



TRANSIT ROAD (66' WIDE)

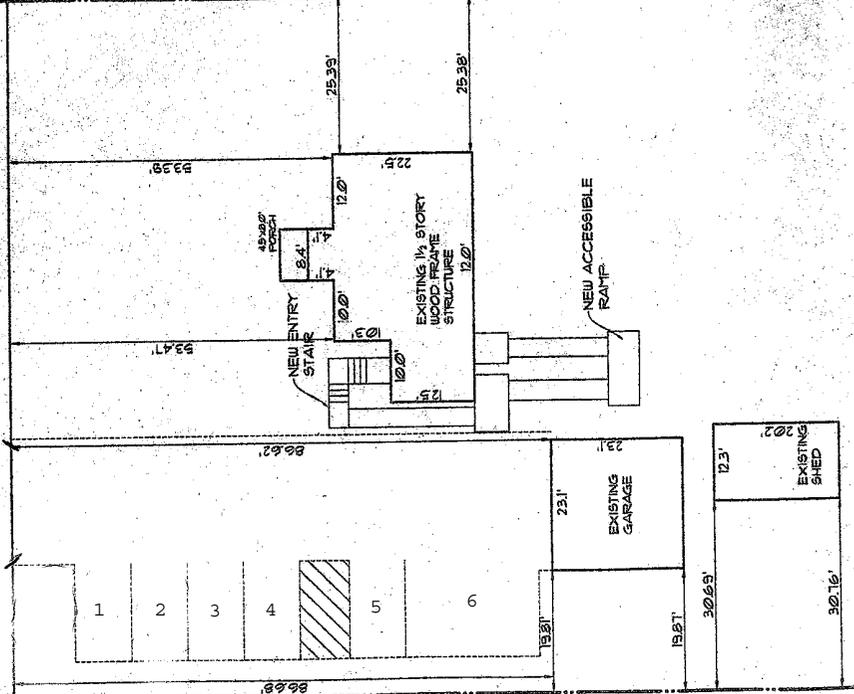
113.00'

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51824'

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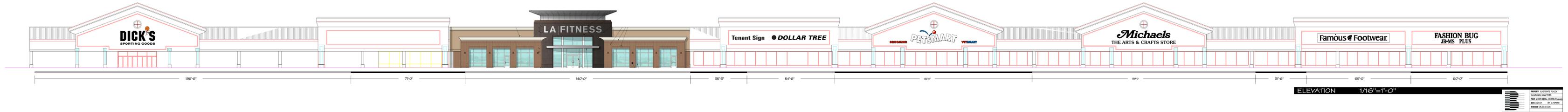
51824'



BEFORE



AFTER





WEST ELEVATION
SCALE: 3/32" = 1'-0"

Draft Scope of Study for Supplemental Environmental Impact Statement
for the Proposed
Northwoods Single Family Residential Subdivision

Property Located at Roll Road and Greiner Road
Town of Clarence, Erie County, New York

Cimato Bros. Construction, Inc., Petitioner

This Draft Scope has been prepared in accordance with Article 8 of the Environmental Conservation Law (State Environmental quality Review Act), and the SEQR regulations contained at 6 NYCRR Part 617 of the implementing regulations.

This document will guide the content of the Draft Environmental Impact Statement (DEIS) which must be prepared pursuant to the adoption of a Positive Declaration of Environmental Significance by the Clarence Town Board on November 16, 2011. The scope is based on the Environmental Assessment Form prepared for the proposed project, the Positive Declaration of Environmental Significance dated January 24, 2012, the comments received during various public meetings with the Clarence Planning Board, and in accordance with 6 NYCRR 617.8(f) of SEQR.

I. Description of the Proposed Action

The proposed Northwoods project is comprised of a 148± lot single family residential subdivision on a 118.91± acre parcel of land in the Town of Clarence, New York.

The subdivision is proposed as an Open Space Design Development (OSDD) pursuant to the Town's zoning law. For purposes of OSDD the applicable zoning law is modified to provide an alternative permitted method for the layout, configuration and design of lots.

The Northwoods Subdivision is designed to provide access from Roll Road and Greiner Road as well as a connection to an existing stub street known as County Club Drive. This will allow direct access to Shimerville Road as well.

The project is a Type I Action under SEQRA.

II. Potentially Significant Environmental Impacts:

This section identifies the existing environmental conditions that may be adversely or beneficially impacted by the subject action, including those impacts cited as reasons for issuance of a positive declaration. Areas so identified are as follows:

- A. Water Resources
 - 1. Ground Water – impact of proposed development on water table
 - 2. Surface Water – impact of additional storm water discharges and capacity of existing/proposed facilities to handle them; runoff from roadways; increased potential for flooding, change in existing drainage patterns
 - 3. Wetlands – impact of proposed development on existing state and federal wetlands on site; impact on adjacent wetland areas (using NYSDEC wetland definition)
- B. Agricultural Resources – Impact to land historically used for agriculture
- C. Historic and Archaeological Resources
 - 1. Impact of proposed development on cultural or archaeological resources
- D. Aesthetic Resources – Impact of proposed development on loss of open space
- E. Transportation – impact on existing roadway system adjacent to project area and in surrounding area, including nearby intersections, and proposed future intersections; impact on travel time and safety
- F. Growth and Character of Community or Neighborhood
 - 1. Impact and relation to site having been identified as a priority area for the Purchase Development Rights within the Open Space Inventory and Town Master Plan
 - 2. Impact on capacity to existing sewer system and need for creation or expansion of a sewer district.
 - 3. Impact on school system

