

State Environmental Quality Review
Notice of Completion of Draft / Final EIS

Project Number TOC91411Date: March 13, 2013

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Draft or Final (check one) Environmental Impact Statement has been completed and accepted by the Clarence Town Board as lead agency, for the proposed action described below.

If a Draft EIS: Comments on the Draft EIS are requested and will be accepted by the contact person until May 10, 2013

Name of Action:Northwods Open space Design Subdivision**Description of Action:**

Subdivision of a 118.91 acre parcel into a maximum of 154 single family residential lots. The proposed development will include the extension/creation of a sewer district to service the entire property. The proposed development will include public roads and utilities. The design incorporates a minimum of 50% open space in accordance with Open Space Design guidelines in the Town of Clarence Zoning Law.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

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

Potential Environmental Impacts:

See attached Final Scope of Study

A copy of the Draft / Final EIS may be obtained from:

Contact Person: James B. Callahan, Director of Community Development

Address: 1 Town Place, Clarence, New York 14031

Telephone Number: (716)741-8933

A copy of this notice must be sent to:

Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of Clarence

Any person who has requested a copy of the Draft / Final EIS

Any other involved agencies

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750

Copies of the Draft/Final EIS must be distributed according to 6NYCRR 617.12(b).

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

Updated to April 4, 2011

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. This section should also address any potential impacts to Gott Creek, a class C(T) regulated stream that crosses the southwest corner of the site.
 - 3. Wetlands – impact of proposed development on existing state and federal wetlands on site; impact on adjacent 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 less 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. This section should also describe the functions and benefits of the wetland present on the project site.

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.

4. Analysis should include a detailed assessment of the “Reserve Capacity” under the 2001 Sewage Works Construction and Operation Agreement. This assessment should include:
 - The total number of Equivalent Dwelling Units (EDU’s) utilized to date.
 - The total number of EDU’s currently committed to future development.
 - The number of EDU’s that need to be held in reserve for future development that is part of past agreements (for example, the “commercial portion” of Waterford Village).

The Heise-Brookhaven Sewage Works Corporation and the Clarence Town Engineer should both sign off on this analysis.

5. This section should also address any impact to the public water supply source and whether this area is in a permitted water district.

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. Clear definitions of impacts and mitigations and the terms used should be documented. The section should also examine mitigation of project impacts associated with the high water table.
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. In addition to anticipated wetland impacts and associated mitigation, this section should also describe

avoidance and minimization of wetland and adjacent area impacts. A conceptual wetland mitigation plan must also be included with the draft SEIS.

- 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

This section should also include a discussion of alternative designs meant to explore off-site and on-site avoidance and minimization of wetland impacts. This would include alternative locations for the proposed project and alternative designs and layouts of the subdivision at the proposed site.

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.

The Wetland Mitigation Plan should also be included as an appendix to the SEIS.

VII. Issues of Proposed Development Determined to be Not Significant

Supplemental Environmental Impact Statement (SEIS)

September, 2012

Revised: February, 2013

Volume 3

**Clarence Hollow Pollution Abatement Project
also known as
The Heise Brookhaven Private Sanitary Trunk Sewer
and including
The Roll Road Planned Unit Residential Development
and as part of this SEIS**

**THE _____ SUBDIVISION
Residential Development**

Lead Agency:

Town of Clarence

One Town Place

Clarence, NY 14031

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Wilson Environmental Technologies, Inc.

Commonwealth Cultural Resource Group, Inc.

RECEIVED

FEB 22 2013

ZONING OFFICE

This Supplemental Environmental Impact Statement ("SEIS") was accepted as complete by the Town of Clarence, acting as Lead Agency, on _____, 2013. Comments relative to the SEIS must be received by _____, 2013.

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APPENDICES

Appendix 1 – Wilson Environmental Technology Wetland Report

Appendix 2 – Passero Associates Traffic Impact Statement

Appendix 3 – Phasing Map

Appendix 4 – Alternative Design Plan

Appendix 5 – CCRG Stage 1 Cultural Resource Report

Appendix 6 – Final Scope

Appendix 7 – Town of Clarence Master Plan 2015

Appendix 8 – Figure 9.1 Town of Clarence Future Land Use Map

Appendix 9 – Town of Clarence Open Space Priorities Map

Appendix 10 – CCRG Cultural Resource Phase II Investigation

Appendix 11 – Passero Associates Stormwater Pollution Prevention Plan

Doc #3792.1

SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (SEIS)

SECTION 1.0 EXECUTIVE SUMMARY

1.1 Introduction

A Draft Generic Environmental Impact Statement (“DGEIS”) was prepared in May 2001 titled “Clarence Hollow Pollution Abatement Project” (“Pollution Project”) also known as “The Heise Brookhaven Private Sanitary Trunk Sewer” (“Heise”) and including the Roll Road Planned Unit Residential Development.

The Pollution Project was a partnership between the Town of Clarence (“Town”) and private developers (“Sponsors”) to remediate pollution problems associated with inadequate private sewage treatment facilities in the vicinity of Clarence Hollow, an area located in the southeast corner of the Town.

The Pollution Project involved the installation, now completed, of sewer infrastructure within Clarence Hollow and the construction of a new gravity feed trunk line (Heise) between the Heise Road interceptor of the existing Peanut Line Private Sanitary Trunk Sewer and the new Clarence Hollow sewer infrastructure.

The Sponsors formed a Sewage Works Corporation pursuant to Article 10 of the New York Transportation Corporations Law. An agreement was reached between the Town and Sponsors whereby the Sponsors constructed the new sewer line at no cost to the Town (the “Sewage-Works Construction and Operation Agreement”).

In consideration for constructing the new sewer line, the Sponsors reserved the right to discharge sewage and wastewater to the new line in an amount equal to the peak wastewater flow from One Thousand (1,000) residential dwelling units.

The original DGEIS considered the potential environmental impacts of the installation of the new line, as well as the site specific or primary impacts associated with the Sponsors’ development of a new planned unit residential subdivision known then as the “Roll Road PURD” (“PURD”). The PURD was to be located on Roll Road between Shimerville and Thompson Roads.

1.2 Actions Covered by this “*Supplemental Environmental Impact Statement*” (“SEIS”) – Project Description.

The current action brought before the Town is currently known as the Northwoods Single Family Residential Subdivision (“Project”), although it is likely that the name of the subdivision will be changed. The Project Sponsor is Cimato Bros. Construction, Inc.

("Cimato"). The proposed Northwoods Subdivision ("Northwoods") is comprised of 148± single family lots on a 118.91± parcel of land in the Town of Clarence. The subdivision is bounded on the north by Roll Road and on the south by Greiner Road. Since this subdivision is outside the original PURD and since the sewage and wastewater will be discharged to the Heise sewer line, as part of the allocated 1,000 residential units, the Town has required the potential environmental impacts of the Northwood Subdivision to be analyzed in this SEIS.

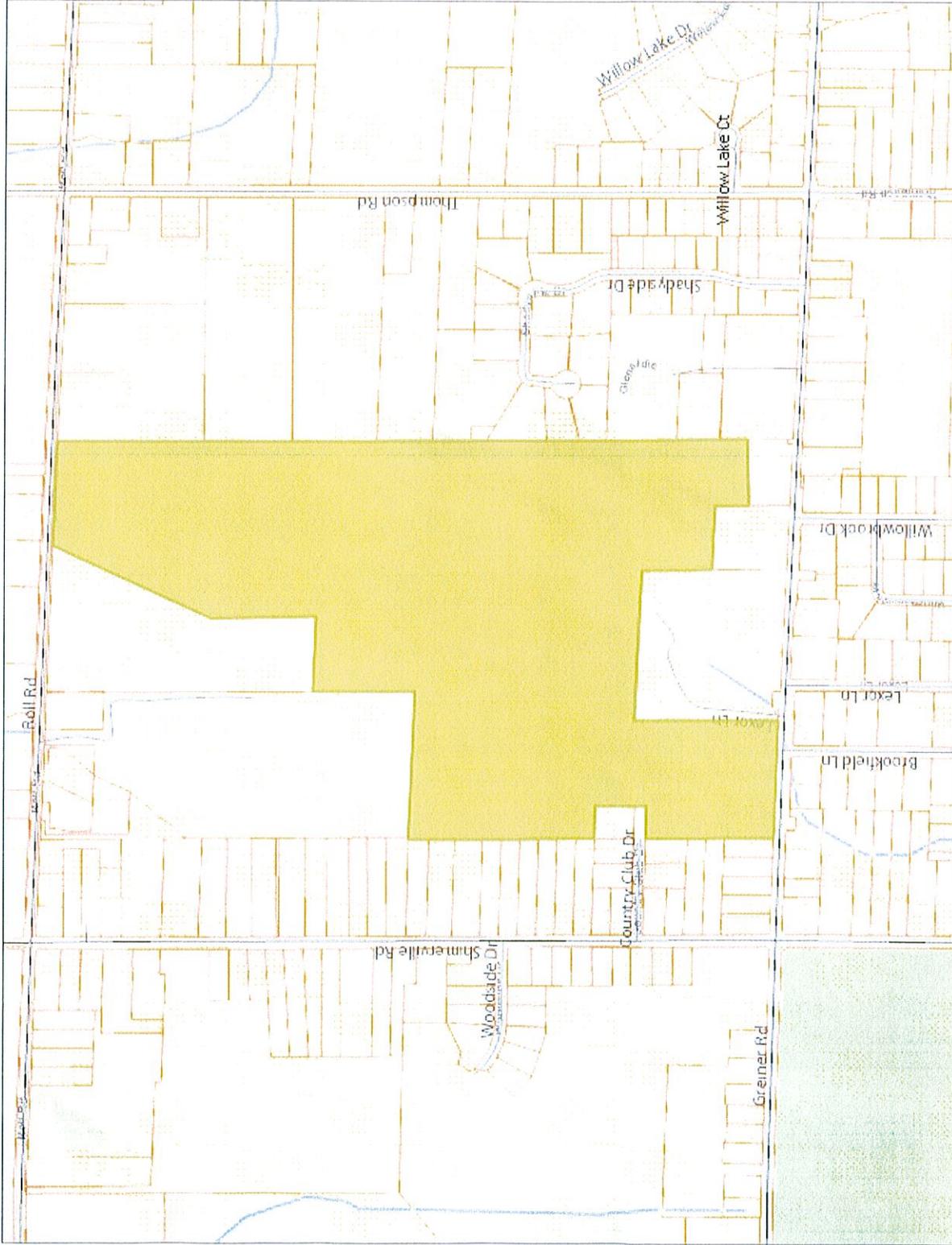
The subdivision is proposed as an Open Space Design Development ("OSDD") pursuant to the The Zoning Law of the Town of Clarence, New York ("Zoning Law"). For purposes of the OSDD, the Zoning Law is modified to provide an alternative permitted method for the layout, configuration and design of lots.

1.3 Project Purpose.

The stated purpose of the Northwoods development is to create an open space design of single family homes, maximizing the flexibility of the OSDD to create a new and different type of residential subdivision. 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 Country Club Drive. This connection allows direct access to Shimerville Road as well. A map demonstrating the location of the Project follows as Figure 1.3A.



LOCATION MAP



Legend

- Streets and Highways**
- Interstate
 - Primary State Road
 - Secondary State Road
 - County Road
 - Local Road
- Parcels**

0 1,075.32 2,150.6 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 12,904



1.4 Project Alternatives.

Since this is not a generic SEIS, but rather is site specific, proposed alternatives are generally narrower. The following alternatives have been required by the Town to be considered in the SEIS:

1.4.1 ALTERNATIVE DESIGNS.

Design alternatives would include the development of other “*by right*” uses within the existing zoning classification. This could include alternative designs and layouts of the proposed subdivision as well as alternative designs meant to explore avoidance and minimization of wetland impacts.

1.4.2 ALTERNATIVE LOCATION.

There are several parcels of land within the Town of Clarence which present similar opportunities for the development of a single family residential subdivision. These parcels are currently vacant land zoned residential. They range in area from less than 10 acres to over 100 acres. Most are located within a mile radius of the Project Site off of Roll Road, Greiner Road and east of Goodrich Road. Similar to Northwoods, the majority of the currently vacant parcels contain environmental features such as wetlands and agricultural land.

1.4.3 THE NULL/NO BUILD ALTERNATIVE.

The State Environmental Quality Review Act (“SEQR”) requires that the range of alternatives include the “*No Build Alternative*” so that the public and governmental agencies may balance doing nothing against the project proposal.

1.5 Summary of Significant Adverse Environmental Impacts.

This SEIS provides a thorough and comprehensive analysis of all potential adverse environmental impacts associated with the Project. The following significant adverse environmental impacts have been identified, after a detailed and extensive analysis:

- A. Water Resources
- B. Agricultural Resources
- C. Historic and Archaeological Resources
- D. Aesthetic Resources
- E. Transportation
- F. Growth and Character of Neighborhood including Impact on Sewers
- G. Cumulative Impacts

1.6 Summary of Mitigation Measures.

Based on the thorough and detailed analyses of potentially significant adverse impacts as set forth herein, the SEIS sets forth the mitigation measures to be implemented as part of this Project.

1.6.1 Stormwater Construction.

Stormwater runoff associated with the Project has been identified as a significant adverse environmental impact requiring mitigation. Thus, surface water and sedimentation controls will be established per NYSDEC General Permit Standards (GP-0-10-01). Erosion control best management practices and Green Infrastructure design shall be established to control sediment mitigation off-site during construction activities. Water quality will be maintained as a result of these sedimentation and erosion control practices. Additionally, the measures mentioned above will result in a net decrease in the peak flow runoff rates from the site, thus reducing downstream impacts and flooding concerns.

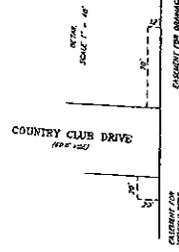
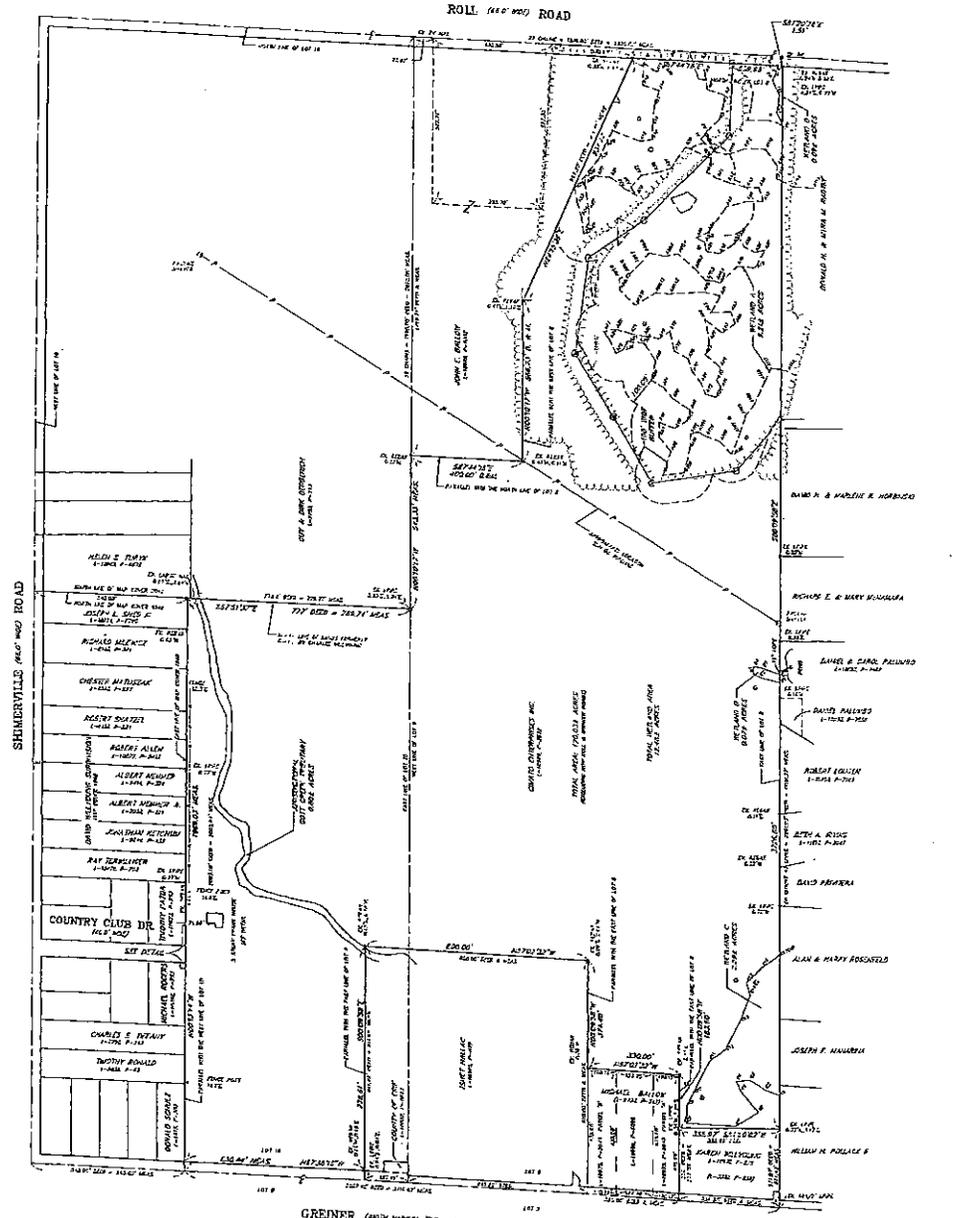
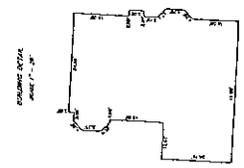
1.6.2 Stormwater : The Northwoods Subdivision.

The development of the Northwoods Subdivision will alter current erosion and drainage patterns at the site. Thus, development of a stormwater management system will be necessary in order to minimize and mitigate any potential adverse environmental impacts. Stormwater drainage facilities focusing on the use of Stormwater ponds have been designed by Cimato in accordance with the Storm Drainage Design Manual, the Town Storm Drainage Design Standards, and the NYSDEC Design Manual. Stormwater ponds must be placed in various locations throughout the Project and must be designed to provide a combined minimum storage volume of 11.1 acre feet at a maximum discharge rate off-site of 184 cubic feet per second.

1.6.3 Wetlands.

Four (4) Federal Jurisdictional Wetlands totaling 11.66 acres have been identified on the Project site. A copy of the Wilson Environmental Technology (“WET”) Wetland Report is included as Appendix 1 to the *SEIS*. A copy of the Wetland Delineation Map follows as Figure 1.6.3A.

1. THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
 DATE 08-14-2018 BY 60322 UCBAW/STP/STP



SURVEY OF
 PART OF LOTS 6 & 7, SECTION 16, TOWNSHIP 13, RANGE 4
 COUNTY OF CLATSOP, WASHINGTON COUNTY, OREGON

DATE: APRIL 25, 2024
 SHEET NO. 20080702
 TOTAL SHEETS: 4

NOTED:
 RETAINED KNOW AS PASSED BY ALLEN SYMBIOTIC TECHNOLOGIES, INC. BY DATE 04/21/2024

DATE	DESCRIPTION

Figure 1.6.3A

1.6.4 Stream Crossings and Impacts : Gott Creek.

A single road and utility crossing of Gott Creek will be required in order to provide access to the majority of the Project site from Greiner Road and Country Club Lane. Impacts to Gott Creek will be minimized by implementing a variety of erosion and sediment control measures in accordance with New York State Department of Environmental Conservation (“NYSDEC”) and United States Army Corps of Engineers (“USACOE”) guidelines and regulations.

1.6.5 Agricultural Resources.

The SEIS will discuss potential mitigation of loss of agricultural land.

1.6.6 Historic and Archaeological Resources.

Both a Phase I and Phase II analysis of the site have been completed through coordination with the USACOE and New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”). No items were discovered that are eligible for National Registry of Historic Preservation.

1.6.7 Aesthetic Resources.

The Project will employ various mitigation techniques such as buffers, open areas, landscaping or berms to offset the loss of an open space vista.

1.6.8 Transportation.

Cimato undertook an extensive traffic study in order to evaluate the potential traffic impacts associated with the Project. A copy of the Passero Associates Traffic Impact Study (“TIS”) is included as Appendix 2. An Intersection Capacity Analysis was performed at the following intersections:

- A. Greiner Road at Thompson Road
- B. Roll Road at Thompson Road
- C. Greiner Road at Shimerville Road
- D. Roll Road at Shimerville Road
- E. Roll Road at Dana Marie Parkway
- F. Roll Road at Harris Hill Road
- G. Greiner Road at Brookfield Lane
- H. Greiner Road at Harris Hill Road
- I. Clarence Center Road at Shimerville Road
- J. Country Club Drive at Shimerville Road

A map depicting the studied intersections follows as Figure 1.6.8A.

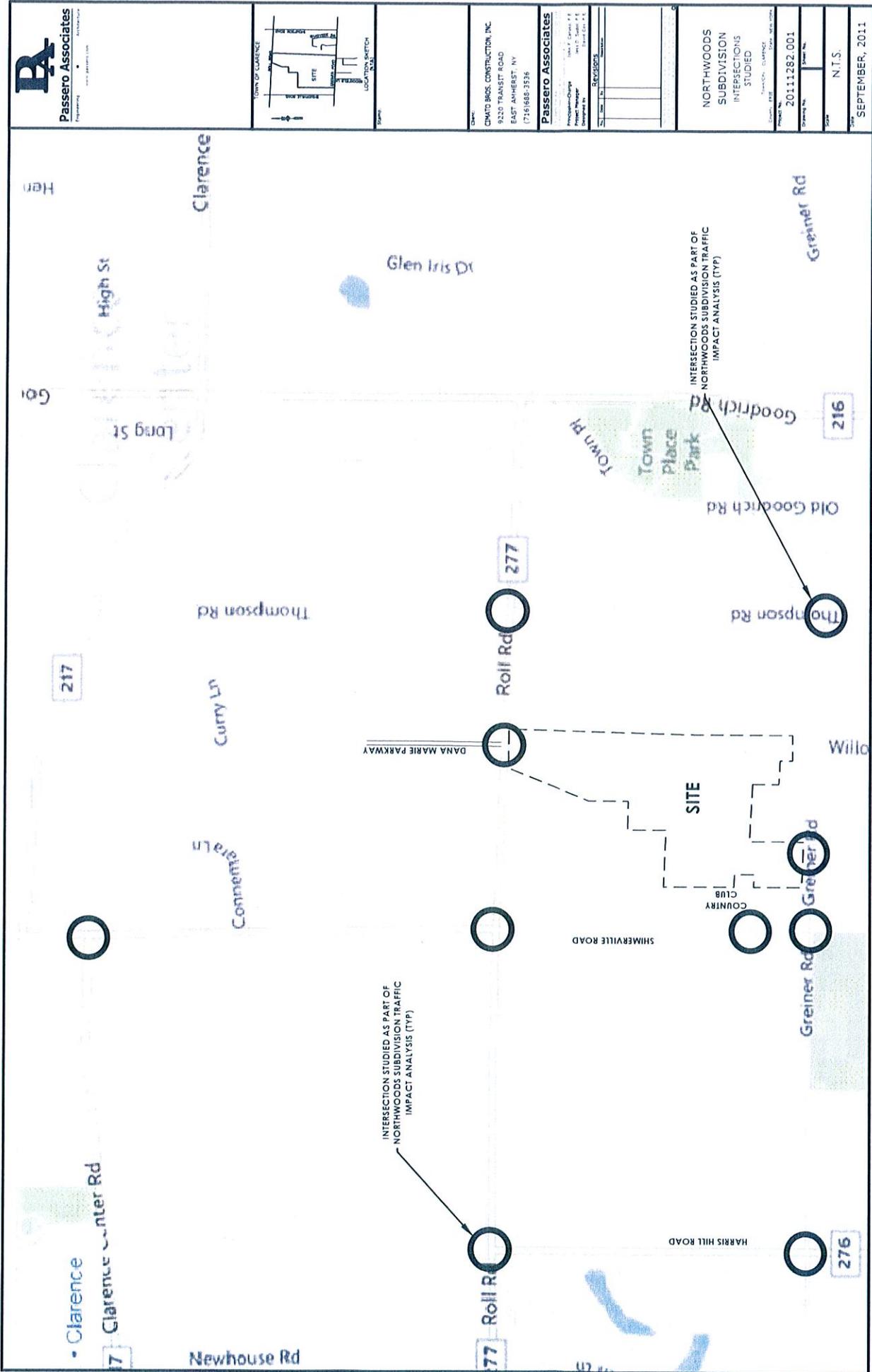


Figure 1.6.8A

1.6.9 Growth and Character of Community or Neighborhood.

The SEIS discusses practices employed by the Town regarding controlled residential growth within its borders. Additionally, a phasing map is attached as Appendix 3 showing the probable development of the subdivision and an expected time table for same. The Clarence School District has been consulted regarding the ability of the school system to accommodate potential students.

The Project falls within the center of a large housing development area, currently zoned Residential Single Family, which extends from Transit Road to areas east of Goodrich Road and from Main Street to areas north of Clarence Center Road. This area includes many large single family subdivisions which constitute the majority of the population of the Town of Clarence. The balance of the Town to the east and north contains a more rural setting with agricultural lands and smaller single family developments. Accordingly, the Project is consistent with the surrounding areas and Town wide development.

The Project parcel, along with many others, was identified in the Town of Clarence Master Plan 2015 (“Master Plan”) to be considered for the purchase development rights. Of the approximately 35 parcels which were identified, the Project parcel is the only one that is zoned for single family housing. The other parcels are north and east of the Town’s primary residential area and in lands zoned as rural agricultural.

The Project is consistent with the recommendations of the Master Plan; it avoids environmentally sensitive areas, provides 50% of open space, and “clusters” housing units as outlined in the Master Plan and permitted through the Towns Open Space Design Development zoning.

1.7 Impacts that Cannot be Avoided or Mitigated.

The Project Sponsor has mitigated or avoided impacts to the maximum extent practicable. Nonetheless, the Sponsor notes the following:

- A. Implementation of the Project will result in the permanent elimination of previously undeveloped open areas of land.
- B. There will be a permanent adverse impact on plants and animals with the elimination of existing upland areas on the Project site.
- C. There will be a permanent loss of agricultural activity on the site.
- D. There will be short term noise impacts during construction.
- E. There will be short term visual impacts during construction.

1.8 Irreversible and Irretrievable Commitments of Environmental Resources.

Implementation of the Project will result in the permanent elimination of currently undeveloped areas of the Project site for new or other types of uses. These resources will no longer be available for alternative uses, such as green space/park land development, farming or natural habitat. Other irreversible and irretrievable commitments of sources required for the Project include construction materials, energy, labor, which, while retrievable, are readily available within the Project area.

SECTION 2.0 PROJECT DESCRIPTION

2.1 Introduction and Background.

Cimato began the process of review of the proposed subdivision by the filing of a Request for Action on March 24, 2011. The submittal also included a proposed Open Space Design Development (“OSDD”) containing 154 single family lots, as well as a conventional layout with incentive design. The OSDD plan submitted on March 24, 2011 came after several review meetings with the Town. As a result of those meetings, the plan submitted mitigated various concerns of the Town by:

- A. Reducing the size of cul-de-sacs.
- B. Increasing lot size and reduction of lots in the woodlot area to preserve more mature vegetation.
- C. Adding buffers to adjacent single family home properties.
- D. Increasing open space.
- E. Adding traffic calming on the form of more curvilinear roads.

After months of further discussion with the Town Planning and Zoning Departments and the Town Planning Board, the plan was reduced to its current number of 148 lots. A Positive Declaration under SEQR was issued by the Town Board on November 15, 2011. A public scoping session was held on February 29, 2012. On April 4, 2012 the Town accepted a Final Scoping document.

2.2 Project Action Covered Under this SEIS.

2.2.1 Northwoods Subdivision.

As stated, the Project consists of a 118.91± acre parcel of land bounded on the north by Roll Road and on the south by Greiner Road. There is a connection to an existing stub street to the west, Country Club Lane, allowing access to Shimerville Road. The proposed 148 lot Northwoods Subdivision Open Space Development Plan follows as Figure 2.2.1A

2.2.2 Bridge, Culvert and Utility Crossing – Gott Creek.

As part of the Northwoods Subdivision, a public Road is proposed to cross Gott Creek.

To comply with the Town and NYSDEC requirements, the Sponsor will construct a culvert bridge traversing Gott Creek. The Gott Creek bridge design is that of a multi-late arched culvert bridge. This facility will be of approximately 75' linear feet, with a span of 14 feet, a six foot rise aluminum arch culvert construction, with poured concrete footers two feet in width. Utility crossings for telephone, gas and electric service are within the bridge and water and sewer crossings are designed to be immediately adjacent to the bridge. By using this type of design and construction, the wetland complex and Gott Creek will realize minimum streambed disturbance.

2.3 Public Need and Benefits.

The DGEIS for the Heise sanitary trunk sewer which included the Roll Road PURD, set forth the public need at the time for rectifying the ongoing pollution problem in Ransom Creek. As indicated then, an ancillary effect of the abatement was the creation of planned development opportunities for the community. The Roll Road PURD, now known as the WATERFORD Development, was one such opportunity.

As a similar development, the Project provides additional new housing opportunities as older subdivisions begin to fill up. As noted previously, the mere pursuit of an application by a developer has been recognized as evidence of a calculated business judgment supporting the need for additional residential development.

Further benefits to the Town include the increase in tax base for the Town as a result of the introduction of new high end housing opportunities. This of course assists the Town in maintaining desirable community amenities such as its schools, parks, roads and community buildings.

Short term benefits include the creation of additional construction jobs in connection with new housing and infrastructure construction.

SECTION 3.0 PROJECT ALTERNATIVES

3.1 Introduction.

SEQR requires that the SEIS contain a statement and analysis of the reasonable alternatives to the Project taking into account the objectives and capabilities of the Project Sponsor. The purpose of including reasonable alternatives to the Project is to aid members of the public and governmental bodies in assessing the relative costs and benefits of the Project. It is not necessary to examine every possible alternative to an action. Instead, the alternatives considered must demonstrate that a reasoned conclusion has been reached.

The final scope required the following analysis:

3.2 Alternative Designs or as Allowed “By Right”.

When weighing design alternatives for the site, the Project Sponsor considered developing the site using the conventional zoning requirements of the Single Family Residential District. This approach considers a minimum lot size of 20,000 sf without a requirement for “Open Space.” As shown at Appendix 4 the resulting layout of a development designed using the conventional zoning requirements does not meet the objectives of the Zoning Law or Master Plan. There are long and straight streets with a “grid” style development. The larger lots result in a general lack of open space without the ability to provide scenic vistas known to be important to the community.

In order to provide a development project which is consistent with the objectives of the Master Plan, including “cluster development,” the Project Sponsor elected to pursue a project utilizing the OSDD Overlay District . By utilizing a smaller lot size the project is able to maintain density while providing greater than 50% open space in the form of scenic vistas, wetland areas, stream corridors and buffers to adjacent residential neighborhoods.

3.3 Alternative Location.

The Project Sponsor has been developing single family subdivisions in Western New York, including the Town of Clarence, for many years. The Project parcel is one of a number of parcels that have been planned for development as part of the Sponsor’s long term strategy.

Since it has been owned by the Project Sponsor, it has been a critical part of his overall development plan and a natural extension of the Roll Road PURD. Accordingly, no other locations were considered for this type of Open Space Development.

3.4 The Null/No Build Alternative.

SEQR requires that the range of alternatives considered include the “No Build Alternative” so that the public and governmental agencies may balance doing nothing against the proposed Project.

Under the “No Build Alternative” there would be no realization of various benefits associated with the subdivision. For example, no action would mean:

- no tax base increase
- no new temporary construction jobs for both the infrastructure and proposed 147 single family homes
- no introduction of potential new Clarence residents who would patronize Clarence businesses.

Without action, the proposed crossings at Gott Creek would not be necessary and the existing environment here would remain undisturbed.

SECTION 4.0 ENVIRONMENTAL SETTING

4.1 Introduction.

SEQR requires a description of the environmental setting of the area to be affected so that the public may understand the impacts of the proposed action as well as the alternatives. This Section of the SEIS sets forth such description.

4.2 Physical Resources.

4.2.1 Northwoods Subdivision Location.

The approximately 119 acre site is located between Roll Road to the north and Greiner Road to the south. The parcel is traversed by Gott Creek, running in an east/west direction.

4.2.2 Topography.

The Project parcel is currently undeveloped and has a history of agricultural use. The topography ranges from relatively flat to gentle sloping. Gott Creek traverses in an east/west direction.

There are existing homes located both to the east and west of the proposed subdivision area.

4.2.3 Geology and Soils.

4.2.3.1 Topography and Subsurface.

The Project Area is located within the Erie-Niagara Basin, which is underlain by layers of sedimentary bedrock covered with unconsolidated deposits. The bedrock is composed mainly of shale, limestone and dolomite. The shale unit is the Camillus Shale and it contains gypsum. The rocks dip gently to the north at approximately 30 feet per mile.

The unconsolidated materials are mostly glacial deposits formed during the Pleistocene Epoch, about 10,000 to 15,000 years ago. The deposits consist of: (i) till, a mixture of clay, silt, sand and gravel deposited from the ice sheet; (ii) lake deposits, bedded clay, silt and sands that settled out of lakes, which were fed by melting ice; and (iii) sand and gravel deposits that were laid down beneath glacial streams. These glacial deposits are generally 50 feet thick in the northern part of the basin, where the Project Area is located.

Northern Erie County lies within the Erie-Ontario Lake Plain Province. The Erie-Ontario Plain has little significant relief, except in the vicinity of the major drainage ways. The Plain typifies the topography of an abandoned lake-bed. Long-term erosion has produced east-west trenching, north facing scarps, or continuous slopes separating relatively flat land into two levels on the upturned ends of the more resistant beds.

The bedrock in the vicinity consists of the Camillus Shale Formation, which is generally five feet or more below the surface. This Formation varies from thinly-bedded shales to massive mudstones, which are generally gray or brownish gray in color, with some showing a red or greenish tinge. Gypsum and anhydride are often present in this rock.

The soils encountered within the Project Area include Cazenovia silt loam, Churchville silt loam, Lakemont silty clay loam, Lima loam, Odessa silty clay loam, Ovid silt loam, Schoharie silt loam, Wayland silt loam and Honeoye silt loam. A copy of the NRCS Soil Survey Map follows as Figure 4.2.3.1A. Soil characteristics range from well and moderately well drained, resulting in medium to rapid runoff, (e.g., Cazenovia and Schoharie soils), to slow permeability and poorly drained, resulting in medium to low runoff, (e.g., Churchville, Lakemont and Ovid soils).

NRCS Soil Survey Map

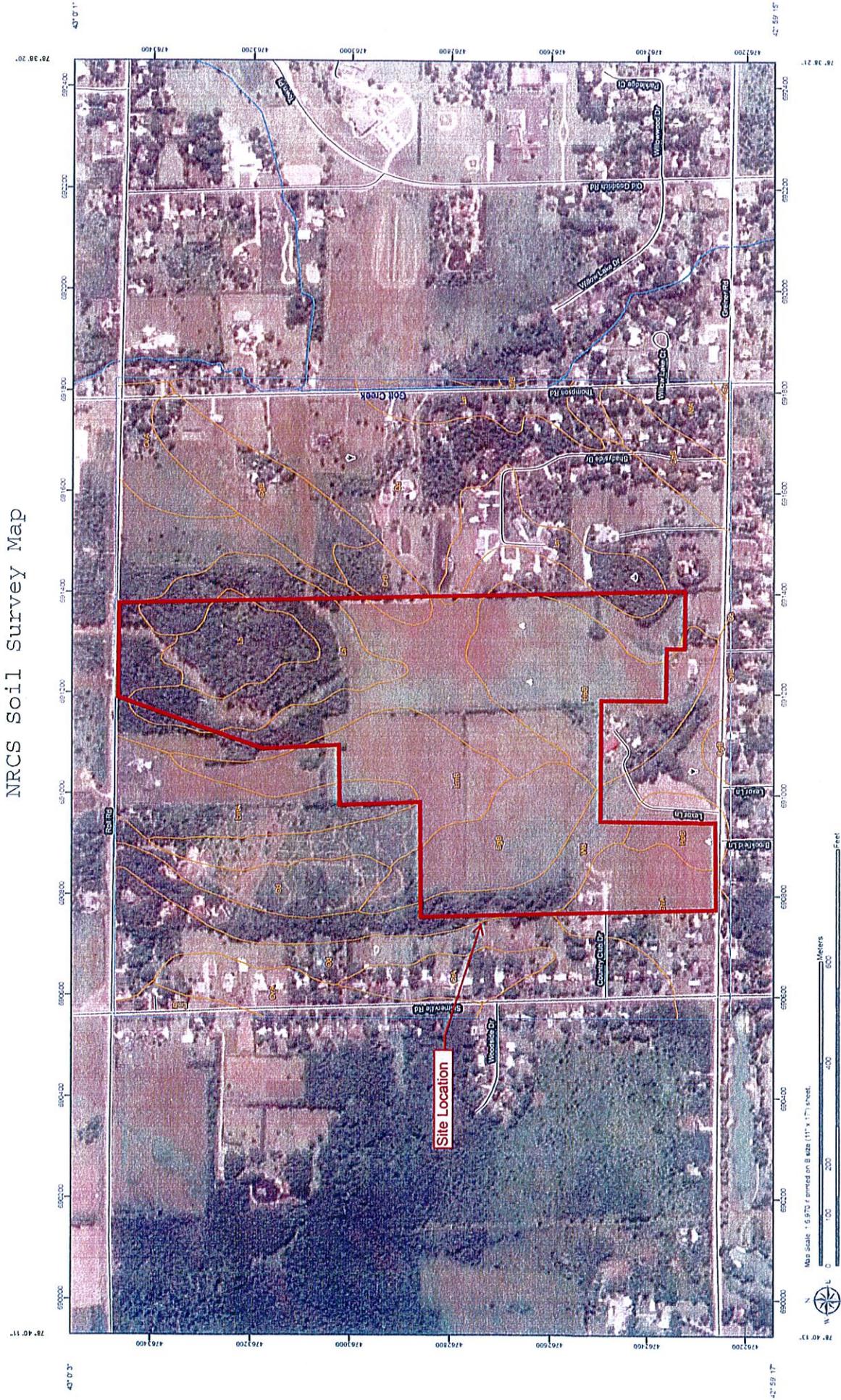


Figure #4.2.3.1A

4.3 Town of Clarence History.

During the past 190 years, Clarence has progressed from an isolated, heavily forested wilderness inhabited by a few sturdy pioneers, to a thriving suburban town. Named from the English House of Clarence, the Town was established as the first township in Erie County on March 11, 1808. At that time, its area encompassed all of northern Erie County, including what is now the City of Buffalo and the Town of Alden, Amherst, Lancaster and Newstead.

