
EXHIBIT 1

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NARRATIVE PROVIDING ADDITIONAL JUSTIFICATION FOR REQUESTED AMHERST IDA ASSISTANCE PROPOSED MULTIFAMILY PROJECT AT 2190-2200 WHERLE DRIVE

I. DESCRIPTION OF THE PROJECT:

The proposed multifamily project is to be located at 2190-2200 Wehrle Drive, which consists of approximately 24.9 acres of vacant land (the “Project Site”) that is properly zoned MFR-5 pursuant to a decision issued by the Town Board for the purpose of rezoning of the Project Site from OB to MFR-5 during its meeting on March 9, 2026. A copy of the resolution adopted by the Town Board rezoning the Project Site from OB to MFR-5 is provided at **Exhibit “3”** and a copy of the resolution adopted by the Town Board on March 9, 2026 for the purpose of issuing a Negative Declaration pursuant to the State Environmental Quality Review Act (“SEQRA”) is provided at **Exhibit “4”**. A copy of the Negative Declaration issued by the Town Board pursuant SEQRA on March 9, 2026 is provided at **Exhibit “5”**. A copy of the PowerPoint presentation given to the Town Board during the public hearing it held on February 23, 2026 is provided at **Exhibit “6”**.

Prior to approving the rezoning of the Project Site from OB to MFR-5, the Town Board adopted resolutions on October 27, 2025 to issue a Negative Declaration pursuant to SEQRA and to amend the Town’s Comprehensive Plan to designate the Project Site as appropriate for “Mixed-Residential” use. Copies of the resolutions adopted by the Town Board on October 27, 2025 are provided at **Exhibit “7”** and **Exhibit “8”** and a copy of the Negative Declaration issued by the Town Board on October 27, 2025 is provided at **Exhibit “9”**.

A copy of the Concept Site Plan depicting the layout of the multifamily project is provided at **Exhibit “10”**. The multifamily project includes the following components:

- Twenty-Eight Two-Story Buildings consisting of 270 total apartments [67 one-bedroom units, 149 two-bedroom units and 54 three-bedroom units]
- Of the 270 total apartments, there will be 54 workforce housing units consisting of 13 one-bedroom units, 30 two-bedroom units and 11 three-bedroom units.¹ The workforce housing units will remain in place for a period of twelve years.
- 707 parking spaces including 298 garage spaces and 409 surface parking spaces
- Large clubhouse center with extensive amenities including a fitness room, mail room and related amenities including a pool, dog park, pickle ball courts, etc.
- 9.96 acres of greenspace that will include landscaping as required by the Town's Zoning Code
- Gated emergency access connection to Limestone Drive as required pursuant to Appendix D of the NYS Fire Code
- Stormwater management improvements per the stringent stormwater quality and quantity standards of the New York State Department of Environmental Conservation ("NYSDEC")

A complete description of the multifamily project is included in the completed Part 1 of the Full Environmental Assessment Form prepared pursuant to the State Environmental Quality Review Act ("SEQRA") provided at **Exhibit "2"**.

The Zoning Board of Appeals granted requested area variances for the project during its meeting on March 27, 2026. A copy of the resolution adopted by the Zoning Board of Appeals during its meeting on March 27, 2026 is provided at **Exhibit "11"**. The five area variances granted by the Zoning Board of Appeals were as follows:

- 1. The front yard setback of the pump house structure is less than permitted pursuant to Section 2-5-3 of the Zoning Code [115 ft. required from centerline of Wehrle Drive vs. 67 ft. proposed].

¹ "Workforce Housing" is defined by the Amherst IDA as follows: "A project consisting of for rent multi-family units whereby a specific percentage of the units are designated to an 80% household area median income (AMI) as identified in this exhibit and maintained on the Agency's website. Household income levels for persons living in specified Workforce Housing units shall not exceed 100% of AMI".

- 2. The side yard setback (west) of Building No. 2300 is less than permitted pursuant to Section 203-3-15-5A(4) of the Zoning Code [54.6 ft. required based on mean building height of 27.3 ft. (long side of building – 2 times mean building height) vs. 32.73 ft. proposed].
- 3. The rear yard setback (north) of Building No. 900 is less than permitted pursuant to Section 203-3-15-5A(4) of the Zoning Code [40.95 ft. required based on mean building height of 27.3 ft. (short side of building – 1.5 times mean building height) vs. 39 ft. proposed].
- 4. The total proposed density exceeds the permitted density per the available lot area pursuant to Section 203-3-11-B(2) of the Zoning Code [24.91-acre lot area vs. 26.37-acre lot area]. The proposed multifamily project consists of 270 units as follows: 80 1-bedroom units, 162 2-bedroom units and 8 3-bedroom units.
- 5. The landscaped islands for the proposed multifamily buildings (Building No. 200 to 2900) will not include 6” concrete curbing as required per Section 7-2-3A(3)(k) of the Zoning Code.

The multifamily project will not result in any potentially significant adverse environmental impacts. The Town Board has previously completed two environmental reviews of the project pursuant to SEQRA. A copy the Negative Declaration issued by the Town Board on March 9, 2026 pursuant to SEQRA is provided at **Exhibit “4”** and a copy of the Negative Declaration issued by the Town Board pursuant to SEQRA on October 27, 2025 is provided at **Exhibit “9”**. A copy of the No Impact Determination Letter issued by the NYS Office of Parks, Recreation and Historic Preservation (“SHPO”) dated October 4, 2025 is provided at **Exhibit “12”**.