III. Required Information for Assessing Impacts

- A. Water Resources

1. Ground Water – Describe groundwater conditions based on descriptions provided in the Erie County Soil Survey and subsurface explorations.
 2. Surface Water – Describe surface water conditions based on site inspections and a preliminary drainage study to be completed by Passero Associates. Compare pre and post development surface water conditions based on a preliminary drainage study. The study should determine the volume and rate of storm water discharges for each condition, and compare same to the capacity of existing drainage facilities to handle existing and projected flows. Append the preliminary drainage study which evaluates and compares the pre and post developed condition of the site.
 3. Wetlands – Describe the existing extent, character, and jurisdictional oversight authority of wetlands within the site bounds based on delineations completed by Wilson Environmental Technologies, Inc. (WET), The New York State Department of Environmental Conservation (DEC), and the United States Army Corps of Engineers, where applicable. Describe regulatory involvement to date, with respect to acceptability of delineations, and isolated waters issues from the federal perspective. Append the Wetland Delineation Report of Wilson Environmental Technologies, Inc.
- B. Agricultural Resources – Describe and provide history of site as it relates to agricultural production. Discuss whether other agricultural opportunities exist in the community and extent same may mitigate the loss of this particular agricultural use.
- C. Cultural Resources – Describe the historic occupation of the site including impact on archaeological resources as detailed in Cultural Resource surveys prepared by Commonwealth Cultural Resource Group, Inc. (CCRG). Include cultural/archaeological information from the New York State Department of Parks Recreation and Historic Preservation (NYSOPRHP). Append previously prepared Cultural Resource Surveys by CCRG (Phase I). Further describe Phase II recommendations and analyses as required by the NYSOPRHP and the U.S. Army Corps of Engineers.
- D. Aesthetic Resources – Discuss existing land use and zoning, including a discussion of the existing neighborhood and the adjoining subdivisions. Relevant references from, and compatibility with, the Town Master Plan should also be included, as well as references from the existing Town of Clarence Code and Zoning Map. Describe buffering/screening techniques between proposed and existing land uses. Discuss the loss of open space.
- E. Transportation – a Traffic Impact Study (TIS) should be prepared which should compare pre and post development levels of traffic through the study area.

Sources of traffic should be identified and quantified (e.g., existing traffic, background traffic, normal system wide growth and site generated traffic). The TIS should analyze and consider any recent traffic studies previously prepared by the Town of Clarence. Existing intersections to be studied for level of service analysis should include:

1. Shimerville Road and Greiner Road
2. Shimerville Road and Roll Road
3. Thompson Road and Greiner Road
4. Thompson Road and Roll Road

The study should also include future project intersections on the existing street network at:

1. Greiner Road
2. Roll Road
3. Country Club Drive

Accident histories should be included for a three-year period within the study area. The TIS should be appended.

- F. Growth and Character of Community/Neighborhood – Describe the demographics of the vicinity and the resources provided by the community (e.g., police and fire protection, schools, recreation opportunities). A projection of number of new public school system students should be provided.

Compare the pre and post development condition of sanitary sewer and water facilities to determine:

1. Whether sufficient capacity exists to serve the demand placed on the systems by the proposed development. Append the Engineers Report.
2. Analyze various options regarding the creation or extension of a sewer district to service the project area, including the creation or extension of a Town or County District, as well as a private sewage works corporation.
3. Analysis should include consideration for current sanitary sewer capacity and consideration of the Town's sewer prioritization schedule.

IV. Mitigation Measures to Minimize Environmental Impacts:

Describe measures to reduce or avoid potential adverse impacts identified in Section II. Anticipated areas of particular concern include the following:

- A. Water Resources

1. Ground Water – Analyze impact of liquid effluent on surface groundwater.
 2. Surface Water – Make recommendation as to appropriate methods of storm water management which could be implemented in conjunction with site improvements to mitigate for the increased amount of storm water which is expected to result from site development. Append the preliminary drainage study to be completed by Passero Associates which will contain recommendations and conclusions.
 3. Wetlands – Describe the extent, character of potential wetland mitigation, from the perspective of both federal and state regulatory agencies. Mitigation plans prepared by WET should be included and appended, if applicable.
- B. Agricultural Resources – The DEIS should discuss and consider potential mitigation of loss of agricultural land.
- C. Historic and Archaeological Resources – CCRG will, through coordination with the U.S. Army Corps and NYSOPRHP, conduct a Phase II analysis of the site in order to obtain detailed information on the integrity, limits, structure, function and cultural/historic context so as to evaluate its potential for National Registry of Historic Preservation.
- D. Aesthetic Resources – Discuss appropriate mitigation measures to lessen the impact of loss of open space vista. These mitigation measures could include buffers, landscaping, berms and presentation of open space areas.
- E. Transportation – Describe potential traffic impact mitigation measures (e.g., traffic control signage, signalization, etc). Responsible entities for the requirement of mitigation measures should be identified (i.e., background traffic, normal system growth, or site generated traffic). An anticipated schedule of recommended improvements should be provided when applicable.
- F. Growth and Character of Community of Neighborhood – Discuss mitigation measures previously employed and to be employed regarding creation of sewer infrastructure sufficient to adequately serve the proposed subdivision. Also discuss possible phasing of the development as it relates to the introduction of new students into the school district.

