

# TOWN OF WEST SENECA

## APPLICATION FOR REZONING – SPECIAL PERMIT

### TO BE COMPLETED BY APPLICANT

DATE 12-13-11

FILE # 2012-01

PROJECT NAME 2735 Clinton Street Property Re-zone

PROJECT LOCATION (Include address and distance to nearest intersection)  
2735 Clinton Street directly across from French Road intersection

APPLICANT Edbauer Construction Company PH/FAX 716-883-0280

ADDRESS 2790 Clinton Street West Seneca NY 14224

PROPERTY OWNER Michael Serafini PH/FAX 716-684-7730

ADDRESS 3529 Broadway Cheektowaga NY 14225

ENGINEER/ ARCHITECT Wm. Schuff & Associates, PC PH/ FAX 716-683-5961

ADDRESS 37 Central Avenue Lancaster NY 14086

SBL # 124.10-2-4.11

PROJECT DESCRIPTION (Include all uses and any required construction)  
The project is a proposed rezoning of a portion of the property (the front 6.0+/- acres) to C-2 Commercial prior to selling it to the project applicant. The entire parcel area is 20.6 +/- acres in size and is presently zoned R-100A. The rezoned property would then be used as a warehouse and allow the storage of construction related equipment and materials.

SIZE OF LOT (acres) 20.6 ACREAGE TO BE REZONED 6 acres

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH  
Clinton Street - presently 220+/- ft frontage, under proposed rezoning 50-ft frontage would be maintained

EXISTING ZONING R-100A PROPOSED ZONING C2

EXISTING USE(S) ON PROPERTY Warehouse and Construction equipment and material storage

PROPOSED USE(S) ON PROPERTY Warehouse and storage of construction related equipment and materials

EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET  
Commercial C-2 and Residential 100-A

PUBLIC SEWER YES  NO  PUBLIC WATER YES  NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED  
Site Plan Approval

**APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COMPLETION OF ALL REQUIREMENTS LISTED HEREIN**

### TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED 12/30/2011 BY J. Jelski

PLANNING BOARD MEETING DATE 01/12/2012

TOWN BOARD MEETING DATE \_\_\_\_\_

TOWN BOARD RESOLUTION DATE \_\_\_\_\_

NON – REFUNDABLE FILING FEE (Payable to the Town Clerk): \$ 2350.00

**Re-Zoning Description  
2735 Clinton Street  
West Seneca, New York**

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot 37, Township 10 and Range 7 of the "Lands of Ebenezer", so called, being more particularly bounded and described as follows;

**BEGINNING** at a point on the southerly line of Clinton Street distant 50.00 feet west of its intersection with the east line of Lot 37; Thence southerly along a line parallel with the east line of Lot 37 a distance of 309.71 feet; Thence southwesterly along a line at an interior angle of  $140^{\circ}30'45''$  a distance of 507.92 feet; Thence southerly along a line at an exterior angle of  $126^{\circ}08'44''$  a distance of 131.93 feet; Thence westerly along a line at an interior angle of  $90^{\circ}00'00''$  a distance of 269.03 feet to a point on the easterly line of a certain map cover entitled "Lakeside Gardens" as recorded in the Erie County Clerk's Office under cover no. 2223; Thence northerly along the easterly line of said map cover 2223 at an interior angle of  $90^{\circ}00'00''$  a distance of 605.02 feet to a point in the southerly line of lands conveyed to Gary M. Miller as recorded in the Erie County Clerk's Office under Liber 10921 of deeds at page 5568; Thence easterly along a line parallel with the southerly line of Clinton Street at an interior angle of  $90^{\circ}00'00''$  a distance of 467.41 feet to a point in the westerly line of lands conveyed to Mark A. Lukowski as recorded in the Erie County Clerk's Office under Liber 11121 of deeds at page 4532; Thence southerly along a line at an interior angle of  $90^{\circ}00'00''$  a distance of 284.36 feet; Thence easterly along a line at an exterior angle of  $89^{\circ}16'43''$  a distance of 21.36 feet; Thence northeasterly along a line at an exterior angle of  $144^{\circ}34'35''$  a distance of 145.90 feet to a point of curvature; Thence northerly along a curved line to the left having a radius of 150.00 feet an arc distance of 115.35 feet to a point of tangency; Thence northerly along a line tangent to the aforementioned curve a distance of 244.86 feet to a point on the southerly line of Clinton Street; Thence easterly along the southerly line of Clinton Street a distance of 50.00 feet to the Point of Beginning, containing 5.97 acres more or less.

**617.20**  
**Appendix A**  
**State Environmental Quality Review**  
**FULL ENVIRONMENTAL ASSESSMENT FORM**

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

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**THIS AREA FOR LEAD AGENCY USE ONLY**

**DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions**

**Identify the Portions of EAF completed for this project:**       Part 1       Part 2       Part 3  
Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.\***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

\*A Conditioned Negative Declaration is only valid for Unlisted Actions

\_\_\_\_\_  
Name of Action

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (If different from responsible officer)

\_\_\_\_\_  
Date

**PART 1--PROJECT INFORMATION**  
**Prepared by Project Sponsor**

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Proposed Rezoning of 2735 Clinton Street

Location of Action (include Street Address, Municipality and County)

2735 Clinton Street, West Seneca, Erie County

Name of Applicant/Sponsor Edbauer Construction Company

Address 2790 Clinton Street

City / PO West Seneca State NY Zip Code 14224

Business Telephone 716-883-0280

Name of Owner (if different) Michael Serafini Inc.

Address 3529 Broadway

City / PO Cheektowaga State NY Zip Code 14227

Business Telephone 716-684-7730

Description of Action:

The project is a proposed rezoning of a portion of the property located at 2735 Clinton Street prior to selling it to the project sponsor. The entire parcel area is 20.6 +/- acres in size and is presently zoned R-100A. It is proposed to re-zone the front 6.0 +/- acres to C-2 Commercial which would allow the property to be used as a warehouse and allow the storage of construction related equipment and materials.

Existing use of the area proposed for rezoning is storage of equipment and materials. This area includes existing structures and driveways and includes areas surfaced with concrete and asphalt.

Proposed improvements to the area proposed for rezoning are limited to enhancing site landscaping, adding a fenced area, and minor building improvements limited to improving exterior wall finishes. A 5-foot high berm is proposed along the northwest side of the project area. Trees are proposed to be planted on the berm and as infill along the northwest side of the property, southeast portion of the project area and in an interior area. See Attachment 1 for Figures 1 and 2: Proposed Rezone Map in full and reduced scales.

Of the parcel acreage not included in the rezoning request, the southern 13.2 +/- acres includes part of an oxbow pond of Buffalo Creek and is proposed to be sold to the Town of West Seneca for passive recreation use. Two areas of 0.4 +/- acre each are proposed to be sold to the adjoining parcel owners. A 0.4 +/- acre area fronting Clinton Street is proposed to be retained by the present owner. An additional 0.3 +/- area is proposed to be either retained by the present owner or sold to an adjoining parcel owner.