II. THE PROJECT IS CONSISTENT WITH THE ADOPTED BICENTENNIAL COMPREHENSIVE PLAN:

On October 27, 2025, the Town Board adopted a resolution to amend the Comprehensive Plan to designate the Project Site as appropriate for “Mixed Residential” use. A copy of the resolution adopted by the Town Board on October 27, 2025 is provided at **Exhibit “7”**.

The Town Board’s decision to amend the Comprehensive Plan to designate the Project Site as appropriate for “Mixed Residential” use was consistent with the resolution adopted by the Planning Board during its meeting on May 15, 2025 recommending that the Town Board approve

an amendment of the Comprehensive Plan. A copy of the resolution adopted by the Planning Board during its meeting on May 15, 2025 is provided at **Exhibit “13”**. The Planning Board’s findings in support its determination that the project is consistent with the Comprehensive Plan were as follows:

- The Plan states that for both Medium and Mixed Residential areas, location criteria for higher density housing include proximity to high access corridors served by public transportation, areas near commercial centers and employment concentrations, areas next to educational campuses, and areas near community facilities.
- Chapter 3, Land Use and Development; as the location is ideally situated for the proposed land use as it is bordered by multi-family residential development along its northwest boundary and by single- family residential homes along its eastern boundary. Medium Residential is identified in the Comprehensive Plan as a good transitional land use category between commercial and single-family residential.
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- Public transportation (NFTA Route #47) is available along Wehrle Drive to nearby economic centers, and Wehrle Drive itself is a minor arterial roadway with connections to Transit Road, Cayuga Road and Union Road.
- The location of the subject property is within walking distance to the SUNY Erie North campus and the YMCA Williamsville location.

The project is consistent with Section 8 of the Comprehensive Plan is titled “Housing and Neighborhoods” Policy 8-2 states as follows: “Promote the development of a variety of housing types”. The text on Pages 8-3 and 8-4 of the Comprehensive Plan states as follows:

“Approximately two-thirds of Amherst’s current housing stock consists of single-family detached homes, with the remainder comprised of a mix of duplexes, townhouses, apartments, and other living arrangements (e.g., dormitories and assisted living). Recent housing development has consisted mostly of multifamily units and single-family detached, suburban subdivisions. Demographic trends will reinforce the need for a more diverse housing stock to accommodate groups such as the elderly, empty nesters, and students. As previously noted, housing diversity enhances affordability and, if properly managed, can contribute to neighborhood stability and character. The Town should encourage the proportional development of diverse housing types and price levels, including single-family detached (at a variety of lot sizes), townhouses, condominiums, apartments, and housing as part of mixed-use developments. Higher density housing should be located to complement established residential areas through appropriate standards for location and design (see Policies 8-3 and 8-5).”

The project is also consistent with Policy 3-9 of the Comprehensive Plan that states as follows: “Advance the redevelopment and revitalization of underutilized, obsolete, and vacant properties for economically viable uses.” The proposed multifamily project is consistent with Policy 3-9 since it will result in a project on an underutilized site that remains vacant despite being approved for an office park project by the Planning Board pursuant to the previously approved Site Plan.

Chapter 3 of the Comprehensive Plan is titled “Land Use and Development” and the Goal for Land Use and Development as set forth on Page 3-4 is “An interconnected mix of land that includes revitalized older neighborhoods and commercial centers and corridors, quality new developments, vibrant activity centers, agriculture, and green spaces throughout the community.” The project will be located on an infill site that was previously approved for office space

development that did not proceed due to the lack of demand for new office space in the Town of Amherst and nearby communities.

Chapter 5 of the Comprehensive Plan is titled “Economic Development” and provides support for the IDA granting incentives for the proposed multifamily project. Section 5.2 of the Comprehensive Plan sets forth the economic goals of the Town as including creation of a strong tax base and providing development in convenient and accessible locations. One of policies as set forth on Page 5-3 of the Comprehensive Plan in implementing the Town’s economic goal and policies is as follows: “Target economic development policies, programs, capital expenditures, and incentives to attract and retain higher paying employment and promote desired forms and locations of development and redevelopment.” The multifamily project will assist in attracting employees by providing new multifamily housing in the southeastern portion of the Town at a location that is in close proximity to numerous employers.

Policy 5-6 of the Comprehensive Plan consists of “[A]dopt commercial development standards for neighborhood compatibility with context sensitive design guidelines.” The Project has deliberately designed based on consideration of neighborhood compatibility. A color rendering of the proposed two-story building with ten units is provided at **Exhibit “14”**.

III. PROJECT ELIBILITY:

The Applicant is seeking a ten-year PILOT per the below schedule along with related incentives from the IDA Board of Directors.

Ten Year PILOT Schedule										
Year	1	2	3	4	5	6	7	8	9	10
% Abatement	95%	90%	85%	85%	80%	80%	75%	75%	70%	65%

The multifamily project is not economically feasible without the PILOT and related incentives. Multifamily projects are eligible for a PILOT in New York State. In Opinion of the NYS State Comptroller Number 85-51 (“OSC Op. 85-51”), the NYS State Comptroller opined that the determination of whether a project consisting of the construction of an apartment complex constitutes a commercial activity within the meaning of the Act is to be made based upon all of the facts relevant to the proposed project, and that any such determination should take into account the stated purpose of the Act to promote employment opportunities and prevent economic deterioration.