V. Alternatives:

Discussion should be at a level sufficient to permit a comparative assessment of impacts for each alternative. Alternatives to be discussed are to include:

1. Development as allowed “by right” under existing land use classification
2. Alternative location
3. The subject action (preferred alternative)
4. The null/no build alternative

VI. Appendices:

Existing and proposed studies completed for the environmental analysis are to be reproduced in their entirety as appendices to the DEIS. They may include: the previously prepared EAF (parts 1, 2 and 3), Traffic Impact Study, Cultural Resource Surveys, Preliminary Engineer’s Report (containing preliminary drainage study, downstream sanitary sewer analysis, and water supply evaluation), Wetland Delineation Study, Flora and Fauna Inventories, Fiscal Analysis, etc. Relevant correspondence between the project sponsor, involved SEQR agencies and the public shall also be appended.

VII. Issues of Proposed Development Determined to be Not Significant

PART III- EVALUATION OF THE IMPORTANCE OF IMPACTS
AS PREPARED BY LEAD AGENCY

After completing a coordinated review of the Part I Full Environmental Assessment Form, the Town of Clarence Town Board as Lead Agency is stating the following components of the Part II Assessment Form as having a potentially large impact upon the environment. Given the Proposed Action and associated development requirements, the probability of the following impacts occurring are very likely as currently presented, the majority would be irreversible, and may potentially diverge from local needs and goals and therefore the following impacts would be considered important and will require further analysis, investigation, and consideration of mitigating factors.

Part II- Impact on Land

1. Will the Proposed Action result in a physical change to the project site?
 - a. Construction on land where the depth to the water table is less than 3 feet.
 - The project will be developed on property that has depth to the water table less than 3' given the adjacency to creek corridors and other water features. This will require a careful examination of these areas during the environmental review stage and full involvement of any involved agencies having jurisdiction over that land area. Development plans will have to be oriented so as to minimize impact to these areas and in full conformance with the requirements of involved agencies.

Part II- Impact on Water

3. Will Proposed Action affect any water body designated as protected?
 - a. Developable area of site contains a protected water body .
 - As the developable area of the project site contains a protected water body the full review and authorization of involved agencies will be necessary to properly analyze potentially large impacts to protected water ways.
 - b. Extension of utility distribution facilities through a protected water body.
 - As the developable area of the project site contains a protected water body the full review and authorization of involved agencies will be necessary to properly analyze potentially large impacts to protected water ways. As the proposed project will require the extension of utilities and road way infrastructure through existing protected water bodies, all necessary permits and authorization of involved agencies must be reviewed and issued.
 - c. Construction in a designated freshwater or tidal wetland.
 - As the Proposed Action involves the construction of a road way through an existing designated freshwater wetland area (NYS DEC Wetland ID #LA-8) the full review and authorization of involved agencies will be necessary to properly analyze potentially large impacts to said protected freshwater wetland area.
5. Will Proposed Action affect surface groundwater quality or quantity?
 - a. Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity
 - The Proposed Action is intended to utilize sanitary sewer capacity derived from the previously constructed Heise-Brookhaven sewer line construction and extension. While a previous environmental impact statement has been completed concerning the construction of the Heise-Brookhaven sewer line and allocation of sanitary sewer capacity to associated project developments at that time, the land area of consideration for this Proposed Action and project itself

was not included in the Heise-Brookhaven environmental impact statement. Therefore, further analysis should be undertaken concerning the allocation of sanitary sewer capacity to this Proposed Action and land area as well as certification of the downstream capacity of the sanitary sewer network.

- b. Proposed Action will allow residential uses in areas without water and/or sewer services.
 - The Proposed Action is intended to utilize sanitary sewer capacity derived from the Heise-Brookhaven sewer line construction and extension; however the project area is not currently within a sanitary sewer district. Further analysis should be undertaken concerning the potential creation and/or extension of a sewer district to allow for a service area to the project site. The analysis should include consideration for current sanitary sewer capacity constraints, the existing sewer prioritization schedule of the Town of Clarence, and the relationship of this general land area to the formally adopted Town of Clarence Master Plan 2015.

Part II- Impact on Agricultural Land Resources

10. Will Proposed Action affect agricultural land resources?

- a. The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture , vineyard, orchard, etc.)
 - The Proposed Action is planned to be developed on land area that has been involved in agricultural production for generations and is currently in active agricultural production. Further analysis should be undertaken concerning the impact of the permanent loss of this land resource and its impact upon the agricultural community.
- b. Construction activity would excavate or compact the soil profile of agricultural land.
 - The Proposed Action is planned to be developed on land area that has been involved in agricultural production for generations and is currently in active agricultural production. Further analysis should be undertaken concerning the impact of the permanent loss of this land resource and its impact upon the agricultural community.
- c. The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
 - The Proposed Action is planned to be developed on land area that has been involved in agricultural production for generations and is currently in active agricultural production. Further analysis should be undertaken concerning the impact of the permanent loss of this land resource and its impact upon the agricultural community.