**Please Complete Each Question--Indicate N.A. if not applicable**

**A. SITE DESCRIPTION**

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use:  Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Other \_\_\_\_\_

2. Total acreage of project area: 20.6+/- acres. \* Total Area 20.6 acres - the breakdown of surface types contains overlaps of surface areas.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>2.6+/-</u> acres	<u>2.6+/-</u> acres
Forested <small>* Forested area includes 2.0 +/- ac wetland buffer area</small>	<u>4.3+/-</u> acres	<u>4.3+/-</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0</u> acres	<u>0</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL) <small>*Wetland area includes 5.9+/- ac pond area</small>	<u>6.4+/-</u> acres	<u>6.4+/-</u> acres
Water Surface Area <small>*Water area includes 6.4+/- ac wetland area</small>	<u>7.6+/-</u> acres	<u>7.6+/-</u> acres
Unvegetated (Rock, earth or fill)	<u>3.0+/-</u> acres	<u>3.0+/-</u> acres
Roads, buildings and other paved surfaces	<u>1.5+/-</u> acres	<u>1.5+/-</u> acres
Other (Indicate type) <u>100-ft Wetland buffer zone</u> <small>*Buffer zone includes 0.5+/- ac of roadway</small>	<u>4.1+/-</u> acres	<u>4.1+/-</u> acres

3. What is predominant soil type(s) on project site? Hamlin silt loam (+/-35%), Teel silt loam (+/-25%), Wayland silt loam (+/-19%) - See Attachment 3 for the Erie County Soil Survey information
- a. Soil drainage:  Well drained 12 % of site  Moderately well drained 79 % of site.  
 Poorly drained \_\_\_\_\_ % of site \* An additional +/-10% of the site is water.
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site?  Yes  No

a. What is depth to bedrock >6 (in feet)

5. Approximate percentage of proposed project site with slopes:

0-10% 90 %  10- 15% 4 %  15% or greater 6 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places?  Yes  No Per NYS OPRHP, the project will not impact cultural resources. See Attachment 2 for correspondence received from the OPRHP.

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks?  Yes  No

8. What is the depth of the water table? > 0.2 (in feet)

9. Is site located over a primary, principal, or sole source aquifer?  Yes  No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area?  Yes  No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  Yes  No

According to:

Note that the 6.0+/- acres proposed for rezoning has been previously developed.  
The 13.2+/- acres proposed to be sold to the Town includes the heavily vegetated area of the site which may contain rare vegetation and wildlife.

Identify each species:

N/A

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes  No

Describe:

The parcel includes a portion of an oxbow pond of Buffalo Creek which is included in the 13.2+/- acres proposed to be sold to the Town of West Seneca for passive recreation use.

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes  No

If yes, explain:

The oxbow area proposed to be sold to the Town of West Seneca may be used for guided nature studies, etc. in the future.

14. Does the present site include scenic views known to be important to the community?  Yes  No

The parcel includes a portion of an oxbow pond of Buffalo Creek which is included in the 13.2+/- acres proposed to be sold to the Town of West Seneca for passive recreation use.

15. Streams within or contiguous to project area:

Buffalo Creek

a. Name of Stream and name of River to which it is tributary

Buffalo River

16. Lakes, ponds, wetland areas within or contiguous to project area:

An oxbow pond of Buffalo Creek is contiguous to the project area. The pond lies within NYSDEC Freshwater Wetland BU-17. See Attachment 5 for correspondence from the USACOE noting they have no concern with the proposed action. See Attachment 6 for correspondence from the NYSDEC and legal notice amending the Erie County Freshwater Wetland Map.

b. Size (in acres):

NYSDEC BU-17 is approximately 6.4 acres in size with the 100-ft adjacent area being 4.1+/- acres in size, as it falls within the limits of the project site.

17. Is the site served by existing public utilities?  Yes  No **No utility improvements are proposed as part of the project scope.**
- a. If YES, does sufficient capacity exist to allow connection?  Yes  No
- b. If YES, will improvements be necessary to allow connection?  Yes  No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617?  Yes  No
20. Has the site ever been used for the disposal of solid or hazardous wastes?  Yes  No

**B. Project Description**

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 20.6+/- acres. **For berm construction and tree planting**
- b. Project acreage to be developed: 0.4+/- acres initially; 0.4+/- acres ultimately. **The 6.0+/- acres proposed to be rezoned are presently developed with only minor site landscaping and minor exterior building improvements proposed.**
- c. Project acreage to remain undeveloped: 13.2 acres. **13.2 acres proposed to be sold to the Town of West Seneca**
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. N/A %
- f. Number of off-street parking spaces existing N/A; proposed N/A no change is proposed
- g. Maximum vehicular trips generated per hour: N/A (upon completion of project)?
- h. If residential: Number and type of housing units:
- |            | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially  | <u>N/A</u> | <u></u>    | <u></u>         | <u></u>     |
| Ultimately | <u>N/A</u> | <u></u>    | <u></u>         | <u></u>     |
- i. Dimensions (in feet) of largest proposed structure: N/A height;  width;  length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 50+/- ft. **Present frontage is 220+/- ft. Under proposed rezoning, 50 ft. frontage would be maintained.**
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0 tons/cubic yards.
3. Will disturbed areas be reclaimed  Yes  No  N/A
- a. If yes, for what intended purpose is the site being reclaimed?
- Topsoil will be removed in the area intended for creation of the berm and after fill is placed, the topsoil will be re-used to cap the berm.
- b. Will topsoil be stockpiled for reclamation?  Yes  No  N/A
- c. Will upper subsoil be stockpiled for reclamation?  Yes  No  N/A **Existing ground cover to be removed in areas intended for landscape improvements, i.e. tree planting, berm construction.**
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.4+/- acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes  No

6. If single phase project: Anticipated period of construction: 1 months, (including demolition) **\*for proposed landscaping and minor exterior building improvements.**

7. If multi-phased:

a. Total number of phases anticipated N/A (number)

b. Anticipated date of commencement phase 1: \_\_\_\_\_ month \_\_\_\_\_ year, (including demolition)

c. Approximate completion date of final phase: \_\_\_\_\_ month \_\_\_\_\_ year.

d. Is phase 1 functionally dependent on subsequent phases?  Yes  No

8. Will blasting occur during construction?  Yes  No

9. Number of jobs generated: during construction 0; after project is complete 0 **\*Existing workforce is anticipated to be used for minor landscaping and exterior building improvements.**

10. Number of jobs eliminated by this project 0.

11. Will project require relocation of any projects or facilities?  Yes  No

If yes, explain:

12. Is surface liquid waste disposal involved?  Yes  No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount \_\_\_\_\_

b. Name of water body into which effluent will be discharged \_\_\_\_\_

13. Is subsurface liquid waste disposal involved?  Yes  No Type \_\_\_\_\_

14. Will surface area of an existing water body increase or decrease by proposal?  Yes  No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain?  Yes  No **Per FEMA map no. 360262 0001. The floodplain boundary line is shown on the Grading Plan as the 596 ft. elevation line. See Attachment 4.**

16. Will the project generate solid waste?  Yes  No

a. If yes, what is the amount per month? \_\_\_\_\_ tons

b. If yes, will an existing solid waste facility be used?  Yes  No

c. If yes, give name \_\_\_\_\_; location \_\_\_\_\_

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill?  Yes  No

e. If yes, explain:

17. Will the project involve the disposal of solid waste?  Yes  No

a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.

b. If yes, what is the anticipated site life? \_\_\_\_\_ years.

18. Will project use herbicides or pesticides?  Yes  No

19. Will project routinely produce odors (more than one hour per day)?  Yes  No

**\*Typically during peak morning (7am-8am) and evening (4pm-5pm) hours there will be minimal odors related to access by construction vehicles/equipment. Most of the day the site will be odor free.**

20. Will project produce operating noise exceeding the local ambient noise levels?  Yes  No

**\*Temporary noise during peak morning and evening hours of operation at which time work force will typically access the site.**

21. Will project result in an increase in energy use?  Yes  No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day N/A gallons/day.