There is a lack of new multifamily housing units in the southeast portion of the Town and the project includes much needed workforce housing units. The project will promote and maintain job opportunities by providing new housing for lease in close proximity to many nearby employers including Erie County Community College and will promote the health, general prosperity and economic welfare of residents in the Town of Amherst and improve their standard of living. Even with the requested PILOT, the project will generate substantially more annual property taxes than current annual taxes for the Project Site as vacant and unused property. The current property taxes for the Project Site are \$15,792.61 for Town/County taxes and \$24,192.86 for the 2025/26 Williamsville Central school tax. Copies of the current tax bills are provided at **Exhibit “15”**.

IV. CONCLUSION:

The Applicant respectfully requests that the IDA Board of Directors approve the requested 10-year PILOT and related incentives for the multifamily project for the reasons described within the Application including this supporting narrative.

EXHIBIT 2

Full Environmental Assessment Form

Part 1 - Project and Setting

Amended Part 1 of Full EAF with
Attachments "A" and "B"

2190-2200 Wehrle Drive

Date: September 30, 2026

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 applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Uptown Apartments Project		
Project Location (describe, and attach a general location map): 2190-2200 Wehrle Drive [SBL: 81.02-1-10.1] - Town of Amherst - Erie County		
Brief Description of Proposed Action (include purpose or need): The proposed project (the "action") consists of the development of 2190-2200 Wehrle Drive (the "Project Site") as a multifamily project consisting of 270 attached residential units for lease and all proposed site improvements. The action has been broadly defined to include all required discretionary approvals and permits from the Town of Amherst municipal boards and involved agencies, as well as all proposed site improvements. These improvements include multifamily residential buildings, a community building, recreational amenities, a dog park, internal access aisles and parking spaces, driveways connecting to Wehrle Drive, stormwater management improvements, landscaping, lighting, and all required utility improvements and connections. The action is a Type I action pursuant to the State Environmental Quality Review Act ("SEQRA") since it involves more than 250 residential units with sanitary sewer service.		
Name of Applicant/Sponsor: Young Development Inc. c/o Doug Feyes, Carmina Wood Design	Telephone: 716-501-5741	
	E-Mail: dfeyes@carminawooddesign.com	
Address: 80 Silo City Row, Suite 100		
City/PO: Buffalo	State: NY	Zip Code: 14203
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Acquest Wehrle Drive	Telephone:	
	E-Mail:	
Address: 5554 Main Street		
City/PO: Williamsville	State: NY	Zip Code: 14221

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 Counsel, Town Board, ☐ Yes ☒ No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission ☒ Yes ☐ No	Planning Board - Site Plan Approval	Pending
c. City, Town or Village Zoning Board of Appeals ☒ Yes ☐ No	Zoning Board of Appeals - Area Variances	Pending
d. Other local agencies ☒ Yes ☐ No	AIDA - PILOT, etc.	To be Determined
e. County agencies ☒ Yes ☐ No	ECWA - Water; ECDPW - Highway Work Permit & ECHD	To be Determined
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☒ Yes ☐ No	NYSDEC - DSCA & SPDES Permit	To be Determined
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☒ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☒ Yes ☐ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☒ 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? ☐ Yes ☒ No

- 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? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ 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?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Areas: West Erie Canal Corridor

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? ☐ Yes ☒ 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?

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? Multifamily Residential District 5 ("MFR-5")

C.4. Existing community services.

a. In what school district is the project site located? Williamsville Central School District

b. What police or other public protection forces serve the project site?
Town of Amherst Police Department

c. Which fire protection and emergency medical services serve the project site?
Main Transit Fire Department

d. What parks serve the project site?
There are various parks that are accessible from the project site in the Town of Amherst

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)? Multifamily residential.

b. a. Total acreage of the site of the proposed action? 24.9 acres
b. Total acreage to be physically disturbed? 24.9 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 24.9 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)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☒ Yes ☐ No

i. If No, anticipated period of construction: 36 months

ii. If Yes:

- Total number of phases anticipated 2
- Anticipated commencement date of phase 1 (including demolition) 4 month 27 year
- Anticipated completion date of final phase 4 month 30 year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

Infrastructure for Phase 2 will tie into Phase 1, so completion will be contingent.

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	_____	_____	_____	150
At completion of all phases	_____	_____	_____	270

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No If Yes,	
i. Total number of structures _____ 1 ii. Dimensions (in feet) of largest proposed structure: _____ 18 height; _____ 72 width; and _____ 144 length iii. Approximate extent of building space to be heated or cooled: _____ 6,480 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: <u>Stormwater management</u> ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☒ Other specify: <u>Stormwater runoff</u> iii. If other than water, identify the type of impounded/contained liquids and their source. <u>Not applicable.</u> iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): <u>Micro Pool Detention stormwater ponds</u>	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) 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 the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the 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: _____ 59,048 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: _____
- Source(s) of supply for the district: _____

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), what is the 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: _____ 53,680 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): _____
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: Town of Amherst WWTP
- Name of district: Town of Amherst
- 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

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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 [See Updated Traffic Impact Report prepared by Amy Dake, P.E. of Passero Associates dated June 9, 2025.] 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 truck trips/day and type (e.g., semi trailers and dump trucks): _____ 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 ½ 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: _____ Unknown at this time. ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): National Grid 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. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ 7am to 5pm • Saturday: _____ as needed • Sunday: _____ n/a • Holidays: _____ n/a </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ Not Applicable • Saturday: _____ Not Applicable • Sunday: _____ Not Applicable • Holidays: _____ Not Applicable </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ 7am to 5pm • Saturday: _____ as needed • Sunday: _____ n/a • Holidays: _____ n/a	ii. During Operations: • Monday - Friday: _____ Not Applicable • Saturday: _____ Not Applicable • Sunday: _____ Not Applicable • Holidays: _____ Not Applicable
i. During Construction: • Monday - Friday: _____ 7am to 5pm • Saturday: _____ as needed • Sunday: _____ n/a • Holidays: _____ n/a	ii. During Operations: • Monday - Friday: _____ Not Applicable • Saturday: _____ Not Applicable • Sunday: _____ Not Applicable • Holidays: _____ Not Applicable		