At one time the Town was inhabited by Native Americans and was called “Ta-Num-No-Ga-O” meaning “place full of hickory bark.” Subsequent name changes occurred, including Ransomville, Pine Grove, Ransom’s Grove and Clarence Hollow, before it became known as Clarence.

In 1799, before the Town had been established, Joseph Ellicott, an agent for the Holland Land Company, offered lots on old Buffalo Road to those who would build and operate taverns upon them. These lots were 10 miles apart and were sold at the company’s lowest price of \$2 per acre on a long-term no interest basis. The first settler to take advantage of this offer was Asa Ransom, a young silversmith from Geneva, New York, who became the Town’s first resident. Ransom erected a spacious, two-story log house and tavern where he opened the Holland Land Company’s land office in 1801. That spring he erected a sawmill on the banks of the creek that winds through Clarence Hollow and bears his name. He expanded his operations in 1803 by building a grist mill. In 1807, Asa Harris, a Revolutionary War Colonel, constructed a tavern along the Buffalo Road on a barely discernible rise, today, known as Harris Hill.

Two years after the Town was established, the State Legislature defined the Town of Buffalo’s boundaries and effectively divided out a portion of Clarence. In 1823, Clarence was again divided, creating the Towns of Alden and Newstead. A final division took place in 1833, which formed Lancaster.

The Town’s industrial history began with the manufacture of potash. Subsequent industries included brick manufacturing, gypsum mining, stone and gravel quarries and residential and commercial construction. Brick factories developed which utilized the clay from the banks of Ransom Creek. With the discovery of a relatively large deposit of the mineral gypsum, the National Gypsum Company began operating in earnest, eventually expanding across the country and into Canada. Most of the original settlement patterns centered around this early industry.

By the mid 1950’s, although the Town was still primarily agricultural, the population had doubled. Today, Clarence is a suburban-residential community but remains largely undeveloped.

4.4 Zoning.

The current zoning of the Project parcel is Residential Single Family.

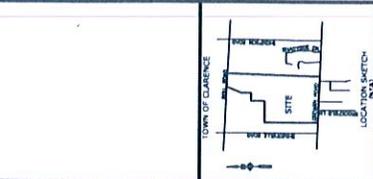
4.5 Water Resources.

4.5.1 Surface Water.

The Project parcel has Gott Creek traversing in an east/west direction. Gott Creek is classified as a “C(T)” Water, meaning it supports fisheries and “T”, supporting trout. Gott Creek meanders through both developed and undeveloped areas of Clarence. It is a stream with relatively slow flow the majority of the year, while experiencing higher levels during the spring run off season.

The depth to groundwater varies across the site from a visible water table in the wetland areas to approximately six (6) feet deep in the southeast portion of the development. The flow of the groundwater is split with the east and northern portions of the site flowing to the north towards the large wetland area and the south and west site area flowing towards the Gott Creek Tributary. During the spring months and wet conditions, the groundwater table reaches the surface in the wetland area and Gott Creek. The high groundwater elevations for the site follow as Figure 4.5.1A - Depth to Water Table.

Similar to the characteristics and flow of the groundwater, the flow of the surface water is generally split across the site. The water follows the topography of the parcel either north to the wetland area or towards the Gott Creek Tributary. The stormwater sheet drains across the site for several hundred feet where it then begins to form a shallow and more concentrated flow prior to entering the wetlands or creek. The Topography Plan for the Project follows as Figure 4.5.1B.



Passero Associates
Project: Northwoods Subdivision
Client: CMRD BROS. CONSTRUCTION, INC.
9320 TRANSIT ROAD
EAST AMHERST, NY
(716) 688-3536

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9320 TRANSIT ROAD
EAST AMHERST, NY
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**NORTHWOODS
SUBDIVISION
DEPTH TO WATER TABLE
FIGURE 4.5.1A**

Client: CMRD BROS. CONSTRUCTION, INC.
Project No.: 20111282.001
Drawing No.:
Scale: AS SHOWN
Date: SEPTEMBER, 2011

Depth to Water Table

Map unit symbol	Map unit name	Rating (centimeters)	Acres in AOI	Percent of AOI
CyB	Clayey silt loam, 3 to 6 percent slopes	32	13.8	12.0%
CyE	Clayey silt loam, fine sand, 3 to 6 percent slopes	34	0.6	0.5%
HcB	Heavy loam, 3 to 6 percent slopes	152	22.0	19.2%
Ls	Likensville silt loam	7	14.7	12.7%
LsB	Likensville silt loam, 3 to 6 percent slopes	7	9.0	7.8%
LsC	Likensville silt loam, 3 to 6 percent slopes	54	1.7	1.5%
LsD	Likensville silt loam, 3 to 6 percent slopes	54	13.1	11.4%
LsE	Likensville silt loam, 3 to 6 percent slopes	31	25.6	22.3%
LsF	Likensville silt loam, 3 to 6 percent slopes	38	8.0	7.0%
W2	Water table	7	1.1	0.9%
Totals for Area of Interest			114.8	100.0%

Description

"Water table" refers to a saturated zone in the soil. It occurs during specified months. Estimates of the upper limit are based mainly on observations of the water table in the soil. It is shown on the map as a solid line with grayish colors (representing the depth to the water table). A saturation ratio of less than a month is not considered a water table.

This attribute is actually recorded as three separate values in the database. A low value and a high value indicate the range of this attribute for the soil component. A "representative" value indicates the expected value of this attribute for the component. For this soil property, only the representative value is used.

Rating Options

- Units of Measure: centimeters
- Aggregation Method: Dominant Component
- Component Percent: Cutoff: None; Spaced
- Tri-break: True; Lower
- Interpret Nulls as: Zero; No Beginning Month: January

Depth to Water Table—Erie County, New York

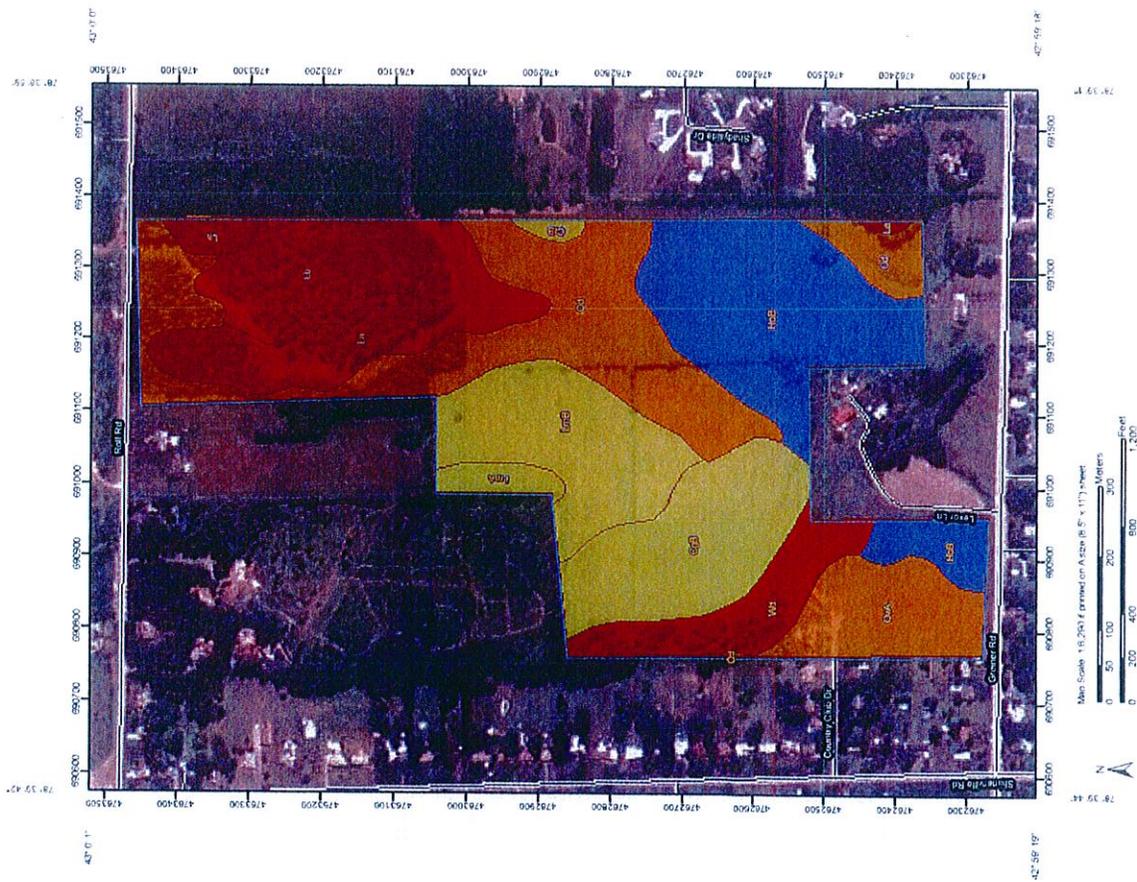
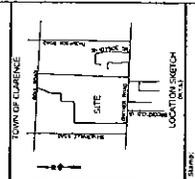


Figure 4.5.1A



OWNER:
 CHATO BROS. CONSTRUCTION, INC.
 9230 TRANSIT ROAD
 EAST AMHERST, NY
 (716) 688-9535

PROJECT:
Passero Associates
 1000 Broadway
 New York, NY 10018
 Project No. 20111282.001
 Drawing No. 4.5.1B
 Date: 9/21/11

PROJECT NO. 20111282.001
 DRAWING NO. 4.5.1B
 DATE: 9/21/11

TOPOGRAPHY
 PLAN
 NORTHWOODS
 SUBDIVISION

SCALE: 1"=300'
 DATE: SEPTEMBER, 2011

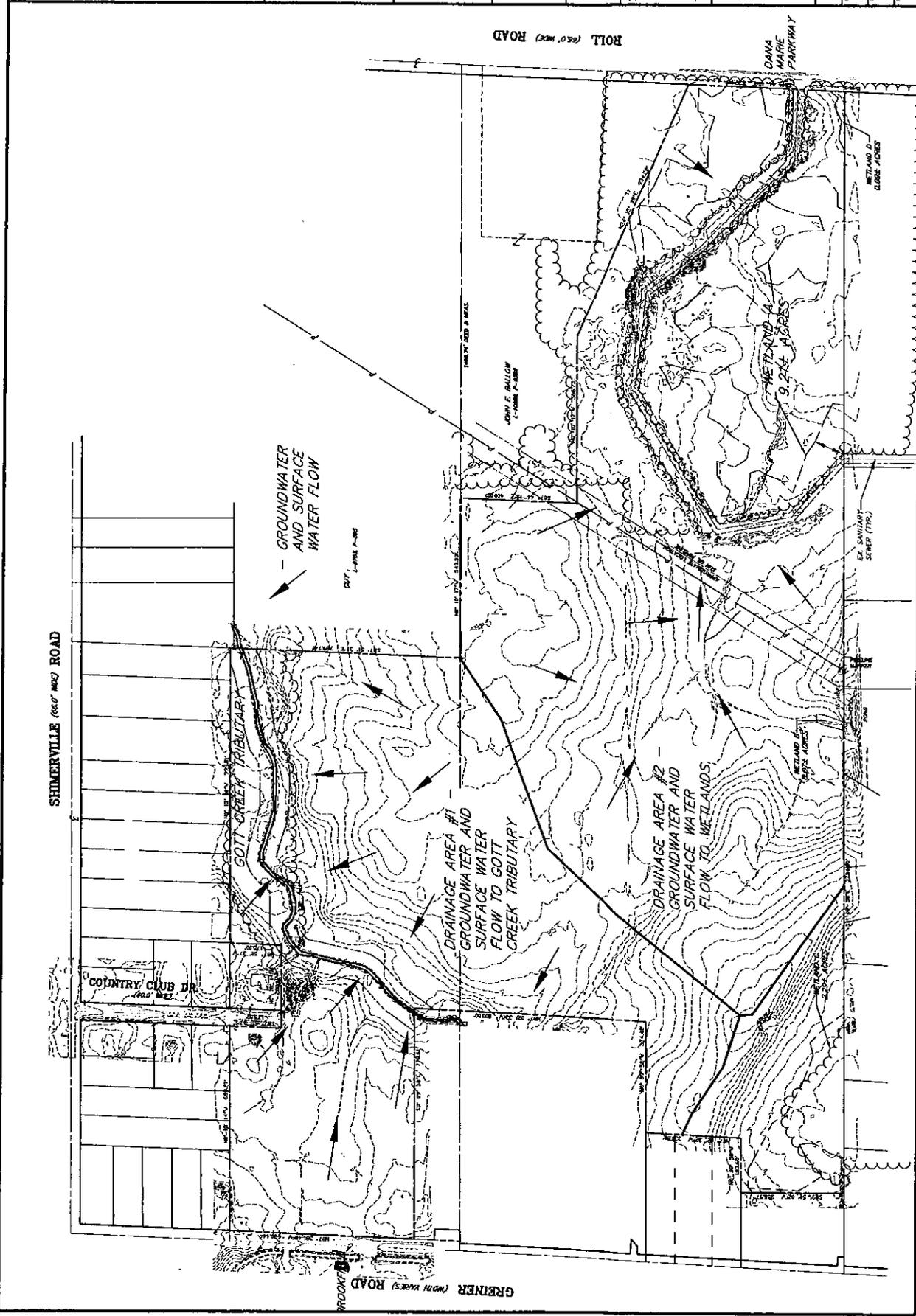


Figure 4.5.1B

4.5.2 Wetlands.

There are four (4) wetlands present on the Project Site totaling approximately 11.66 acres. The central area of the parcel consists entirely of active agriculture fields. The wooded areas to the north and southeast contain the majority of the wetlands.

There is also a State regulated wetland, LA-8, located within the Project Site. The Wetland Report from Wilson Environmental Technologies (WET) is included as Appendix 1.

WET conducted a re-delineation of both the State and Federal Wetlands within the site in June 2011. The wetlands were flagged at the time of the field work and the locations were surveyed. The wetland delineation results were based on the presence of hydric soils, hydrophatic vegetation and wetland hydrology found within the site boundaries.

Table 4.1 summarizes the Federal jurisdictional wetlands identified as a result of the WET investigation.

WETLAND AREA	SIZE (ACRES)	FEDERAL DESIGNATION
Wetland Area A	9.21 ±	PFO1B/PEM1H
Wetland Area B	0.07 ±	PEM2E
Wetland Area C	2.29 ±	PFO1E
Wetland Area D	0.09 ±	PFO1E

Table 4.1

Wetland A is the largest wetland and is located within the northeast portion of the site. Wetland A is associated with State Regulated Wetland LA-8 and continues off-site to the east. The wetland is depressional in nature and the hydrology appears to be derived from a combination of drainage received from run-off from surrounding uplands and precipitation. The wetland appears to be inundated for prolonged periods of time in normal precipitation years. Total acreage for the wetland is 9.21± acres. This wetland has shrunk slightly since it was delineated in 2001.

Wetland B is a small area along the east property line associated with the drainage of a pond located on an adjacent residential property. The wetland is situated within the agricultural fields. However, the influx of water via a culvert pipe has created wetland hydrology in the area and given way to an abrupt transition in vegetation. Wetland B is isolated, totaling approximately 0.07 acres.

Wetland C is located in the southeast corner of the site. The wetland is depressional in nature and the hydrology appears to be derived from drainage received from run-off from surrounding upland and agricultural fields, as well as precipitation. This wetland has grown significantly since it was previously delineated in 2001; now totaling approximately 2.29 acres, from 0.96 acres in 2001. Wetland C drains off-site to the south via a man-made ditch that exists as an extension of the eastern property line.

Wetland D exists within the extreme northeast corner of the site. Wetland D connects with Wetland A, off-site to the east. This wetland complex continues to the east for an undetermined distance.

The total area of wetlands within the site amounts to approximately 11.66 acres. Wetland A, C and D were observed to continue to the east for undetermined distances. Considering that these wetlands are part of larger systems, the total wetland area would amount to considerably more than 12.4 acres, which is required for the New York State Department of Environmental Conservation to regulate under Article 24 of the Freshwater Wetlands Act.

4.6 Cultural Resources.

In November 2001, Commonwealth Cultural Resources Group (“CCRG”) undertook a Stage 1 Cultural Resource investigation of the site. Included as Appendix 5 is the CCRG Report dated November 23, 2001. The Project Area was subdivided into four study areas (A, B, C and D). Stage 1B field investigations in these areas consisted primarily of shovel testing and minimally, surface inspection of semi-open crop rows near positive shovel tests. Stage 1B field investigations identified 18 loci of prehistoric lithic material in Areas A, B and D. As a result CCRG recommended close-interval shovel testing for the 18 loci to determine their historical importance.

Through coordination with the OPRHP, the Army Corps of Engineers, the Seneca Nation of Indians and the Tonawanda Seneca Nation, a Phase II investigation was conducted by CCRG in April 2012.

4.7 Aesthetics.

The Project site has frontage on both Roll Road and Greiner Road. It has a combination of currently farmed land and wooded area within the site. Although some may consider the view to be important, it is not a scenic view known to be unique or rare in the community. Essentially it is a large tract of land surrounded by single family residential housing on at least a portion of all four sides.

The majority of the site is a meadow with mild topography. There is an area of approximately 25 acres to the north along Roll Road which contains dense and mature vegetation associated with a NYSDEC wetland. There is also a vegetated riparian buffer along a tributary to Gott Creek at the western portion of the site.

Currently, people traveling along Greiner Road and Country Club Drive can see several hundred yards into the parcel because of the low grass and meadow like vegetation. From Roll Road, people can only see approximately 100 feet into the site because of the dense and mature vegetation associated with the wetland area.