24. Does project involve Local, State or Federal funding?  Yes  No

If yes, explain:

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Approval of SEQR and rezoning	TBD
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Recommendation on SEQR and rezoning	April 12, 2012
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
State Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	review by NYSDEC of wetlands	Dec. 9, 2011
Federal Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	review by USACOE of wetlands	Dec. 9, 2011

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision?  Yes  No

If Yes, indicate decision required:

- Zoning amendment     
  Zoning variance     
  New/revision of master plan     
  Subdivision  
 Site plan     
  Special use permit     
  Resource management plan     
  Other

2. What is the zoning classification(s) of the site?

R-100A residential

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

Agricultural operations, veterinarian/kennel use, radio towers, or commercial picnic grove.

4. What is the proposed zoning of the site?

C-2 commercial (for 6.0+/- acres of 20.6+/- acre site)

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

commercial green house, boat sales/service, equipment sales/service/storage, material supply/storage, bus terminal, warehouse, laundry, grain sales/storage, mobile home park, public utility service, etc.

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?  Yes  No

The overall plan includes proposed sale of the oxbow pond area to the Town of West Seneca, which complies with the Town's goal to protect important environmental features and open space.

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

Residential (R-75, R-100A), and Commercial (C-1, C-2).

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?  Yes  No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? \_\_\_\_\_

10. Will proposed action require any authorization(s) for the formation of sewer or water districts?  Yes  No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes  No

a. If yes, is existing capacity sufficient to handle projected demand?  Yes  No

12. Will the proposed action result in the generation of traffic significantly above present levels?  Yes  No

a. If yes, is the existing road network adequate to handle the additional traffic.  Yes  No

**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

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

Applicant/Sponsor Name PATRICIA BITTAR Date 3-16-12

Signature Patricia Bittar (rbc)

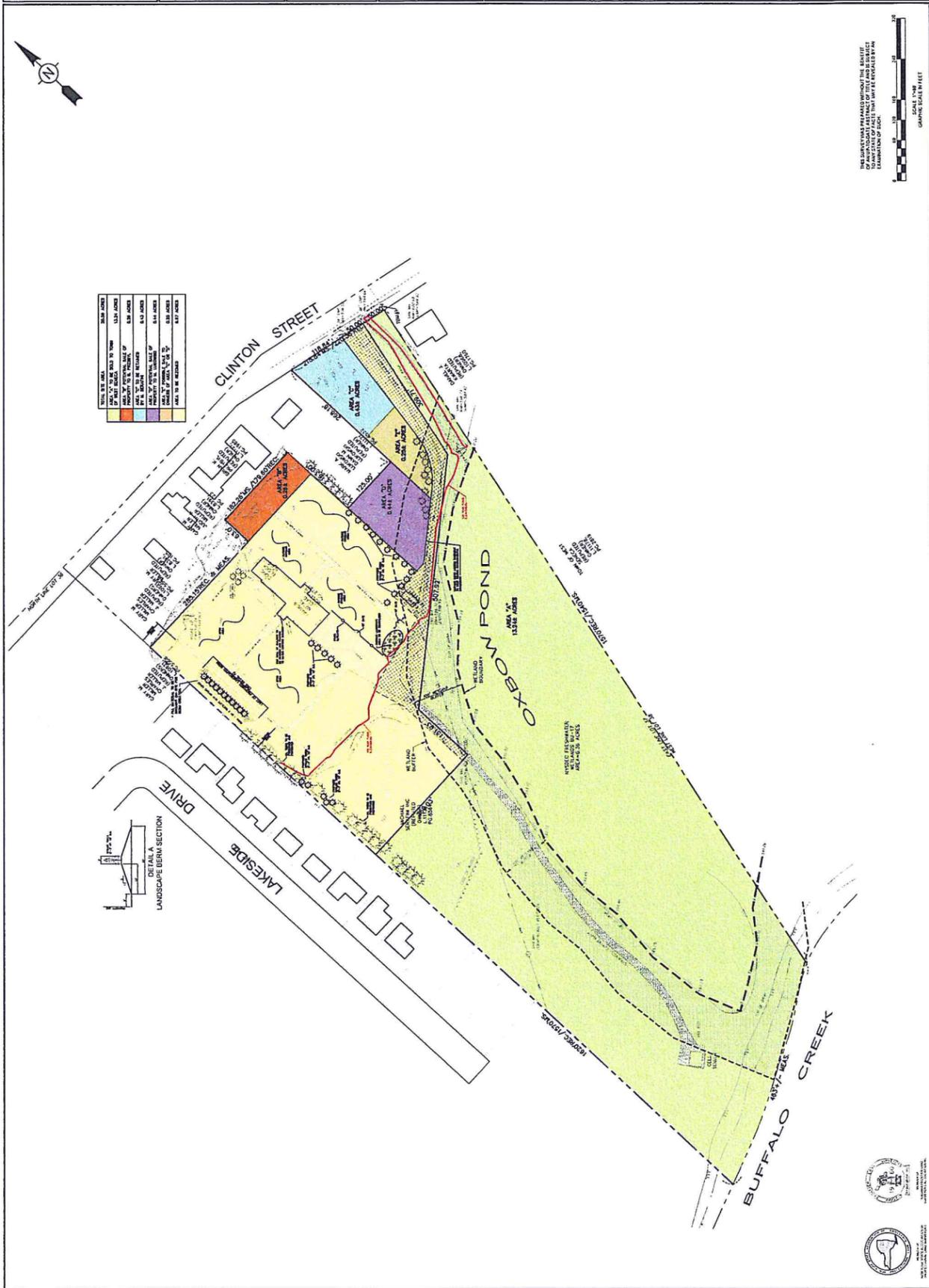
Title AGENT FOR OWNER

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

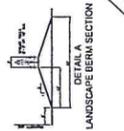
**Attachment 1**

**Figures 1 and 2: Proposed Rezone Map**

DRAWING SCALE: 1" = 20'		<b>1</b> DRAWING NO. 1113 WWW.SCHUTT.COM
<b>TOWN OF WEST SENECA</b> COUNTY OF ERIE, STATE OF NEW YORK PART OF LOT 37, TOWNSHIP 10, RANGE 7 LANDS OF EBENEZER <b>OVERALL REZONE MAP</b>		
WWW.WMSCHUTT.COM PH: 716-683-5951 LANCASTER, NY 14068-2143 <b>ASSOCIATE</b> 37 CENTRAL AVE		
DESIGNER: CHECKED BY: CDM DRAWN BY: CJS DATE: 02/22/11	DATE: 02/22/11 PROJECT NO.: 1113 SHEET NO.: 1113	THE TOWN ENGINEER HAS REVIEWED THIS MAP EXCEPTING FOR THE LOCATION OF THE LOTS AND THE GENERAL CHARACTER OF THE REZONE MAP. THIS MAP IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION THEREON. THE TOWN ENGINEER'S REVIEW IS LIMITED TO THE INFORMATION PROVIDED TO HIM BY THE CLIENT AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED TO HIM BY THE CLIENT.