Part II- Impact on Aesthetic Resources

11. Will Proposed Action affect aesthetic resources?

- a. Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource
 - The Proposed Action is planned to be developed on land area that has been involved in agricultural production for generations and is currently in active agricultural production along a commonly traversed County Right of Way (Greiner Road). As this land area is currently vacant it provides an open space vista that is valuable to the aesthetic resources of the community and also

- compliments the semi-rural character of the community. Further analysis should be undertaken concerning the impact of the elimination of this vista and potential mitigating factors to lessen that impact.
- b. Project components that result in the elimination or significant screening of scenic views known to be important to the area.
 - The Proposed Action is planned to be developed on land area that has been involved in agricultural production for generations and is currently in active agricultural production along a commonly traversed County Right of Way (Greiner Road). As this land area is currently vacant it provides an open space vista that is valuable to the aesthetic resources of the community and also compliments the semi-rural character of the community. Further analysis should be undertaken concerning the impact of the elimination of this vista and potential mitigating factors to lessen that impact.

Part II- Impact on Historic and Archaeological Resources

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?
 - a. Any impact to an archaeological site or fossil bed located within the project site.
 - The Proposed Action is planned to be developed on land area that has been identified as being archaeologically sensitive. Further analysis should be undertaken to identify the possible inclusion of culturally significant artifacts at the project site that may suggest the presence of a historically significant site.
 - b. Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
 - The Proposed Action is planned to be developed on land area that has been identified as being archaeologically sensitive. During the coordinated review concerning this Proposed Action, correspondence has been received from the New York State Office of Parks, Recreation and Historic Preservation that confirms a Phase I Cultural Resources Investigation Report (#696) has previously been prepared by Commonwealth Cultural Resources Group concerning this project area in January of 2002. OPRHP suggests that there is a need for a Phase II archaeological testing or the avoidance of the 18 previously identified Loci of precontact cultural material. OPRHP is also requesting that closer interval testing and/or surface inspection be utilized to identify site boundaries and to make accurate assessments of artifact densities. Based on these inputs of OPRHP further analysis should be undertaken to identify potential historic sites and the consideration of avoidance measures.

Part II- Impact on Open Space and Recreation

13. Will Proposed Action affect the quantity or quality of existing future open spaces or recreational opportunities?
 - a. A major reduction of an open space important to the community.
 - The Proposed Action is planned to be developed on land area that has been involved in agricultural production for generations and is currently in active agricultural production along a commonly traversed County Right of Way (Greiner Road). As this land area is currently vacant it provides an open space vista that is valuable to the aesthetic resources of the community and also compliments the semi-rural character of the community. The proposed project land area has been identified within the Open Space Inventory and Plan of the

formally adopted Town of Clarence Master Plan 2015 as a priority area for Purchase of Development Rights in an effort to preserve open space in the community. Further analysis should be undertaken concerning the impact of the elimination of this open space area and potential mitigating factors to lessen that impact.

Part II- Impact on Transportation

15. Will there be an effect to existing transportation systems?
 - a. Other Impacts.
 - The Proposed Action is planned to be developed adjacent to and with access to 3 commonly traversed Erie County Right of Ways (Roll, Greiner, and Shimerville Roads). There have been previously identified reduced levels of service at intersections of Erie County Right of Ways within close proximity to the Proposed Action (e.g. Thompson/Greiner, Shimerville/Greiner, Harris Hill/Greiner, Harris Hill/Roll). Given the potential increase of traffic volume associated with the Proposed Action, a full traffic analysis should be developed that takes into account existing service levels and potential service levels in association with the Proposed Action. Mitigating factors to potential negative impacts may include existing intersection turning lane and operational upgrades as well as the review of proposed roadway network and design medications of the Proposed Action.

Part II- Impact on Growth and Character of Community or Neighborhood

19. Will Proposed Action affect the character of the existing community?
 - a. The Proposed Action will conflict with officially adopted plans or goals.
 - The proposed project land area has been identified within the Open Space Inventory and Plan of the formally adopted Town of Clarence Master Plan 2015 as a priority area for Purchase of Development Rights in an effort to preserve open space in the community. The Proposed Action will require the creation of expansion of a sewer district to allow for the allocation of sanitary sewer service. The Town of Clarence has previously formally adopted an amendment to Master Plan 2015 (officially adopted November 28th, 2007) known as Sewer Expansion Priorities. The Proposed Action should be evaluated in relationship to that amendment and adopted sewer expansion plan.
 - b. Proposed Action will cause a change in the density of land use.
 - The Proposed Action is planned to allow for the development of a 148 lot Open Space Design subdivision on land area that is currently vacant and zoned Residential Single Family.
 - c. Proposed Action will set an important precedent for future projects.
 - The Proposed Action is planned to be developed on land area that has been identified as a priority area for open space preservation, is not currently within a sewer district, has significant environmental and freshwater wetland attributes, may contain archeologically sensitive and significant artifacts, and is currently utilized for agricultural production. As the Town of Clarence is a semi-rural community with areas of residential growth impeding upon existing agricultural properties, this project will set an important precedent for the review and approval of such Proposed Actions.



to Al Shultz - 3-1-12

New York State Department of Environmental Conservation

Division of Environmental Permits, Region 9

270 Michigan Avenue, Buffalo, New York 14203-2915

Phone: (716) 851-7165 Fax: (716) 851-7168

Website: www.dec.ny.gov



Joe Martens
Commissioner

February 29, 2012

Mr. James Callahan
Town of Clarence Planning & Zoning Department
One Town Place
Clarence, New York 14031

Dear Mr. Callahan:

**SEQR LEAD AGENCY SOLICITATION
PALUMBO INDUSTRIAL BUSINESS PARK
TOWN OF CLARENCE, ERIE COUNTY**

In response to the Town of Clarence's SEQR Lead Agency solicitation letter for the above-noted project, please be advised of the following:

1. Since an on-site treatment facility is proposed, in accordance with the New York State Environmental Conservation Law, a State Pollutant Discharge Elimination System (SPDES) Permit is required for a facility whose treated wastewater discharge to groundwater is greater than 1,000 gallons per day, and for all discharges to surface water. Depending upon the volume of the proposed discharge, permits and/or plan approvals may be required from this Department and the Erie County Health Department. The SPDES application and information is available on our website at: <http://www.dec.ny.gov/permits/6054.html>.
2. Since project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice Of Intent (NOI) and prior to commencement of the project. More information on General Permit GP-0-10-001, as well as the NOI form, is available on the Department's website at www.dec.ny.gov/chemical/43133.html.
3. The entire site appears to be within an archaeologically sensitive area, as shown on the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) map (Website www.oprhp.state.ny.us/nr/main.asp). As part of the SEQR process, the Town of Clarence should evaluate this concern, unless it can be verified by appropriate documentation that the site has been significantly disturbed in a way that would destroy potential artifacts.

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MAR - 1 2012

ZONING OFFICE

Mr. James Callahan

February 29, 2012

Page 2

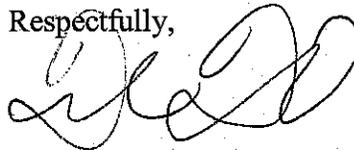
If there are any questions regarding this, contact OPRHP (telephone: 518/237-8643).

Note: If any of the described Department approvals are required, an appropriate archaeological investigation must be conducted in order to satisfy the New York State Historic Preservation Act.

We concur that the Town of Clarence should act as SEQR Lead Agency, as the environmental impacts of the proposal are primarily of local significance.

Thank you for providing this office the opportunity to review the proposed project. If you have any questions, please feel free to contact Mr. Mark Passuite or me at 716/851-7165.

Respectfully,



David S. Denk
Regional Permit Administrator

MFP:

cc: Wes Stone, Bissell, Stone Associates

RECEIVED

MAR - 1 2012

SCANNING OFFICE



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

February 16, 2012

James Callahan
Director of Community Development
Town of Clarence Planning and Zoning Dept.
One Town Place
Clarence, New York 14031

RECEIVED

Re: Industrial Business Park at 9210 County Road (CR 282)
County Referral #M617-12-79

FEB 17 2012

Dear Mr. Callahan:

ZONING OFFICE

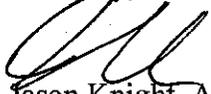
Pursuant to Article 8 of the New York Environmental Conservation Law, the County of Erie (the "County") has reviewed the above-referenced project (the "Project") referred to us on January 26, 2012. The County consents to the Town of Clarence acting as SEQR Lead Agent.

- The proposed project is located within the Clarence-Newstead Agricultural District. Pursuant to NYS Agriculture and Markets Law, Article 25-AA, the applicant must complete and submit to the municipality an Agricultural Data Statement. The Town shall evaluate and consider the Agricultural Data Statement as part of its review of the project to determine the project's potential impacts to functioning farm operations within the agricultural district.
- The Erie County Department of Public Works has also reviewed the proposed project and provided comments on the attached memo dated February 2, 2012 from Carl P. Dimmig, P.E., Senior Civil Engineer.
- If the plans for this project are modified and significant changes are proposed, the Town should forward a new referral with the revised plans to the Department of Environment and Planning for review pursuant to General Municipal Law, Section 239-m.

This review pertains to the above-referenced SEQR Lead Agency request submitted to the Erie County Department of Environment and Planning. This should not be considered sufficient for any County approvals. The Town and the developer must still obtain any other permits and regulatory approvals applicable to this project.

Please feel free to contact me at 858-4809 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'JK', is written over the word 'Sincerely,'.

Jason Knight, AICP
Community Planning Coordinator



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

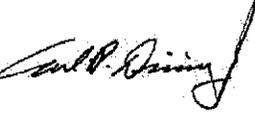
JOHN C. LOFREDO, P.E.
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS
RATH BUILDING, ROOM 1400

TELEPHONE: 716.858.8300
FAX: 716.858.8228

MEMORANDUM

To: Jason Knight, ECDEP, Community Development Review Coordinator

From: Carl P. Dimmig, Jr. P.E.
Senior Civil Engineer 

Date: February 2, 2012

Subject: Palumbo Industrial Business Park
9210 County Rd (CR 282)
Town of Clarence, county of Erie

We have reviewed the SEQR information package and have the following comments:

- County Road (CR 282) is a County Highway; the driveway will require a County highway work permit and our approval.
- Any work to install utility connections in the County Road right of way will require a County Highway Permit.
- What is the number of vehicle trips in and out of the site? Will turning lanes be needed on County Road?
- This property is in the agricultural district Erie #14.

CPD/

c: David A Boehm, Deputy Commissioner – Highways
Charles A. Sickler, P.E., Director of Engineering
Gary M. Zawodzinski, Senior Highway Maintenance Engineer
CR 282

James Callahan

From: Rick Rosenberry [rosenberry@ecwa.org]
Sent: Friday, February 10, 2012 4:22 PM
To: James Callahan
Subject: SEQRA for Palumbo Industrial Business Park

Jim,

We have received your Solicitation for Lead Agency Status dated January 26, 2012 for the Palumbo Industrial Business Park. The Erie County Water Authority has no objection to the Town of Clarence as Lead Agency for the subject project. We offer the following comments relative to water service for the proposed project.

