

TOWN OF WEST SENECA

APPLICATION FOR REZONING – SPECIAL PERMIT

TO BE COMPLETED BY APPLICANT

DATE 5-27-2015

FILE # 2015-07

PROJECT NAME Creekbend Townhomes

PROJECT LOCATION (Include address and distance to nearest intersection)

75 Schaefer Road, 675'± west of the intersection of Schaefer and Berg Roads

APPLICANT Forbes Capretto Homes

PH/FAX (716) 688-5597

ADDRESS 470 Cayuga Road, Buffalo, New York 14225

PROPERTY OWNER Anthony Capretto

PH/FAX (716) 688-5597

ADDRESS 75 Schaefer Road, West Seneca, New York 14218

ENGINEER/ ARCHITECT N.A.

PH/ FAX _____

ADDRESS _____

SBL # 152.06-5-6

PROJECT DESCRIPTION (Include all uses and any required construction)

Construction of a 14± building/56± unit townhome development on a 26± acre parcel of land located at the westerly terminus of Schaefer Road, in the Town of West Seneca, New York.

SIZE OF LOT (acres) 25.59±

ACREAGE TO BE REZONED 25.59±

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH

Schaefer Road (33')

EXISTING ZONING R 75 PROPOSED ZONING R 50

EXISTING USE(S) ON PROPERTY Single Family Residential (presently a single residence)

PROPOSED USE(S) ON PROPERTY Multi Family Residential (townhomes for sale)

EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET

Site is zoned R-75, adjoining lands in West Seneca are zoned R-75, although over half of the site lies on the opposite bank of the Smoke Creek gorge. The proposed use affords an opportunity to cluster development and provide the adjacent subdivision with a significant green buffer that single family residential would not provide.

PUBLIC SEWER YES NO

PUBLIC WATER YES NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

None.

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

TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED 05/27/2015 BY J. Jansen

PLANNING BOARD MEETING DATE 06/11/2015

TOWN BOARD MEETING DATE _____

TOWN BOARD RESOLUTION DATE _____



YOUR HOME, YOUR WAY.

May 27, 2015

Town of West Seneca Town Board
1250 Union Road
West Seneca, New York 14224

**Re: Proposed Rezone, R-75 to R-50
Creekbend Townhomes
75 Schaefer Road
(T) West Seneca, Erie Co., NYS**

Dear Town Board Members,

Attached please find the Forbes Capretto Custom Homes Rezone Application as the sponsor of the proposed Creekbend Townhomes, to be located at 75 Schaefer Road, in the Town of West Seneca, New York.

Our proposal is to rezone the property from R75 to R50 to allow for the development of a 14 building/56 unit town home community. The development is anticipated to be laid out as a cluster development, will be owner occupied, and served by private infrastructure. The cluster design will enable us to provide passive greenspace in the form of common area behind the existing homes of the adjoining neighborhood to the east, while also preserving 75% of the treed area on site.

We have evaluated several different land use types and conceptual development plans on the property. All considered alternatives specified private infrastructure and exclusively, residential land uses, ranging from patio homes to town homes to a senior living apartment complex.

All development options evaluated begin with the understanding that any considered development pattern would not cross Smoke Creek, which bisects the subject property. Therefore, all that land within the parcel on the western side of Smoke Creek, will not be impacted by any proposed development pattern. This area comprises about half of the site. All development activities will be confined to the lands on the eastern side of the creek, extending off the present westerly terminus of Schaefer Road.

As is typical for development projects, the lower density options spread the development pattern over more of the landscape. Conversely, higher density alternatives allow for a more compressed – or clustered -development pattern. Because of the compressed pattern of cluster development footprints, cluster developments are able to provide more greenspace. For example, the lowest density option evaluated provided approximately 45 separate patio home units on individual lots

www.forbescapretto.com

470 Cayuga Road Cheektowaga, NY 14225

Phone: 716.688.5597

Fax: 716.688.6674



YOUR HOME, YOUR WAY.

covering most of the site. Contrast this with the highest density option, senior housing, where approximately 203 units can be accommodated in 7 buildings that occupy about 35% of the site. Our preferred alternative (i.e., the subject action), falls in the middle, conceptually detailing a 14 building/56 unit townhome development that occupies approximately 60% of the site.

