STATE ENVIRONMENTAL QUALITY REVIEW ACT

DRAFT SCOPE

Town of Amherst Opportunity Zone Draft Generic Environmental Impact Statement (GEIS)

Name of Action: Amherst Opportunity Zone GEIS

SEQR Status: Type 1

Lead Agency: Town of Amherst Town Board

EXECUTIVE SUMMARY

This section will preface the Table of Contents and include a brief description of the project and a summary of impacts, mitigation and alternatives.

I. DESCRIPTION OF PROPOSED PROJECT

The proposed project involves the future redevelopment of an approximately 1260-acre area of the Town of Amherst bounded on the east and north by I-290, the west by Niagara Falls Boulevard and on the south by Sheridan Drive, including properties immediately to the south of Sheridan Drive. A Generic Environmental Impact Statement (GEIS) will be used to evaluate the cumulative impacts of the Town's Preferred Redevelopment Scenario for the Study Area on land use, infrastructure, and environmental issues. The Study Area is generally built out with numerous underutilized sites, representing a significant opportunity for redevelopment and reinvestment.

The Preferred Redevelopment Scenario will establish development projections for the Study Area over a 20-30-year planning period, which will serve as the basis for the evaluation of cumulative growth impacts and establish the mitigation necessary to accommodate this growth and avoid significant adverse impacts to the environment and community.

The Draft GEIS will include the following project description elements:

A. Project Purpose and Need – A discussion of the goals and objectives for preparing the GEIS, including a definition of the function and anticipated benefits of using the SEQR process to identify and plan for future development. This section will emphasize the anticipated end products of the process, most notably a comprehensive list of mitigation measures that will serve as environmental guidelines for each new development project proposed during the planning period. Additionally, it is anticipated that mitigation costs will be developed for certain issues, such as traffic and sewer, to provide greater equity in the redevelopment process. Understanding the cumulative impacts of growth provides a unique opportunity to spread the costs of using and improving public services equally over new development. In most cases, this will include a public share of the cost that recognizes that existing development contributes to the impacts.

B. Discussion of the Recent Planning Documents – A discussion of the key land use

recommendations and zoning changes that may impact the Study Area.

C. Preferred Redevelopment Scenario – A projected rate of growth will be established by reviewing previous economic studies prepared for the Town. This information will be supplemented with data on known projects either before the Town or in discussion.

The Preferred Redevelopment Scenario will provide the basis for impact analysis. This redevelopment scenario may change as a result of the impact analysis based on the identification of thresholds or limitations that may warrant reconsideration of the magnitude or location of future growth. The limits identified in the GEIS through studies and evaluation will be expressed as thresholds for future development. Projects that meet these thresholds will be considered in compliance with the GEIS and associated Statement of Findings. Projects that exceed the thresholds (one or more) must undergo further SEQR review to identify the significance of the impact(s).

This Draft Scope is prepared in accordance with 6NYCRR 617.8 and is available for public review. Copies of this scope have been submitted to all Involved and Interested Agencies identified thus far in the SEQR process.

II. POTENTIAL IMPACTS AND MITIGATION

A Full Environmental Assessment Form (EAF) was prepared to determine the potential significance of the project impacts. Based on this initial analysis, the following scope is provided for consideration.

A. Land Use and Zoning

Existing Conditions: Existing land use will be identified by county tax parcel mapping and will be refined through discussions with Town officials, visual inspection, and review of aerial mapping. This information will be compared to the Comprehensive Plan land use recommendations, existing zoning and the preferred growth scenario.

Potential Impact:
This section of the GEIS will evaluate the impact of land use changes and magnitude of development on existing, well-established land uses, such as the residential neighborhoods, with the intent of preventing unavoidable adverse impacts.

Anticipated Information Necessary to Address the Impact: Development projections for the Study Area based on the Preferred Redevelopment Scenario that identifies proposed land use, zoning and density. Results of community/neighborhood meetings during the rezoning process.

Initial Identification of Mitigation Measures: Mitigation for land use conflicts can often be addressed through site design. The GEIS process will result in a detailed Statement of Findings that will serve as environmental/SEQR guidelines for future site-specific development.