- The water system for the site will be private since the roadways are private.
- Water service to the site will be a "master metered" domestic service and a private fire protection service if required.
- Backflow protection will be required on all domestic services and private fire protection services. A complete backflow package must be submitted for approval.
- The Water Authority owns and operates an 12" waterline along County Road in the vicinity of the project. It appears that the existing water main is across the entire frontage of the property, but if not, it will be the responsibility of the customer to pay for the extension of the water main across the entire frontage before service can be granted.
- The fees for water service connections 3/4" through 2-inch are per the Water Authority Tariff.
- The fees for service connections 4-inch and larger are estimated by the Water Authority.
- It is the responsibility of the engineer/architect for the project to determine that there is sufficient flow and pressure for the project. The Erie County Water Authority reserves the right to refuse water service, if providing such service is detrimental to existing customers.
- All questions regarding water service should be directed to Donna Spencer, Customer Service Representative at 685-8208.

Rick

Richard M. Rosenberry, P.E.
Director of Engineering
Erie County Water Authority
3030 Union Road
Buffalo, New York 14227-1097
Direct (716) 685-8218
Fax (716) 684-3937

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Melissa A. Tocha

ATTORNEY AT LAW
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Amherst, New York 14228
Telephone: (716) 204-2374
Facsimile: (716) 634-4847

Email: mtocha@tochalaw.com

Website: www.tochalaw.com

March 16, 2012

Dan Palumbo
5425 Shadyside
Clarence, New York 14031

Re: 9215 Martin Road, Georgina Hartman to Dan Palumbo

Dear Mr. Palumbo:

I am meeting with Georgina Hartman the week of March 19, 2012 to discuss the transfer of a strip of land approximately three foot wide by 70 feet at the rear of Ms. Hartman's property located at 9215 Martin Road. A surveyor of your choice should meet with you and Georgina to walk the property line, draw a survey and a legal description of the property to be transferred. I would anticipate the transfer of the property could be completed in approximately three weeks.

Very truly yours,



By: Melissa A. Tocha, Esq.