After reviewing development options, we have determined that townhome development will provide the best opportunity to create a viable neighborhood that is compatible with the existing, adjoining, neighborhood, and that will enable the best opportunity to cluster the development pattern, concentrating construction activities into the open meadow/lawn areas of the subject parcel, and in a manner that maximizes the preservation of treed areas on site.

Included in this submittal are the filing fee and the requisite twenty (20) copies each of: 1) the Rezoning Application, 2) a Full Environmental Assessment Form, Part 1, 3) a Property Survey and Legal Description, 4) a copy of the Conceptual Development Plan, and 5) a rendering of a typical proposed Town Home building.

Should you have any questions regarding our petition, please do not hesitate to contact me at 688-5597, and thank you for your consideration in this matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,
FORBES CAPRETTO HOMES

A handwritten signature in black ink, appearing to read "William W. Tuyn". The signature is fluid and cursive, with a long horizontal stroke at the end.

William W. Tuyn, Vice President

WWT:wwt

www.forbescapretto.com

470 Cayuga Road Cheektowaga, NY 14225

Phone: 716.688.5597

Fax: 716.688.6674

ANTHONY CAPRETTO PARCEL
75 SCHAEFER ROAD, WEST SENECA, NEW YORK
REZONE FROM R-75 to R-50
SUGGESTED LEGAL DESCRIPTION

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 Number 421, Township 10, Range 7, of the Buffalo Creek Indian Reservation, being further bounded and described as follows:

BEGINNING at the southeast corner of Lot Number 421, Township 10, Range 7 of the Buffalo Creek Indian Reservation, said point also being the western terminus of the centerline of the 66 foot wide right of way of Schaefer Road;

THENCE: northwesterly $88^{\circ} 57' 30''$ along the south line of Lot Number 421, Township 10, Range 7 of the Buffalo Creek Indian Reservation, said line also being the south line of the Town of West Seneca and the north line of the Town of Orchard Park, a record distance of 852.26 feet measured as 845.46 feet to the southwest corner of Lot Number 421, Township 10, Range 7 of the Buffalo Creek Indian Reservation;

THENCE: northeasterly $00^{\circ} 40' 00''$ along the west line of Lot Number 421, Township 10, Range 7 of the Buffalo Creek Indian Reservation, a record distance of 1,374.41 feet measured as 1,373.82 feet to a point in the west line of Lot Number 421, Township 10, Range 7 of the Buffalo Creek Indian Reservation, said point also being the northwest corner of lands formerly owned by John Schaefer as recorded in the Erie County Clerk's Office in Liber 266 at Page 256 of Deeds;

THENCE: parallel with the south line of Lot Number 421, Township 10, Range 7 of the Buffalo Creek Indian Reservation, southeasterly $88^{\circ} 57' 30''$ a distance of 809.26 feet to a point;

THENCE: southwesterly $00^{\circ} 32' 00''$ a distance of record distance of 1,349.66 feet measured as 1,349.09 feet a point;

THENCE: parallel with the south line of Lot Number 421, Township 10, Range 7 of the Buffalo Creek Indian Reservation, southeasterly $88^{\circ} 57' 30''$ a distance of 33 feet to a point;

THENCE: southwesterly $00^{\circ} 32' 00''$ a distance of record distance of 24.75 feet to the southeast corner of Lot Number 421, Township 10, Range 7 of the Buffalo Creek Indian Reservation, said point also being the POINT or PLACE OF BEGINNING, containing 25.59 acres, be the same more or less.

Short Environmental Assessment Form

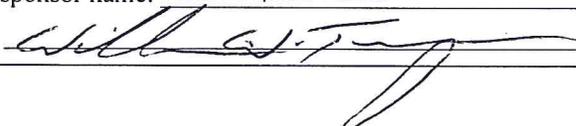
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Creekbend Townhomes			
Project Location (describe, and attach a location map): 75 Schaefer Road, West Seneca, New York 14218			
Brief Description of Proposed Action: Rezoning to allow the development of a 14± building/56± unit residential town home, cluster development on a 25.59± acre parcel of land located at 75 Schaefer Road, in the Town of West Seneca, NY.			
Name of Applicant or Sponsor: Forbes Capretto Homes		Telephone: (716) 688-5597	
		E-Mail:	
Address: 470 Cayuga Road			
City/PO: Buffalo		State: New York	Zip Code: 14225
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		26± acres	
b. Total acreage to be physically disturbed?		8± acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		26± acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ <u>The formal project design is anticipated to include storm water detention facilities, likely to be implemented in the form of a small storm water detention basin or basins, based on detailed engineering design required at the time of site plan and/or subdivision approval from the Town of West Seneca.</u></p>	NO	YES
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	NO	YES
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	NO	YES
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: Forbes Capretto Homes Date: 5/27/2015</p> <p>Signature: <u></u></p>		