YELLOW	RESIDENTIAL
ORANGE	COMMERCIAL
PURPLE	PUBLIC USE
GREEN	PARK
BLUE	WATER



**2735 CLINTON STREET**  
TOWN OF WEST SENECA  
ERIE COUNTY - NEW YORK

**PROPOSED REZONE MAP**

WWW.WMSCHUTT.COM  
PH 716-663-5961  
FAX 716-663-0169

37 CENTRAL AVE  
LANCASTER, NY 14086-2143

**WMSCHUTT ASSOCIATES**

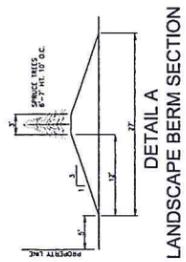
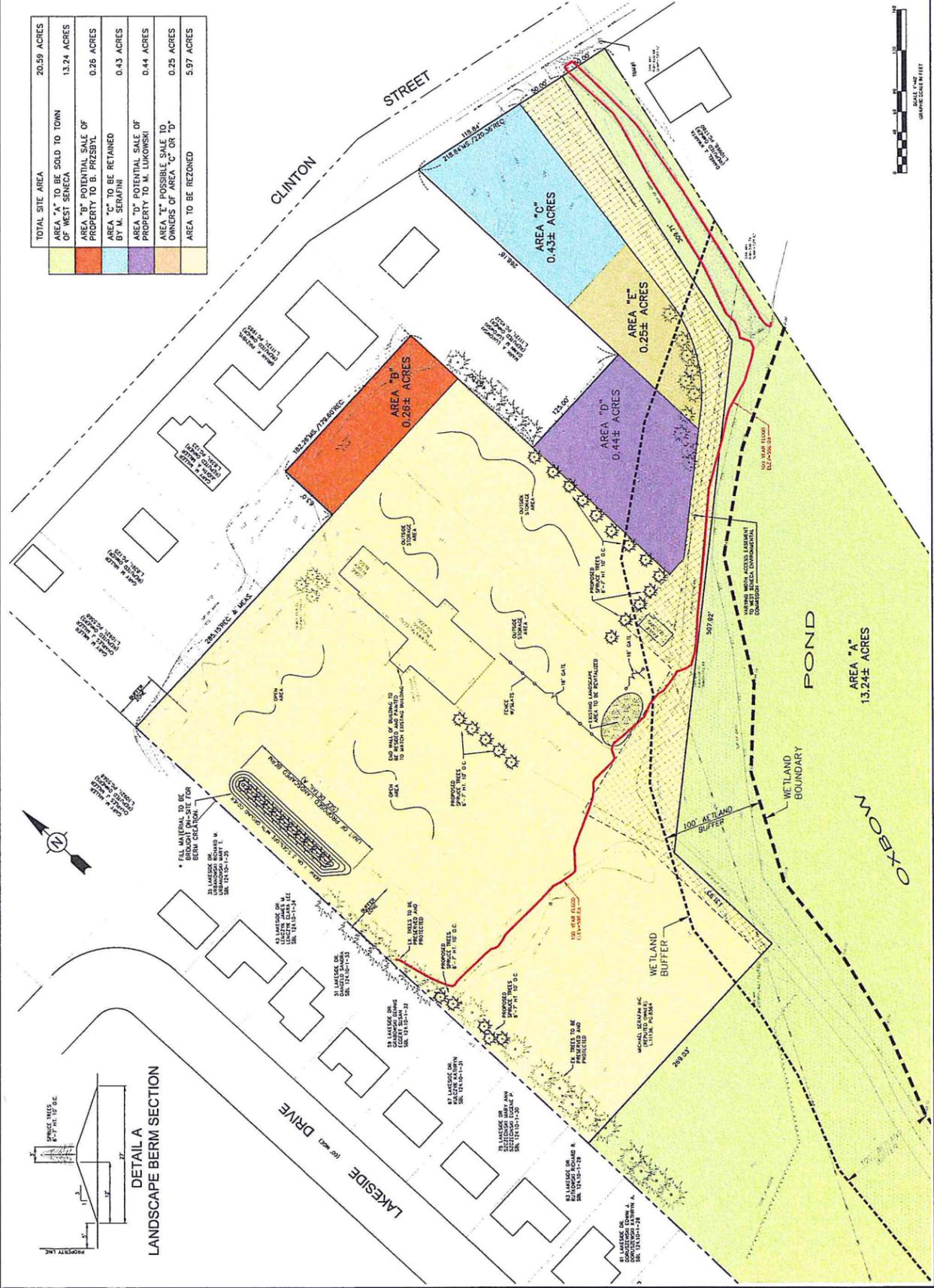
DATE: OCTOBER 2011  
CHECKED BY: VBS  
DRAWN BY: SMK  
SCALE: AS SHOWN  
PROJECT NO: 11142

THIS SHEET DRAWS DOCUMENT NO. 2011

DRAWING SCALE: 1" = 40'  
VISA PROJECT NO. 11142

DATE	10/20/11	
DESCRIPTION	REVISIONS	
1	10/20/11	REVISED PER OWNER'S COMMENTS
2	07/27/11	REVISED PER OWNER'S COMMENTS
3	07/27/11	REVISED PER OWNER'S COMMENTS
4	07/27/11	REVISED PER OWNER'S COMMENTS
5	07/27/11	REVISED PER OWNER'S COMMENTS
6	07/27/11	REVISED PER OWNER'S COMMENTS
7	07/27/11	REVISED PER OWNER'S COMMENTS
8	07/27/11	REVISED PER OWNER'S COMMENTS
9	07/27/11	REVISED PER OWNER'S COMMENTS
10	07/27/11	REVISED PER OWNER'S COMMENTS
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16	07/27/11	REVISED PER OWNER'S COMMENTS
17	07/27/11	REVISED PER OWNER'S COMMENTS
18	07/27/11	REVISED PER OWNER'S COMMENTS
19	07/27/11	REVISED PER OWNER'S COMMENTS
20	07/27/11	REVISED PER OWNER'S COMMENTS
21	07/27/11	REVISED PER OWNER'S COMMENTS
22	07/27/11	REVISED PER OWNER'S COMMENTS
23	07/27/11	REVISED PER OWNER'S COMMENTS
24	07/27/11	REVISED PER OWNER'S COMMENTS
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95	07/27/11	REVISED PER OWNER'S COMMENTS
96	07/27/11	REVISED PER OWNER'S COMMENTS
97	07/27/11	REVISED PER OWNER'S COMMENTS
98	07/27/11	REVISED PER OWNER'S COMMENTS
99	07/27/11	REVISED PER OWNER'S COMMENTS
100	07/27/11	REVISED PER OWNER'S COMMENTS

TOTAL SITE AREA	20.59 ACRES
AREA "A" TO BE SOLD TO TOWN OF WEST SENECA	13.24 ACRES
AREA "B" POTENTIAL SALE OF PROPERTY TO B. PRZESBYL	0.26 ACRES
AREA "C" TO BE RETAINED BY M. SERAFINE	0.43 ACRES
AREA "D" POTENTIAL SALE OF PROPERTY TO M. LUKOWSKI	0.44 ACRES
AREA "E" POSSIBLE SALE TO OWNERS OF AREA "G" OR "D"	0.25 ACRES
AREA TO BE REZONED	5.97 ACRES



**Attachment 2**

**OPRHP Correspondence**

11142



**New York State Office of Parks,  
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

December 20, 2011

**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

John A. Gullo  
Town of West Seneca  
1250 Union Road  
West Seneca, New York 14224

Re: SEQRA  
2735 Clinton Street Rezoning (Edbauer)  
2735 Clinton/WEST SENECA, Erie County  
11PR07843

Dear Mr. Gullo:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) concerning your project's potential impact/effect upon historic and/or prehistoric cultural resources. Our staff has reviewed the documentation that you provided on your project. Preliminary comments and/or requests for additional information are noted on separate enclosures accompanying this letter. A determination of impact/effect will be provided only after ALL documentation requirements noted on any enclosures have been met. Any questions concerning our preliminary comments and/or requests for additional information should be directed to the appropriate staff person identified on each enclosure.

In cases where a state agency is involved in this undertaking, it is appropriate for that agency to determine whether consultation should take place with OPRHP under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any federal agency involvement, Advisory Council on Historic Preservation's regulations, "Protection of Historic and Cultural Properties" 36 CFR 800 requires that agency to initiate Section 106 consultation with the State Historic Preservation Officer (SHPO).