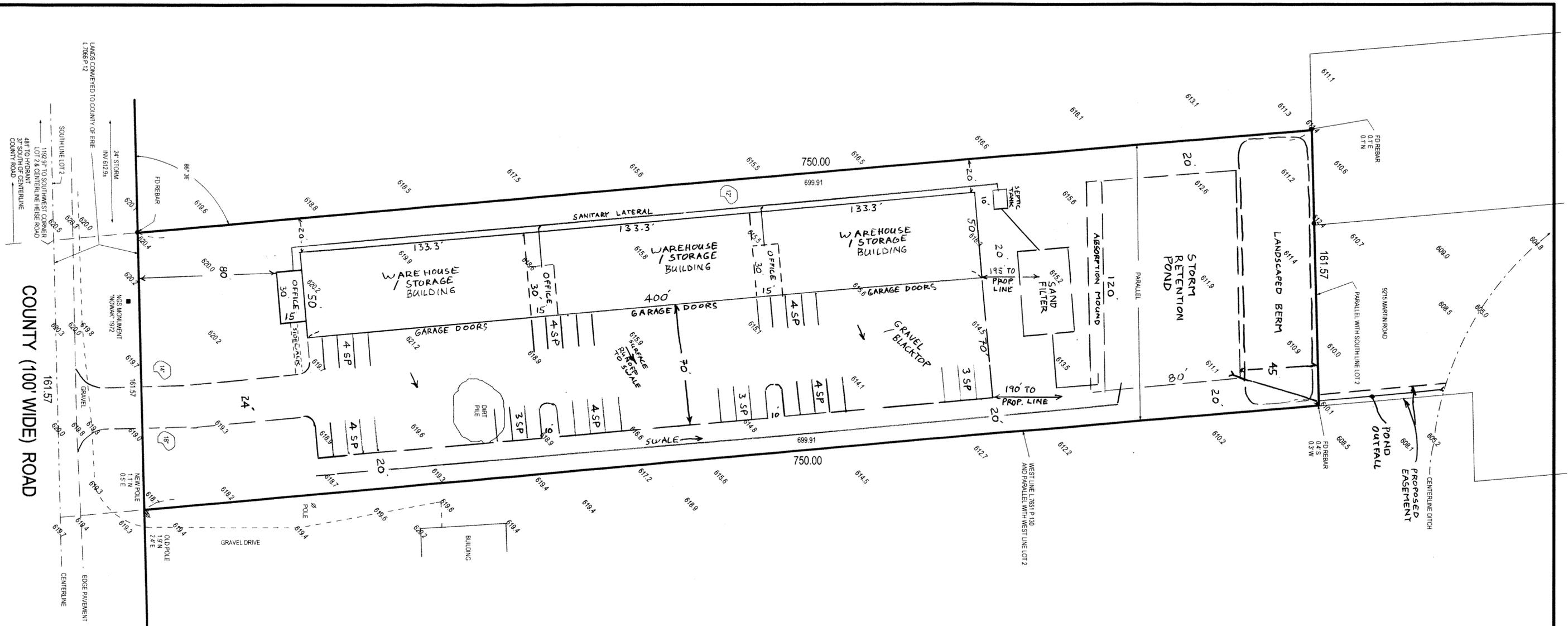
MAT/cmy

cc: Ms. Georgina Hartman

RECEIVED

MAR 20 2012

ZONING



SKETCH PLAN 11/13/11

TOPOGRAPHIC AND BOUNDARY SURVEY
 9210 COUNTY ROAD
 SBL #30 00-3-26-32
 2.591 ± ACRES TO RIGHT OF WAY

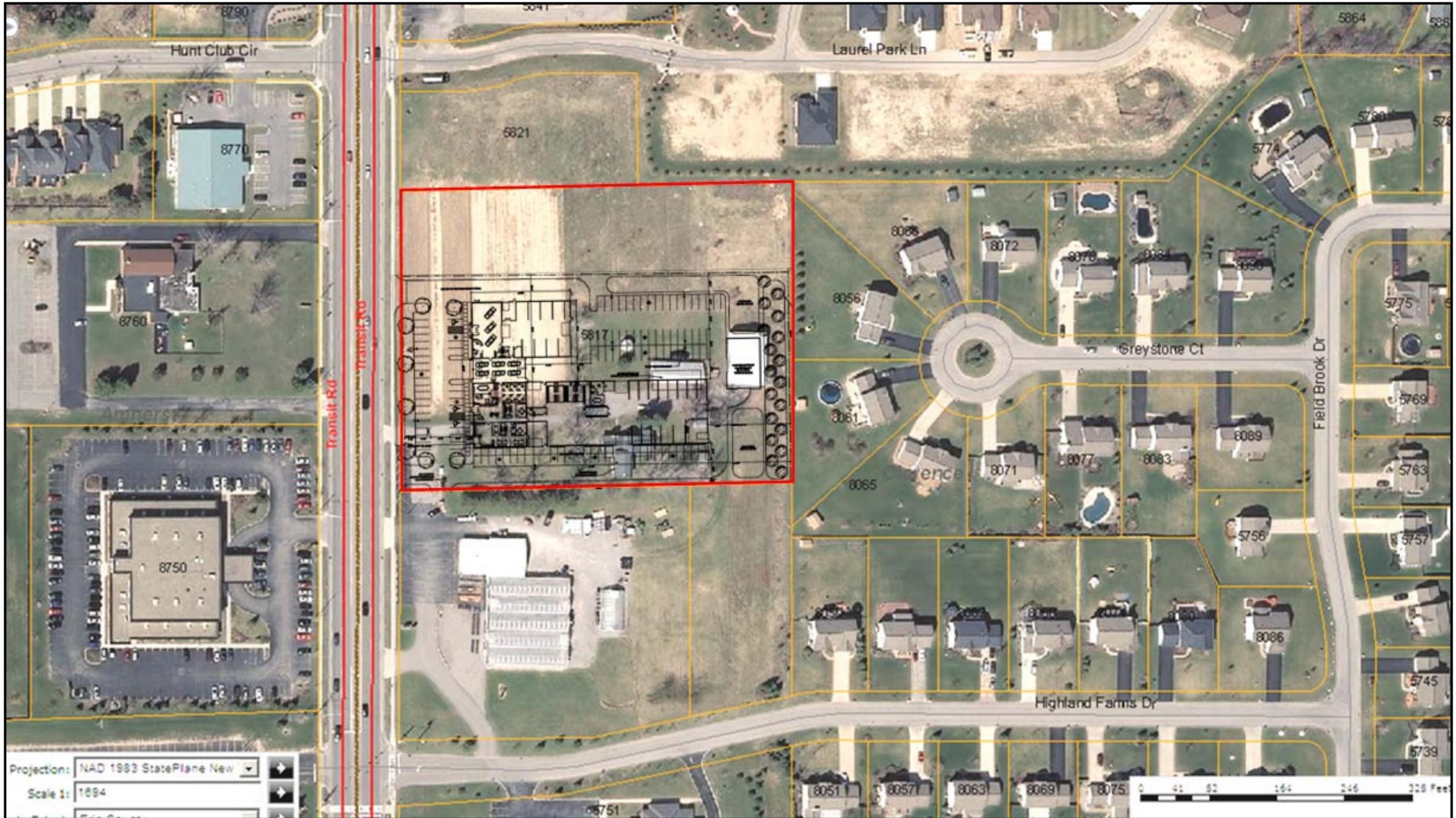
- Parcel zoned: Industrial Business
- Lot coverage
- Building: 18% of Site
- Parking: 27% of Site
- Green space and Retention pond: 55% of Site
- Building: 20,450 SF
- Parking: 33 Spaces
- Spaces may be relocated along building and east line of parking for as building use and garage door location require.

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 724B, PART 2 OF THE NEW YORK STATE EDUCATION LAW. ANY ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OR FEDERAL TAX THAT MAY BE RELEVANT BY AN EXAMINATION OF SAME.