B. Utilities

Existing Conditions:

Water Supply: The Town of Amherst purchases water from the Erie County Water Authority (ECWA) through a lease arrangement. The ECWA is responsible for customer service, billing, meter reading and maintenance activities. The Town is responsible for all capital improvements.

Sanitary Sewer: Sanitary sewer service in the Town of Amherst is provided through a single special district. Wastewater from the district is conveyed to the Amherst Water Pollution Control Facility (WPCF) located off of Tonawanda Creek Road.

Stormwater management: The Town has one stormwater drainage management district. Stormwater in the Town is managed through a series of open ditches, closed piped, detention ponds and creeks. Stormwater management is a concern to many residences, with particular focus on localized flooding resulting from rain events and water quality impacts of stormwater runoff. There are also concerns about the receiving waters from this area (Ellicott Creek) and the tributaries to the creek.

Potential Impact: The availability and reliability of utility services within the Study Area can have a significant impact on growth potential. The implications of growth on the utility infrastructure will be evaluated as follows:

Water Supply: Water supply and fire protection analysis will include considerations of water source, treatment, pumping, storage, transmission and distribution capacities. Desktop based calculations and/or modeling will be performed to evaluate the impacts of the Preferred Redevelopment Scenario.

Sanitary Sewer: Sanitary sewer analysis will include considerations of wastewater collection, pumping, transmission, headworks, and treatment capacities. Desktop based calculations and/or modeling will be performed to evaluate the impacts of the Preferred Redevelopment Scenario. Field surveys of existing sewer infrastructure condition (e.g., CCTV inspection) will not be included as part of this GEIS.

Stormwater management: Increased stormwater flows can have significant impacts on the receiving streams. In the case of redevelopment, storage of stormwater to reduce peak flows is generally not a concern if additional impervious area is not created. However, the existing conditions of the streams dictates consideration of storage and improvements to water quality.

Anticipated Information Necessary to Address the Impact:

Water Supply:

1) Information from the Erie County Water Authority (ECWA) and the Town regarding water supply infrastructure including source, treatment, pumping, storage, transmission and distribution for potable water and fire flows, as well as available capacity.
2) Prior studies of the water system in this area, if available, and coordination with other engineering firms that may be currently evaluating the water system.

3) Existing hydraulic models, if available.
4) Information from the Town regarding future water needs.

Sanitary Sewer:
1) Information from the Town regarding their sanitary sewer infrastructure, including sewer mains, pump stations, and the Water Pollution Control Facility (WPCF), as well as infiltration and inflow.
2) Prior studies of the sewer system, if available, and coordination with other engineering firms that may be currently evaluating the Amherst sewer system.
3) Existing hydraulic model of the sewer collection system, if available.
4) Evaluation of existing sanitary sewer infrastructure including collection, pumping, transmission, treatment and headworks, as well as available capacity.

Stormwater Management:

1) Information from Town, Erie County, FEMA, EPA, NYSDEC, Western New York Stormwater coalition, Erie County Water Quality committee regarding stormwater management projects.
2) Meet with Town to identify drainage and localized flooding concerns in the Study Area
3) Evaluation of current stormwater management regulations and policies to identify potential changes/improvements.

Initial Identification of Mitigation Measures: The GEIS will identify infrastructure needs and their associated costs to achieve the Preferred Redevelopment Scenario. Potential water supply and sanitary sewer improvements that are deemed necessary for the Preferred Redevelopment Scenario will be discussed with ECWA and the Town. Copies of relevant correspondence with the utility service providers will be included. Redevelopment provides an opportunity to address the existing stormwater issues, including localized flooding, by requiring storage and opportunity to treat water quality. Provisions for both storage and treatment will be explored.