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: <u>Unavoidable noise generated during normal construction activities resulting from the use of construction equipment is a short term and unavoidable impact.</u>	
ii. Will the 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: <u>Site lighting to compliant with Town of Amherst lighting requirement specified in the Zoning Code. All lighting to be dark sky compliant.</u>	
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 the 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: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

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 the 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)
☐ Forest	☐ Agriculture	☐ Aquatic	☐ Other (specify): _____
ii. If mix of uses, generally describe:			
Commercial, industrial, medical, office, single family residential and multifamily residential			
b. Land uses and coverytypes on the project site.			
Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.0	11.1	+ 11.1
• Forested	0.0	0.0	0.0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	24.9	0.0	- 24.9
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0.0	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.0	0.0	0.0
• Wetlands (freshwater or tidal)	0.0	0.0	0.0
• Non-vegetated (bare rock, earth or fill)	0.0	0.0	0.0
• Other Describe: Greenspace & Landscaping	0.0	13.8	+13.8

Page 10 of 13

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? _____ 6.5 feet													
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Illion silt loam</td> <td style="width: 10%; text-align: right;">34 %</td> <td style="width: 30%;"></td> </tr> <tr> <td>Liam loam</td> <td style="text-align: right;">10 %</td> <td></td> </tr> <tr> <td>Newsteam loam</td> <td style="text-align: right;">10 %</td> <td>Ovid silt loam, 46%</td> </tr> </table>		Illion silt loam	34 %		Liam loam	10 %		Newsteam loam	10 %	Ovid silt loam, 46%			
Illion silt loam	34 %												
Liam loam	10 %												
Newsteam loam	10 %	Ovid silt loam, 46%											
d. What is the average depth to the water table on the project site? Average: _____ 1 feet													
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☒ Poorly Drained: _____ 100 % of site													
f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 100 % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site													
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____													
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>i</i> or <i>ii</i> , 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: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>Wetlands:</td> <td>Name Federal Waters</td> <td>Approximate Size _____</td> </tr> <tr> <td>Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		Streams:	Name _____	Classification _____	Lakes or Ponds:	Name _____	Classification _____	Wetlands:	Name Federal Waters	Approximate Size _____	Wetland No. (if regulated by DEC)	_____	
Streams:	Name _____	Classification _____											
Lakes or Ponds:	Name _____	Classification _____											
Wetlands:	Name Federal Waters	Approximate Size _____											
Wetland No. (if regulated by DEC)	_____												
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: _____													

[Note: A copy of the Jurisdictional Determination issued by the USACE on January 22, 2021 confirming there are not any jurisdictional wetlands on the Project Site is provided at Attachment "A".]

m. Identify the predominant wildlife species that occupy or use the project site: _____ Typical suburban species _____ _____	
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 If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
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 If Yes: i. Species and listing: _____ _____	
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 the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State 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 [Copy of SHPO Letter dated October 4, 2024 at Attach B]	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No If Yes: 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? [The proposed project will not result in any adverse impacts to Glen Park.] ☒ Yes ☐ No If Yes: i. Identify resource: <u>Glen Park</u> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>local park</u> iii. Distance between project and resource: _____ <u>2.3</u> 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

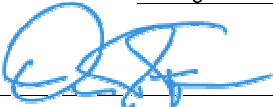
Attach any additional information which may be needed to clarify your project.

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 Young Development Inc. Date September 30, 2026

Signature  Title Project Engineer



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No

E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

EXHIBIT 3



TOWN OF AMHERST

TOWN CLERK'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7021
FAX (716) 631-7152
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Timothy Koller
Deputy Town Clerk

Ashley Brownson
Deputy Town Clerk

CERTIFICATE OF TOWN CLERK

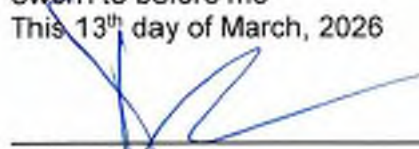
I, Francina J. Spoth, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That the attached Resolution 2026-152 "Adoption of Local Law to Amend the Zoning Map (2190-2220 Wehrle Drive, Z-2025-05)" is a true and exact copy of the Resolution enacted by the Town Board at its meeting on March 9, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this 13th day of March, 2026.


Francina J. Spoth
Town Clerk
Town of Amherst, Erie County, NY

Sworn to before me
This 13th day of March, 2026


Notary Public

TIMOTHY J. KOLLER
No. 01K06263885
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 06/11/20 28



Amherst Town Board

5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 03/09/26 07:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 31553

RESOLUTION 2026-152

ADOPTED

**Adoption of Local Law to Amend the Zoning Map (2190-2220
Wehrle Drive, Z-2025-05)**

RESOLVED, that pursuant to 6NYCRR Part 617 (SEQR) and Town Code Section 104, as amended, that the requirements of SEQR are complete, and be it further

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board concurs with the findings of the Planning Board as stated in their resolution of January 29, 2026 that the proposed rezoning of 24.9± acres of land from Office Building District (OB) to Multi-Family Residential District Five (MFR-5) at 2190-2220 Wehrle Drive is consistent with the adopted Bicentennial Comprehensive Plan, as amended, and be it further

RESOLVED, that in accordance with Section 203-8-3 of the Town Code (Zoning), the Town Board adopts Local Law (#_____) to amend the Town Zoning map as recommended by the Planning Board.