BISELL & STONE

BISELL STONE ASSOCIATES
 ENGINEERING AND LAND SURVEYING, P.C.
 CIVIL ENGINEERING - LAND SURVEYING - SITE PLANNING - CONSULTING
 TELEPHONE: (716) 632-7000 FAX: (716) 632-7004

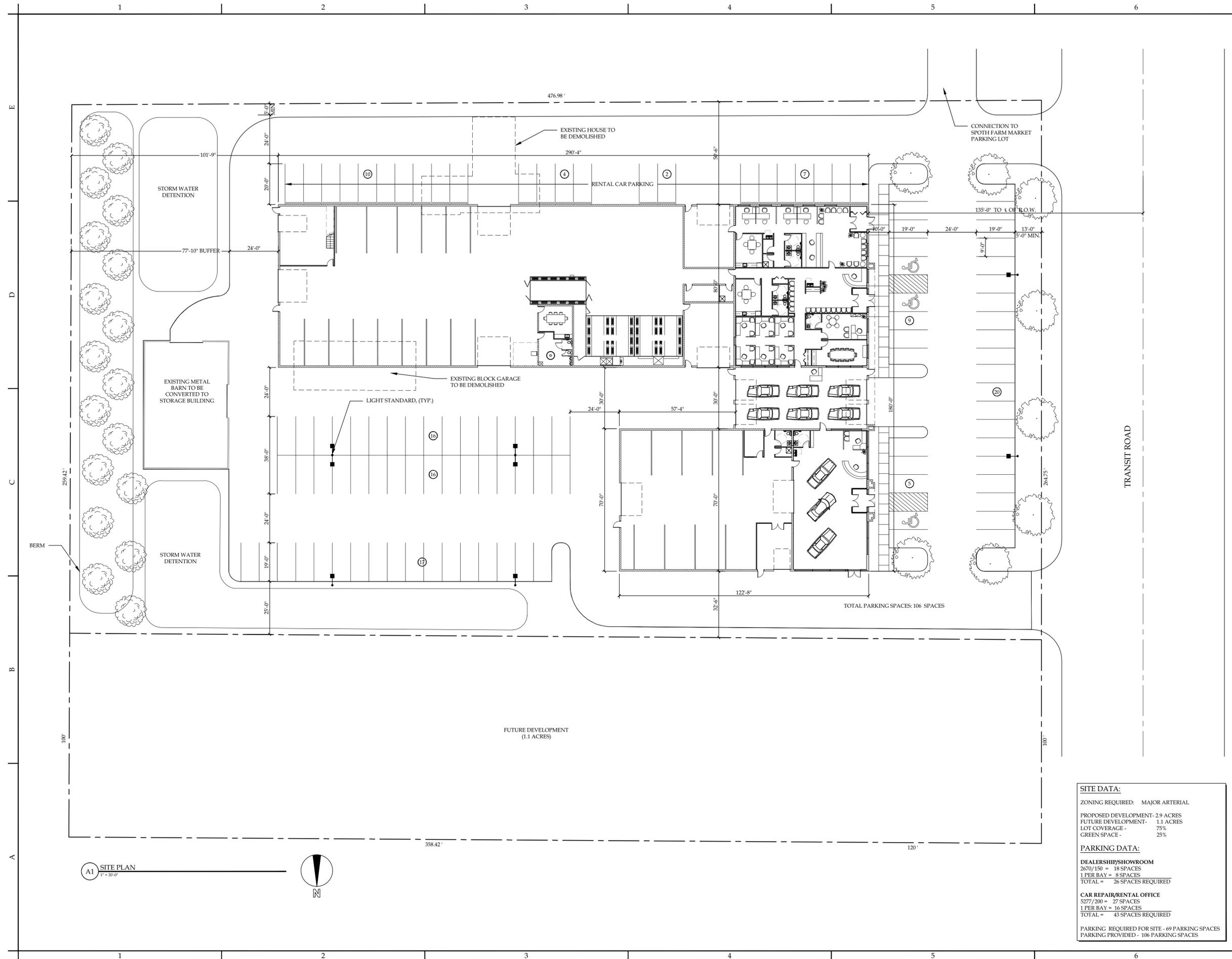
DATE: NOVEMBER 15, 2011 JOB NO.: 55934 FIELD BOOK: DC SCALE 1" = 40'
 SURVEY OF PART OF LOT 2 SECTION 12 TOWNSHIP 12 RANGE 6
 TOWN OF CLARENCE - ERIE COUNTY, NEW YORK - HOLLAND LAND COMPANY



Projection: NAD 1983 StatePlane New
Scale 1: 1000

0 41 82 164 246 328 Feet





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AUTOMOBILE COLLISION SHOP, CAR RENTAL, & SHOWROOM FACILITY
 5817 TRANSIT ROAD, CLARENCE, NY

ISSUE:

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

SEAL:

TITLE:
SITE PLAN

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

SA JOB #: **11149** DATE: **3-22-12**

DRAWING #: **AS-100**

SITE DATA:
 ZONING REQUIRED: MAJOR ARTERIAL
 PROPOSED DEVELOPMENT- 2.9 ACRES
 FUTURE DEVELOPMENT- 1.1 ACRES
 LOT COVERAGE - 75%
 GREEN SPACE - 25%

PARKING DATA:
DEALERSHIP/SHOWROOM
 2670/150 = 18 SPACES
 1 PER BAY = 8 SPACES
 TOTAL = 26 SPACES REQUIRED

CAR REPAIR/RENTAL OFFICE
 5277/200 = 27 SPACES
 1 PER BAY = 16 SPACES
 TOTAL = 43 SPACES REQUIRED

PARKING REQUIRED FOR SITE - 69 PARKING SPACES
 PARKING PROVIDED - 106 PARKING SPACES

A1 SITE PLAN
 1" = 20'-0"