

**MASTER PLAN
AND
FINAL ENVIRONMENTAL IMPACT STATEMENT
FOR**

AMHERST STATE PARK

Town of Amherst
Erie County, New York

Co-Lead Agencies: NYS Office of Parks, Recreation & Historic Preservation
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And

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Date Accepted by Lead Agency: March 17, 2003
Deadline for Receipt of Comments: April 7, 2003

**SEQR
NOTICE OF COMPLETION OF A FINAL EIS**

Date of Notice: February , 2003

Lead Agencies: New York Office of Parks, Recreation & Historic Preservation (OPRHP)
Town of Amherst , Erie County

SEQR Status: Type I

This Notice is issued pursuant to 6 NYCRR Part 617 and Local Law #3-82 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law. A Final Environmental Impact Statement (FEIS) on the proposed action described below has been prepared and has been accepted by OPRHP and the Town of Amherst as lead agencies.

Title of Action: Adoption and Implementation of a Master Plan for Amherst State Park

Location and Description of Action: Amherst State Park is located at 400 Mill Street, in the Town of Amherst, Erie County. The property is situated along Ellicott Creek, immediately north of Glen Avenue in the Village of Williamsville, south of Sheridan Drive, west of Mill Street and east of Reist Street and the Park Country Club. Amherst State Park is owned by NYS OPRHP and will be developed, operated and maintained by the Town of Amherst under a management agreement with the State. The Master Plan for the park includes construction of multiple use trails throughout the park, small parking areas, restrooms and other park related facilities. The attached Executive Summary of the Master Plan/FEIS contains a brief description of the environmental setting, the project, alternatives, and potential environmental impacts/mitigation.

Availability of FEIS: Copies of the Master Plan/FEIS and Supplementary Materials are available for review at: the OPRHP Niagara Regional Office, Niagara Reservation State Park, Niagara Falls; at the office of the OPRHP Agency Contact in Albany; Town of Amherst Municipal Building, 5583, Main Street, Williamsville; and at the following libraries: Buffalo and Erie County Central Library, 1 Lafayette Square, Buffalo; Amherst Main Library at Audubon, 350 John James Audubon Parkway, Amherst; Clearfield Branch, 770 Hopkins Road, Amherst; Eggertsville-Snyder Branch, 4622 Main Street, Snyder; and Williamsville Branch, 5571 Main Street, Williamsville.

The Final Master Plan/FEIS is also available for review at the following web site:
www.edrpc.com/amherststatepark

Agency representatives and the public can provide comments during the consideration period for the FEIS. The consideration period ends 3 weeks following the date of this Notice of Completion. Comments should be forwarded to the contact person(s):

Agency Contacts: NYS Office of Parks, Recreation and Historic Preservation
Agency Building 1, Empire State Plaza
Albany, NY 12238
Contact: Mr. Thomas B. Lyons
Phone: (518) 474-0409

And

Town of Amherst, NY
Amherst Municipal Building
5583 Main Street
Williamsville, NY 14221
Contact: Eric W. Gillert, Planning Director
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Copies of this notice have been filed with involved and interested agencies and persons. These include:

NYS Office of Parks, Recreation and Historic Preservation (NYSOPRHP), Albany
NYSOPRHP - Niagara Region
NYS Department of Environmental Conservation (NYSDEC), Albany
NYSDEC - Regional Office
NYS Department of Transportation, Regional Office
Erie County Department of Public Works
Erie County Department of Environment and Planning
Town of Amherst Planning Board
Amherst State Park Advisory committee
Town of Amherst Recreation Commission
Amherst conservation Advisory Council
Village of Williamsville

I. EXECUTIVE SUMMARY

A. Introduction

The proposed Master Plan for Amherst State Park was developed in response to the acquisition of 85± acres of the former St. Mary of the Angels Convent by the Town of Amherst and the State of New York in January 2000. In 1998, after learning of the proposed sale of the property by the Sisters of St. Francis, the State and the Town each allocated \$2.5 million for the acquisition of the Sisters property for the purpose of preserving open space. The property, including the Mother House and ancillary structures, the Reist Mill and undeveloped portions of the grounds, was acquired after the Sisters vacated the Mother House building in the fall of 1999. St. Mary of the Angels Convent had been home to the Sisters of St. Francis since 1923. At the time of the acquisition, the property was split into two parcels. The State of New York acquired title to 77± acres of this property for Amherst State Park while the Town of Amherst acquired title to 8± acres, including the former Mother House building. Under a management agreement, the Town of Amherst will be responsible for the operations and maintenance of the State Park property. The agreement between the Town and the State stipulates that the property will be used for “passive recreation and conservation purposes”.