C. Transportation

Existing Conditions: The existing conditions of the transportation system will be documented to provide a context for the evaluation of future conditions. This will describe the existing multimodal transportation system infrastructure in the study area; including roadway, ped/bike and transit features. The characteristics and functional classification of the roadway network, daily and peak hour traffic volumes, freight network, and multimodal travel demand characteristics will also be described. Existing traffic operations (mobility and congestion) and traffic safety conditions will be described using available data and subarea traffic modeling by the Greater Buffalo Niagara Regional Transportation Council (GBNRTC). The assessment of transit, pedestrian and bicycle modes will provide a qualitative description of existing conditions, such as the availability, connectivity and accessibility of available facilities. The documentation of existing conditions will also identify other transportation studies and initiatives in the study area, such as the study to extend light rail transit services.

Potential Impact: Future redevelopment in the Study Area can be expected to contribute

to increased travel demand on the transportation system. This typically leads to the need for system expansion or management strategies to support the increased demand. Because the project involves redevelopment of an existing area as contrasted with development of vacant land, the assessment of impact will need to consider the net changes in demand and potential mode shifts associated with the new land uses.

Improvements to the transportation system to address the potential impacts of the redevelopment can be expected to involve a range of actions and strategies to address multimodal mobility and accessibility. These may include considerations for complete streets accommodations, ped/bike facility expansion, transit services, enhanced roadway capacity, signal system optimization, and/or other transportation management systems. Such improvements can be very costly and either borne by the developer who triggers the need for the improvement or by the tax payer, particularly as improvements are needed along State and County routes. Additionally, both the changes in transportation demand and the necessary improvements can have significant impacts on the character of an area. The development of a mitigation strategy for the area will also need to consider the context of existing and planned transportation initiatives, as well as community priorities and values for long-term transportation investment and maintenance (as reflected in the Town's Comprehensive Plan and/or the GBNRTC Metropolitan Transportation Plan).

Anticipated Information Necessary to Assess the Impact: The GEIS will require the preparation of a transportation study that will include data compilation, data collection; analysis of existing conditions for traffic, safety, and pedestrian, bicycle, and transit operations; future transportation needs assessment (impacts of growth); and development of alternative transportation strategies.

The documentation of existing conditions will include a review and verification of information and data to be compiled from relevant documents, plans and agency-provided data. Sources of this data will include the New York State Department of Transportation (NYSDOT), the GBNRTC, Erie County Department of Public Works, the Niagara Frontier Transportation Authority (NFTA), and the Town of Amherst Highway Department.

Existing traffic volume data will be compiled from GBNRTC's Transportation Data Management System and NYSDOT's Traffic Data Viewer application, and traffic counts provided by the Town. This data will be compiled for the roadway links and principal intersections along the following roadways:

- Niagara Falls Boulevard (US 62): Eggert Road to I290 Interchange 3
- Sheridan Drive (NY 324): Eggert Rd to I290 Interchange 6
- Maple Road: Niagara Falls Boulevard to Millersport Highway
- Bailey Avenue: Eggert Road to Ridge Lee Road
- Ridge Lee Road: Bailey Avenue to Niagara Falls Boulevard
- Millersport Highway (NY 263): Sheridan Drive to Maple Road
- Sweet Home Road: Sheridan Drive to Maple Road
- Eggert Road: Sheridan Drive to Millersport Highway
- Alberta Drive: Eggert Road to Maple Road
- I-290 Interchanges 3 (US 62), 5 (NY 263) and 6 (NY 324/NY 240)

No new traffic counts will be collected as part of the study.

Site visits will be conducted to confirm and document the relevant characteristics of the transportation system.

Vehicle traffic operations will be analyzed by GBNRTC using their existing regional Travel Demand Model (TDM) and traffic simulation models for their calibrated base year (2014). GBNRTC will create a subarea model of the study area, if necessary, to allow a more refined analysis of existing and future transportation networks. This work may involve refinement of the Traffic Analysis Zone (TAZ) and roadway network structure of the model by GBNRTC to better reflect the local street network and details of the redevelopment concept in the microsimulations.