4.8 Agricultural Resources.

A portion of the Project site is currently farmed.

4.9 Transportation and Traffic.

A Comprehensive Traffic Impact Analysis dated July 2012 prepared by Passero Associates is included as Appendix 2. This study provides the following information:

4.9.1 Existing Roadway System.

The site is a 119± acre parcel that is undeveloped. It is surrounded by various residential subdivisions and undeveloped land. Major points of attraction in the area include Downtown Buffalo, The University of Buffalo which is approximately 10 miles to the west, Eastern Hills Mall 5 miles to the southwest, and Clarence Center 2 miles to the northeast. There are various other rural amenities in the immediate area including public parks and golf courses.

4.9.2 Arterial Roadways.

Roll Road (County Route (CR) 277) is east/west from Transit Road to Goodrich Road. It is one lane in each direction with a posted speed limit of 35 miles per hour. It is a relatively rural highway serving several small developments east of the Project area. The majority of Roll Road east of the Project is vacant farmland.

Greiner Road (CR-37) is also east/west and runs between Transit Road and Salt Road. It is one lane in each direction with a posted speed limit of 40 miles per

hour. Greiner Road is an arterial roadway which serves the Town of Clarence as one of the primary routes for vehicles traveling from the Town to destinations to the west including Transit Road, the City of Buffalo and the Thruway.

Shimerville Road (CR-279) is oriented north/south between Wehrle Drive (CR-275) and Clarence Center Road (CR-217). It is one lane in each direction with a posted speed limit of 35 miles per hour. Many residents use Shimerville Road to travel from destination points to the south to large subdivisions in Clarence Center.

Thompson Road (CR-278) also runs north/south and has one lane in each direction with a posted speed limit of 40 miles per hour. Although it serves a similar purpose as Shimerville Road, the traffic volumes are approximately half of those on Shimerville Road.

4.9.3 Existing Intersections.

Greiner Road at Harris Hill Road – Four-way intersection controlled by traffic signal.

Greiner Road at Thompson Road – Four-way intersection controlled in the north and south direction on Thompson Road by stop signs. Greiner Road is not controlled in the east/west direction. All four approaches are single lane.

Roll Road at Thompson Road – Four-way intersection with stop signs at each approach. All four approaches are single lane.

Greiner Road at Shimerville Road – Four-way intersection with stop signs at each approach. All four approaches are single lane.

Roll Road at Shimerville Road - Four-way intersection with stop signs at each approach. All four approaches are single lane.

Dana Marie Parkway at Roll Road – Three-way intersection with a stop sign on Dana Marie Parkway. All three approaches are single lane.

Roll Road at Harris Hill Road – Three-way intersection with a stop sign on Harris Hill Road.

Brookfield Lane at Greiner Road – Three-way intersection with a stop sign on Brookfield Lane. All three approaches are single lane.

County Club Drive at Shimerville – Three-way intersection with a stop sign on Country Club Drive.

4.9.4 Existing Annual Average Daily Traffic (“AADT”).

Road Name	Road Designation	From	To	Year Counted	AADT
Roll Road	CR-277	Shimerville Rd.	Goodrich Rd.	2010	3,400
Thompson Rd.	CR-278	Greiner Rd.	Clarence Center Rd.	2010	2,125
Greiner Rd.	CR-37	Shimerville Rd.	Goodrich Rd.	2010	7,950
Shimerville Rd.	CR-279	Greiner Rd.	Roll Rd.	2010	3,350

Table 4.2

Each of these intersections were counted during the AM and PM peak hours of traffic flow in order to determine the maximum hourly traffic volumes in and around the project area. This approach provides a “worst case” scenario at both existing and developed traffic conditions.

- The peak hours for the intersections studied were determined by performing field traffic counts during 2 hour periods on June 14 and 15, 2011. The counts were then analyzed to determine which one-hour block of time experienced the most traffic.

AM Peak – 7:30-8:30

PM Peak – 4:45-5:45

- The traffic volumes were then compared to the peak hours presented in a traffic study prepared by EMS Consulting (“EMS”) in 1999, to ensure that the analysis was performed during the most congested time of operation. Note that the PM peak hour is slightly different from the peak hour determined in the 1999 study, in that it occurs 15 minutes later in 2011.
- A growth rate factor (“GRF”) of 3%, applied annually, was used to develop the background 2015 traffic volumes. “Background” traffic represents the expected traffic volumes in the future which would be expected to occur regardless of whether or not the development proposal is completed. The year 2015 was used, as this is the anticipated completion date of the proposed subdivision. The 3% GRF assumes a relatively aggressive rate of growth within the Project Area, which is also consistent with the GRF that was applied to the area in the 1999 study.
- There are currently no other development proposals in the immediate vicinity of the Project which have a scheduled construction completion prior to 2015.

- The Institute of Traffic Engineers (“I.T.E”) Trip Generation Manual, 8th Edition, was used to determine the projected number of trips associated with the proposed single family lots. The land use for this Project is I.T.E. Land Use 210, single family detached housing.
- The trip distribution patterns are based on the traffic count data collected, engineering knowledge and judgment of the area. There are three main destinations for motorists traveling in the vicinity of the Project Site:
 1. Buffalo, Transit Road and the Thruway to the west.
 2. Clarence Center to the north.
 3. Darien Lake and Rochester to the east.
- The existing traffic volumes were modeled using Synchro 7 to determine the current Levels of Service (“LOS”) for the studied intersections. LOS is an engineering standard gauge used to measure the operation of functionality of an intersection. An LOS of “A” represents a “best case” scenario with little to no traffic delays. An LOS of “F” represents a failure or unacceptable scenario.
- A comparison of the intersection Levels of Service is provided to demonstrate any difference in the operation of the studied intersections under three different scenarios during both the AM and PM peak hour.
 - A. Existing Conditions (2011)
 - B. Background traffic (2015)→No build scenario with 3% GRF
 - C. Developed Conditions (2015)→includes project proposal (148 single family homes) and 3% GRF
- Erie County is in the process of constructing intersection improvements at Greiner Road and Shimerville Road which include the addition of left turn lanes and a traffic signal. The Background and Developed conditions scenarios take into consideration the proposed improvements which include signalization and turn lanes.
- The Roll Road Subdivision TIS, prepared by EMS in December 1999 and the Final Generic Environmental Impact Statement prepared on July 25, 2001 were both examined to compare the finding of Project TIS to previously anticipated conditions.

4.9.5 Accident History.

A review of existing Traffic Impact Studies and subsequent accident reports indicated that the studied area does not have incident rates higher than the state average. Additionally, traffic improvements including proposed signal lights along Greiner Road and the addition of stop signs along Roll Road were implemented in order to reduce the potential for accidents in the Project Area.

4.9.6 Sight Distances.

Site distances at both of the proposed Project entrances were determined to be acceptable. Additionally, the ability to create four-way intersections with Dana Marie Parkway and Brookfield Lane is beneficial to the Project when compared to the potential to offset the intersections.

4.10 Schools.

The Clarence Central School District encompasses an area of approximately 60 square miles. The District is located in the northeastern portion of Erie County about 6 miles east of Buffalo. On a valuation basis, the District includes almost 90% of the Town, approximately 14% of the Town of Newstead, as well as minor portion of the Towns of Amherst and Lancaster.

The school district is comprised of the following facilities with a total 2011-2012 enrollment of 4,925 students as follows:

Name	Grades	2011-2012 Enrollment
Clarence Senior High School	9-12	1645
Clarence Middle School	6-8	1183
Ledgeview Elementary School	6-5	555
Clarence Center Elementary School	K-5	480
Harris Hill Elementary School	K-5	539
Sheridan Hill Elementary School	K-5	523

Table 4.3

Actual enrollment for school years 2006-07 through 2011-12 follow as Table 4.4.

School Year	Actual Enrollment K-12
2006-07	5,162
2007-08	5,167
2008-09	5,082
2009-10	5,107
2010-11	5,019
2011-12	4,921

Table 4.4

The Clarence Central School District Enrollment Projection by Information Management Systems assessed enrollment projections by grade and attendance area for school years 2012-2017 for the purpose of facilities planning, as required by State of New York Education Department. Utilizing the well-established “Cohort Survival Method,” the study determined that the District is expected to realize an enrollment decrease of 4.5± percent for the period 2017 as detailed in Table 4.5.

School Year	Projected Enrollment K-12
2012-12	4,877
2013-14	4,810
2014-15	4,756
2015-16	4,714
2016-17	4,692

Table 4.5

4.11 Active Open Space and Recreation.

The plan for the Project was developed in accordance with the Town of Clarence’s Open Space Design Development (OSDD) zoning criteria. This approach allowed Cimato to create a plan with smaller lot sizes than what is permitted under traditional single family zoning. In return, the Project offers approximately 50% of the land area (+/- 60 Acres) to remain as open space. The open space has been designed to be situated both along the perimeter of the parcel and within a central core area of the development. The addition

of the open space creates a community where the majority of the home owners will have a wild open space in their back yards as opposed to a more traditional development where rear yards are aligned.

In addition to providing the individual home owners benefits, the open space will be beneficial to the community as a whole when considering pedestrian and recreational activities. Members of the community will have the ability to take advantage of hiking opportunities existing around the core development area, along Gott Creek and into the mature woodlot and wetlands to the north. The central open space area also provides a central opportunity for both passive and active recreation for the subdivision residents. The Project has been designed to provide gaps between lots so access for the community is possible to all open space areas. A copy of the Open Space Development Plan depicting both lawn areas and wild open space follows as Figure 4.11A.

OPEN SPACE DEVELOPMENT	SUBTRACTION	REMAINING AREA
TOTAL SITE AREA 74 # 5817-6-4		118.91 AC
(UNLESS OTHERWISE SHOWN)		
SUBDIL PREDLINE EASEMENT	2.57 AC	116.34 AC
(WATER BODIES, WOODS, WETLANDS)		
FEDERAL WETLANDS (SE CODE)	7.28 AC	109.06 AC
NYSDEC WETLANDS - WOODS	26.86 AC	82.20 AC
BRANCH COTT CREEK + WOODS	5.65 AC	76.55 AC
FEDERAL WETLAND B	0.07 AC	76.48 AC
(AREAS DEEMED UNFAVORABLE)	4.21 AC	72.27 AC
(HYDRO SOILS)		
(PUBLIC STREETS AND ROWS)	7.73 AC	64.54 AC
(ROW 10% REMAINING AREA)		
(MAX # OF DWELLING UNITS)		191 LOTS
69.53 AC * 43,560 SF / 20,000 SF		
(15% OF ADJUSTED GROSS FOR MAINTAINED OPEN SPACE)		
73.17 * 15% = 10.98 AC (REQUIRED)		
-- AC (PROVIDED)		
(50% OF GROSS AREA FOR OPEN SPACE)		
118.91 * 50% = 59.46 AC (REQUIRED)		
		66.95 AC (PROVIDED)

94 SINGLE FAMILY LOTS, 100x150 (15,000 SF)
54 SINGLE FAMILY LOTS, 65x125 (8,125 SF)
148 TOTAL LOTS

GRAVING & TO BE LIMITED TO BACK OF LOTS

GRAVING & TO BE LIMITED TO BACK OF LOTS

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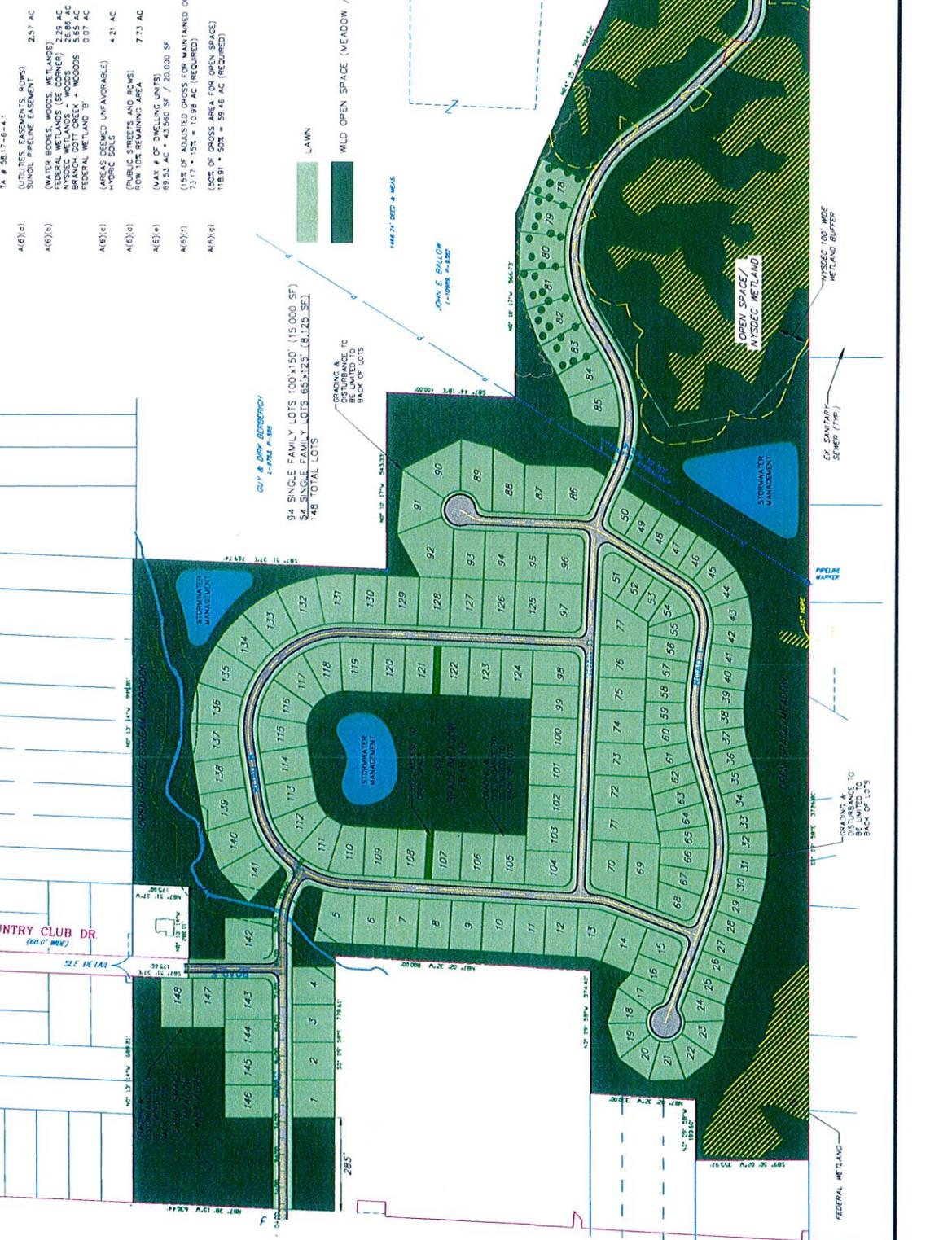
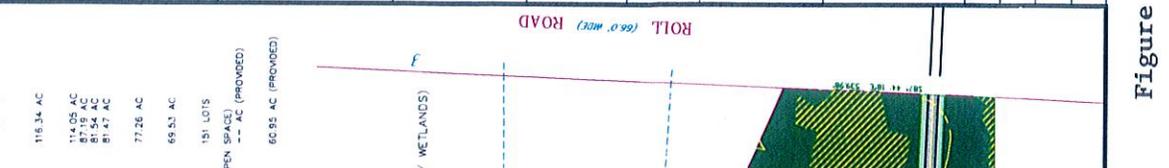
OWNER: CIMATO BROS. CONSTRUCTION, INC.
9220 TRANSIT ROAD
EAST AMHERST, NY
(716) 688-3536

PROJECT: OPEN SPACE DEVELOPMENT PLAN
NORTHWOODS SUBDIVISION

COUNTY: EBIT
TOWN/CITY: CLARENCE
STATE: NEW YORK
PROJECT NO.: 20111282.001

DATE: MARCH, 2011

SCALE: 1" = 300'



REVISIONS

DATE: 3/1/11

BY: [Signature]

DESCRIPTION: [Text]

Figure 4.11a

SECTION 5.0 ANALYSIS OF ENVIRONMENTAL IMPACTS

5.1 Introduction.

SEQR requires that the SEIS provide a statement and evaluation of the potential significant adverse environmental impacts associated with the Project at a level of detail that reflects the severity of the impacts and the reasonable likelihood of their occurrence. The Town and Sponsor conducted scoping pursuant to Section 617.8 of SEQR in order to focus the SEIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or non-significant. This Section provides an evaluation of the reasonably foreseeable impacts anticipated as a result of the Project, based upon the final scope. A copy of the final scope is included in Appendix 6.

5.2 Secondary, Long-Term and Cumulative Impacts.

5.2.1 Growth Inducing Aspects.

The development of a new subdivision together with the construction of utility infrastructure typically has the potential for growth inducing impacts. However, in the case of the Northwood Subdivision there are factors that limit the growth inducing impact from this development:

1. Sewer Capacity – The Town currently discharges sewage from the Peanut Line to the Amherst Waste Water Treatment Plant (“WWTP”). All wastewater from Clarence to the WWTP passes through an 18 inch trunk line which runs from Transit Road to Paradise Road in Amherst. This line therefore severely limits the amount of flow from Clarence to the WWTP thereby acting, as a practical matter, as a natural development control.
2. The sewage from the Project is anticipated to flow into the Heise sewer. As demonstrated, the Developers of the Heise line have a maximum of 1,000 “taps” into the Heise line, again severely limiting any further growth impacts.
3. Finally, the Town of Clarence has a policy of limiting the number of annual building permits within subdivisions to 170.

5.2.2 Cumulative Impacts.

This SEIS analyzes all reasonably related direct and indirect impacts of the proposed Project. This Section considers the cumulative impacts of the Project when implemented at the same time as other unrelated residential land

development projects, such as Waterford Village, Spaulding and Greens. According to information received from the Town Planning and Zoning Department, there are currently 20 residential projects that are either under development or pending concept plan approval with a remaining 1,047± developable lots.

When considered cumulatively with the proposed construction of the Project, environmental impacts will not be significantly increased. This is because, regardless of the number of residential building lots available to be developed, no more than 240 residential building permits will be issued by the Town. In addition, cumulative growth within the Town is limited by the 18 inch sanitary sewer capacity restriction as discussed above. Thus, the cumulative annual environmental impact of residential development will remain relatively unchanged.