When responding, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Deputy Commissioner for Historic Preservation

Enclosure

**ARCHEOLOGY COMMENTS**  
**11PR07843**

Based on reported resources, there is an archeological site in or adjacent to your project area. Therefore the Office of Parks, Recreation and Historic Preservation (OPRHP) recommends that a Phase 1 archeological survey is warranted for all portions of the project to involve ground disturbance, unless substantial prior ground disturbance can be documented. If you consider the project area to be disturbed, documentation of the disturbance will need to be reviewed by OPRHP. Examples of disturbance include mining activities and multiple episodes of building construction and demolition.

A Phase 1 survey is designed to determine the presence or absence of archeological sites or other cultural resources in the project's area of potential effect. The OPRHP can provide standards for conducting cultural resource investigations upon request. Cultural resource surveys and survey reports that meet these standards will be accepted and approved by the OPRHP.

Our office does not conduct cultural resources surveys. A 36 CFR 61 qualified archeologist should be retained to conduct the Phase 1 survey. Many archeological consulting firms advertise their availability in the yellow pages. The services of qualified archeologists can also be obtained by contacting local, regional, or statewide professional archeological organizations. Phase 1 surveys can be expected to vary in cost per mile of right-of-way or by the number of acres impacted. We encourage you to contact a number of consulting firms and compare examples of each firm's work to obtain the best product.

Documentation of ground disturbance should include a description of the disturbance with confirming evidence. Confirmation can include current photographs and/or older photographs of the project area which illustrate the disturbance (approximately keyed to a project area map), past maps or site plans that accurately record previous disturbances, or current soil borings that verify past disruptions to the land. Agricultural activity is not considered to be substantial ground disturbance and many sites have been identified in previously cultivated land.

Please also be aware that a Section 233 permit from the New York State Education Department (SED) may be necessary before any archeological survey activities are conducted on State-owned land. If any portion of the project includes the lands of New York State you should contact the SED before initiating survey activities. The SED contact is Christina B. Rieth and she can be reached at (518) 402-5975. Section 233 permits are not required for projects on private lands.

If you have any questions concerning archeology, please contact Daniel A. Bagrow at 518-237-8643, ext 3254



**New York State Office of Parks,  
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

February 15, 2012

John A. Gullo  
Town of West Seneca  
1250 Union Road  
West Seneca, New York 14224

Andrew M. Cuomo  
Governor

Rose Harvey  
Commissioner

FEB 21 2012

Wm Schutt &  
Associates

Re: SEORA  
2735 Clinton Street Rezoning (Edbauer)  
Town of West Seneca, Erie County  
11PR07843

Dear Mr. Gullo:

Thank you for requesting the comments of the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the revised project description and proposed rezoning map in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, the OPRHP understands that the proposed "Borrow Pit" has been eliminated and the 160 ft long by 5 ft high berm will be constructed using clean material hauled on site. Other proposed improvement include the planting of trees, adding a fenced area and minor building improvements limited to improving exterior wall finishes. Given the limited ground disturbance associated with these activities, it is the OPRHP's opinion that this project will have **No Impact** upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

Please note that this project area is located in an area of high archaeological sensitivity and the OPRHP would recommend a Phase I archaeological investigation prior to any future development of this parcel.

The OPRHP appreciates the opportunity to comment on this information. Further consultation with the OPRHP is recommended if there are any changes to the project. Please telephone me at ext. 3280 with any questions you may have. Please also refer to the PR# above in any future correspondence for this project.

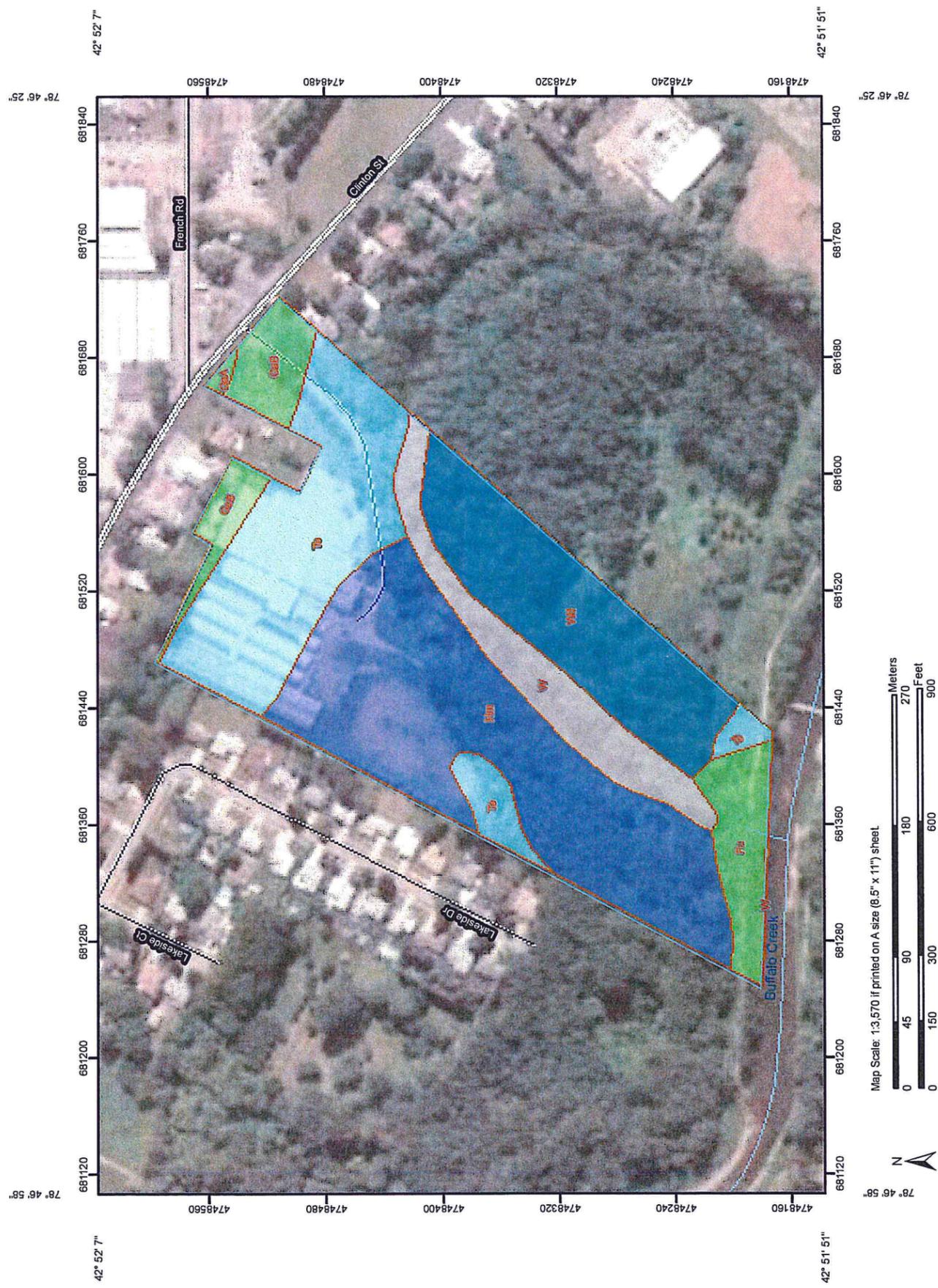
Sincerely,

Nancy Herter  
Scientist, Archaeology

cc. Robyn Cierniak, Wm Schutt Associates

**Attachment 3**

**Erie County Soil Survey information**



Web Soil Survey  
National Cooperative Soil Survey

## MAP LEGEND

Area of Interest (AOI)  
 Area of Interest (AOI)

