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**SUBMISSION TO THE  
TOWN OF HAMBURG PLANNING**

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**PROPOSED SHERWOOD  
MEADOWS RESIDENTIAL  
PROJECT**

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**PROJECT SPONSOR:**

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## PROJECT NARRATIVE

### **I. INTRODUCTION**

This Project Narrative has been prepared on behalf of DATO DEVELOPMENT, LLC (“Project Sponsor”) for the purpose of providing the Town of Hamburg Planning Board (“Planning Board”) as well as involved and interested agencies with information to assist in evaluating the State Environmental Quality Review Acts and the implementing regulations promulgated by the New York State Department of Environmental Conservation (collectively “SEQRA”) as well as an evaluation of the Project Sponsor’s request for Site Plan Approval for the proposed Sherwood Meadows Project. The Project Sponsor is seeking Site Plan Approval for the Sherwood Meadows Project consisting of 128 attached dwelling units with related site improvements. The location of the Project Site is depicted on the color aerial photograph attached as Exhibit “D”. The entire Project Site is properly zoned “R-3 Multifamily District” pursuant to the Town of Hamburg Zoning Map.<sup>1</sup>

The documentation being submitted on behalf of the Project Sponsor for the consideration of the Planning Board as well as involved and interested agencies consists of the following:

- Exhibit A:** Part 1 of the Long Environmental Assessment Form
- Exhibit B:** Site Plan for Sherwood Meadows Project prepared by Nussbaumer & Clarke, Inc.
- Exhibit C:** Color Conceptual Buildings Elevations prepared by Sutton Architecture PLLC
- Exhibit D:** Color Aerial Photograph of Project Site and Surrounding Vicinity
- Exhibit E:** Article X of the Town of Hamburg Zoning Ordinance (titled “R-3 Multifamily District”)

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<sup>1</sup> A copy of Article X of the Town of Hamburg Zoning Ordinance (titled “R-3 Multifamily District”) is attached as Exhibit “E”.

- Exhibit F:** Map 2-10 of the Town of Hamburg Comprehensive Plan (titled “Generalized Future Land Use”)
- Exhibit G:** Site Plan for Previously Approved Townhome Project prepared by Nussbaumer & Clarke, Inc.
- Exhibit H:** Negative Declaration issued by Town of Hamburg Planning Board for Previously Approved Townhome Project dated June 20, 2007
- Exhibit I:** Minutes of Meeting of the Town of Hamburg Planning Board held on December 19, 2012
- Exhibit J:** Correspondence from David Burke of Dato Development LLC to Residents to Invite Residents to Attend Informational Meeting on April 2, 2013 with attached plans
- Exhibit K:** Property Owner Notification Map and List of Property Owners as obtained from Town of Hamburg
- Exhibit L:** Sign-In Sheet for Informational Meeting held on April 2, 2013
- Exhibit M:** Correspondence from David Burke of DATO DEVELOPMENT LLC to Residents dated April 3, 2013
- Exhibit N:** Minutes of Meeting of the Town of Hamburg Planning Board held on April 3, 2013
- Exhibit O:** Traffic Impact Study prepared by Nussbaumer & Clarke, Inc. dated May of 2013
- Exhibit P:** Wetland Delineation Report prepared by Wilson Environmental Technologies dated November 1, 2006
- Exhibit Q:** Jurisdictional Determination issued by the United States Army Corps of Engineers dated April 10, 2008
- Exhibit R:** Wetland Delineation Report prepared by Wilson Environmental Technologies dated May 24, 2013

**II. HISTORY OF PREVIOUSLY APPROVED PROJECT**

The Planning Board previously approved a Site Plan allowing for the development of the Project Site as 56 unit townhome project. A copy of the previously approved Site Plan as prepared by Nussbaumer & Clarke, Inc. is attached as Exhibit “G” and a copy of the negative declaration issued pursuant to the State Environmental Quality Review Act (“SEQRA”) by the Planning Board on June 20, 2007 for the previously approved project is attached as Exhibit “H”.<sup>2</sup>

Phase I of the previously approved townhouse project has been completed by the Project Sponsor and consists of one building containing four attached residential units, approximately 990 feet of private roadway and related infrastructure and utility improvements.<sup>3</sup> The portions of the previously approved project that have been constructed are depicted on the color aerial photograph of the Project Site and surrounding vicinity provided at Exhibit “D”. The Project Sponsor has chosen not to proceed with the build-out of the previously approved project.