While Amherst State Park is one of the smaller parks in the State Park System, it’s resources and value to the community and the region are significant. This reinforces the need for a comprehensive statement of the vision, stewardship responsibilities and public recreation opportunities at Amherst State Park. The preparation of a Master Plan is a timely and appropriate response to current conditions at the park as well as to the need for long-term management and stewardship of the park’s resources.

The overall intent of the Master Plan is to provide comprehensive recommendations for both the short and long-term environmental and recreational development of the park. The Master Plan for Amherst State Park presents a means of addressing existing recreational and resource protection goals, including the following:

- Provide a variety of facilities for appropriate recreational uses based on identified local and regional needs and deficiencies.
- Enhance, preserve and protect unique natural and scenic resources.
- Provide, enhance and improve nature-oriented recreational opportunities, including addressing public access to Ellicott Creek.
- Utilize existing infrastructure to the extent possible to reduce costs and environmental impacts.

B. Environmental Setting

Amherst State Park includes approximately 77 acres of State-owned land and approximately 3 acres of Town-owned land in the Town of Amherst, Erie County, New York. It is located directly north of the Village of Williamsville between Glen Avenue and Sheridan Drive. The property represents a significant area of public open space within an area that is largely developed for residential,

commercial, educational, institutional and private uses. The highlight of the proposed park is Ellicott Creek, which bisects the main area of the property. In fact, a majority of the park property (approximately 70%) falls within the 100-year floodplain of the creek. The property also features wooded areas, meadows, old orchards and formally landscaped grounds. The Reist Mill, a locally designated historic structure is located within the park adjacent to Reist Street. The park is currently used for family and small group picnicking, bird watching, fishing, walking, jogging, dog walking and a variety of other passive recreational activities.

On November 21, 2002, the Town of Amherst Planning Board approved a site plan for the former Mother House that will see the structure converted to a 102-unit senior housing facility. The Mother House and 4.11 acres of property will be sold by the Town to CRS Properties (a.k.a St. Mary's Commons Associates, L.P.) who will own and operate the facility. The property being purchased is smaller than the original 7.96-acre parcel that was reserved for future development of the Mother House. The balance of 3.85 acres will be retained by the Town of Amherst in three separate parcels. Two of these parcels (one located south and west of the Mother House building and the other located primarily east of the Mother House building) totaling 2.85 acres are intended to be combined with the State Park. These 2.85 acres have been included as part of the State Park in the Master Plan and Final Environmental Impact Statement for the purpose of assessing any environmental impacts associated with this land and thus bring the total acreage of park land to approximately 80 acres. The third parcel (1± acres) containing the old powerhouse north of the Mother House will remain in Town ownership.

A description of the existing park, including its history, classification, and existing environmental conditions is included in Section IIB of the Master Plan/Final Environmental Impact Statement (MP/FEIS).

C. Proposed Master Plan

Vision and Goals

The overall vision for Amherst State Park is to provide an opportunity for the public to appreciate the unique environmental and cultural resources that exist within the park. Park development and management will be aimed at protecting these resources while increasing opportunities for their appreciation and enjoyment by the public. Consequently, the State Park envisioned in this plan will focus on passive, low intensity recreation, educational and conservation uses. The plan specifically includes an organized system of access and circulation, an interpretive education program and limited day use facilities sensitively incorporated into the park's assemblage of ecological and cultural communities.