Soils  
 Soil Map Units

### Soil Ratings

 A

 A/D

 B

 B/D

 C

 C/D

 D

 Not rated or not available

### Political Features

 Cities

### Water Features

 Streams and Canals

### Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

## MAP INFORMATION

Map Scale: 1:3,570 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:15,840.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: UTM Zone 17N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Erie County, New York  
 Survey Area Data: Version 11, Dec 1, 2011

Date(s) aerial images were photographed: 6/21/2006

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Erie County, New York (NY029)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Fu	Fluvaquents and Udifluvents, frequently flooded	A/D	1.3	5.7%
GaA	Galen very fine sandy loam, 0 to 3 percent slopes	A/D	0.1	0.3%
GaB	Galen very fine sandy loam, 3 to 8 percent slopes	A/D	1.3	5.9%
Hm	Hamlin silt loam	B	7.9	35.1%
Te	Teel silt loam	B/D	5.5	24.6%
W	Water		2.1	9.5%
Wd	Wayland silt loam	C/D	4.2	18.8%
<b>Totals for Area of Interest</b>			<b>22.4</b>	<b>100.0%</b>

## Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

## Rating Options

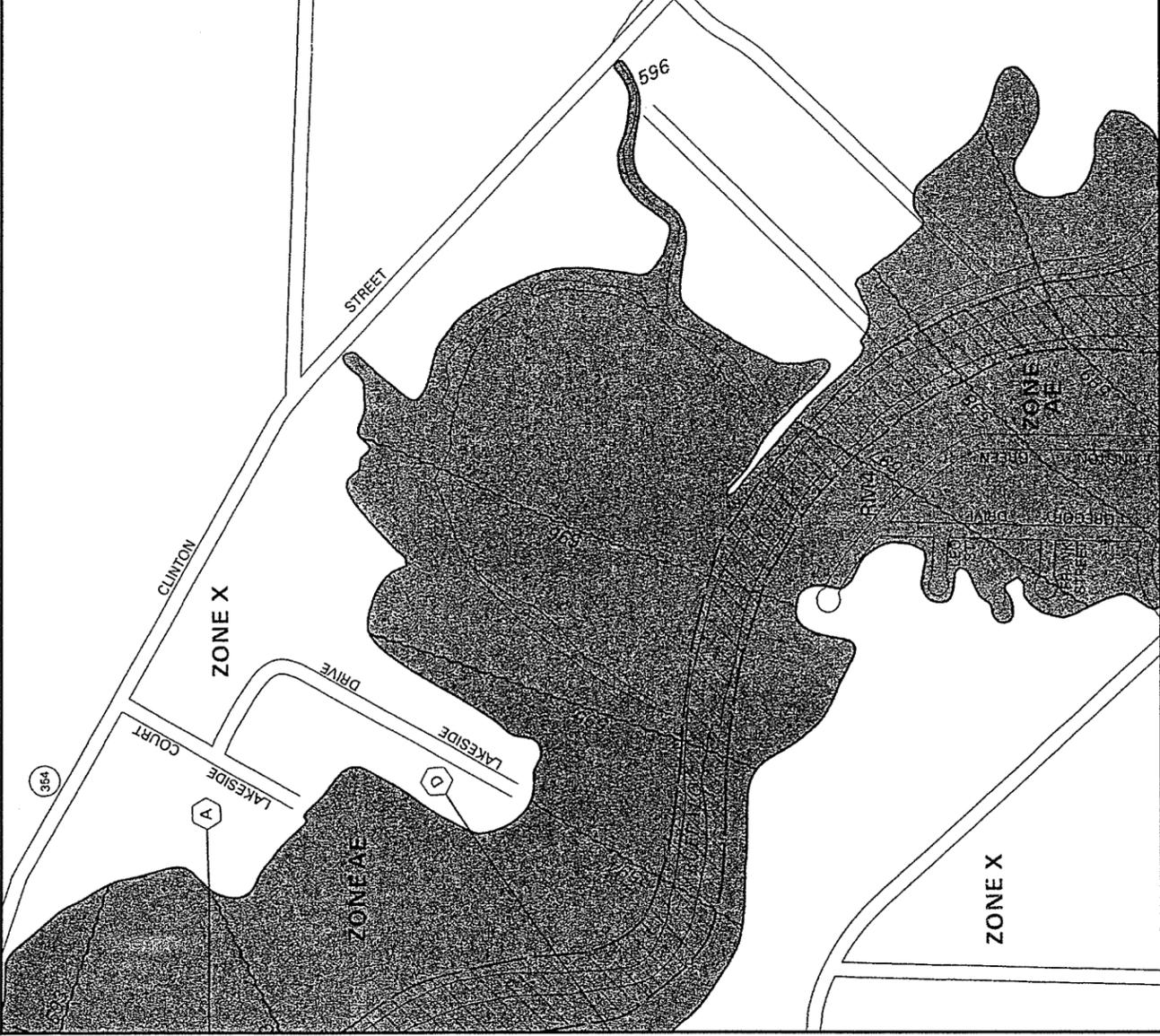
*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

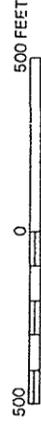
*Tie-break Rule:* Higher

**Attachment 4**

**FEMA Map  
Grading Plan**



APPROXIMATE SCALE



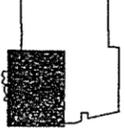
NATIONAL FLOOD INSURANCE PROGRAM

**FIRM**  
FLOOD INSURANCE RATE MAP

TOWN OF  
WEST SENECA,  
NEW YORK  
ERIE COUNTY

PANEL 1 OF 4

(SEE MAP INDEX FOR PANELS NOT PRINTED)



PANEL LOCATION

COMMUNITY-PANEL NUMBER  
360262 0001 B

MAP REVISED:  
SEPTEMBER 30, 1992



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



**Attachment 5**

**USACOE Correspondence**

**Robyn Cierniak**

---

**From:** Metivier, Steven V LRB [Steven.V.Metivier@usace.army.mil]  
**Sent:** Tuesday, February 14, 2012 9:45 AM  
**To:** John Gullo  
**Cc:** rcierniak@wmschutt.com  
**Subject:** Re-Zoning 2735 Clinton Street (UNCLASSIFIED)  
**Attachments:** document2012-02-14-094252.pdf

Classification: UNCLASSIFIED  
Caveats: NONE

John,

My apologies for the late response. Based upon the information provided, assuming that there is no expansion of the existing paved/developed area or filling of the swale which runs approximately west - east in the southern portion of the site, the Corps has no concerns regarding the rezoning of the subject parcel. If work is proposed outside the footprint of what was depicted in your submittal, I recommend that the work area be delineated by a qualified wetland consultant.

Thank you for the opportunity to comment.

Steven V. Metivier  
Chief, NY Application Evaluation Section Regulatory Branch US Army Corps of Engineers  
1776 Niagara Street  
Buffalo, NY 14207  
716-879-4314  
716-239-7167 (Cell)  
716-879-4310 (FAX)

Classification: UNCLASSIFIED  
Caveats: NONE

**Attachment 6**

**NYSDEC Correspondence and Legal Notice**

1142

**New York State Department of Environmental Conservation**  
**Division of Environmental Permits, Region 9**  
270 Michigan Avenue, Buffalo, New York 14203-2915  
Phone: (716) 851-7165 • Fax: (716) 851-7168  
Website: www.dec.ny.gov



Joe Martens  
Commissioner

December 28, 2011

Mr. John Gullo  
Code Enforcement Officer  
Town of West Seneca  
1250 Union Road  
West Seneca, New York 14224

Dear Mr. Gullo:

**SEQR LEAD AGENCY INQUIRY  
REZONING 2735 CLINTON STREET  
TOWN OF WEST SENECA, ERIE COUNTY**

This is to acknowledge receipt of your December 9, 2011 letter, plans and Environmental Assessment Form regarding the proposed rezoning and subdivision of the property at 2735 Clinton Street. We have performed an environmental screening of the area and reviewed your submissions. Our comments are based upon the site location and potential activities of the new owner(s).