**III. ZONING OF PROJECT SITE**

The entire Project Site is zoned R-3 Multifamily District (“R-3”) pursuant to the Town of Hamburg Zoning Map. The R-3 zoning existed at the time the Project Sponsor purchased the Project Site several years ago.<sup>4</sup> A copy of Article X of the Town of Hamburg Zoning Ordinance (titled “R-3 Multifamily District”) is provided at Exhibit “E”. The R-3 zoning classification expressly permits multifamily dwelling pursuant to Section 280-45A(2) of the Zoning Code.

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<sup>2</sup> The negative declaration issued by the Planning Board on June 20, 2007 evidenced its determination that the previously approved project would not result in any potentially significant adverse environmental impacts.

<sup>3</sup> The existing infrastructure constructed in connection with Phase I of the previously approved project will be used in connection with the currently proposed project.

<sup>4</sup> According to the Town of Hamburg, the zoning classification of the Project Site has been R-3 for a considerable amount of time. Claims that have been made that that the Project Sponsor sought and obtained a rezoning of the Project Site to R-3 based on the previously approved townhome project so that it could then subsequently propose the current Project are inaccurate since the zoning classification of the Project Site has remained unchanged since it was purchased by the Project Sponsor.

The maximum permitted height of a building containing three or more dwelling units is three stories and the allowable density is based on applicable setbacks per Section 280-46(A)(3) of the Zoning Code. The existing R-3 zoning would accommodate approximately 185 attached dwelling units as compared to the 128 units being proposed by the Project Sponsor.

**IV. THE PROPOSED PROJECT IS CONSISTENT WITH THE TOWN OF HAMBURG COMPREHENSIVE PLAN**

The proposed Project is consistent with the Town’s adopted Comprehensive Plan. Map 2-10 of the Comprehensive Plan is titled “*Generalized Future Land Use*” and it designates the Project Site as being appropriate for “Residential (High Density / Mixed)” use. A color copy of Map 2-10 with the location of the Project Site labeled is attached as Exhibit “F”.

**V. PROJECT DESCRIPTION**

The proposed project consists of the development of the Project Site as an apartment community consisting of 128 units as depicted on the Site Plan prepared by Nussbaumer & Clarke, Inc. attached as Exhibit “B”. The Project Sponsor is not proposing to alter or modify the portions of the previously approved project that have been completed. The proposed project (“action”) will consist of twelve 2 story buildings and four buildings will consist of 16 units each and four buildings will consist of 8 units each. The Project Site is zoned R-3 and the proposed project is an expressly permitted use in the R-3 zoning district. On-site parking will be provided including approximately 120 covered parking spaces as depicted on the Concept Plan attached as Exhibit “B” as well as paved parking spaces. The total number of parking spaces will be 256 in order to provide 2 spaces per unit.

**VI. PROJECT HISTORY**

In order to ensure that nearby property owners received an opportunity to provide their input regarding the proposed Project, the Project Sponsor held an informational meeting with property owners at Michael's Banquet Hall on Southwestern Boulevard on April 2<sup>nd</sup>. A sample copy of the invitation letter sent to nearby property owners by the Project Sponsor to invite them to attend the informational meeting is provided at Exhibit "J". A copy of the Site Plan and conceptual building elevations were included with the invite letter sent to residents and are included at Exhibit "J". The invite letter was sent to the list of property owners included on the Town's notification list and a complete list of the property owners who received the invite letter sent by the Project Sponsor is attached as Exhibit "K".