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Creekbend Townhomes		
Project Location (describe, and attach a general location map): 75 Schaefer Road, West Seneca, New York 14218		
Brief Description of Proposed Action (include purpose or need): Rezoning to allow the development of a 14± building/56± unit residential town home, cluster development on a 25.59± acre parcel of land located at 75 Schaefer Road, in the Town of West Seneca, NY.		
Name of Applicant/Sponsor: Forbes Capretto Homes		Telephone: (716) 688-5597
		E-Mail:
Address: 470 Cayuga Road		
City/PO: Buffalo	State: New York	Zip Code: 14225
Project Contact (if not same as sponsor; give name and title/role): William W. Tuyn, Vice President, Forbes Capretto Homes		Telephone: (716) 688-5597
		E-Mail: wtuyn@forbeshomes.com
Address: 470 Cayuga Road		
City/PO: Buffalo	State: New York	Zip Code: 14225
Property Owner (if not same as sponsor): Anthony Capretto		Telephone: (716) 688-5597
		E-Mail:
Address: 75 Schaefer Road		
City/PO: West Seneca	State: New York	Zip Code: 14218

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Rezone Site Plan	June 2015 October 2015
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission	(Recommending Body)	February 2015 September 2015
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(recommendations from town departments only)	July-August 2015
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Public Water Supply Distribution and Waste Water Collection Systems Approvals.	August 2015
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R-75
- b. Is the use permitted or allowed by a special or conditional use permit? Yes No
- c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? R-50

C.4. Existing community services.

- a. In what school district is the project site located? West Seneca Central School District
- b. What police or other public protection forces serve the project site?
West Seneca Police Department.
- c. Which fire protection and emergency medical services serve the project site?
Reserve Fire Company
- d. What parks serve the project site?
West Seneca residents are served by 15 municipal parks and numerous public school yards and private recreational facilities.

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential.
- b. a. Total acreage of the site of the proposed action? 26± acres
b. Total acreage to be physically disturbed? 10± acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 26± acres
- c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____
- d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Residential
ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? N.A.
iv. Minimum and maximum proposed lot sizes? Minimum N.A. Maximum N.A.
- e. Will proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
• Total number of phases anticipated 2±
• Anticipated commencement date of phase I (including demolition) 11 month 2015 year
• Anticipated completion date of final phase 11 month 2017 year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____
The project will be phased sequentially, with each subsequent phase initiated as the previous phase nears completion. The developer anticipates implementing one phase per year, depending on market conditions.

f. Does the project include new residential uses? Yes No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	28± _____
At completion of all phases	_____	_____	_____	56± _____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No

- If Yes,
- i. Total number of structures _____
 - ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 - iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No

- If Yes,
- i. Purpose of the impoundment: Storm water detention.
 - ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 - iii. If other than water, identify the type of impounded/contained liquids and their source. N.A.
 - iv. Approximate size of the proposed impoundment. Volume: _____ T.B.D. million gallons; surface area: _____ T.B.D. acres
 - v. Dimensions of the proposed dam or impounding structure: _____ N.A. height; _____ N.A. length
 - vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Basin(s) are anticipated to be excavated from native soils, culvert(s) will be sized as the control structure(s).

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No

- If Yes:
- i. What is the purpose of the excavation or dredging? _____
 - ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 - Volume (specify tons or cubic yards): _____
 - Over what duration of time? _____
 - iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
 - iv. Will there be onsite dewatering or processing of excavated materials? Yes No
If yes, describe.
 - v. What is the total area to be dredged or excavated? _____ acres
 - vi. What is the maximum area to be worked at any one time? _____ acres
 - vii. What would be the maximum depth of excavation or dredging? _____ feet
 - viii. Will the excavation require blasting? Yes No
 - ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No

- If Yes:
- i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

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

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ 25,200± gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: Erie County Water Authority
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
Extension of existing water supply lines to serve all future residential units.
- Source(s) of supply for the district: Lake Erie.

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 16,800± gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Domestic sanitary wastewater.