5.2.3 Town Planning and Community Character.

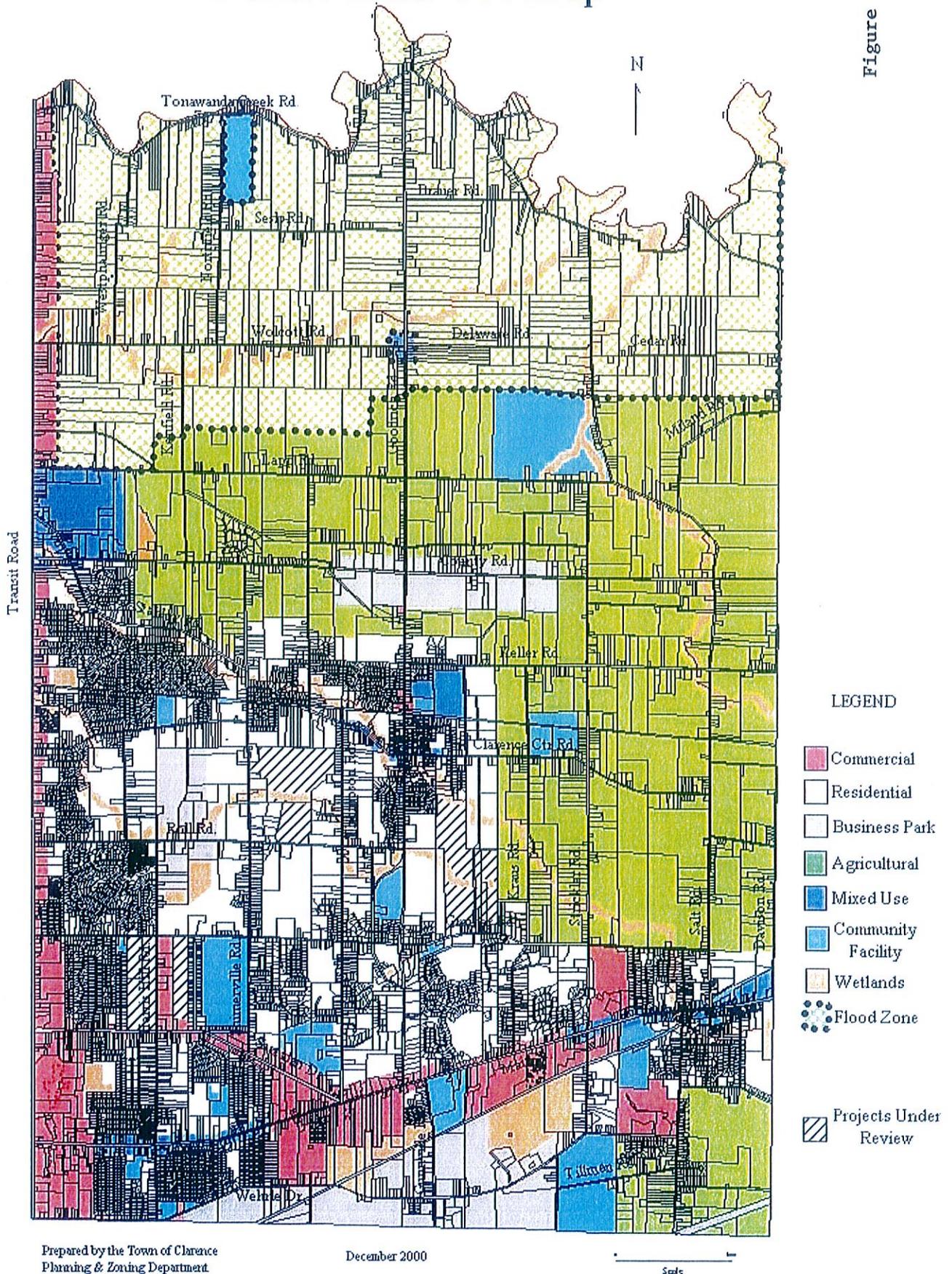
5.2.3.1 Comprehensive Planning.

The Master Plan, adopted in August 2001 and amended February 2007, is included in Appendix 7. Figure 9.1 of the Plan is the Future Land Use Map. The Project parcel is shown as Residential on the Land Use Map and the property is zoned Residential. The Future Land Use Map is included as Appendix 8 and follows as Figure 5.2.3.1A.

The Project site was identified in the Town “Open Space Priorities Map” of January 2010 as a “Purchase Development Rights” parcel. The Open Space Priorities Map is included as Appendix 9 and follows as Figure 5.2.3.1B.

Town of Clarence, New York Future Land Use Map

Figure 5.2.3.1A





TOWN OF CLARENCE

ERIE COUNTY NEW YORK

OPEN SPACE PRIORITIES MAP
JANUARY 2010

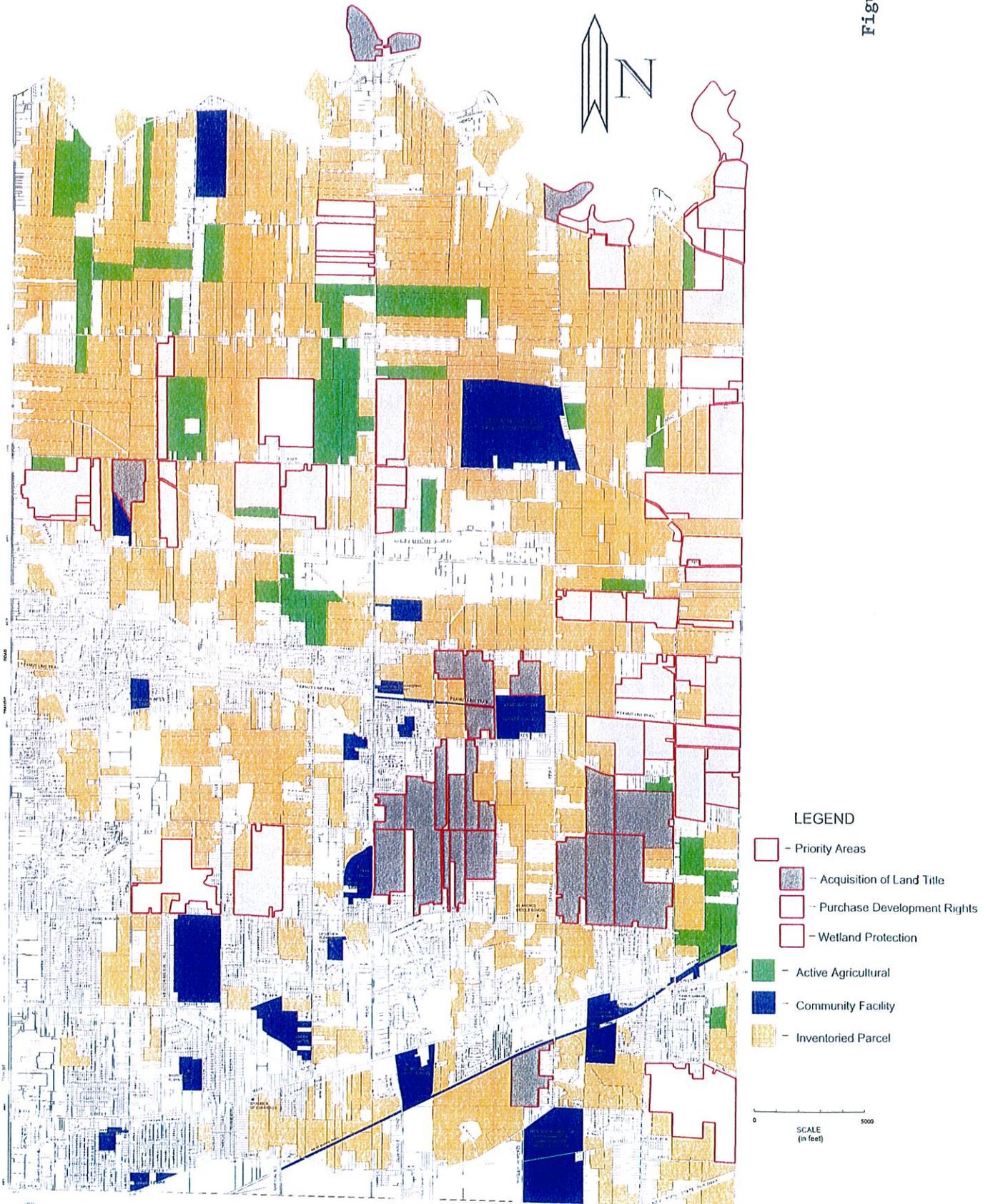


Figure 5.2.3.1B

5.2.3.2 Community Character.

The Master Plan states that:

“Major subdivisions should only be allowed in the area designated as Residential on the Land Use Map. ...and any major subdivision should also be encouraged to cluster housing units and maintain a high percentage of green space in subdivision design. The technique of average Density Development, would encourage open space design by requiring up to 50% of a particular site proposed for development be maintained as open space.”

The Northwood Subdivision is proposed as an OSDD, setting aside 50% of the property as open space.

5.2.4 Secondary Long-Term and Cumulative Impacts on Land and Water Resources.

5.2.4.1 Open Space.

As discussed above, it is a policy of the Town to preserve and protect the open character of the Town through the development of an open space plan. While the Project does not result in the development of active open space plans for the community, it incorporates good planning practices that preserve open space areas long term, that can be enjoyed by both Project residents and non-residents alike.

5.2.4.2 Agricultural Land.

The non-wooded portion of the Project site has been farmed for a number of years. Development of the Project Site will result in a loss of this agricultural use. However, the area surrounding the parcel is not used agriculturally; therefore, the development of the Project is in conformity with both the surrounding area and the Master Plan.

5.2.4.3 Groundwater or Surface Water Quality.

The clearing of wooded and vegetated areas and the construction of paved surfaces and structures will increase stormwater runoff from development sites. As discussed, the proposed Project will contain stormwater management and detention facilities to eliminate potential impacts from erosion, sedimentation and transportation of oil and grease that could be related to site development.

The proposed Project will comply with applicable state groundwater effluent standards for discharges to groundwater. The only input to

groundwater is expected to be stormwater that will reach groundwater via the stormwater detention drainage system and the detention ponds. The only pollutant anticipated to be introduced to stormwater by the Project is oil and grease from vehicular movement and storage. However, these pollutants will be substantially removed through the use of oil/water separators in areas of high vehicular traffic if deemed necessary by a Professional Engineer. It is anticipated that concentrations of oil and grease in stormwater released to the detention pond will be maintained at or below the limit (i.e., 15 milligrams per liter) established in the state Water Quality Regulation (6 NYCRR Chapter 10 Parts 700-705) for Class GA groundwater. Thus, the Project will not have a substantial adverse secondary, long-term impact upon groundwater or surface water quality and no mitigation is required.

The development of the Project will involve penetrations into the ground for the installation of utilities and basements. In some areas, these penetrations will extend below the mean high groundwater level. Where this occurs, there will be temporary dewatering measures to allow for the installation of the infrastructure. The groundwater will be pumped to a designated erosion control practice consisting of silt bags and sediment sinks where it will be treated prior to discharging from the site. This is a common construction practice used in areas where groundwater is present close to the surface.

The core development areas for the project have been positioned such that they are primarily within the areas that have the greatest depth to groundwater. The Lakemont Soil Groups which make up the wetland area have been avoided except for the installation of the northern access road to Roll Road. Additionally, the shallow groundwater in the Gott Creek Corridor will be protected by reducing development in that area and minimizing disturbance to a single creek crossing.

In general, the impact of the development on the groundwater will be limited to isolated penetrations. The depth and flow of the groundwater will remain unchanged from current conditions. Groundwater which is pumped from construction practices will be treated in accordance with the Stormwater Pollution Prevention Plan ("SWPPP") dated May 2012, prepared by Passero Associates and attached hereto as Appendix 2.

Under developed conditions, the surface water will maintain its current path and direction and be split between the wetland and creek. The Project has proposed many areas of Open Space which will be left unmaintained and wild. In these areas, the flow of surface water will remain the same as current conditions. In the areas where development is proposed, stormwater will be collected in road gutters and storm sewers similar to most subdivisions and developments. From there, it will then be conveyed to one of several Stormwater Management Areas

("SMA"s). The SMAs have been designed to treat the surface runoff for both quality and quantity. The SWPPP illustrates that the SMAs provide the required quality treatment for the removal of solids and pollutants as well as providing a peak reduction in the rate of stormwater runoff thus reducing impact to the stormwater runoff. After the stormwater is treated in the SMA, it will discharge to the same point as current conditions Wetland or Gott Creek Tributary.

5.2.5 Impacts to Utilities and Town Services.

5.2.5.1 Sanitary Sewer Infrastructure.

The only secondary, long-term impact of the Project on sanitary sewer infrastructure will be to collection systems of pipes for conveyance to Heise Trunk Line. Total flows will not exceed those specified in the Sewage-Works Construction and Operation Agreement. Based upon prior agreement between the Towns of Clarence and Amherst, total flows will not exceed the conveyance capability of the downstream network of pipes or the sewage treatment plant processing capability.

5.2.5.2 Energy (Electric and Gas).

Electric and natural gas supplies in areas where future project-related development may occur are currently adequate. Utility providers typically provide sufficient capacity to accommodate growth in energy demands. In instances where a project is large enough to diminish energy availability, the energy providers normally upgrade infrastructure as a means of increasing sales of their product. No reasonably foreseeable aspect of future project-related development could be expected to significantly decrease energy supplies beyond the capability of the utility provider to remedy the situation.

5.2.5.3. Education.

The Clarence School District is well equipped to handle the students anticipated to be living in the Northwoods Subdivision. As demonstrated by Tables 4.4 and 4.5 *supra*, actual enrollment is decreasing and projections further point to lower enrollment totals through school year 2016-17.

5.3 Primary Impacts.

5.3.1 Traffic Background.

The TIS completed for the Project considered the potential impact on traffic in the area from the proposed 148 lot single family subdivision. A total of nine (9) intersections were studied. Data from field observations, a review of the TIS prepared by EMS Consulting Engineers, P.C. in 1999 and a computer analysis

using Synchro 7 were all used to analyze existing and future conditions. The results of the analysis were then used to determine if any mitigation is required to account for the increase in traffic.

Existing AADT is shown in Table 5.1 below:

Road Name	Road Designation	From	To	Year Counted	AADT
Roll Road	CR-277	Shimerville Rd.	Goodrich Rd.	2010	3,400
Thompson Rd.	CR-278	Greiner Rd.	Clarence Center Rd.	2010	2,125
Greiner Rd.	CR-37	Shimerville Rd.	Goodrich Rd.	2010	7,950
Shimerville Rd.	CR-279	Greiner Rd.	Roll Rd.	2010	3,350

Table 5.1

The study area included the following intersections:

- Roll Road at Thompson Road
- Roll Road at Shimerville Road
- Roll Road at Dana Maria Parkway
- Roll Road at Harris Hill Road
- Greiner Road at Thompson Road
- Greiner Road at Shimerville Road
- Greiner Road at Brookfield Lane
- Greiner Road at Harris Hill Road
- Clarence Center Road at Shimerville Road

Each intersection was counted during the AM and PM peak hours of traffic flow in order to determine the “worst case” scenario at both existing and developed conditions.

Tables 6-1 through 6-9 in the Passero Traffic Impact Analysis attached as Appendix 2 demonstrate any differences in the operation of the studied intersections under three (3) different scenarios, to wit, Existing Conditions, Background Traffic and Developed Conditions.

5.3.2 Traffic Findings

Of the major intersections studied in the vicinity of the proposed subdivision, two were found to warrant improvements in order to provide acceptable levels of service; Greiner Road at Shimerville Road and Greiner Road at Thompson Road. Both of those intersections currently experience above average traffic delays which worsen under future conditions.

Based on information received from Erie County each of the two problematic intersections is currently planned for improvements. The Greiner Road/Shimerville Road intersection has been reconstructed to provide left turn lanes and a traffic signal as part of the County’s Capital Improvement Project (“CIP”). The Greiner Road/Thompson Road intersection will also be improved

with a traffic signal in conjunction with the development of the Spaulding Greens project. It is anticipated that both of these intersections will be improved prior to the completion of the Project.

Additionally, the northbound approach of Harris Hill Road at Roll Road currently experiences a failing Level of Service. This is due to the relatively high volumes of east and westbound traffic on Roll Road. Based on field observations, there is a moderate queue during peak hours. However, traffic does not back up to a point where it would create a safety hazard.

The other observed intersections will operate at acceptable levels of service under developed conditions which includes the development of the Project.

The development of the Project site will result in an increase of traffic. Based on field observations, traffic modeling and future projections, the existing roadways and intersections either currently have the capacity to service the increase in traffic or are planned for capacity improvements as part of independent projects not associated with the Project. As a result of these previously identified improvements and available capacity, additional mitigation is not warranted at any of the studied intersections or along major roadways.

5.3.3 Construction Impacts

5.3.3.1 Stormwater.

The planned excavation and fill events associated with the Project present the possibility of silt laden runoff water as a result of storm events encountered during construction activities. As referenced previously, a Stormwater Pollution Prevention Plan (“SWPPP”) dated May 2012 has been prepared by Passero Associates and attached hereto as Appendix 2.

The Project proposal contains many practices including source control, Better Site Design (“BSD”), Green Infrastructure and the implementation of stormwater management ponds to ensure the effluent stormwater is treated for water quality and quantity. Both construction and post construction stormwater management practices will be provided in accordance with the NYSDEC General Permit for Stormwater Discharges and the NYSDEC Stormwater Design Guidelines. Prior to construction, the SWPPP will be reviewed by the Town Engineer. A stormwater construction permit will not be issued by the NYSDEC until the owner files a MS4 Acceptance Form with the Albany office. The MS4 Acceptance form is completed by the Town Engineer after the applicant has satisfied the SWPPP requirements of the Town and NYSDEC.

Continued construction monitoring and reporting of the practices set forth in the plan will be provided by the owner on a weekly basis throughout construction. Once the site has been stabilized, the final

closeout inspection and the Notice of Termination shall be sent to the Town of Clarence Department of Public Works (“DPW”), Town Engineer and NYSDEC. In accordance with the current General Permit, annual inspections of the Project will be performed by a licensed engineer to ensure continued compliance with the post construction stormwater practices. Copies of the annual reports will be filed with the DPW and Town Engineer.

5.3.3.2 Plants and Animals.

During construction, the Project will have a minor permanent adverse impact on the plants and animals currently located at the Project Site. Impacts associated with construction activities are generally relegated to noise and dust generation. This will displace wildlife during construction and will cause a disruption to the plant communities. Overall, these impacts are considered fairly minor and mitigation is not required.

5.3.4 Water Resources.

The Project will have a minor impact upon water quality and quantity in the Town of Clarence. Quantity will be slightly impacted by the increase in potable water consumption. Water quality may also be impacted due to minor disturbance to State and Federal Wetlands. The Project will also impact Gott Creek which traverses the site and will change current stormwater runoff and drainage patterns. However, all of these impacts can be properly mitigated.

5.3.4.1 State and Federal Wetlands.

In order to evaluate potential wetland impacts associated with the Project, the Sponsor retained Wilson Environmental Technologies, Inc. (“WET”).

