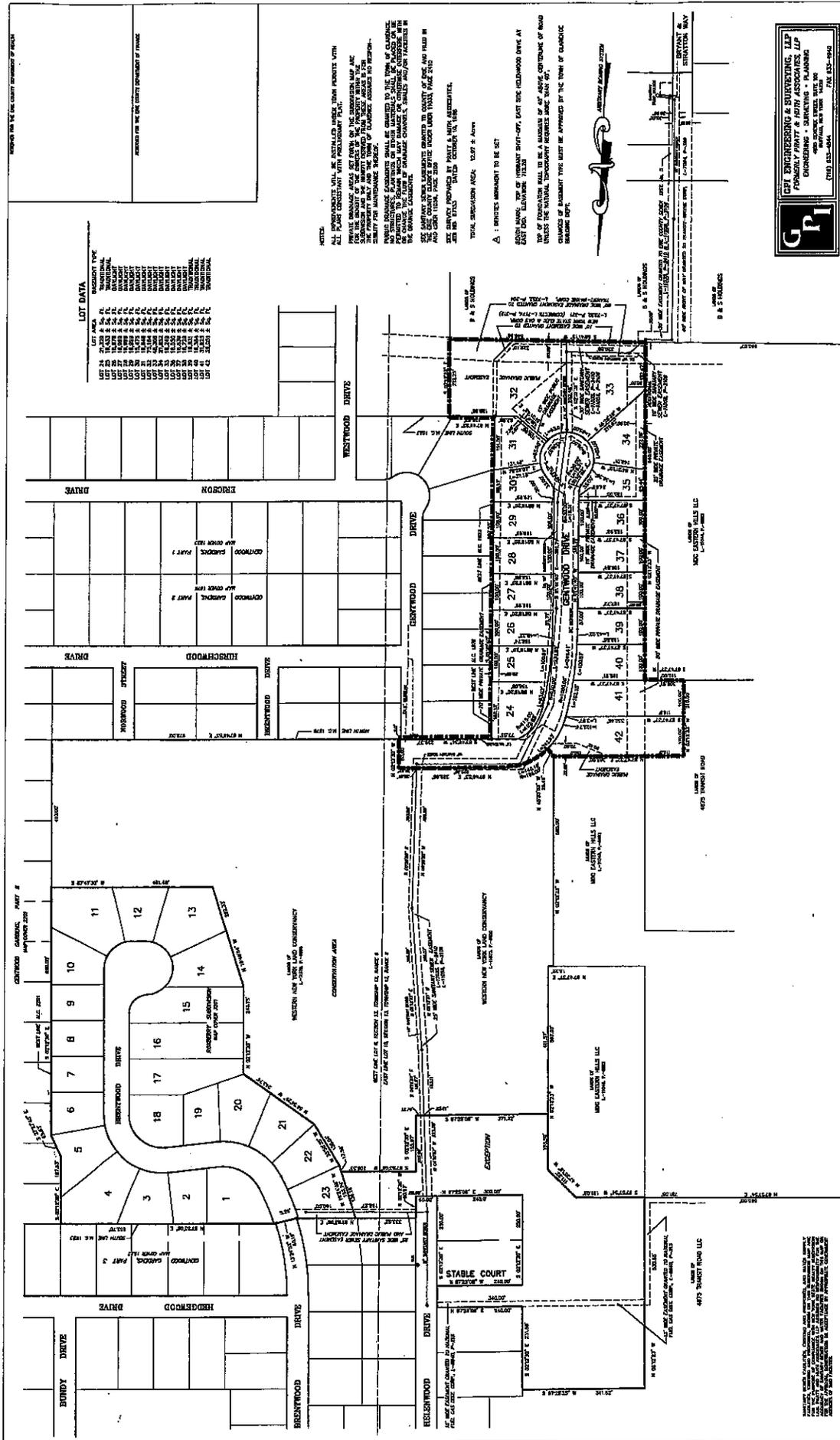
Total Property Lot Size:	3.13 Acres
Greenspace Proposed:	52.8% (1.66 Acres)
Greenspace Required:	40%
Square Footage per Building:	7,250 S.F. each (Total 29,000 S.F.)
Apartments Proposed on Site:	16 Units

1 Site Plan
Scale: 1" = 50 ft

RECEIVED
SEP 24 2014
ZONING OFFICE

0.0 0 0.01 0.0 Miles

Erie County and its officials and employees assume no responsibility or legal liability for the accuracy, completeness, reliability, timeliness, or usefulness of any information provided. Tax parcel data was prepared for tax purposes only and is not to be reproduced or used for surveying or conveyancing.



LOT DATA

LOT NO.	ACRES	FRONT FEET	DEPT.	REMARKS
24	0.10	30.00	10.00	
25	0.10	30.00	10.00	
26	0.10	30.00	10.00	
27	0.10	30.00	10.00	
28	0.10	30.00	10.00	
29	0.10	30.00	10.00	
30	0.10	30.00	10.00	
31	0.10	30.00	10.00	
32	0.10	30.00	10.00	
33	0.10	30.00	10.00	
34	0.10	30.00	10.00	
35	0.10	30.00	10.00	
36	0.10	30.00	10.00	
37	0.10	30.00	10.00	
38	0.10	30.00	10.00	
39	0.10	30.00	10.00	
40	0.10	30.00	10.00	
41	0.10	30.00	10.00	
42	0.10	30.00	10.00	

NOTES:

1. ALL IMPROVEMENTS SHALL BE INSTALLED UNDER THE SUPERVISION OF THE ENGINEER AND SHALL BE SUBJECT TO THE APPROVAL OF THE TOWN OF CLARENCE PLANNING BOARD.

2. THE ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL IMPROVEMENTS AND SHALL BE RESPONSIBLE FOR THE MAINTENANCE THEREOF.

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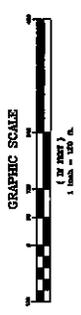
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10. THE ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL IMPROVEMENTS AND SHALL BE RESPONSIBLE FOR THE MAINTENANCE THEREOF.

GP

GEORGE P. GARDNER, P.E.
 CIVIL ENGINEERING & SURVEYING, LLP
 400 BROADWAY, SUITE 2000
 NEW YORK, NY 10013
 (212) 692-1000 FAX (212) 692-1001

JOB NO. 2014022 DATE: JUNE 19, 2014



**ROXBERRY ESTATES
 Phase 2**

TOWN OF CLARENCE, ERIE COUNTY, NEW YORK

BEING PART OF LOT 10, SECTION 13, TOWNSHIP 12, RANGE 6, HOLLAND LAND SURVEY

APPROVED BY THE TOWN OF CLARENCE PLANNING BOARD:

DATE: _____

FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER:

MAP COVER: _____ DATE: _____

BLANKS CHECK FOR FILING

DATE	DATE
APPROVED BY THE TOWN OF CLARENCE PLANNING BOARD:	DATE
FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER:	DATE