2/23/2026

A motion to open the public hearing was made by Supervisor Lavin, seconded by Councilmember Davis and unanimously approved 3-0. The public hearing was opened at 7:24 PM.

Attorney Sean Hopkins presented.

The following residents spoke:
Adam Karl, 305 Bellingham Dr
Tom Monkelbaan, 189 Bellingham Dr

There were no further speakers from the public, therefore Supervisor Lavin moved to close the public hearing and set a decision date for the March 9th Town Board meeting, seconded by Councilmember Davis and unanimously approved 3-0. The public hearing was closed at 7:50 PM.

3/9/2026

Supervisor Lavin made a motion to approve, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

EXHIBIT 4



TOWN OF AMHERST

TOWN CLERK'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7021
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Francina J. Spoth
Town Clerk

Timothy Koller
Deputy Town Clerk

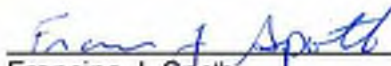
Ashley Brownson
Deputy Town Clerk

CERTIFICATE OF TOWN CLERK

I, Francina J. Spoth, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY, as follows:

That the attached Resolution 2026-210 "SEQR Determination (2190-2220 Wehrle Drive, Z-2025-05)" is a true and exact copy of the Resolution enacted by the Town Board at its meeting on March 9, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this 13th day of March, 2026.


Francina J. Spoth
Town Clerk
Town of Amherst, Erie County, NY

Sworn to before me
This 13th day of March, 2026


Notary Public

TIMOTHY J. KOLLER
No. 01K06263885
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 06/11/2028



Amherst Town Board

5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Meeting: 03/09/26 07:00 PM
Department: Planning
Initiated by: **Dan Howard**
Co-Sponsored by:

DOC ID: 31582

RESOLUTION 2026-210

ADOPTED

SEQR Determination (2190-2220 Wehrle Drive, Z-2025-05)

RESOLVED, that pursuant to 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) and Town Code Chapter 104, as amended, the Town Board is deemed the Lead Agency for those actions which it has sole discretionary power, including but not limited to rezoning decisions and adoptions of local laws, and be it further

RESOLVED, that this Town Board as SEQR Lead Agency has reviewed a request for a rezoning of 2190-2220 Wehrle Drive and has identified the areas of environmental concern, thoroughly analyzed them for significant adverse impact, including any concerns and/or recommendations from other agencies, and be it further

RESOLVED, that the requirements of SEQR are now complete, therefore this Town Board issues the attached Negative Declaration as its determination of environmental significance, for the subject action.

3/9/2026

Supervisor Lavin made a motion to approve, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

None

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

EXHIBIT 5



Town of Amherst Planning Department

Erie County, New York



Shawn A. Lavin
Supervisor

Daniel C. Howard, AICP
Planning Director

Daniel J. Ulatowski, AICP
Assistant Planning Director

SEQR

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency:	Town of Amherst Town Board	Project:	Z-2025-05
Address:	5583 Main Street Williamsville, NY 14221 (716) 631-7051	Date:	March 9, 2026

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Rezoning Request.

SEQR Status: Type I action

Description of Action: Rezoning of 24.9± acres of land from Office Building District (OB) to Multi-Family Residential District Five (MFR-5) to allow for the future use and development of the site as a multifamily project consisting of 270± attached residential units (in multifamily buildings) for lease, a community building, recreational amenities, dog park, internal access aisles and parking spaces, driveways onto Wehrle Drive, a gated emergency "access only" driveway connection to Limestone Drive, storm water improvements, landscaping, lighting, and all required utility improvements and connections and any other onsite improvements along with off-site improvements which may include a potential future recreational trail within the National Grid Right-of-Way directly west of the project site that would connect the project site and other nearby parcels to Main Street.

Location: 2190-2220 Wehrle Drive, Town of Amherst, Erie County, N.Y.

Petitioner: Young Development Inc.

Reasons Supporting This Determination

Based on information submitted by the Petitioner including an Amended Part 1 of the Full Environmental Assessment Form and other relevant documentation, a preliminary staff analysis was undertaken in accordance with the "hard look standard" required by SEQRA. The extensive documentation submitted by the Petitioner and the public was reviewed in connection with the analysis of potential adverse environmental impacts including documentation and testimony received by the Town Board during the public hearings held on June 23, 2025 and July 21, 2025 for the previous Bicentennial Comprehensive Plan Amendment and on October 27, 2025 for the subject rezoning request and supplemental documentation submitted by the petitioner and the public.

The project review process began with the petitioner filing an application to Amend the Bicentennial Comprehensive Plan and supporting documentation to change the land use designation on Figure 6 from "Commercial Office" to "Medium Residential" to accommodate the development of the project site as a multifamily project on February 20, 2025 which was later amended to change the land use designation on Figure 6 from "Commercial Office" to "Mixed Residential". The subject rezoning request application along with supporting documentation to rezone the subject site from Office Building District (OB) to Multi-Family Residential District Five (MFR-5) was filed on November 24, 2025.