The parcel was the subject of a previous wetland delineation which was conducted by WET in 2001. At that time, WET delineated two (2) wetlands on the site; Wetland Area A and Wetland Area B. A Jurisdictional Determination (“JD”) was issued by the U.S. Army Corps of Engineers which determined Wetland Area B was isolated. Wetland Area A was determined to be a State Regulated Wetland. In 2006 a sanitary sewer trunk line was installed which bisected a portion of Wetland Area A. The work was conducted under the authority of both State and Federal wetland permits. Since the completion of that work, the wetland delineation has expired for both Federal and State.

WET conducted the redelineation of both State and Federal Wetlands within the site during several days in June 2011. As a result of the wetland delineation four (4) wetlands totaling approximately 11.66 acres were identified within the site. The wetlands were flagged at the time of the field work and the locations of the wetlands were surveyed by a

licensed land surveying firm. The wetland delineation results were based on the presence of hydric soils, hydrophytic vegetation and wetland hydrology found within the site boundaries as depicted on the attached Wetlands Survey prepared by the firm of GPI Engineering and Surveying, LLP.

The central area of the parcel consists entirely of active agricultural fields. The wooded areas to the north and southeast hold the focus of our investigation, as these woodlots contain the majority of the wetlands. There is a tributary to Gott Creek that cuts across the southwest portion of the parcel and flows north along the parcels western boundary. The area of the site around the stream was not delineated because no construction is being proposed in this area.

Based on the results of the field investigation, four (4) federally jurisdictional wetlands have been identified on the parcel. The wetland areas are best defined as:

WETLAND AREA	SIZE (ACRES)	FEDERAL DESIGNATION
Wetland Area A	9.21 ±	PFO1B/PEM1H
Wetland Area B	0.07 ±	PEM2E
Wetland Area C	2.29 ±	PFO1E
Wetland Area D	0.09 ±	PFO1E

Table 5.2

Wetland A is the largest wetland and is located within the northeast portion of the site. Wetland A is associated with State Regulated Wetland LA-8 and continues off-site to the east. The wetland is depressional in nature and the hydrology appears to be derived from a combination of drainage received from run-off from surrounding uplands and precipitation. The wetland appears to be inundated for prolonged periods of time in normal precipitation years. Total acreage for the wetland is 9.21± acres. This wetland has shrunk slightly since it was delineated in 2001.

Wetland B is a small area along the east property line associated with the drainage of a pond located on an adjacent residential property. The wetland is situated within the agricultural fields. However, the influx of water via a culvert pipe has created wetland hydrology in the area and given way to an abrupt transition in vegetation. Wetland B is isolated, totaling approximately 0.07 acres.

Wetland C is located in the southeast corner of the site. The wetland is depressional in nature and the hydrology appears to be derived from drainage received from run-off from surrounding upland and agricultural fields, as well as precipitation. This wetland has grown significantly since it was previously delineated in 2001; now totaling approximately 2.29 acres, from 0.96 acres in 2001. Wetland C drains off-site to the south via a man-made ditch that exists as an extension of the eastern property line.

Wetland D exists within the extreme northeast corner of the site. Wetland D connects with Wetland A, off-site to the east. This wetland complex continues to the east for an undetermined distance.

The total area of wetlands within the site amounts to approximately 11.66 acres. Wetland A, C and D were observed to continue to the east for undetermined distances. Considering that these wetlands are part of larger systems, the total wetland area would amount to considerably more than 12.4 acres, which is required for the New York State Department of Environmental Conservation to regulate under Article 24 of the Freshwater Wetlands Act.

It is the conclusion of WET that Wetland A, C and D are jurisdictional and Wetland B is nonjurisdictional based on its isolated placement in the active agriculture and its *man-influenced* origin. It is the U.S. Army Corps of Engineers' responsibility to make this jurisdictional determination.

The layout of the Project was designed to minimize impact to the wetlands to the maximum extent practicable. Wetlands B and C have been entirely avoided and will not be disturbed. The majority of Wetland A will be avoided except for the installation of the entrance road from Roll Road. The proposed roadway is designed to follow the path of the sanitary sewer which was installed as part of the Heise sewer extension. By following the path, the roadway will only disturb approximately 0.10 acres of the actual wetland. The wetland disturbance was furthered minimized by reducing the number of lots along the entrance road. As shown on the Subdivision Plan, included as Figure 2.2.1A, only eight lots are proposed along the north entrance road. Of these eight lots, none of them encroach on the wetland or its associated 100 foot buffer area.

5.3.5 Cultural Resources.

The Project Site does not have any structures or buildings, nor is the site located adjacent or substantially contiguous to any historical or architecturally significant sites or structures. A Phase I Archaeological Study was, however, determined to be necessary because of the proximity of the site to previously documented archaeological sites.

A Phase I Study undertaken in 2001 by CCRG identified 18 loci of prehistoric lithic material. As a result, CCRG recommended close-interval shovel testing for the 18 loci in order to determine their potential importance. Figure 5.3.5A is a map showing shovel test transects as compiled by CCRG.

ROLL ROAD



KEY

- ✱ - positive shovel test (historic)
- - positive shovel test (prehistoric)
- - negative shovel test
- ◐ - surface lithic scatter
- ~ - woods

200 feet

SHIMERVILLE ROAD

COUNTRY CLUB LANE

GREINER ROAD

Wetland Area

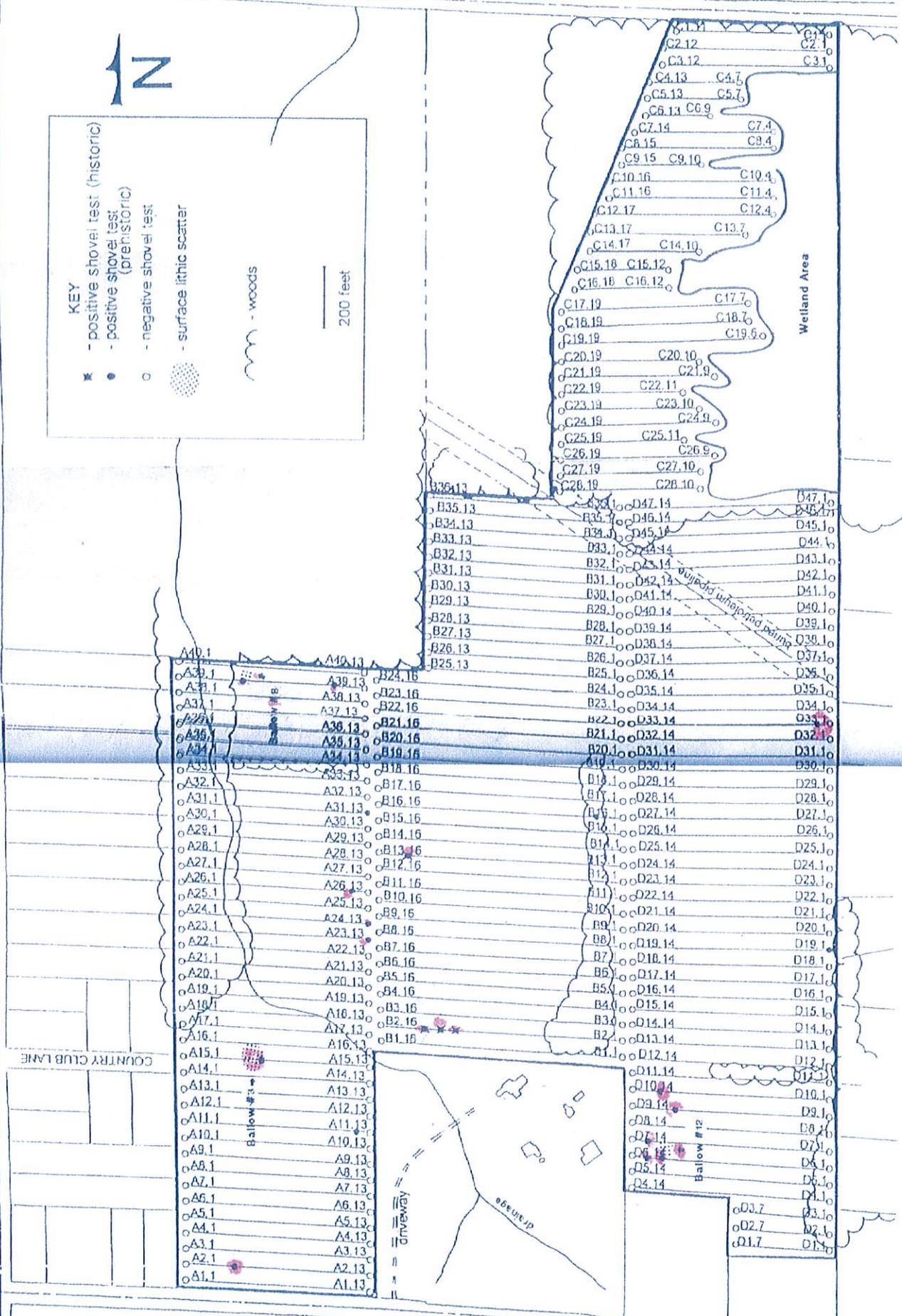


Figure 5.3.5A

Figure 5.3.5A. Map Showing Shovel Test Transect, Wetland and Positive Archaeological Locations.

Pursuant to OPRHP the agreed upon strategy for the Phase II investigation of the site consisted of a combination of close-interval shovel testing and test unit excavations. Phase II investigations are typically carried out in order to obtain more detailed information on the integrity, limits, structure, function and cultural context of each locus as well as to evaluate its potential National Registry eligibility.

Phase II archaeological investigations at the site were conducted by CCRG throughout April 2012. CCRG began the study by investigating Ballow Loci 1, 2, 7, 9, 10, 11 and 18 in order to determine whether they were indeed isolated finds, or if they constituted a more substantial archaeological site. Eight close interval shovel tests were excavated around each original findspot; shovel tests were excavated at 1 m and 3 m (3.3 ft. and 9.8 ft.) intervals in each of the cardinal directions. No additional prehistoric material was recovered. CCRG determined that Loci 1, 2, 7, 9, 10, 11 and 18 are isolated finds. No further archaeological investigations were recommended at these locations.

Using the results of the Phase I study, CCRG next investigated areas across the project parcel that contained artifact clusters (Locus 3; Loci 4, 5 and 6; Loci 12, 13, 14 and 15; Loci 16 and 17). Using original findspots (positive shovel tests) as site datum(s), a 5 m (16.4 ft.) shovel test grid was excavated across each location until double negatives were achieved. This task was carried out in order to delineate the horizontal limits of each prehistoric locus. In total, 711 shovel tests were excavated across the project during Phase II archaeological site evaluations.

The employed Phase II shovel testing strategy either defined the horizontal limits of each locus, or otherwise verified the locus as an isolated find. Shovel testing carried out at Locus 6 and Locus 8 produced no significant additional prehistoric artifacts, indicating that both loci are also considered to be isolated finds. However, the remainder of the Phase II shovel test grids revealed three substantially larger prehistoric sites at Locus 3; Loci 4-5; and Loci 12-17. For the ease of field investigations and reporting, these loci or clusters of loci were referred to as Locus 3, Locus 5, and Locus 17 respectively.

Locus 3. Phase II archaeological site evaluations at Locus 3 consisted of a combination of close-interval (5m) shovel tests and 1 m by 1 m test units. The excavation of 62 close-interval shovel tests was required to achieve double negatives. Nine (n=9) of the 62 tests contained additional prehistoric material. Using the results of the close-interval shovel test grid, two 1 m by 1 m test units were excavated across the site. Phase II investigations (close-interval shovel tests and test units) at Locus 3 produced an additional 109 prehistoric artifacts. Initial examination of the assemblage collected at Locus 3 identified three biface fragments, as well as chert flakes, flake fragments, and shatter. Locus 3 appears to be a prehistoric site of indeterminate age containing a low density lithic scatter (109 artifacts), occupying an area measuring approximately 25 m by 30 m (82 ft. by 98 ft.).

Locus 5. Phase II archaeological site evaluations carried at Locus 5 indicated that it also encompasses Locus 4. Field investigations at the site consisted of a combination of close-interval (5 m) shovel tests and 1 m by 1 m test units. The excavation of 98 close-interval shovel tests was required to achieve double negatives. Fifteen (n=15) of the 98 tests contained additional prehistoric material. Using the results of the close-interval shovel test grid, seven (n=7) 1 m by 1 m test units were excavated within the site boundaries. Phase II investigations (close-interval shovel tests and test units) at Locus 5 produced an additional 113 prehistoric artifacts. Initial examination of the assemblage collected at Locus 5 identified chert flakes, flake fragments, several core fragments, and shatter. In summary, Locus 5 appears to be a prehistoric site of indeterminate age containing a low-density lithic scatter (113 artifacts), occupying an area measuring approximately 60 m by 30 m (197 ft. by 98 ft.).

Locus 17. Phase II archaeological site evaluations carried at Locus 17 indicated that it also encompasses Loci 12, 13, 14, 15 and 16, making it the largest and most productive site identified at the Project area. Phase II field investigations at the site consisted of a combination of close-interval (5 m) shovel tests and 1 m by 1 m test units. The excavation of 348 close-interval shovel tests was required to achieve double negatives. Of the 348 excavated tests, 117 contained additional prehistoric material. Using the results of the close-interval shovel test grid, eighteen (n=18) 1 m by 1 m test units and a single 1 m by 0.5 m test unit were excavated within the site boundaries. Phase II investigations (close-interval shovel tests and test units) at Locus 17 produced an additional 1,290 prehistoric artifacts. Initial examination of the assemblage collected at Locus 17 included two biface fragments, three cores or core fragments, two lightly tested chert pieces, two edge-damaged flakes, as well as additional chert flakes, flake fragments, and shatter. In summary, Locus 17 appears to be a prehistoric site of indeterminate age containing a moderate to low-density lithic scatter (1,290 artifacts), occupying a large area measuring approximately 120 m by 100 m (394 ft. by 328 ft. [about 3 acres]).

The majority of the lithic debitage from all loci appears to be mid- to late-stage debris. There is little evidence of early-stage lithic reduction, suggesting that the latter was primarily carried out at an off-site quarry location (likely the Onondaga Escarpment, located about 1.5 miles to the south) and that raw materials were then imported to the site. Preliminary analysis of the recovered artifact assemblage suggests that Locus 3 and Locus 5 constitute low-density lithic scatters, while Locus 17 constitutes a moderate to low-density lithic scatter.

Although artifact counts appear to be somewhat high, especially within Locus 17, Phase II shovel testing suggests that these artifact concentrations may have been greatly dispersed by subsequent agricultural activities.

The material found was very consistent with that found in the nearby sites. No cultural features were observed. Based on the foregoing, it has been concluded that these findings do not meet the eligibility criteria for the National Register of Historic Places, and that the development of the Project will not have an adverse impact on cultural resources and no mitigation is required.

Copies of the Cultural Resource Phase II investigation is included in Appendix 10. Figure 5.3.5B is an overlay map prepared by Passero Associates showing the relationship of the Cultural Resource Inventory Map to the proposed subdivision.

5.3.6 Agricultural Resources.

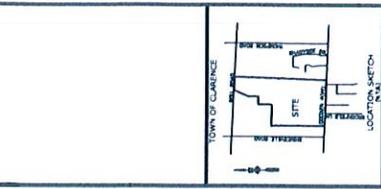
A portion of the Project site is currently farmed and has been for many years. Presently, there is corn, soy and winter wheat farmed by the Project Sponsor. Development of the Project will permanently remove this property from agricultural use. However, based on the limited size of the agricultural area versus the amount of active agricultural property within the Town (15,200 ± acres within the Agricultural District : 4,000± acres actively farmed), the development of the Project will not have an adverse environmental impact upon agricultural resources and therefore no mitigation is required.

Of the total Project area, approximately 90 acres present an opportunity for farming. The site contains soils in the Cazenovia, Claverack, Honeoye, Lima, Odessa and Ovid soils groups which are all classified as "Prime Farmland" or "Prime Farmland if drained". Approximately 25 acres of the parcel contain soils in the Lakemont soils group, which are classified as "Farmland of Statewide Importance" (Farmland Classification Table follows as Figure 5.3.6A). These Lakemont soils are primarily wetland areas in the northern portion of the parcel, which will remain undisturbed except for the access road to Roll Road and several large single family lots. Based on a historical review of aerial photographs of the site which follow as Figures 5.3.6B - 5.3.6D, it is clear that the parcel was historically farmed prior to recent years. It is believed that, based upon a discussion with previous owners, the primary crops were hay and corn . Under developed conditions, it is not anticipated that any portion of the site will be brought back into agricultural production. The Open Space areas to be preserved will maintain their current meadow characteristics.

Based on a review of the Master Plan, the Town currently contains 17,474 acres of land that are either vacant or actively farmed. Of that area, 15,000 acres are within the Clarence-Newstead Agricultural District, with a much smaller portion (<500 acres) in the Alden-Newstead District. The Master Plan identifies many parcels within the Town that were actively farmed as of the publication of the Plan (See Figure 5.3.6E -Town of Clarence Active Agricultural Lands Map, January 2010). These active sites represent approximately 5,000 acres of land area, or 1/3 of the area of the Clarence Newstead District. While not all lands within the agricultural district are able to be farmed due to wetlands and other physical features, a cursory review of aerial photography, regional topography and wetland mapping indicate that there could conceivably be another 5,000 acres of farmland brought into production within the Town. Although the Project Parcel does not fall within any of the agricultural designated areas, the amount of available farmland on the site is shown below in relation to the rest of the Town.

Table 5.3.6

	Northwoods	Town of Clarence (total)	% of Total
Currently Farmed	90 acres	5,000 acres	2%
Available for Farming	90 acres	10,000 acres	1%



Client:
 CIMKO BROS. CONSTRUCTION, INC.
 9220 TRANSIT ROAD
 EAST AMHERST, NY
 (716) 888-3536

Passero Associates
 Project Manager: [Name]
 Prepared By: [Name]
 Checked By: [Name]

Project Name: NORTHWOODS SUBDIVISION
Map No.: 20111282.001
Scale: AS SHOWN
Date: SEPTEMBER, 2011

Farmland Classification

Map Unit Symbol	Map Unit Name	Rating	Acres in AQI	Percent of AQI
C00	Conversion of farm 3 to 0	All areas are prime farmland	11.6	11.4%
C01	Conversion of farm 2 to 0	All areas are prime farmland	1.2	1.2%
H01	Highly erodible farm 3 to 0	All areas are prime farmland	27.6	27.4%
L01	Low erodible farm 3 to 0	All areas are prime farmland	15.2	15.0%
L02	Low erodible farm 2 to 0	All areas are prime farmland	6.4	6.4%
L03	Low erodible farm 1 to 0	All areas are prime farmland	1.0	1.0%
L04	Low erodible farm 0 to 0	All areas are prime farmland	13.4	13.3%
D01	Disturbed farm 3 to 0	Prime farmland if drained	27.6	27.4%
D02	Disturbed farm 2 to 0	Prime farmland if drained	9.0	8.9%
D03	Disturbed farm 1 to 0	Prime farmland if drained	7.9	7.8%
W01	Wetland farm 3 to 0	Not prime farmland	122.5	120.6%

Description
 Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, fiber, forage and related crops. NYS policy and procedures on prime and unique farmlands are published in the "Federal Register" Vol. 43, No. 21, January 31, 1978.