The informational meeting held at Michael Banquet Hall was well attended and very productive. Approximately fifty property owners attended the informational meeting. Concerns mentioned by property owners during the informational meetings included potential traffic impacts, wetland impacts and the zoning history of the Project Site. On April 3<sup>rd</sup>, the Project Sponsor sent a letter to the individuals who attended the informational meeting held on April 2<sup>nd</sup> to thank them for attending the informational meeting.

The proposed Project was presented to the Planning Board during its meeting on April 3<sup>rd</sup>. A copy of the minutes of the meeting of the Planning Board held on April 3<sup>rd</sup> are attached as Exhibit "N". The Planning Board tabled the proposed project during its meeting on April 3<sup>rd</sup>. The Planning Board also discussed the project during its meeting held on May 15<sup>th</sup> and during this meeting it voted to solicit lead agency status pursuant to SEQRA. At around the same time as the Planning Board meeting held on May 15<sup>th</sup>, the Project Sponsor became aware the Jurisdictional Determination ("JD") issued by the U.S. Army Corps of Engineers ("USACE") for

the Project Site on April 10, 2008 had expired.<sup>5</sup> A copy of the Wetland Delineation Report prepared by Wilson Environmental Technologies for the previously approved project is attached as Exhibit “P” and a copy of the JD issued by the USACE on April 10, 2008 is attached as Exhibit “Q”. Based on the expiration of the previously issued JD and concerns raised regarding the potential wetland impacts of the proposed Project, the Project Sponsor requested an updated wetland delineation of the Project Site. Wilson Environmental Technologies conducted a wetland delineation of the Project Site then summarized its findings in an updated Wetland Delineation Report. A copy of the current Wetland Delineation Report dated May 24, 2013 is attached as Exhibit “R”.

**VII. ENVIRONMENTAL REVIEW OF PROPOSED PROJECT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

The proposed project (“action”) has been defined broadly to include all site improvements including the construction of buildings, parking areas, access aisles, infrastructure and utility improvements and landscaping. The proposed project (“action”) includes all necessary approvals/permits for the proposed apartment community from involved and interested governmental agencies including but not limited to site plan approval from the Town of Hamburg Planning Board.

The proposed project is an Unlisted Action pursuant to the State Environmental Quality Review Act since it does not cross any of the thresholds for a Type I action. Although not required to do so, the Planning Board has decided to conduct a coordinated environmental review of the proposed project in order to ensure that it receives input from involved and interested agencies regarding potential adverse environmental impacts. It is important to

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<sup>5</sup> Jurisdictional Determinations issued by the USACE remain valid for a period of five years from the date of issuance.

mention that the Planning Board issued a negative declaration for the previously approved project during its meetings on June 20, 2007. The Planning Board's previous SEQRA determination is relevant since it confirms the Planning Board has previously determined that the development of the Project Site as a 56 attached townhouse units along with the required infrastructure improvements would not result in any potentially significant adverse environmental impacts.

The Project Sponsor has provided the Planning Board with reports and studies to assist in evaluating potential adverse environmental impacts pursuant to SEQRA. The Project Sponsor believes the reports and studies prepared by experts demonstrates the proposed Project will not result in any potentially significant adverse environmental impacts. Copies of the reports, studies and documentation included with this submission to assist the Town of Hamburg and involved and interested agencies in connection with the analysis of potential environmental impacts consists of the following:

- **Exhibit "O": Traffic Impact Study prepared by Nussbaumer & Clarke, Inc. dated May 2013**

The comprehensive Traffic Impact Study ("TIS") prepared by Nussbaumer & Clarke, Inc. demonstrates the proposed project will not result in any potentially significant adverse traffic impacts. The TIS represents a conservation analysis of potential traffic impacts since it would have been appropriate for the TIS to be limited to an evaluation of the incremental increase in the number of residential units as compared to the previously approved project.