The overall intent of the Master Plan is to provide comprehensive recommendations for both the short and long term environmental protection and recreational development of the park. In accordance with the agreement between the Town of Amherst and the OPRHP, passive recreational uses should be incorporated in the Master Plan with emphasis being placed on both the preservation of unique natural and cultural resources and the provision of a limited level of development to accommodate recreational use. In general, it is recommended that the Master Plan concentrate on improving and expanding the existing activities in the park while adding selected new facilities based on recreational demand and identified recreational needs and deficiencies. The overall goal of the

plan is to strike a balance between the development for recreational use and the preservation of scenic, natural and cultural resources.

Alternatives and Analysis

Various park design and management alternatives were considered, including no action, "minimum development" and "maximum development" alternatives, as defined by public input. This section also addresses alternatives for treatment of the north end of the park where there is the greatest potential for conflict with adjacent property owners. A brief discussion of the Draft Master Plan is included in this section. For a more complete discussion, please refer to the Draft Master Plan/DEIS for Amherst State Park (EDR, 2002).

Final Master Plan

In general, the Master Plan identifies opportunities for improved circulation and access to the Park. A hierarchal path system is planned that designates primary and secondary trails. The main entrance of the park is planned off of Mill Street while a secondary vehicle access point is proposed off Reist Street. Developing opportunities for nature and cultural interpretation throughout the Park is also proposed.

The Master Plan for Amherst State Park identifies seven general planning areas. The location of each of these areas is illustrated on the attached plan. A brief summary describing the plans for each of these areas within the park follows:

- 1) Northern Area - The irregular shaped Northern area is defined on the north by Sheridan Drive; on the east by existing residential properties and the Holy Family Home; on the south by the Mother House property; and on the west by Ellicott Creek, private residences, and the Hutchinson Hose Company, Inc. (volunteer fire company). The area is generally flat and includes a combination of lawn and woodland habitat. It is proposed that this area remain unprogrammed and be maintained as open green space. Activities that have historically occurred there will be allowed to continue. The plan also recommends the sale or transfer of the property at 508 Mill Street, the narrow residential lot south of Arty Drive.
- 2) Mother House Area - The Mother House area is at the central core of the park. The area is defined on the north by the Holy Family Home; on the east by Mill Street; and on the south and west by the floodplain of Ellicott Creek. It is proposed that the main park entrance occur in this area. The Master Plan proposes to reconfigure the two existing roadways from Mill Street from two-way roads to one-way roads, the northerly road becoming the entrance to the State Park, Holy Family Home and St. Mary's Commons (the proposed senior housing development at the Mother House) and the southerly road becoming the exit. Two new segments of road will be constructed, one a one-way segment extending the proposed entrance road from the Holy Family Home entrance to the St. Mary's Commons property, and a second two-way road segment that will provide the Holy Family Home access to and from the proposed exit road to Mill Street. This new road connection allows for one common entrance and exit for park visitors, Holy Family Home residents and employees, and for the future occupants of the Mother House. The two-lane road also allows two-way traffic between the Holy Family Home and the main parking lot. Access to the primary trail system will also occur in this area. Additional proposed development in this area includes a designated parking area for approximately 25 vehicles, a restroom building, an information kiosk, restoration of an existing gazebo, and a playground.

The existing Mother House garage is proposed as a park maintenance building. A garden area that could be maintained by a local garden club and residents of the adjacent Holy Family Home is proposed on the east side of the maintenance building. It is proposed that the lawn area south of the one-way exit road be maintained for passive activities and as a venue for small-scale events.