The analysis of existing conditions will include level-of-service analysis of the vehicular operations along the study corridors and at key intersections. The key intersections to be analyzed will be identified along the study corridors listed above, based on considerations of the anticipated development in the study area, congestion issues identified from the existing condition analysis, congestion issues identified in the regional *Long Range Transportation Plan*, and coordination with the project team. It is assumed that up to 25 intersections will be analyzed by GBNRTC using their TransModeler microsimulation models to provide detailed traffic operations analysis. These analyses will identify intersection and link performance measures such as LOS, volume-to-capacity and average vehicle delay for each location using the methodologies of the *Highway Capacity Manual* 6th Edition published by the Transportation Research Board. Queue conditions will also be screened to identify locations where major queuing may have additional impact on traffic operations. These analyses will be conducted for the weekday AM and PM peak hours.

Traffic Safety Analysis The focus of the traffic safety analysis for the GEIS is to facilitate a review of the relationship between traffic patterns associated with a projected growth scenario and locations where clusters of crash patterns may be exhibited on the roadway system. The accident analysis is not intended to provide a detailed accident study of the entire roadway system within the study area.

Crash history data for the study area will be requested through NYSDOT's Accident Location Information System for the latest 3-year period for which data is available. We will also coordinate with NYSDOT to identify the locations and characteristics of any High Accident Locations and Priority Investigation Locations. Crash frequency/distribution maps and summary tables will be developed to describe and assess the traffic safety characteristics.

The evaluation of *Pedestrian, Bicycle and Transit* systems will be comprised of a qualitative assessment of the existing pedestrian and bicycle accommodations. The primary factors to be considered for this assessment will include location and type of facilities, continuity of facilities, connectivity to activity centers, ADA accessibility, physical condition, modal conflicts, Bicycle LOS (BLOS) of the Regional Bikeway Network Routes (as available), and consistency with the region's *2008 Bicycle & Pedestrian Master Plan*. A qualitative assessment of existing public transit services will be conducted to identify factors such as routes, frequency/structure of service, bus-stop amenities, and proximity to activity centers. The transit assessment will also consider information from the study being conducted by others for extending light rail transit services along the Niagara Falls Boulevard/Maple Road corridors (as available) and input from NFTA regarding transit ridership/capacity. This evaluation will be based on available existing information and site reviews. No new quantitative analyses are included.

Future Transportation Needs Assessment: The future multimodal transportation needs within the study area will be evaluated in the context of the existing infrastructure and planned/programmed TIP improvements to identify key issues associated with projected No-Build and Build growth scenarios. These evaluations will be conducted using the same modeling and assessment techniques as used for the existing conditions. GBNRTC's *Moving Forward 2050* Regional Transportation Plan model(s) will represent the No-Build growth scenario. There will be no assessments of interim planning horizon years. Performance metrics associated with the 2050 No-Build condition will be provided by GBNRTC from these models, reporting the same performance metrics as for the existing conditions. The Preferred Development Scenario identifies a number of potential new roadways which will be considered and included in the needs assessment. These analyses will be used to identify the transportation issues in the study area, such as mobility, accessibility, and safety related to future growth. The assessment of future transportation needs for the 2050 Build condition will be based on a scenario without the potential extension of Light Rail Transit to the study area.

Traffic increases associated with future development within the study area will be estimated for one preferred development scenario. These estimates will identify the daily and weekday AM and PM peak-hour traffic volumes generated by each general land use category (e.g., Residential, Office, Retail, Industrial). These trip characteristics will be estimated using data in the 10th Edition of the *Trip Generation* informational report published by the Institute of Transportation Engineers and considering the effect of potential mode shifts associated with mixed-use and density characteristics of the development. CHA will work with GBNRTC to refine or modify the trip tables used in the Travel Demand Model for the study area to reflect the proposed redevelopment land use and development timetable for the Build condition.

It is assumed that GBNRTC will use the Travel Demand Model (TDM) for the subarea to develop detailed trip distribution and traffic assignments to the roadway network for one preferred growth scenario for the weekday AM and PM peak hours. This modeling will be used to establish the Build condition for the 2050 Planning Horizon Year.

The traffic operations in the future preferred growth scenario will be evaluated by GBNRTC using the same methodologies and performance measures as utilized to analyze the existing system conditions. These analyses will be conducted for the same key intersections and link segments as for the existing condition, for the weekday AM and PM peak hours.