1. There is an unmapped state wetland associated with the oxbow on the property that is not currently shown on the Freshwater Wetlands Map for Erie County. The Department has initiated the map amendment process to include this wetland on the Erie County Map 12 of 31. Enclosed is correspondence to Mr. Serafini discussing the new wetland which is identified as BU-17. Area A proposed for sale to the Town has regulated wetland and 100 foot wide adjacent area on it. The portion of the property being rezoned and areas C, D, and E that could be subdivided may also be subject to regulation under the Freshwater Wetland Act. Since the previous delineation is more than three years old a new delineation should be requested so that the specific location of the wetland boundary and regulated 100 foot wide adjacent area boundary can be reconfirmed. An Article 24 Permit under the Freshwater Wetland Act would be needed before any regulated activity could be commenced in either the wetland or its regulated 100 foot wide adjacent area.
2. Fuel tanks with a combined capacity of 1,100 gallons or more must be registered with this Department, per Petroleum Bulk Storage Regulations 6NYCRR Parts 612-614. If the new owner(s) intend to install a fuel tank they should contact Ms. Andrea Skalski at (716) 851-7220 for information regarding bulk storage requirements and application procedures.

Mr. John Gullo  
December 28, 2011  
Page 2

3. If the project activities will involve land disturbance of 1 acre or more, the project sponsor, should obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice Of Intent (NOI) and prior to commencement of the project. More information on General Permit GP-0-10-001, as well as the NOI form, is available on the Department's website at [www.dec.ny.gov/chemical/43133.html](http://www.dec.ny.gov/chemical/43133.html).

The Town of West Seneca is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The "MS4 SWPPP Acceptance" form must be signed by the principle executive officer or ranking official from the MS4 community, or by a duly authorized representative of that person, and submitted, along with the NOI form, to the Department at NOTICE OF INTENT, NYSDEC, Bureau of Water Permits, 625 Broadway, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commences.

We concur that the Town of West Seneca should act as SEQR Lead Agency for the project, as the environmental impacts are primarily of local significance.

Thank you for providing this office the opportunity to review the proposal. If you have questions, please contact Mr. Douglas Borschel at (716) 851-7165.

Sincerely,



David S. Denk  
Regional Permit Administrator

DSD:deb

cc: Honorable Wallace Piotrowski, Town of West Seneca

Encs.

**— LEGAL NOTICE —**

Notice is hereby given pursuant to Article 24 (Freshwater Wetlands Act) of the New York State Environmental Conservation Law and the Freshwater Wetlands Mapping and Classification Regulations (6 NYCRR Part 664) that NYS Dept. of Environmental Conservation (NYSDEC) proposes to amend Erie County Freshwater Wetland Map 12 of 31 originally filed in 1986. The wetland amendment will consist of revising the boundaries of Wetland BU-4, BU-5, BU-9, BU-10, BU-11, BU-12, BU-13 and adding Wetland BU-17 as a Class 2 wetland to the maps. Maps showing the proposed revisions are available at the Erie County and Towns of West Seneca, Orchard Park, and Hamburg Clerks' offices, as well as at the NYSDEC Region 9 Office in Buffalo, NY. Written comments on the accuracy of the proposed changes to the maps may be mailed to the person listed below through March 30, 2012. Pursuant to 6 NYCRR Part 664, once the announcement of a proposed amendment has been made, no activity subject to regulation under the Freshwater Wetlands Act may be initiated without a permit from NYSDEC within the area that is the subject of the proposal (including the regulated 100-foot adjacent area) until the Commissioner has either amended the map or denied the amendment.

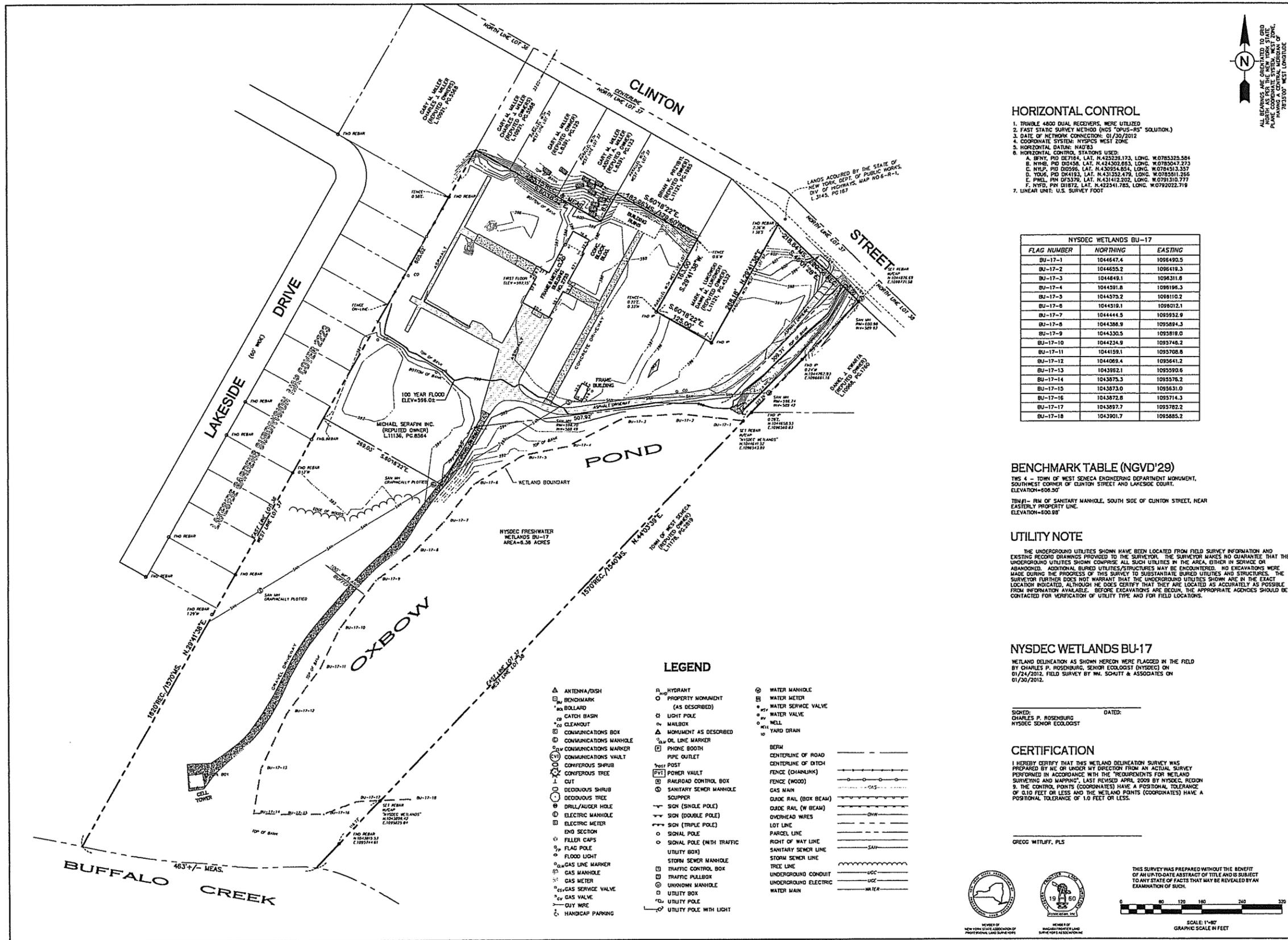
Contact: Anne Rothrock, Region 9 Sub-Office, 182 East Union Street, Suite 3, Allegany, NY 14706. Fax: 716-372-2113, email: r9dep@gw.dec.state.ny.us