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: Buffalo Sewer Authority Bird Island Treatment Plant (BSA).
- Name of district: Erie County Sanitary Sewer District No. 3
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
 Extension of existing sanitary sewer collection lines to serve all new sublots. _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ 8± acres (impervious surface)
 _____ Square feet or _____ 26± acres (parcel size)
- ii. Describe types of new point sources. Storm water conduits. _____

- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
To be determined by final design. Design is anticipated to direct stormwater to stormwater management facilities that discharge to infiltration basins or post treatment and detention to on-site surface waters. _____
 - If to surface waters, identify receiving water bodies or wetlands: _____
Smoke Creek. _____
 - Will stormwater runoff flow to adjacent properties? Yes No
- iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
Heavy equipment emissions during construction. _____
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
Possible use of small engine generators during construction. _____
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
N.A. _____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:
i. Estimate methane generation in tons/year (metric): _____
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:
i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
iv. Does the proposed action include any shared use parking? Yes No
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:
i. Estimate annual electricity demand during operation of the proposed action: _____
ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
i. During Construction:
• Monday - Friday: _____ 7 am - 6 pm
• Saturday: _____ 7 am - 6 pm
• Sunday: _____ N.A.
• Holidays: _____ N.A.
ii. During Operations:
• Monday - Friday: _____ N.A.
• Saturday: _____ N.A.
• Sunday: _____ N.A.
• Holidays: _____ N.A.

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

If yes:

i. Provide details including sources, time of day and duration:
Operation of construction vehicles and equipment, 7am± - 6pm±, during construction only.

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

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

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Possible residential street lighting and outdoor fixtures on new townhomes.

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

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

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

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

iii. Generally describe proposed storage facilities: _____

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

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

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

- Construction: _____ N.A. tons per _____ (unit of time)
- Operation : _____ 12.6± tons per _____ month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Excess construction materials will be reused on other projects, or stored at the contractors yard for future use or recycling.
- Operation: Recyclable materials will separated and collected with garbage pickup.

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

- Construction: Collection and disposal by site contractor.
- Operation: Collection and transport to town approved disposal facility by garbage collection contractor.

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
- Forest Agriculture Aquatic Other (specify): Vacant suburban land

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	<1± ac.	8± ac.	+8± ac.
• Forested	8± ac.	6± ac.	-2± ac.
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	10± ac.	4± ac.	-6± ac.
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)	4± ac.	4± ac.	<1± ac.
• Wetlands (freshwater or tidal)	1± ac. (overlays surface water)	1± ac. (overlays surf. water)	No change
• Non-vegetated (bare rock, earth or fill)	1± ac. (creek gorge)	1± ac. (creek gorge)	No change
• Other Describe: <u>Lawns and Landscaping</u>	2± ac.	2± ac.	0± ac.

c. Is the project site presently used by members of the community for public recreation? Yes No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No

If Yes,
i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No

If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No

If Yes:
i. Has the facility been formally closed? Yes No

• If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No

If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No

If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No

Yes – Spills Incidents database Provide DEC ID number(s): _____

Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No

If yes, provide DEC ID number(s): _____

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

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 1.3 - 5+ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ 1± % (creek banks - to be avoided)

c. Predominant soil type(s) present on project site:

Darien Silt Loam	_____	35± %
Remson Silty Clay Loam	_____	40± %
Aurora Shaly Silt Loam	_____	25± %

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

e. Drainage status of project site soils: Well Drained: _____ 50± % of site
 Moderately Well Drained: _____ 24± % of site
 Poorly Drained _____ 26± % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 89± % of site
 10-15%: _____ 10± % of site
 15% or greater: _____ 1± % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: Smoke Creek, which becomes deeply incised at the south end of the site. This feature severs approximately 1/2 of the site from development. Approximately 1% of the site is comprised of the steep gorge walls, the creek and gorge are avoided in the plan.

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Smoke Creek Classification "C"
- Lakes or Ponds: Name N.A. Classification _____
- Wetlands: Name Possible fed. jurisdictional wetland (Smoke Cr. Water of US) Approximate Size 0.5± Ac.
- Wetland No. (if regulated by DEC) N.A.

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 White Tailed Deer _____
 various rodents (squirrel, rabbit, etc.) _____
 common local birds (robin, sparrow, etc.) _____

n. Does the project site contain a designated significant natural community? Yes No

If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes: Note: Phase 1 Cultural Resource Survey completed by Tetra Tech, Inc.

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Forbes Homes, Inc. Date 5/27/2015

Signature  Title Vice President

William W. Tuyn