Section 3 of the TIS consists of a discussion of the transportation network serving vehicular and pedestrian traffic generated by the Sherwood Apartments project consisting of roads and intersections in the immediate vicinity of the Project Site such as Heatherwood Drive, Roundtree Road, Howard Road and other residential streets, as well as major roadways such as

Southwestern Boulevard and Camp Road. Sidewalks are located on the roads and limited NFTA bus service is available on Camp Road at Howard Road. Photographs of the intersections and general area are included in Appendix C of the TIS. Section 3.1 of the TIS consists of a brief description of each roadway and intersection as follows:

## ROADWAYS

Southwestern Boulevard (US 20). Southwestern Boulevard accommodates four-lane, two-way traffic within the project area in a northeast-southwestern direction. It is classified on the federal-aid highway system as a Principal Arterial. It has a posted speed limit of 45 MPH. The pavement condition is good. Parking at any time is prohibited in both travel directions.

Camp Road (SR 75). Camp Road accommodates four-lane, two-way traffic in a north-south direction. The facility is classified on the federal-aid highway system as a principal arterial. The posted speed limit is 45 MPH. The pavement condition is good. Parking at any time is prohibited in both travel directions.

Howard Road. Howard Road accommodates two-lane, two-way traffic in an east-west direction. The facility is classified as a local road. The posted speed limit is 30 MPH. The pavement condition is good. No parking restrictions are designated on the road, although observations showed a majority of cars parked on the street were on the north side. This road connects to Southwestern Boulevard and Camp Road.

## INTERSECTIONS

Southwestern Boulevard at Howard Road. This four-way intersection uses an actuated-coordinated 3 phase quad left signal control for traffic assignments. Southwestern Boulevard consists of two lanes in each direction (northeast and southwest), with a dedicated left turn in each direction and combined through/right lanes. Howard Road (southbound) and a business driveway (northbound) consist of combined left/through/right lanes.

Camp Road at Howard Road. This four-way intersection is un-signalized. Camp Road consists of two lanes in each direction (north and south), with dedicated left turn lanes and through/right lanes, while Howard Road and Queens Lane consists of a lane in each direction with a dedicated left turn lane and through/right turn lane. Howard Road and Queen's Lane are controlled by stop signs.

Howard Road at Roundtree Road. This three-way intersection is un-signalized. Howard Road consists of one lane in each direction (east and west), with combined left/through/right lanes, and Roundtree Road consists of one southbound approach that is a combined left/through/right lane. Roundtree Road is controlled by a stop sign.

Section 4 of the TIS consists of a projection of the traffic to be generated by the proposed Project. Traffic counts were performed by Nussbaumer & Clarke, Inc. ("NCI") staff on February

5, 2013. These counts were used for development of existing and future year background traffic needed for this traffic impact study analysis. The manual turning counts provide data on individual approach turning volumes and turning patterns. The listing in Table 2 of the TIS is a summary of the traffic count data collected in the vicinity of the Project Site.

The seasonal adjustment factor of 0.838 was added to the traffic counts conducted in February 2013 in order to accurately reflect normal conditions at this intersection. This factor was obtained from the New York State Department of Transportation (“NYSDOT”). The growth rate developed to project the future build-out year of 2018 was based on data obtained from the NYSDOT. A growth rate of 0.5% was used to project future volumes. Tables 3A, 3B and 3C show the calculated growth rates for each approach.

Sections 4.2 and 4.2 of the TIS discuss the existing levels of service in 2013 (background year) and levels of service and site traffic impact analysis for the background year and the anticipated year of completion/occupancy of the Project, which is 2018. Figure 3 summarizes the 2013 Existing Background Traffic Volumes (weekday AM and PM Peak Hours), Figure 4 summarizes the 2018 Background Traffic Volumes (weekday AM and PM Peak Hours) and Figure 5 summarizes the 2018 Background with Development Traffic Volumes at the intersections within the study area. The methodology used to estimate project generated trips are further explained in Section 4.4 of the TIS. The level of service analyses for all studied years and conditions are summarized in Tables 5A-5C of Section 5.1 of the TIS. Copies of the Synchro reports for the intersection analyses are included in Appendix B of the TIS.