Feb. 23

**Attachment 7**

**Boundary/Topographic & Wetland Survey**





**HORIZONTAL CONTROL**

1. TRIMBLE 4800 DUAL RECEIVERS, WERE UTILIZED
2. FAST STATIC SURVEY METHOD (NCS "OPUS-RS" SOLUTION)
3. DATE OF NETWORK CONNECTION: 01/20/2012
4. COORDINATE SYSTEM: NAD83 WEST ZONE
5. HORIZONTAL DATUM: NAD83
6. HORIZONTAL CONTROL STATIONS USED:
  - A. SPNY, PD DE7184, LAT. N.422239.173, LONG. W.0785325.504
  - B. WMB, PD D04536, LAT. N.424302.853, LONG. W.0785047.273
  - C. NHP, PD D02556, LAT. N.430295.854, LONG. W.0784513.357
  - D. YOLG, PD DK4193, LAT. N.431352.479, LONG. W.0785511.256
  - E. PHEL, PD D15370, LAT. N.431412.202, LONG. W.0781512.777
  - F. NYFD, PD D1872, LAT. N.422541.785, LONG. W.0792022.719
7. LINEAR UNIT: U.S. SURVEY FOOT

NYSDEC WETLANDS BU-17		
FLAG NUMBER	NORTHING	EASTING
BU-17-1	1044647.4	1095492.5
BU-17-2	1044655.2	1095419.3
BU-17-3	1044649.1	1095311.8
BU-17-4	1044591.8	1095196.3
BU-17-5	1044575.2	1095110.2
BU-17-6	1044519.1	1095021.1
BU-17-7	1044444.5	1095052.9
BU-17-8	1044388.9	1095084.3
BU-17-9	1044330.5	1095018.0
BU-17-10	1044234.9	1095046.2
BU-17-11	1044159.1	1095008.8
BU-17-12	1044069.4	1095041.2
BU-17-13	1043982.1	1095090.6
BU-17-14	1043875.3	1095076.2
BU-17-15	1043873.0	1095063.0
BU-17-16	1043872.8	1095074.3
BU-17-17	1043897.7	1095082.2
BU-17-18	1043901.7	1095085.2

**BENCHMARK TABLE (NGVD'29)**

THIS 4 - TOWN OF WEST SENeca ENGINEERING DEPARTMENT MONUMENT, SOUTHWEST CORNER OF CLINTON STREET AND LAKESIDE COURT, ELEVATION=806.90'

**UTILITY NOTE**

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING RECORD DRAWINGS PROVIDED TO THE SURVEYOR. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO SUBSTANTIATE BURIED UTILITIES AND STRUCTURES. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. BEFORE EXCAVATIONS ARE BEGUN, THE APPROPRIATE AGENCIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.

**NYSDEC WETLANDS BU-17**

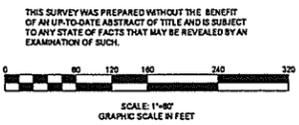
WETLAND DELINEATION AS SHOWN HEREON WERE FLAGGED IN THE FIELD BY CHARLES P. ROSENBERG, SENIOR ECOLOGIST (NYSDEC) ON 01/24/2012. FIELD SURVEY BY WM. SCHUTT & ASSOCIATES ON 01/20/2012.

SIGNED: CHARLES P. ROSENBERG, NYSDEC SENIOR ECOLOGIST  
 DATED: \_\_\_\_\_

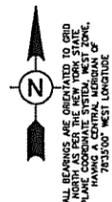
**CERTIFICATION**

I HEREBY CERTIFY THAT THIS WETLAND DELINEATION SURVEY WAS PREPARED BY ME OR UNDER MY DIRECTION FROM AN ACTUAL SURVEY PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS FOR WETLAND SURVEYING AND MAPPING, LAST REVISED APRIL 2008 BY NYSDEC REGION 9. THE CONTROL POINTS (COORDINATES) HAVE A POSITIONAL TOLERANCE OF 0.10 FEET OR LESS AND THE WETLAND POINTS (COORDINATES) HAVE A POSITIONAL TOLERANCE OF 1.0 FEET OR LESS.

GRECC WTRFLP, PLS



- LEGEND**
- ▲ ANTENNA/FISH
  - BENCHMARK
  - BOLLARD
  - CATCH BASIN
  - CLEANOUT
  - COMMUNICATIONS BOX
  - COMMUNICATIONS MANHOLE
  - COMMUNICATIONS MARKER
  - COMMUNICATIONS VAULT
  - CONIFEROUS SHRUB
  - CONIFEROUS TREE
  - CUT
  - DECIDUOUS SHRUB
  - DECIDUOUS TREE
  - DRILL/AUGER HOLE
  - ELECTRIC MANHOLE
  - ELECTRIC METER
  - END SECTION
  - FILLER CAPS
  - FLAG POLE
  - FLOOD LIGHT
  - GAS LINE MARKER
  - GAS MANHOLE
  - GAS METER
  - GAS SERVICE VALVE
  - GAS VALVE
  - GUY WIRE
  - HANDICAP PARKING
  - HYDRANT
  - PROPERTY MONUMENT (AS DESCRIBED)
  - LIGHT POLE
  - MAILBOX
  - ▲ MONUMENT AS DESCRIBED
  - OIL LINE MARKER
  - PHONE BOOTH
  - PIPE OUTLET
  - POWER VAULT
  - RAILROAD CONTROL BOX
  - SANITARY SENIOR MANHOLE
  - SQUIPPER
  - SIGN (SINGLE POLE)
  - SIGN (DOUBLE POLE)
  - SIGN (TRIPLE POLE)
  - SIGNAL POLE
  - SIGNAL POLE (WITH TRAFFIC UTILITY BOX)
  - STORM SEWER MANHOLE
  - TRAFFIC CONTROL BOX
  - TRAFFIC PULLBOX
  - UNKNOWN MANHOLE
  - UTILITY BOX
  - UTILITY POLE WITH LIGHT
  - WATER MANHOLE
  - WATER METER
  - WATER SERVICE VALVE
  - WATER VALVE
  - WELL
  - YARD DRAIN



ALL BEARINGS ARE ORIENTED TO GRID NORTH. THE GRID NORTH IS THE TRUE NORTH, PLUMB LINES TO THE TRUE NORTH, HAVING A CENTRAL MERIDIAN OF 78°30' WEST LONGITUDE.

**DRAWING REVISIONS**

ITEM	DATE	DESCRIPTION
1	02/07/2012	ADDED NYSDEC WETLANDS
2	03/27/2012	REVISED WETLANDS

DESIGNED BY: CJB  
 DRAWN BY: GCW  
 CHECKED BY: GCW  
 DATE: 07/20/2011

WARNING: ALTERING THIS DOCUMENT IS IN VIOLATION OF THE PROFESSIONAL ENGINEERING AND SURVEYING ACT, PART 1709 OF THE NEW YORK STATE EDUCATION LAW, AND THE PROFESSIONAL ENGINEERING AND SURVEYING REGULATION, PART 1701 OF THE NEW YORK STATE EDUCATION LAW, AND IS SUBJECT TO PENALTY.

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TOWN OF WEST SENeca  
 COUNTY OF ERIE, STATE OF NEW YORK  
 PART OF LOT 37, TOWNSHIP 10, RANGE 7  
 LANDS OF EBENEZER  
 2735 CLINTON STREET  
 BOUNDARY/TOPO & WETLANDS SURVEY

**BS1**  
 DRAWING SCALE: 1"=80'  
 SURVEY FILE: 011143-01  
 WSA PROJECT NO. 11142