These analyses will be used to articulate the transportation impacts of development according to the preferred growth scenario, and the mobility and access issues to be addressed by the Transportation Improvement Plan. The performance measures of level-of-service, volume-to-capacity and delay will be used to aid in the evaluation of improvement alternatives.

The impact of future growth conditions on pedestrian and bicycle facilities will be identified. The primary factors to be considered for this assessment will include continuity of facilities and connectivity to future activity centers.

The impact of future growth conditions on existing transit services will be identified. The level of impacts to be identified include a qualitative assessment of the serviceability of future activity centers by existing transit, and the opportunities/constraints for future expansion of transit services in the corridor. This assessment will be predicated on a worst

case scenario without the potential Light Rail extension to the study area.

Alternatives for transportation improvements Alternatives for transportation improvements will be identified to address the mobility and access issues identified from the Future Needs Assessment. These alternatives will consider a range of actions and/or policies for improvements that support all transportation modes. The analysis of No-Build and Build conditions, and the development of transportation improvement alternatives will be prepared by GBNRTC and reviewed by CHA.

Among the alternatives considered will be Travel Demand Management and Transportation System Management strategies to optimize the functionality of existing infrastructure in addition to capacity-enhancing capital improvements. The range of recommended improvements will also be consistent with the goals and objectives of the Town's Comprehensive Plan, the *Moving Forward 2050* Regional Transportation Plan and the regional Congestion Management Plan for sustainable transportation systems. Additionally, alternatives to improve intersections will be evaluated at individual intersections such as turning lanes, traffic signals, etc. Up to two alternatives that significantly alter the travel characteristics in the study area are included for evaluation (i.e., bypass roads, connector roads, transit hubs, etc.). It is assumed that GBNRTC will provide assistance through their travel demand model to assist in the evaluation of alternatives that alter travel patterns or mode distribution.

Planning-level cost estimates will be provided for the improvement alternatives. These estimates will include estimated construction costs and contingencies for Right-of-Way acquisition and design for capital improvements to the roadway, transit and ped/bike infrastructure. Costs for implementation of the non-capital TDM/TSM programs will also be estimated so that they can be represented in the total mitigation plan. Mechanisms to allocate equitable distribution and apportionment of the costs for implementing the transportation improvement program will be identified and public/private cost shares calculated. This public-private cost share allocation is based on a formula that considers existing available capacity, and capacity utilization by background traffic and development-specific development and reserve capacity created by the improvements. GBNRTC modeling support will be provided to assess the level of reserve capacity created by the improvements.

Initial Identification of Mitigation Measures: The type and location of mitigation for the preferred growth scenario will depend on the magnitude and anticipated location of development under the projected growth scenario. The mitigation may include identification of specific improvements to the transportation infrastructure as well as providing guidelines for revised roadway standards and access management to reinforce roadway function and character.

D. Cultural Resources

Existing Conditions: The Intensive Level Historic Resources Survey of Selected Properties (2017) recommended that the Alberta Drive "expanded potential historic districts" be nominated for listing in the State and National Registers of Historic Places. This document will be reviewed to identify any additional cultural resources within the Study Area.

Potential Impact: Development projects may have the potential for disturbing and eliminating sites containing cultural resources. Such activity is inconsistent with the NYS Historic Preservation Law.

Anticipated Information Necessary to Address the Impact: Information in the Intensive Level Historic Resources Survey of Selected Properties (2017) will be reviewed through contact with the New York State Office of Parks Recreation and Historic Preservation (NYSOPRHP) Cultural Resources Information system, the Erie County Historian, and the Town to determine if there are additional cultural resources within the Study Area.

Initial Identification of Mitigation Measures: The GEIS will update the information from the Intensive Level Historic Resources Survey of Selected Properties (2017) as needed and identify procedures for evaluating the potential future impact of development on a site-by-site basis. It should be noted that this document is updated on a regular schedule; therefor the need for additional updates through this GEIS process is anticipated to be limited.