- 3) Creek Bend Area - The Creek Bend area is located within the 100-year floodplain of Ellicott Creek, immediately west of the Mother House area. The area is defined on the north by the upland terrace of the Northern area; on the east by the upland terrace of the Mother House; on the south by the Orchard Area; and on the west by Ellicott Creek. The proposed primary north/south pathway passes through the west side of this area. A one-lane road is proposed (using an existing gravel lane) for handicap access to the creek (including parking for 2 vehicles). Additional elements proposed for this area include picnic tables, the restoration of the stone steps that climb up to the Mother House area, a small overlook/landing near the top of the stone steps to provide views of the Creek and stabilization of the Creek shoreline.
- 4) Orchard Area - The Orchard area currently consists of an abandoned apple orchard, open field, and conifer plantation, which occur within the 100-year floodplain of Ellicott Creek. The area is defined on the north by the upland terrace of the Mother House; on the east by private residential properties fronting on Mill Street; on the south by the deciduous woodland encompassing Ellicott Creek; and on the west by Ellicott Creek. Proposed improvements include the maintenance and reestablishment of the orchard. This would involve removal of dead and dying trees and supplementing the existing trees with new plantings of apple trees and/or other fruit trees. Secondary pathways are proposed around the field. The primary north/south path is proposed to follow the existing gravel access road that runs through the center of the area. A garden area and picnic tables are proposed at the north end of this area, at the bottom of the stone steps leading to the Mother House area.
- 5) Ellicott Creek Area - The Ellicott Creek area consists of nearly the entire southern half of the park. Most of this area is woodland and falls within the creek's floodway and 100-year floodplain boundaries. The area is defined on the north by the Orchard area; on the east by residential properties, the Village Glen Tennis and Fitness Club, and Glen Park; on the south by Glen Avenue; and on the west by open floodplain vegetation and residential properties on North Cayuga Road and Mill Race Court. The primary north/south path is proposed to continue along on the eastern side of the creek. The trail will be located so as to minimize disturbance to existing vegetation and avoid areas subject to the full force of floodwaters. A pedestrian entrance to the park and a trailhead for the primary north/south path is proposed on the north side of Glen Avenue (adjacent to, but set back from Glen Avenue). Seating areas and interpretative signage are proposed adjacent to the pathway and near the creek edge. Fishing access will also be allowed. In the area immediately south of the Orchard area, secondary pathways are proposed along both sides of the creek. To the extent possible these pathways will follow existing informal trails that currently exist.
- 6) Floodplain Area - The Floodplain area is located east of the Reist Mill area and is part of a larger area of low-lying fields and wetlands west of Ellicott Creek identified as a potential park expansion opportunity. The area is defined on the north and east by the Ellicott Creek floodway; on the south and west by the elevated uplands surrounding the Reist Mill. It is proposed that the primary east/west path system cross through this area. Sections of elevated boardwalk will need to be installed to cross wetlands and a small stream that runs along the west edge of the area.

Interpretive signage and educational opportunities regarding wetlands and floodplains would be appropriate along this path. A secondary path is proposed along the south edge of Ellicott Creek to the Reist Mill.

- 7) **Reist Mill Area** - The Reist Mill area is located on the west side of the park and offers a point of entrance to the Park for local residents to the west. The area is defined on the north and east by the Floodplain area; on the south by the new Mother House property; and on the west by a private residence across Reist Street. The Reist Mill is a local historic landmark that has the potential for adaptive re-use and historic interpretation. A lawn area surrounding the structure is also part of this area. The primary east/west pathway is proposed to start/end at Reist Street. The Master Plan recommends stabilization of the Reist Mill. Parking for three vehicles is also proposed for this area to accommodate local traffic, handicapped visitors, and future program development at the Reist Mill.

D. Environmental Impacts and Mitigation

Beneficial impacts of Master Plan implementation include improvement to the recreational opportunities and enhancement of existing facilities at the park. Along with the new parking facilities and access points, opportunities for summer and winter trail use, wildlife observation, fishing access, views of Ellicott Creek, and environmental education will be enhanced through improvements to existing trails and the creation of new trails. With the elimination of some existing trails that are inappropriate based on various environmental factors, the pedestrian trail system totals approximately 2.5 miles. Implementation of the plan will result in improved access to the park and minimize maintenance for the Town of Amherst.

Potential adverse impacts and proposed mitigation measures are identified below:

1. *Soil Erosion* - Plan implementation will result in construction activities that may result in movement of soils and sediment. Soil erosion and sedimentation will be controlled by minimizing site disturbance to the extent practical, and employing a sediment and erosion control program throughout construction. Soil limitations will be overcome by avoiding sensitive soils, limiting the type and extent of improvements proposed, and correcting existing erosion problems on trails and the creek shoreline.
2. *Vegetation* - The trail enhancement program and additional new facilities will result in some disturbance to or loss of vegetation. However, this work will be designed to utilize existing trails to the extent practicable, minimize the loss of mature vegetation, and where appropriate, call for removal of existing trails and restoration to natural conditions. It is proposed that new fruit tree plantings be undertaken to restore a portion of the former orchard. The rehabilitated area of orchard would be smaller than the original orchard, but would replicate historic conditions in terms of the planting pattern and species selection. Along with filling in where trees have been lost, some dead and dying trees within the orchard would be removed. No trees with cavity nests will be removed, and no pesticides or herbicides will be used to maintain the rehabilitated orchard. The removal of exotic plant species is also proposed. The success of various control techniques will enhance the habitat for native vegetation.
3. *Wildlife* - The proposed Master Plan will have minimal impact on park wildlife. Implementation of the proposed Master Plan will have no adverse impact on the park's fish and other aquatic species. Avoiding sensitive areas and utilizing previously disturbed areas for proposed

improvements will minimize impacts to vegetation and wildlife. However, beyond these efforts to avoid and minimize impacts, mitigation measures proposed include vegetation maintenance/management activities designed to maintain and enhance habitat diversity; control of invasive plant species that displace native plants and reduce habitat value (e.g. Japanese knotweed, purple loosestrife, garlic mustard, etc.); placement of trails, boardwalks and overlooks so as to minimize wildlife disturbance while facilitating wildlife observation, and the provision of interpretive signage to increase public understanding of and appreciation for the parks ecological resources.

4. *Scenic/Aesthetic Impacts*- Implementation of the park Master Plan will have minimal impact on the park's visual/aesthetic resources. Proposed improvements are small in scale, consistent with existing park character, and/or will not be visible from most sensitive/significant vantage points. Proposed facilities such as trails, parking lots, access roads, restrooms and the restored gazebo will all be relatively small, screened by existing or planted vegetation, and/or of an architectural/aesthetic character that is compatible with the existing park setting. New or renovated facilities (trails, parking areas, restrooms, gazebo) will be designed by design professionals (architects and landscape architects) to assure that they are well screened from sensitive views and/or compatible with the character of the park.
5. *Historic and Archaeological Resources*- Amherst State Park contains the grounds of the former Mother House that are listed on the National Register of Historic Places. Careful consideration to the location and character of new facilities within the boundary of the National Register Designation will be required by design consultants, along with review by the State Historic Preservation Office. Master Plan implementation could also result in the discovery or disturbance of unknown cultural resources. Although the earthwork that will occur as part of trail and parking lot construction will impact only small areas, some of these, such as undisturbed, dry and level areas along Ellicott Creek, could be particularly sensitive. The majority of the site is characterized as highly sensitive for the presence of evidence of historic and prehistoric activity and a Phase IB subsurface investigation will therefore be undertaken prior to the initiation of any earth-disturbing activities in previously undisturbed areas of the park.
6. *Transportation*-The proposed park improvements will have a minor impact on the existing traffic conditions in the area. The intersection of Mill Street with the main park entrance road will receive some increased traffic because the Holy Family Home and Mother House development will use the same entrance and exit. However, this increase will be limited as parking for only 25 vehicles is being provided in the park and parking for the Holy Family Home will remain the same (approximately 40 spaces) and the Mother House development will have approximately 128 spaces. The combined entrance and exit for the facilities will raise the level of vehicle safety and efficiency. Parking at Reist Street will be limited to 3 vehicles total. Safety and congestion on the adjacent roads will not be adversely affected due to the low percentage of traffic increase associated with park use, when compared to the total capacity. The identification of the main entrance, however, will need to be made clearer. Additional parking and ancillary items such as signs will mitigate, if not eliminate, any congestion. There will be no change in level of service at nearby intersections on the adjacent roadways that provide access to the park. Therefore, no improvement to adjacent roads, addition of signals or any other mitigation of transportation impacts is required. The proposed project will have a beneficial impact on pedestrian/trail access; therefore no mitigation in this area is required.

7. *Noise* - There will be some increase in noise associated with improved recreational activities and increased traffic. However, these increases will be minor and will be consistent with the type and extent of noise currently generated on the site and at adjacent residential properties.