Section 4.4 of the TIS consists of any a projection of the traffic volume to be generated by the proposed Project. Traffic impact studies generally apply the Institute of Transportation Engineers (“ITE”) Trip Generation Manual procedures in the calculation of trips generated for a

development proposal. The ITE guidelines for estimating trip generation have been followed in determining traffic generated for the proposed land use through application of the procedures of the 8<sup>th</sup> Edition of the ITE Trip Generation Manual. For purposes of estimating trip generation for the proposed Project, ITE Code 220 – Apartments (ITE Trip Generation Manual 8<sup>th</sup> Edition, pages 1228-1246), with the independent variable dwelling units used to estimate project generated trips. Table 4 of the TIS shows the trips generated by the proposed Project for the AM and PM Peaks, and the total weekday daily volumes using the ITE Code.

Section 4.5 of the TIS consists of a determination of the directional distribution of trips to and from the Project Site. N&C prepared the directional distribution analysis by utilizing existing traffic counts performed at the intersections counted in the study area. For the purposes of the TIS, traffic distribution patterns identified through the traffic counts and observations available for the study period were reviewed and applied to derive trip distribution patterns specifically for 2018 when the full build-out and occupancy is anticipated to occur. Based on the 2013 existing background traffic volumes at the analyzed intersections, traffic trip distribution patterns were identified that would be assumed to represent trip distribution to and from the proposed Project. From the observations and counts taken at these intersections, trip distribution patterns were developed to determine where the project generated trips would be assigned at the 2018 build-out year. Figure 6 of the TIS shows the project generated distribution estimated trips.

Section 5 of the TIS consists of an analysis of the traffic to be generated by the proposed Project. The capacity analyses and levels of service center on the analyses of the intersections as opposed to the arterial or highway proper. Capacity and levels of service analyses were undertaken for all identified intersections in the study area during the morning and afternoon

weekday peak periods. The intersections identified in Section 3.1.2 of the TIS were analyzed during the weekday morning and afternoon peak periods for the 2013 existing traffic.

The results of the 2013 existing traffic analyses concluded that both peak periods had varying worst conditions (i.e., the worst case scenario). All intersections were analyzed for 2018 future background traffic and the 2018 background plus project generated traffic during the weekday AM and PM peak periods. For signalized intersections, the level of service is evaluated on the basis of “control delay per vehicle” where control delay is the portion of the total delay attributed to traffic signal operations at the intersection. Mitigation is considered at the intersection when the level of service is lower than the minimal acceptable “Level of Service D”, (i.e., when the control delay per vehicle is greater than fifty-five (55) seconds per vehicle).

These analyses as conducted by N&C utilized the existing 2013 lane configurations, pavement markings and signal operations, e.g., phasing, sequencing, timing, and head locations, when projecting 2018 traffic conditions. For un-signalized intersections, the level of service is evaluated on the basis of “control delay per vehicle” where control delay is the portion of the delay attributed to vehicles on the stop sign approach and/or turn lane approaches. Mitigation is considered at the intersection when the level of service is lower than the minimal acceptable “Level of Service D” observations show this to be true.

Certain approaches at un-signalized intersections when analyzed may indicate poor levels of service; however, this condition may not require mitigation due to the potential traffic impacts from a proposed project. A poor level of service is an indicator that visual on-site observations are necessary to determine if a problem is really occurring. Field conditions such as gaps from nearby signalized intersections may indicate that no mitigation is needed. Many un-signalized

intersections have at least one approach that operates at a poor level of service; however, on-site observations may show that no major problems exist.