Rating Options
 Aggregation Method: No Aggregation Necessary
 The-Area-Right: Lower

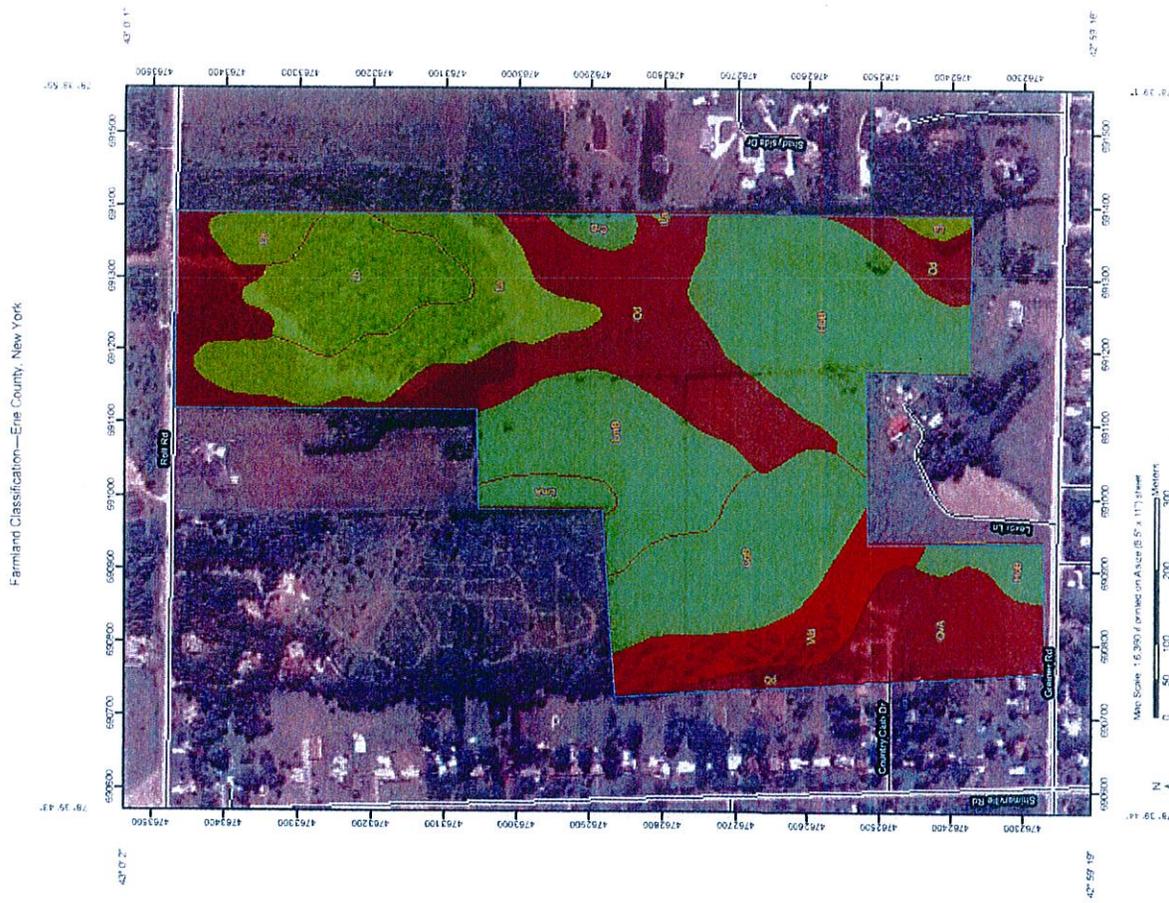
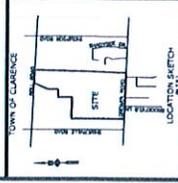


Figure 5.3.6A



CLIENT
OMATO BOGS CONSTRUCTION, INC.
 9210 TRANSIT ROAD
 EAST AMHERST, NY
 (716) 688-3536

Passero Associates
 1000 ROUTE 90, SUITE 200
 WEST HAVEN, CT 06611
 PROJECT NUMBER: 20111282.001
 PROJECT NAME: NORTHWOODS SUBDIVISION METROPIC APICALS
 DRAWING NO.: 5.3.6B, 5.3.6C, 5.3.6D

NO.	DATE	BY	REVISIONS

NORTHWOODS
 SUBDIVISION
 METROPIC APICALS
 FIGURES: 5.3.6B, 5.3.6C, 5.3.6D

PROJECT NO.: 20111282.001
 DRAWING NO.: 5.3.6B
 SHEET NO.: 5.3.6B

DATE: AS SHOWN
 SCALE: AS SHOWN
 DATE: SEPTEMBER, 2011

SITE AERIAL : 4/10/2009



FIGURE: 5.3.6D

SITE AERIAL : 11/12/2004



FIGURE: 5.3.6C

SITE AERIAL : 12/10/2001



FIGURE: 5.3.6B

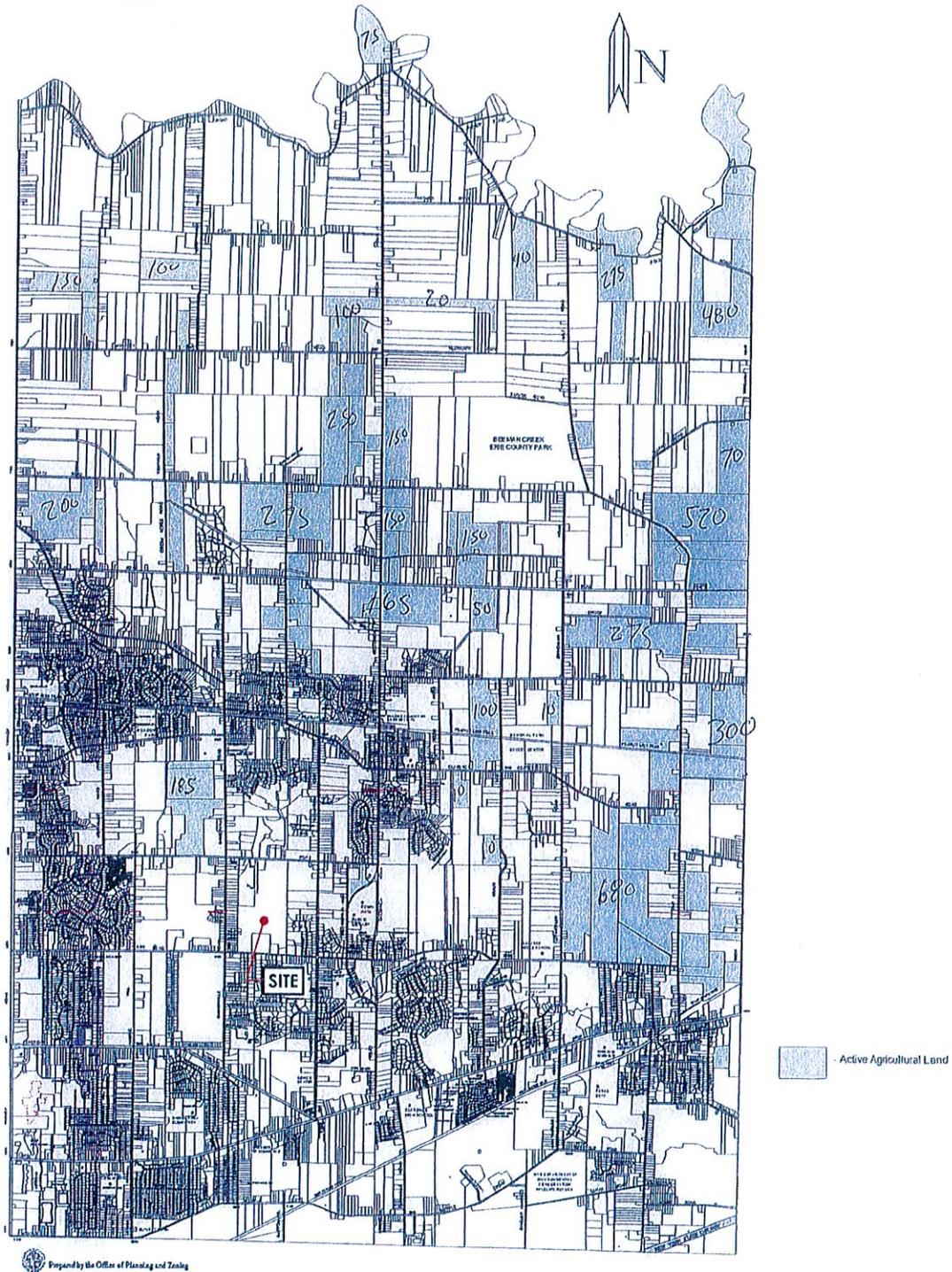
Figure 5.3.6B
 Figure 5.3.6C
 Figure 5.3.6D



TOWN OF CLARENCE

ERIE COUNTY NEW YORK

ACTIVE AGRICULTURAL LANDS MAP
JANUARY 2010



Prepared by the Office of Planning and Zoning

Figure 5.3.6E

Passero Associates

100 Liberty Pole Way, Rochester, NY 14604
585-325-1000 FAX: 585-760-8539

Engineering
Architecture

Surveying
Planning



NORTH WOODS SUBDIVISION CLARENCE, NEW YORK

Project No. 20111282.0001

CIMATO BROS. CONSTRUCTION, INC.
9220 TRANSIT ROAD
EAST AMHERST, NEW YORK

PIC: JFC
PM: JDS
Designer: JLM

ACTIVE AGRICULTURAL LAND MAP

**FIGURE
5.3.6E**

C:\PROJECTS\1282_0001\1282_0001_NEW_FIGURES.DWG 11/14/2012 2:56 PM JDS:MLK

5.3.7 Aesthetic Resources.

There will be certain visual impacts associated with the development of the Project that by their very nature will be long lasting. The open space and agricultural nature of the site will be replaced by the addition of single family homes. However, since this is an Open Space Design, a minimum of fifty percent (50%) of the site will be preserved as open space.

The proposed subdivision is in harmony with the existing neighborhood as the land use in the area is almost exclusively single family residential. As stated previously, the proposed subdivision is also consistent with the Master Plan.

The proposed plan sets forth open space buffering of the new subdivision from Greiner Road as well as from Roll Road. It further maintains open space areas where the proposed subdivision lots are located adjacent to existing homes.

There is no question that there will be visual changes from the surrounding area as a result of the proposed subdivision. However, given the substantial amount of open space involved, visual impacts will be minimized. For example, views into the site from Greiner Road and Country Club Lane will continue, with the addition of single family homes in the foreground and additional homes in the background. The nature of the development, with its 200 foot buffer from Greiner Road, 50% open space and larger lots to the west will preserve much of the existing meadow in the public view. The view into the Project site from Roll Road will remain essentially unchanged, with the addition of an entrance road in place of the cleared corridor constructed during the sanitary sewer line installation.

Figure 5.3.7A shows a view of the existing conditions from the proposed entry point on Roll Road. Figure 5.3.7B then shows the same view under the proposed conditions.

Likewise, Figure 5.3.7C depicts the existing conditions looking north from Greiner Road, with Figure 5.3.7D depicting the same view under proposed conditions.

Finally, Figure 5.3.7E depicts the existing conditions looking east from Country Club Drive, with Figure 5.3.7F depicting the same view under proposed conditions.

The proposed open space will remain undisturbed and in its present condition. The proposed roadways will be designed and constructed to follow the existing topography, thus eliminating the need for large cuts, fills and extensive grading.

The limits of grading will be extended to the back property line of the proposed lots but not into the open space areas. The open space areas will continue to serve the residents of the development as a vista. A portion of the designated open space will include a stormwater management area, which will treat stormwater runoff for quality and quantity. These areas are intentionally designed to grow wild with vegetation to provide filtration for pollutants such as nitrogen and phosphorus, as opposed to being mowed and maintained. Figure 4.11A *supra* illustrates the various areas designated as Open Space.



PA

EXISTING CONDITIONS

LOOKING SOUTH FROM ROLL ROAD

FIGURE #5.3.7A

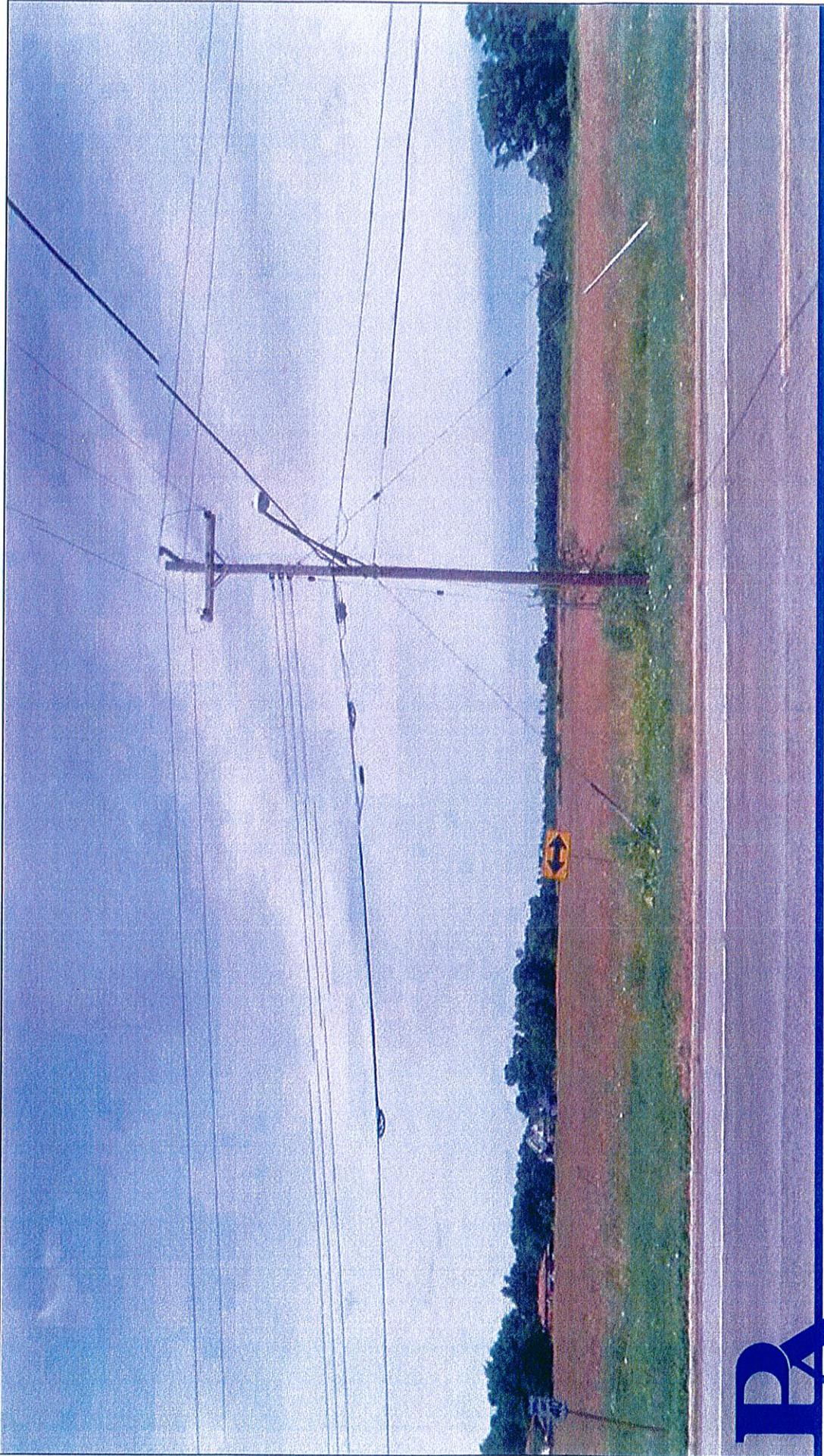
Figure 5.3.7A



PROPOSED CONDITIONS
LOOKING SOUTH FROM ROLL ROAD

FIGURE # 5.3.7B

Figure 5.3.7B



PA

EXISTING CONDITIONS
LOOKING NORTH FROM GREINER ROAD

FIGURE # 5.3.7C

Figure 5.3.7C



PA

DEVELOPED CONDITIONS

LOOKING NORTH FROM GREINER ROAD

FIGURE #5.3.7D

Figure 5.3.7D



EXISTING CONDITIONS
LOOKING EAST FROM COUNTRY CLUB DRIVE

FIGURE #5.3.7E

Figure 5.3.7E



PROPOSED CONDITIONS
LOOKING EAST FROM COUNTRY CLUB DRIVE

FIGURE #5.3.7F

Figure 5.3.7F

5.3.8 Growth and Character of Community.

5.3.8.1 Character.

The current neighborhood character in the Project vicinity can be described as suburban, residential and rural. The development of the subdivision will change the agricultural portion of the site. However, the proposed subdivision is consistent with both the surrounding single family homes and the Master Plan. Certainly, the Project does not represent an introduction of a new or unfamiliar use to the neighborhood. This helps to preserve the overall character of the Town as a residential/rural community.

The Project is situated in the central portion of the Town's Single Family Residential Zoning District. It is consistent in character with similar subdivisions to the north, south east and west. Unlike adjacent developments, the Project implements a "cluster" approach as outlined in the Master Plan. The cluster subdivision is permitted under the Towns Open Space Design Development Overlay district. As a result of this approach, 50% of the parcel (+/- 60 Acres) will be preserved as natural open space. The majority of the open space will be along the perimeter of the core development area. This provides a natural buffer between residences on all sides of the development and maintains the rural nature of the parcel and community.

5.3.8.2 Sewer Capacity.

Capacity exists in the Heise Brookhaven sewer to adequately service the sewage from the Project and wastewater will be discharged to the Heise sewer line as part of the originally allocated 1,000 residential units.

Table No. 5.3 sets forth the Heise Brookhaven Sanitary Trunk Sewer Allocated Equivalent Dwelling Units ("EDU") to date, as determined by the Town of Clarence Engineering Department. The Project Sponsor feels that the EDU's listed for Waterford Campus (92) and Waterford Landings (34) may be substantially lower than as listed. However, Table No. 5.3 represents a "worst case scenario" in terms of the total number of EDU's allocated to date.

Development	Part	Approved Lots	Allocated EDU'S
WATERFORD PURD			
	Waterford Estates	135	135
	Waterford Commons	108	108
	Waterford Green	100	100
	Waterford Campus	N/A	92
	Waterford Landings	N/A	34
	Waterford Village Community Center	N/A	1
SPAULDING GREENS		Concept	350 TOTAL
	Hidden Pond Phase 2 Part 4		7
	Spaulding Greens Phase 1		31
	Spaulding Greens Phase 2		71
	TOTAL		820

Table 5.3

One (1) Equivalent Dwelling Unit (EDU) is equal to one (1) “tap”.