On November 25, 2025, a lead agency solicitation letter was issued by the Planning Department to involved and interested agencies for the purpose of the Town Board seeking lead agency status in connection with the coordinated environmental review of the rezoning request. None of the involved agencies objected to the Town Board's request to be designated lead agency prior to December 26, 2025 the expiration date of the thirty (30) day response period.

The project review process included a public hearing held by the Town of Amherst Planning Board on January 29, 2026. At that meeting the Planning Board adopted a resolution recommending approval of the rezoning request. The Planning Board issued the following detailed findings in support of its favorable recommendation to the Town Board.

- A. The proposed zoning and development plan is generally consistent with the policies of the Comprehensive Plan and the Zoning Ordinance and is consistent with the Conceptual Land Use Plan which shows "Mixed Residential" use in this area of the Town.
- B. There are adequate services and utilities available or proposed to be made available in the construction of the development.
- C. The proposal is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood.
- D. The subject property is suitable for uses permitted by the proposed versus the current district.

- E. The proposed change does tend to improve the balance of uses, or meets a specific demand in the Town.
- F. Five (5) wetland areas totaling 0.874± acres have been identified on the subject properties, the wetland areas are being regulated by NYSDEC as "Wetlands of Unusual Importance" based on 6 NYCRR Part 664 regulations that went into effect on January 1, 2025.

On February 11, 2026, the Planning Department provided the Town Board with a detailed letter summarizing the history of the Project Site and providing information regarding the favorable recommendation to the Town Board by the Planning Board on January 29, 2026.

The Town Board held a public hearing in connection with its review of the subject rezoning request during its meeting of February 23, 2026 and has properly considered the information received from all interested parties during the public hearings including the presentations made on behalf of the petitioner and comments from the public.

Compared to the criteria listed in Section 617.7 of the SEQRA Regulations, the Town Board, acting in its capacity as the Lead Agency, has determined that all identified areas of environmental concern have been adequately addressed, and that the proposed project will not have any potentially significant adverse impacts on the environment.

1. The project will not result in any adverse impacts on existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems.

The project will require the installation of a stormwater management system complying with the stormwater quality and quantity standards of the NYSDEC and the Town.

The petitioner will be required to submit engineered plans, an Engineer's Report and a Stormwater Pollution Prevention Plan ("SWPPP") in connection with the future review of a site plan application for the project. During the site plan application review process, the Town's Engineering Department will need to review and approve the on-site stormwater management system improvements to confirm compliance with the applicable stormwater quality and quantity standards. The Town Board has determined the project will not result in any potentially significant adverse drainage or flooding impacts.

A Downstream Sewer Capacity Report ("DSCA Report") dated September 2005 and received on November 24, 2025 was prepared by Christopher Wood P.E. of Carmina Wood Design based on testing conducted by TEC Smith during wet weather conditions. The DSCA Report demonstrates there is adequate downstream sanitary sewer flow during wet weather conditions to provide sanitary sewer service for the Project. The Project Sponsor will be required to make a substantial payment to the Town's Inflow/Infiltration Sanitary Sewer Fund in connection with the project. The DSCA will need to receive approval from the

Engineering Department and the New York State Department of Environmental Conservation during the site plan application review stage for the project. The development of the project site is not subject to the previous sanitary sewer connection moratorium per Resolution No. 2018-1301 as adopted by the Town Board on December 10, 2018.

2. The Petitioner submitted a Preliminary Existing Water System Analysis Report prepared by Christopher Wood, P.E. of Carmina Wood Design dated October 6, 2025 and received on October 8, 2025 for the purpose of evaluating whether the project will result in any off-site water pressure issues. This analysis was prepared based on input received from both the Erie County Water Authority (ECWA) and the Town's Engineering Department. As described within the Preliminary Existing Water System Analysis Report, water service for the buildings will be tapped off the existing 12" ECWA water main on the south side of Wehrle Drive and the 8" ECWA watermain on Limestone Drive. The service will be an 8" combined water service, then split into an 8" PVC fire service and a 6" domestic service. Both services will continue into a pump house where booster pumps and meters will be housed. Proper heat and lighting will be provided to the enclosure, drainage due to testing or failure of the pump house will be to the outside grade. The Petitioner will be responsible for keeping the drainage ports clear of snow and debris. Water inside the buildings will be used for typical domestic uses. The multi-family buildings are to be sprinklered. Existing public hydrants along Wehrle Drive and proposed private hydrants throughout the development will ensure fire hose coverage not exceeding 600' for each building.

The analysis contained in the Preliminary Existing Water System Analysis Report, determined that current static water pressure on Wehrle Drive is 43 psi and approximately 54 psi on Limestone Drive based on hydrant flow data provided by the ECWA. Surrounding neighbors have been concerned with relatively low water pressure in this area and how the proposed multi-family development could affect the existing water supply and pressure. Domestic flows were determined using demand data from the NYSDEC Wastewater Design Manual. Typical Per-Unit Hydraulic Loading Rates (Table B-3) of 110 gpd/bedroom, totaling an average daily demand of 43.5 gpm (114 1-bdrm unit, 198 2- bdrm, 20 3-bdrm unit = 62,700 gpd = 43.5 gpm). A fire flow analysis of all surrounding node locations is included the analysis provided showing ample flow rates through the watermain system in the event of a fire emergency. Water supply is not an issue in this area because existing flow provided via the 12" watermain on Wehrle Drive and the 8" watermain on Limestone Drive. The surrounding system is routed through the existing residential neighborhood to the east, Limestone Drive to the north and Spindrift Road to the west, all of which are connected on both Wehrle Drive and Main Street. The ECWA has provided an analysis of the existing watermain system under current conditions and with the proposed development demand included to depict the effects of the proposed development. The analysis was performed using the system's diurnal curves from the watermain model of the ECWA. The below table shows pressure at the eleven (11) analyzed node locations throughout the surrounding area under current and future average and peak demands.