Section 5.1 of the TIS consists of an Intersection Capacity Analysis.<sup>6</sup> The results of this analysis as conducted by N&C is summarized below as follows:

Camp Road at Howard Road/Queens Lane

Existing 2013: The intersection operates at a LOS A during the morning peak period. The eastbound left turn approach experiences the highest delay of all movements with 26.2 seconds per vehicle (LOS D). The intersection operates at a LOS A during the afternoon peak period, while the eastbound left turn approach experiences the highest delay of all movements with 37.4 seconds per vehicle (LOS E). The morning peak period is the worst-case scenario.

Projected 2018 Background: The intersection operates at a LOS A during the morning peak period. The eastbound left turn approach experiences the highest delay of all movements with 27.7 seconds per vehicle (LOS D). The intersection operates at a LOS A during the afternoon peak period, while the eastbound left turn approach experiences the highest delay of all movements with 42.8 seconds per vehicle (LOS E). The morning peak period is the worst-case scenario.

Projected 2018 Background plus Development: The intersection operates at a LOS A during the morning peak period. The eastbound left turn approach experiences the highest delay of all movements with 30.4 seconds per vehicle (LOS D). The intersection operates at a LOS A during the afternoon peak period, while the eastbound left turn approach experiences the highest delay of all movements with 42.8 seconds per vehicle (LOS E). The morning peak period is the worst-case scenario.

Conclusion: There is little to no impact at this intersection as a result of the overall project. The intersection operates at an acceptable level of service.

Southwestern Avenue at Howard Road

Existing 2013: The intersection operates at a LOS B during the morning peak period. The southbound approach experiences the highest delay of all movements with 47.4 seconds per vehicle (LOS D). The intersection operates at a LOS A during the afternoon peak period, while the southbound approach experiences the highest delay of all movements with 43.6 seconds per vehicle (LOS D). The morning peak period is the worst-case scenario.

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<sup>6</sup> Tables 5A through 5C of the TIS summarize the results of the Synchro 7 capacity/level of service analysis of the various intersection locations analyzed for the study. Appendix B provides copies of full Synchro reports of the LOS analyses.

Projected 2018 Background: The intersection operates at a LOS B during the morning peak period. The eastbound left turn approach experiences the highest delay of all movements with 47.5 seconds per vehicle (LOS D). The intersection operates at a LOS A during the afternoon peak period, while the eastbound left turn approach experiences the highest delay of all movements with 43.9 seconds per vehicle (LOS D). The morning peak period is the worst-case scenario.

Projected 2018 Background plus Development: The intersection operates at a LOS B during the morning peak period. The southbound approach experiences the highest delay of all movements with 48.4 seconds per vehicle (LOS D). The intersection operates at a LOS A during the afternoon peak period, while the southbound approach experiences the highest delay of all movements with 45.7 seconds per vehicle (LOS D). The morning peak period is the worst-case scenario.

Conclusion: There is little to no impact at this intersection as a result of the overall project. The intersection operates at an acceptable level of service.

#### Howard Road at Roundtree Road

Existing 2013: The intersection operates at a LOS A during the morning peak period. The southbound approach experiences the highest delay of all movements with 9.8 seconds per vehicle (LOS A). The intersection operates at a LOS A during the afternoon peak period, while the southbound approach experiences the highest delay of all movements with 10.3 seconds per vehicle (LOS B). The morning peak period is the worst-case scenario.

Projected 2018 Background: The intersection operates at a LOS A during the morning peak period. The southbound approach experiences the highest delay of all movements with 9.9 seconds per vehicle (LOS A). The intersection operates at a LOS A during the afternoon peak period, while the southbound approach experiences the highest delay of all movements with 10.3 seconds per vehicle (LOS B). The morning peak period is the worst-case scenario.

Projected 2018 Background plus Development: The intersection operates at a LOS A during the morning peak period. The southbound approach experiences the highest delay of all movements with 10.6 seconds per vehicle (LOS B). The intersection operates at a LOS A during the afternoon peak period, while the southbound approach experiences the highest delay of all movements with 11.6 seconds per vehicle (LOS B). The morning peak period is the worst-case scenario.