E. Recreation & Open Space

Existing Conditions: Recreational facilities within the Study Area are limited. The discussion of recreational resources and open space in the Comprehensive Plan and the Amherst Recreation and Parks Master Plan will be reviewed. Applicable recommendations from the Comprehensive Plan for additional recreational facilities or open space will also be incorporated into this document.

Potential Impact: Development within the Study Area and associated population increases may increase the need for recreational facilities and spaces.

Anticipated Information Necessary to Address the Impact: Information from the 2017 Comprehensive Plan Update and the Amherst Recreation and Parks Master Plan April 2018, and from the Town Parks and Recreation Department will be reviewed.

Initial Identification of Mitigation Measures: Potential growth in the Study Area includes increases in both residential and non-residential square footage which may require additional facilities and programming. Recommendations from the Amherst Recreation and Parks Master Plan April 2018 will be identified.

F. Municipal Services

Existing Conditions: Community services the Town provides include emergency medical, fire, police and schools. Services that may be impacted by potential future development within the project area will be identified along with their existing capacity to provide service.

Potential Impact: An increase in population within the Study Area is anticipated as the focus of this GEIS is to promote redevelopment and rehabilitation in the Study Area, which will include new residential units. New development generally requires some level of service from the community. The primary community services that may be impacted by development in the Study Area include police protection, fire protection, emergency

services, and schools.

Anticipated Information Necessary to Address the Impact: Contact with the various service leaders will be necessary to identify the magnitude and significance of any potential impacts. The information provided by the service providers will be relied upon to draw conclusions relative to the significance of future impacts and the appropriate measures to mitigate the impacts.

Initial Identification of Mitigation Measures: The GEIS will attempt to identify current levels of service and anticipated impacts based on the Preferred Redevelopment Scenario. Control of both the magnitude and timing of growth may be an important tool to maintain current levels of service. The potential to identify service thresholds will allow the projection of major investments.

III. UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS

This section will summarize all the impacts for which mitigation is either not available/feasible or not sufficient to completely mitigate the impact. The potential significance of these impacts will also be discussed.

IV. REASONABLE ALTERNATIVES TO BE CONSIDERED

The following project alternatives will be discussed:

A. Alternative Growth Scenarios – The various development scenarios evaluated in this GEIS/planning process to arrive at a Preferred Redevelopment Scenario will be discussed in this section. This may include a No-Growth Alternative and High Growth Alternative.
B. No-Action Alternative – The No-Action Alternative will address the potential impact of development resulting from future growth under current zoning, current land use patterns, and without the benefit of specific growth management tools.

IV. GROWTH INDUCING IMPACTS

The entire GEIS will evaluate the potential future cumulative growth impacts within the Study Area under a Preferred Redevelopment Scenario. This section will focus on factors that could induce further growth beyond the projected growth.

V. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Future redevelopment within the Study Area will consume local, regional, and perhaps national resources that may be permanently committed to the development. Land is an example of a commitment of a resource but is not necessarily irreversible and irretrievable. The use of construction materials made from natural resources are typically irreversible and irretrievable resources.

VI. USE AND CONSERVATION OF ENERGY

This section will evaluate the potential for energy efficient designs and layouts to encourage

reductions of vehicle trips, opportunities for the use of alternative energy, and methods to reduce energy consumption.

VII. FUTURE SEQR ACTIONS

An important feature of a GEIS is the ability to approve future development actions without further SEQR action. To provide this feature, thresholds and other parameters relative to the use, extent and impact of development must be clearly explained within the GEIS. These thresholds will be revised as necessary as a result of public comment and will be finalized within the SEQR Findings Statement. Projects that exceed the parameters and thresholds for future actions, as ultimately defined in the Findings Statement, would require further SEQR review. This section of the GEIS will outline the procedures for addressing the SEQR process for site-specific activities, as well as future modifications that may be necessary to the GEIS itself.

REFERENCES

PRELIMINARY LIST OF APPENDICES FOR Draft GEIS

- Correspondence
- SEQR Documentation
- Utility Plans/Data
- Cultural Resources Information
- Traffic Data