Node	Location	Min. Pressure (psi)	
		Ex.	Prop.
K07G07	Main Street	40.5	40.5
K07G30	Youngs Road	43.3	43.3
K07G62	Youngs Road/Wehrle Drive	39.3	39.3
K07H28	Spindrift Drive	39.3	39.2
K07H63	Wehrle Drive	39.2	39.1
L07E01	Main Street	35.3	35.3
L07E31	Berkley Road	31.9	31.9
L07E33	Bellingham Drive	38.3	38.3
L07F10	Main Street/Transit Road	33.8	33.8
L07F34B	Transit Road	32.4	32.4
L07F58	McKinley Ave/Wehrle Drive	33.4	33.4

Based on the analysis, the Preliminary Existing Water System Analysis Report determined there is a minor or no drop in pressure as shown between existing and future conditions. Under normal conditions the proposed project will not have a measurable impact on the existing water system, therefore there will be no potentially significant adverse impacts to the existing waterline pressure and supply to the surrounding area.

- The project will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. A Jurisdictional Determination issued by the United States Army Corps of Engineers ("USACE") dated January 22, 2021 confirmed there are not any federal wetlands located on the Project Site. Based on wetland regulations that went into effect on January 1, 2025, the NYSDEC issued a letter of Positive Jurisdiction dated July 22, 2025 that stated as follows: "Based on the parcel identified in your request, the New York State Department of Environmental Conservation (DEC) has determined that the parcel contains freshwater wetlands and/or freshwater wetlands adjacent areas (AA) regulated by DEC pursuant to Article 24 of the Environmental Conservation Law (ECL). The parcel contains freshwater wetlands and/or regulated adjacent area(s) that meet an Unusual Importance (UI) criterion. Specifically, the wetland is located within or adjacent to an urban area, as defined and identified by the United States Census Bureau."

A wetland delineation of the project site was conducted by Scott Livingstone of SJL Wetlands, LLC and the result of the wetland delineation were contained in the Wetland Delineation Report that he prepared dated September 12, 2025. The wetland delineation was conducted to define the extent of USACE and NYSDEC jurisdiction over the project area pursuant to Section 404 of the Clean Water Act and Articles 15 (Protection of Waters) and 24 (Freshwater Wetlands) of the New York State Environmental Conservation Law. The wetland delineation study at the project site was performed under guidelines specified by the Corps of Engineers Wetlands Delineation Manual, dated January 1987 and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region version 2.0 (January 2012) as well as the NYSDEC Freshwater Wetlands

Delineation Manual (July 1995). The wetland delineation considered the 6 NYCRR Part 664 regulations that went into effect on January 1, 2025. The current Part 664 regulations encompass regulation over all wetlands greater than 12.4 acres (until January 1, 2028 when the minimum size threshold is reduced to 7.4 acres) as well as wetlands of any size that fall into any of eleven (11) categories of "Wetlands of Unusual Importance" as defined Part 664.6 of the regulations.

The wetland delineation revealed the presence of (5) small wetland areas totaling 0.874± acre on the project site that are potentially subject to the jurisdiction of the NYSDEC as "Wetlands of Unusual Importance" along with the associated 100 ft. Adjacent Areas. As set forth in the letter prepared by Scott Livingstone dated October 6, 2025, the updated project layout reflects a concerted effort to avoid any adverse impacts to the five (5) small wetland areas totaling 0.874± acre on the Project Site that are potentially subject to the jurisdiction of the NYSDEC. The updated project layout as depicted on the current Concept Site Plan [Drawing C-100 – Date: 09/29/25], that reduced the project density to 270 units, will result in 6.31± acres of impacts to the regulated 100 ft. Adjacent Area of the potential wetlands subject to the jurisdiction of the NYSDEC, which will require a permit to be obtained from the NYSDEC. Mr. Livingstone's letter dated October 6, 2025 also contains his professional opinion that the updated wetland related documentation provides the Town Board, acting in its capacity as the lead agency, with information enabling it to take a hard look at potential wetland impacts and to conclude that the proposed multifamily project will not result in any potentially significant adverse wetland impacts.

Subsequently SJL Wetlands, LLC on January 6, 2026 submitted an application for an Article 24 permit for the impacts to the 6.31± acres of anticipated NYSDEC jurisdictional 100 foot upland adjacent area to the wetlands.

Based on its review of the extensive wetland documentation, the Town Board has determined that the project will not result in any potentially significant wetland impacts. The Petitioner will be required to obtain a permit from the NYSDEC prior to impacting the 100 ft. Adjacent Area of the potential NYSDEC freshwater wetlands. If the requested permit from the NYSDEC is not issued, the Planning Department will not stamp the final engineered plans as approved, which is a prerequisite for the Building Department's issuance of building permits for the project.

As described in the Wetland Delineation Report dated September 12, 2025, a majority of the Project Site has previously been cleared and there is not substantial vegetation on the Project Site. The petitioner will be installing required high impact landscape buffers on the perimeter of the Project Site that are contiguous to existing residential uses.