Conclusion: There is little to no impact at this intersection as a result of the overall project. The intersection operates at an acceptable level of service.

Section 6 of the TIS consists of the findings and recommendation of N&C based on its comprehensive analysis of potential traffic impacts resulting from the Project. This section of the TIS states as follows:

“For the signalized and un-signalized intersections analyzed in this study, there are minimal or virtually no change in levels of service as a result of the proposed Sherwood Apartments project.

As mentioned in Section 5 of this report, certain approaches at un-signalized intersections when analyzed may indicate poor levels of service; however, this condition may not require mitigation due to a proposed project. A poor level of service is an indicator that visual on-site observations are necessary to determine if a problem is really occurring. Field conditions such as gaps from nearby signalized intersections may indicate that no mitigation is needed. Many un-signalized intersections have at least one approach that operates at a poor level of service; however, on-site observations may show that no major problems exist.

While the eastbound left turn approach of Queens Lane at the intersection with Camp Road has a LOS E during the afternoon peak, the proposed project does not contribute to increased traffic at this approach and does not increase the overall delay. Field observations observed during traffic counts at this location also indicated appropriate gaps in traffic volumes on Camp Road for vehicles to exit Queens Lane.

Overall, this project has been determined to have no significant effects on the existing transportation system or roadway network and does not result in any significant negative impacts to traffic operations in the vicinity of the project. It is concluded that, based on the estimated trips generated by the proposed Sherwood Apartments project at this site, this project is anticipated to have minimum or no impacts to the studied intersections as a result of the traffic generated by the proposed project.”

In summary, the TIS prepared by N&C demonstrates the proposed Project will not result in any potentially significant traffic impacts and that there is not any need for off-site traffic related mitigation measures.

- **Exhibit “R”: Wetland Delineation Report prepared by Wilson Environmental Technologies dated May 24, 2013**

As mentioned previously, the Jurisdictional Determination (“JD”) previously issued by the U.S. Army Corps of Engineers (“USACE”) for the Project Site expired on April 10, 2008 had expired. A copy of the Wetland Delineation Report prepared by Wilson Environmental Technologies for the previously approved project is attached as Exhibit “P” and a copy of the

expired JD issued by the USACE on April 10, 2008 is attached as Exhibit “Q”. At the time the USACE issued a JD on April 10, 2008, there was a .75 acre federal wetland located on the Project Site. A copy of the Exhibit Map showing the location of the federal wetland on the Project Site at that time is provided in the previous Wetland Delineation Report attached as Exhibit “P”.

Based on the expiration of the previously issued JD the Project Sponsor requested an updated Wetland Delineation Report. Wilson Environmental Technologies prepared an updated wetland delineation and a copy of the updated Wetland Delineation Report dated May 24, 2013 is attached as Exhibit “R”. The wetland delineation conducted by Wilson Environmental Technologies contains its professional opinion that there is an approximately 3.9 acre federal wetland subject to the jurisdiction of the USACE on the eastern side of the Project Site. The Project Sponsor is not proposing any significant impacts to the federal wetland and the design objective is to limit any impact to 1/10<sup>th</sup> of an acre or less. With the exception of a potentially small impact, the remainder of the federal wetlands will be left undisturbed.

The updated Wetland Delineation Report has been submitted to the USACE for its consideration and a copy of the JD to be issued by the USACE will be provided to the Town of Hamburg immediately upon receipt. The Wetland Delineation Report and related project information demonstrates the proposed Project will not have any potentially significant adverse impacts to federal wetlands.

## **VIII. CONCLUSION**

The Project Sponsor believes that this Project Narrative and the enclosed supporting documentation provides justification for the Planning Board issuing a negative declaration pursuant to SEQRA and granting Site Plan Approval.