Since even under the “worst case scenario” only 820 of the allocated EDU’s have been allocated, sufficient capacity exists for the proposed Project.

5.3.8.3 Sewer District.

A portion of the Project fronting on Roll Road is located in Town Sewer District #6. An extension of that district will be required.

SECTION 6.0 MITIGATION MEASURES

6.1 Introduction

SEQR requires that the SEIS include mitigation measures designed to minimize the adverse environmental impacts associated with the Project to the maximum extent practicable. Based on the thorough and detailed analysis of potentially significant adverse environmental impacts contained in Section 5 above, this Section of the SEIS sets forth the mitigation measures to be implemented as part of the Project. See, generally, Stormwater Pollution Prevention Plan dated May 2012 prepared by Passero Associates included as Appendix 11.

6.2 Stormwater : Construction and Developed

Stormwater runoff associated with both construction activities and after construction have been identified as significant adverse environmental impacts requiring mitigation. Thus, surface water and sedimentation controls will be established both during construction phases and after.

As of January 29, 2010, all proposed projects must adhere to newly adopted changes and additions to the State Pollutant Discharge Elimination System (SPDES) General Permit (GP-0-10-01). The Project has been designed to meet these regulations.

A. Construction Erosion Control Practices and Inspections

The Project Sponsor is responsible for having yearly inspections of the stormwater management facilities completed. The inspections shall review and document the following, at a minimum: visual inspection of the outlet structure, visual inspection of the earthen berm for signs of erosion, burrowing, vegetation degradation or any other issues of concern. A certified copy of the annual inspection will be provided to the Town DPW by July 1st of each calendar year.

Several erosion control practices will be utilized during construction by the contractor under direct supervision by the owner and a qualified SWPPP inspector ("SWT"). These practices are explained in the SWPPP and shown in detail in the appendix of the report and the construction plans.

- Silt Fence → Silt fencing shall be installed at the toe of all slopes along the perimeter of the disturbed areas and at the toe of slope for any soil stock pile areas. Also, a row of silt fence will be installed around the perimeter of the wetland in an effort to delineate its boundary. The fencing will be installed in accordance with the NYSDEC construction standards and at the instruction of this plan. The silt fencing shall be buried in the ground at least 6". The contractor shall provide continued monitoring to ensure the silt fencing remains intact and shall repair as needed. When the silt accumulates to greater than 1/3 the height of the fence the contractor shall remove and dispose of the silt.
- Stabilized Construction Entrance → The proposed entrance from Greiner Road shall serve as the construction entrance to the Project and shall be installed according to the details of this plan. The contractor shall ensure that mud is not tracked into any public highway and that the stone entrance properly removes mud and debris from construction vehicles.
- Sediment Basin → The proposed stormwater management area shall serve as a temporary sediment basin during construction. A temporary outlet pipe will be installed to allow runoff to exit the basin. The SMA shall be undercut a minimum of 3 ft. below the temporary pipe to provide a settling area for the runoff. Prior to final site stabilization, the sediment shall be removed from the basins.
- Catch Basin Protection → All field inlets and catch basins shall be undercut in accordance with the detail in Appendix 11 to allow stormwater runoff ample time to settle prior to entering the proposed drainage system. Catch basin protection can be removed from catch basins in the roadway when the sub base is installed and from the field inlets when the adjacent area is brought to final grade and stabilized.

- Seeding and Stabilization → The contractor shall seed and stabilize all disturbed areas not to be worked for 7 days within 7 days of the last disturbance. Stabilization measures may include but are not limited to straw mulching, wood chip mulching and hydroseeding. The SMA and adjacent areas shall be stabilized immediately following their shaping and installation.

Additional measures may be required during construction at the guidance of the owner or certified SWPPP Inspector. The contractor shall begin to make all adjustments to the erosion control within 24 hours of receipt of any deficiencies.

The owner will be responsible for providing weekly reports by a qualified inspector in accordance with the GP-0-10-001, during construction to the Town DPW.

Any modifications to the SWPPP will be reported to the MS4 in writing prior to implementation.

The Project Sponsor is responsible for having a qualified operator on site at all times who has at least 4 hours of erosion control training in accordance with the GP-0-10-001.

Once the site has achieved 80% stabilization and ground cover, the Town DPW shall be required to sign off on the Notice of Termination prior to submission to NYSDEC.

If greater than 5 acres of disturbance is proposed at any time a waiver from the Town will be required.

B. Post Construction Practices

The Project Sponsor will be responsible for all post construction practices. The contact information for the owner is illustrated on the cover of the plan as well as the design plans for the Project. The post construction practices include performing annual inspections of the SMAs to ensure silt build up is below the limits of the forebays and ensuring continual stabilized cover of all project areas to 80% cover minimum. All applicable inspection and maintenance activities shall continue until the 80% cover is met. Any silt removal will be disposed either off site or on site and immediately stabilized in accordance with the practices of this plan. Additionally, annual monitoring of the storm sewer structures will be provided by the Project Sponsor to ensure that they are functioning properly. These inspections will be certified by a Professional Engineer and a copy of the inspection report will be furnished to the Town DPW.

C. Green Infrastructure

Chapter 5 of the NYSDEC Stormwater Management Design Manual (Green Infrastructure) is the premise of getting away from the end of the pipe mentality and into reintroducing stormwater back into the soil. The intent is for the design to try and mimic existing conditions.

1. Preservation of Undisturbed Areas – The site currently contains approximately 11.66 acres of wetland. The Project will only disturb 0.089 acres of wetland. All disturbed areas will be mitigated meeting state and federal regulations.
2. Locating Development in Less Sensitive Areas – The proposed development will lie almost exclusively over existing farmland. The proposed design has clustered the lots to provide greater open space and fewer disturbances to woods, streams and wetlands.
3. Open Space Design – This site follows the principles of open space by designing smaller (1/3 and 1/4 acre) lots. This, along with a clustered design, reduces overall impervious cover while providing more open space and protection of the wetlands and Branch of Gott Creek. Green infrastructure is about reducing materials, reducing impervious areas and getting more with less. The clustered design approach uses less road, less sanitary sewer, less storm pipe, less water pipe, less impervious areas and provides greater open space.
4. Tree Planting – Shade trees, ornamental trees, and foundation plantings are provided throughout the Project. As the site is currently farmland, there are few existing trees. The proposed development will be increasing the number of trees and plantings located on the property. While providing obvious aesthetic benefits, the proposed vegetation also aids in stormwater management and protection of the existing habitat. First, all proposed and existing vegetation extract nutrients from within the soils and stormwater runoff for growth and photosynthesis. These include phosphorous and nitrogen which, if allowed to infiltrate the stormwater runoff, are considered a pollutant.
5. Disconnection of Rooftop Runoff – Direct runoff from residential rooftop areas to designated pervious areas to reduce runoff volumes and rates will be implemented on this site. The site will be designed to direct runoff to vegetative infiltration areas. The majority of lots back up to open space, this allows for most houses to direct runoff to the rear of the property and into open space for maximum infiltration.

The practices listed above demonstrate an effort in practicing responsible design and development.

6.3 Wetlands

Based on the WET delineation, confirmed by the Army Corps of Engineers in their Jurisdictional Determination of January 24, 2012, there are four (4) federally jurisdictional wetlands on the parcel totaling 11.66 acres.

The sole impact to these wetland areas are in connection with road crossings over Gott Creek. Nationwide Permit #14 will be utilized in connection with the crossings. Since the total impact will be less than .10 of an acre, no mitigation will be required.

6.4 Stream Crossings : Gott Creek

The Project will involve a single crossing of Gott Creek.

Stream crossing construction is generally completed by one of 3 methods: boring and jacking, otherwise known as tunneling; coffer dams; or flumed dry crossings. It is anticipated that the utilities will be tunneled/drilled across the creek or installed with the flumed dry method to minimize disturbance to the stream bed. All excavated spoils for utility installation will be isolated by silt fence downgradient of the excavation. Upon completion of the excavation and installation of the New Trunk Line, the area will be backfilled and graded to its original contour. The road crossing will be accomplished with the installation of a CMP culvert.

Gott Creek is classified as "C(T)"waters, meaning it will support fish and aquatic life and may support trout populations. Thus, the crossing of these streams may be a significant adverse environmental impact that may require mitigation and the Project Sponsor will be required to obtain an appropriate Stream Bed Disturbance Permit pursuant to Environmental Conservation Law Title 5, Article 15, Protection of Waters.

All stream crossings proposed are considered minor, meaning that each disturbance will be less than 75 linear feet. Minor Stream Bed Disturbance Permit applications, which require the submission of stream protection and erosion control plans, along with other details to ensure only minimal and short term disturbances to the stream bed, must be obtained from NYSDEC. The Project Sponsor must also submit an application to ACOE. Review and approval of construction plans, including stream protection and erosion control plans and issuance of a Stream Bed Disturbance Permit by NYSDEC and ACOE will ensure that the significant adverse environmental impacts associated with the stream crossings are minimized.

6.5 Traffic

6.5.1 Background

Of the major intersections studied in the vicinity of the proposed subdivision, two were found to warrant improvements in order to provide acceptable levels of service; Greiner Road at Shimerville Road and Greiner Road at Thompson Road. Both of those intersections currently experience above average traffic delays which worsen under further conditions.

Based on information received from Erie County, each of the two problematic intersections is currently planned for improvements. The Greiner Road/Shimerville Road intersection has been reconstructed to provide left turn lanes and a traffic signal as part of the County's CIP. The Greiner Road/Thompson Road intersection will also be improved with a traffic signal in

conjunction with the development of the Spaulding Greens project. It is anticipated that both of these intersections will be improved prior to the completion of the Project.

Additionally, the northbound approach of Harris Hill Road at Roll Road currently experiences a failing LOS. This is due to the relatively high volumes of each and westbound traffic on Roll Road. Based on field observations, there is a moderate queue during peak hours. However, traffic does not back up to a point where it would create a safety hazard.

The other observed intersections will operate at acceptable levels of service under developed conditions which includes the development of the Project.

6.5.2 Capacity Analysis Results and Observations

The following is a compilation of the levels of service for all existing and proposed intersections. Tables of the result of each intersection are included in the Traffic Study attached as Appendix 2.

Greiner Road at Thompson Road

The intersection of Greiner Road and Thompson Road currently operates at an LOS of C during the AM and PM peak hours. The north and southbound approaches have an LOS of D and experience moderate queue lengths. Under Background conditions, the LOS of the approaches on Thompson Road deteriorate to an LOS of E.

Based on conversations with Erie County, the intersection will be improved with a signal light to account for the delay volumes on Thompson Road. The future signal light will be installed in conjunction with the development of the Spaulding Greens project on Goodrich Road. The trigger to update the intersection is 50% build out of Spaulding Greens, which is approved for 380 single-family homes at full build out. To date, 35± building permits have been issued, representing approximately 10% of total build out. Accordingly, it is anticipated that the 50% threshold will be met in or about 2017. The signal at Greiner and Thompson will provide adequate capacity to service the Background traffic volumes as well as the proposed Project.

Roll Road at Thompson Road

Based on conversations with the County, the intersection recently (within 10 years) was upgraded with the addition of stop signs at the east and westbound approaches on Roll Road. In addition to improving the queue lengths on Thompson Road, the stop signs improve the intersection safety by reducing the likelihood of a significant accident resulting from vehicles along Roll Road approaching the intersection at high speeds.

The intersection operates with an LOS of A for all studied scenarios except for developed conditions during the PM peak hour when it drops to a B. Additionally, under developed conditions, all approaches have an LOS of B or better. Therefore, the intersection as currently configured has ample capacity to support the development of the Project.

Greiner Road at Shimerville Road

At the time of the TIS, the intersection of Greiner Road and Shimerville Road operated at an LOS of F during the morning peak hour in the westbound direction. All other approaches functioned at or above an acceptable LOS. In the afternoon peak, the intersection operated at an LOS of D in the eastbound direction. All other approaches in the afternoon were LOS of C, an acceptable LOS during a peak hour of travel. During field observations, excessive queue lengths were observed during both the AM and PM peak hours.

Based on information received from Erie County, the subject intersection has since been reconstructed to provide left turn lanes and a traffic signal as part of the County's CIP. Based on this information, the Background and Developed conditions were modeled using the reconstructed intersection's geometrics and proposed signal phasing. As demonstrated in Table 6-3 of the TIS, included as Appendix 2 herewith, the intersection will function with an acceptable LOS during both peak hours as a result of the proposed improvements.

Roll Road at Shimerville Road

Based on conversations with the County, the intersection recently (within 10 years) was upgraded with the addition of stop signs at the east and westbound approaches on Roll Road. In addition to improving the queue lengths on Shimerville Road, the stop signs improve the intersection safety by reducing the likelihood of a significant accident resulting from vehicles along Roll Road approaching the intersection at high speeds.

Currently, the intersection operates with an LOS of B in the AM peak hour and C in the PM peak hour. Under Background conditions the intersection has an LOS of C for both peak hours. The developed conditions result in an LOS of C for the AM peak hour and D for the PM peak hour, both of which are considered an acceptable level of service for 4-way intersections. The D LOS is a result of the advancing volume in the westbound direction which has an approach LOS of E. Based on a volume to capacity ratio of 0.88 and an updated Peak Hour signal warrant analysis, no mitigation is required at the intersection.

Roll Road at Harris Hill Road

Under current conditions the east and westbound traffic along Roll Road have unimpeded flow through the intersection. However, during peak hours of traffic volume, the northbound approach has an LOS of F. This is primarily due to the free movement of vehicles on Roll Road and northbound stop sign. While the

existing LOS and the Roll Road Subdivision TIS indicate that upgrades at the intersection may be warranted, field observations show that the northbound queue does not result in a situation that creates a safety concern. There are several methods for potentially improving the northbound LOS including a traffic signal light or stop signs on Roll Road. Either of these would impede the flow along Roll Road and likely result in a deterioration of the east and westbound LOS. In any case, the intersection currently warrants improvements when just considering capacity alone. It will not be further impacted by the low volume of traffic from the Project which may use this route.

Greiner Road at Harris Hill Road

Under developed conditions the signalized intersection of Greiner Road at Harris Hill Road will continue to operate with acceptable LOS for all approaches.

Clarence Center Road at Shimerville Road

Under developed conditions the intersection of Clarence Center Road at Shimerville Road will continue to operate with acceptable LOS for all approaches.

Brookfield Lane at Greiner Road

Under developed conditions the Greiner Road/Brookfield Lane intersection will become a 4-way intersection with the addition of the project entrance. Both the project entrance and Brookfield Lane will be controlled with stop signs.

The LOS for all approaches is C or better. A left turn lane warrant analysis was conducted for the eastbound traffic on Greiner road. Based on the findings of the TIS (Appendix 2), a left turn lane is not warranted for the AM or PM peak hours.

Based on the developed LOS and warrant analysis, no additional improvements are required at the intersection.

Dana Marie Parkway at Roll Road

Under developed conditions the Greiner Road/Dana Marie Parkway intersection will become a 4-way intersection with the addition of the project entrance. Both the project entrance and Dana Marie Parkway will be controlled with stop signs.

The LOS for all approaches is B or better. A left turn land warrant analysis was conducted for the eastbound traffic on Roll Road. Based on the findings of the TIS (Appendix 2), a left turn lane is not warranted for the AM or PM peak hours.

Based on the developed LOS and warrant analysis, no additional improvements are required at the intersection.

Country Club Drive at Shimerville

The Country Club Drive/Shimerville intersection is an existing 3-way intersection with traffic flowing freely on Shimerville Road and traffic controlled with a stop sign at Country Club Drive.

The LOS for all approaches is B or better under existing and developed conditions for both the AM and PM peak hour. Based on the developed LOS no additional improvements are required at the intersection.

EMS Consulting 1999 Projected Traffic Volume vs. 2012 Manually Counted Volumes

The 2009 projected volumes for proposed full build conditions of the Roll Road subdivision were compared to the 2012 manually counted volumes in March. Generally, all of the intersections within the study area counted in 2012 experienced less traffic than what was projected by the EMS study. Even though the projected growth rate was more than what was actually witnessed in the field, a GRF of 3% annually was still used for this study to accommodate for the rest of the build out of this proposed Roll Road subdivision, and to be conservative considering the other non-developed areas in the immediate vicinity of the Project.

Accident Analysis

A review of existing Traffic Impact Studies and subsequent accident reports indicated that the studied area does not have incident rates higher than the state average. Additionally, traffic improvements including proposed signal lights along Greiner Road and the addition of stop signs along Roll Road were implemented in order to reduce the potential for accidents in the project area.

6.5.3 Summary and Conclusions

The development of the Project will result in an increase in traffic on the four County Roads which serve the Project Area. Based on field observations, traffic modeling and future projections, the existing roadways and intersections either currently have the capacity to service the increase in traffic or are planned for capacity improvements as part of independent projects not associated with the Project. As a result of these previously identified improvements and available capacity, additional mitigation is not warranted at any of the studied intersections or along the major roadways.

SECTION 7.0 IMPACTS THAT CANNOT BE MITIGATED

7.1 Overview

SEQR requires that the SEIS contain a statement of the adverse environmental impacts that cannot be avoided or adequately mitigated if the proposed action is implemented. It

should be noted that there are impacts that cannot be mitigated associated with the proposed Project.

There are no permanent adverse impacts related to the Project that have not been mitigated to the maximum extent practicable. Nonetheless, the Project Sponsor notes the following:

7.2 Land Resources

Implementation of the Project will result in the permanent elimination of undeveloped areas for new residential facilities and associated roadways for the Northwoods Subdivision.

7.3 Plants and Animals

There will be a permanent adverse impact on plants and animals, with the elimination of existing upland grassed areas, woodlot and scrub brush on the site.

7.4 Noise

There will be short-term noise impacts during the construction of the Project.

7.5 Visual Impacts

There will be short-term adverse visual impacts during construction of the Project and permanent loss of agricultural land. There will be a permanent loss of existing open space, however, 50% of the new subdivision will be set aside as open space.

7.6 Community Character

The development of the Project will result in a permanent change to the community character in and around the Project Area due to the loss of agricultural land.

7.7 Irreversible and Irretrievable Commitments of Environmental Resources

SEQR requires that the SEIS identify any irreversible and irretrievable commitments of resources which will occur as a result of implementation of the proposed action. Resources to be considered include natural and man-made resources that are consumed, converted or made unavailable for future use. The SEIS should also identify the extent to which the Project forecloses future options.

Implementation of the Project will result in the permanent elimination of currently undeveloped areas for new residential facilities and associated roadways. These resources will no longer be available for alternative uses, such as green space/park land development, farming or natural habitat. Other irreversible and irretrievable commitments of sources required for the proposed action include construction materials, energy, labor. Construction materials, energy supplies and labor used to construct the Project are not retrievable. These resources are readily available within the Project Area.