



MEMORANDUM

June 30, 2015

TO: Town Board

FROM: Eric W. Gillert, AICP, Planning Director *EG/AB*

SUBJECT: DGEIS Completeness Review - 3rd Review
Rezoning & Planned Unit Development of 772 North Forest Road and 385
391 Maple Road ("Westwood Neighborhood") (Z-2014-23)

Previous comments from the Planning Department on the proposed "Westwood Neighborhood" DGEIS completeness review were submitted to you on September 3, 2014 and April 15, 2015.

This third set of comments is submitted in response to the comments received at the Town Board work session of May 11, 2015 and the June 18, 2015 letter from Sean Hopkins, Esq. which addressed our memo of April 15, 2015. In addition, Planning staff met with the petitioner on two occasions to discuss the DGEIS. As a result of its further review, the Planning Department reviewed the letter and concludes the DGEIS document will be adequate for public review if the following items are addressed:

1. Section 5.2 - Water Resources: Include information on how the base flood elevation of Ellicott Creek is calculated.
2. Section 5.4.2 - Consistency with Land Use Plans and Objectives: Move this section from the main body of the DGEIS to an appendix. Add a reference in Section 1 that this discussion is the petitioner's analysis of how the proposed plan is consistent with the Bicentennial Comprehensive Plan. Additionally, the project as proposed does not meet criteria for a "Neighborhood Center" (pg. 5-61). No mention of Figure 6 (Conceptual Land Use Plan) or discussion of how the proposal can be accommodated on a "recreation & open space" parcel.
3. General: The formatting of DGEIS sections should be consistent among chapters. When possible, a summary statement(s) describing the information found in the various appendices should be included in the DGEIS to accompany the references made.

4. Section 4.12 - Sanitary Sewers: The section lacks objective (statistical) data on the capacities, current utilization and surplus capacities of each segment of the sanitary sewer system that serve the project site.
5. Section 4.12 - Stormwater: This section lacks objective (statistical) information on the runoff characteristics of the site including any public infrastructure currently accepting and transporting those flows.
6. Section 4.12 - Private Utilities: No objective information and/or data on the capacity, current utilization, and surplus capacity is provided for natural gas, electricity or “communications”, nor is there any characterization of the location of these utilities.
7. Section 5.6 – Socioeconomics: Economic projections do not have basis and are not realistic (i.e. an \$8.5 million sales tax provides \$90,000 to Amherst without sales tax incentives. All tax incentives start with sales tax waived. The projected \$490,000 for Amherst does not account for waived sales tax.)
8. Section 5.6 – Socioeconomics: Condos and patio homes are not assessed at full market value, but on the basis of income. This is not acknowledged in the assumptions.

Cc: Town Attorney
Sean Hopkins, Esq.
Brad Packard, Mensch Capital Partners, LLC
Gary Black, Assistant Planning Director