4. The proposed use of the project site as a multifamily project consisting of 270± attached residential units (in multifamily buildings) for lease and associated site improvements will not create any material conflict with the adopted Town Comprehensive Plan.
5. The project site is within an area identified by the State as having potential archaeological or historical significance. A letter issued by Nancy Herter of the NYS Office of Parks,

Recreation and Historic Preservation (SHPO) dated October 4, 2025 stated as follows: "A review of SHPO records indicates that "No Impact" determinations were issued for 2190-Wehrle Drive in 2001, for 2220 Wehrle Drive in 1993 and for 2459 Hopkins Road in 2001. Therefore, it is the SHPO's opinion that project 05PR3845 (referencing 2190-2200 Wehrle Drive) will have No Effect upon historic properties in or eligible for inclusion the State and National Registers of Historic Places."

6. The project will not impair the character or quality of important aesthetic resources or of existing community or neighborhood character. The project site is located on the north side of Wehrle Drive in an area that contains a mixture of uses and zoning classifications. The nearby land uses include a utility right-of-way to the west along with office buildings and a multifamily project; office buildings to the north of the Project Site on Limestone Drive, and single-family homes to the east located on Bellingham Drive. Review of the current Concept Site Plan [Drawing C-100 – Date: 09/23/25], the proposed multifamily buildings will consist of 2-stories with a maximum height of 35 ft. The current Concept Plan depicts approximately 11 acres of greenspace with landscaping (44% of the Project Site). The project will comply with the lighting standards in the Zoning Ordinance as will be verified during the site plan application review stage of the project. The Town Board has determined project will not result in any potentially significant impacts to community character or aesthetics.
7. The proposed project will include construction of 270± multifamily units which will not cause a major change in the use of either the quantity or type of energy. The multifamily buildings and clubhouse will be built in accordance with the energy standards contained in the NYS Building Code and will require the issuance of building permits by the Town of Amherst Building Department.
8. The project will not create any hazard to human health. The project layout includes a gated emergency access connection to Limestone Drive turnaround for emergency vehicles on the northern portion of the project site.
9. The project will cause a change in the use, or intensity of use of land since the project site currently consists of vacant land. However, the intensity of use of the project will be consistent with the scale and density of surrounding and nearby land uses in the vicinity of the project site.
10. The proposed apartment development project will increase the number of people using the site over its previous level of use (vacant land). The project site has been determined to be adequate to accommodate the proposed use as a multifamily project.
11. No potentially significant adverse traffic impacts will result from the project. An updated Traffic Impact Report was prepared by Amy C. Dake, P.E. of Passero Associates dated June 24, 2025. The project was reviewed by the Town's Traffic-Safety Board ("ATSB") during several of its meetings.

The Traffic Impact Report prepared by Amy C. Dake was based on the input received from the ATSB and the ECDPW to include 6 intersections as follows:

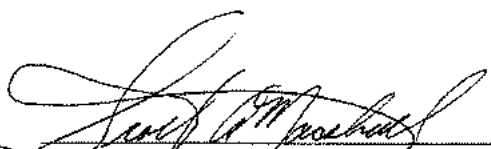
- Wehrle Dr (CR 290) and Garrison Rd;
- Wehrle Dr (CR 290) and Colonial Pkwy (Ingram Micro);
- Wehrle Dr (CR 290) and Youngs Rd;
- Wehrle Dr (CR 290) and Spindrift Dr;
- Wehrle Dr (CR 290) and George Karl Blvd;
- Wehrle Dr (CR 290) and Transit Rd (NY-78)

The updated Traffic Impact Report also includes an analysis of Oakwood Drive speed and volume as requested by the ATSB during its meeting on May 7, 2025.

Section 8 of the updated Traffic Impact Report consists of the following "Conclusions and Recommendations" by Amy C. Dake of Passero Associates.

- The detailed traffic analysis given in the updated Traffic Impact Report provides the Town of Amherst Town Board and involved and interested agencies with detailed information regarding the identified potential traffic impacts of the project to enable a hard look at the identified potential traffic impacts in connection with the coordinated environmental review of the project pursuant to the State Environmental Quality Review Act (SEQRA).
 - Under full development, the proposed project is expected to generate approximately 30 entering/96 exiting vehicle trips during the AM peak hour and 103 entering/60 exiting vehicle trips during the PM peak hour.
 - All intersection/site driveway approaches generally will operate at a level of service "D" or better under all conditions during the AM and PM peak hours with the exception of the westbound left and westbound thru/right approaches at the Wehrle Dr/Garrison Rd intersection which operate at a LOS "E" and "F", respectively, during the PM peak hour under all conditions.
 - No improvements are warranted nor recommended at any of the study intersections.
 - Pursuant to the SEQRA, this detailed traffic analysis which incorporates input from both the Erie County Department of Public Works (ECDPW) and the Town of Amherst Traffic Safety Board, demonstrates that the proposed project will not result in any potentially significant adverse traffic impacts.
12. During the project review process, the Planning Department solicited comments from various Town Departments and Committees, none of which indicated that the project may result in any potentially significant adverse environmental impacts.

13. Issues not specifically mentioned above and/or those not specifically reviewed were not raised by Town departments, outside agencies or the public and have been determined to not involve potentially significant adverse environmental impacts.



Scott A. Marshall, Principal Planner

3/10/2026
Date



Shawn A. Lavin, Supervisor

11 March 26
Date

SM/ac

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cc: Amherst Town Clerk

Amherst Building Department

ECDEP

NYSDEC

Steven B. Bengart, Town Attorney

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