E. Relationship to Other Plans and Programs

State and Local Planning Documents:

The development of this Master Plan and FEIS for Amherst State Park took into consideration various statewide and local planning documents. The following is a list of plans that specifically relate to the development of this Master Plan and FEIS:

1. State Comprehensive Outdoor Recreation Plan
2. State Open Space Conservation Plan
3. Town of Amherst Recreation and Parks Master Plan
4. Town of Amherst Comprehensive Plan 2000
5. Ellicott Creek Watershed Study (US Army Corps of Engineers)

None of the Master Plan recommendations for Amherst State Park conflict with the goals and objectives of these plans. In fact, the goals and objectives for the Amherst State Park Master Plan are entirely consistent with both the state and local plans.

Coordination with Other Agencies:

It is anticipated that the following agencies would participate in reviewing, issuing permits, and/or approving the project:

- Town of Amherst
- NYS Department of Transportation
- NYS Department of Environmental Conservation
- U.S. Army Corps of Engineers

Required Permits and Approvals:

The proposed project will be developed and constructed in compliance with the rules, regulations, and standards set forth by federal, state, and local agencies including:

- Federal Clean Water Act
- American With Disabilities Act
- New York State Health Law
- New York State Environmental Conservation Law
- The New York State Energy Conservation Law
- The New York State Uniform Fire Prevention and Building Code
- New York State Department of Transportation Regulations
- Erie County Department of Transportation Regulations

F. Response to Comments

The Draft Master Plan/DEIS for Amherst State Park was released on April 15, 2002. A public hearing was held on May 13 to receive comments. Approximately 105 persons attended the hearing and 35 made oral statements. The lead agencies also received 9 letters of comment during the formal comment period. The comments have been summarized in Chapter IX. Comment and Responses. The major categories of comments included: Soils, Topography, Hydrology; Wetlands; Flora/Fauna; Automobile Traffic and Parking; Zoning and Land Use; Cultural Resources; Program; Master Plan and Alternatives; Pedestrian Circulation; Dog Park; and SEQR/DEIS Document. Chapter IX of the Final Master Plan/FEIS also contains the agency responses to those comments. The Comments and Responses chapter also indicates those sections within the FEIS proper that have been revised or modified following evaluation of comments and additional analysis conducted subsequent to the comment period.

The following is a listing of substantive changes/clarifications contained in the final Master Plan/FEIS as a result of review of comments and additional analysis:

- **The Master Planning process originally considered the placement of a fenced in off-leash area for dogs. Findings from additional evaluation, however, indicated that there was not a suitable location for such an area due to natural/aesthetic impacts and/or proximity to neighborhood areas. Since there were a significant number of people who spoke in favor of this type of facility at the public hearing, the Town of Amherst is working with an organized group of Amherst residents and dog owners to find an alternative location for this activity. A location at a large Town-owned park in the central area of the Town is currently being considered and was discussed with the Town Board. Additional information will be provided to the Town Board in the near future. A decision on the alternate site is expected within a few months.**
- **Due to the fact that property acquisitions/transfers and vehicular access/parking issues in the Northern area have yet to be resolved, OPRHP and the Town have determined that the Northern area will remain unprogrammed. As a result, the final Master Plan calls for the Northern area to be maintained as open green space, and activities that have historically occurred there will be allowed to continue. The proposed pedestrian trail entrance and vehicular parking at this location have not been retained within the final Master Plan. The final Master Plan identifies the primary north/south trail as continuing as a loop around the north side of the Mother House to meet the east/west primary trail east of the Mother House. This loop would connect with the existing sidewalk system on Mill Street. It would prevent a dead-end trail and further enhance the objective of organizing the park's trail system. Any future proposals for recreational development in the Northern area of the park will be subject to supplemental environmental review.**
- **Access to the park from Glen Avenue will be retained. However, the sign with a map of the state park trail system will be set along the trail a minimum of 20 feet from Glen Avenue so as not to highlight this as a pedestrian entrance to the park. This will address concerns over parking problems in the vicinity of this entrance.**

- **Although installation of sculpture sensitive to the park's characteristics was indicated as a possibility in the draft plan, this proposal has been withdrawn from the final plan based on additional maintenance costs.**
- **No formal boat (canoe/kayak) launch is planned.**
- **Safety concerns were identified over the proximity of a secondary trail to the private golf course operation. As a result of additional evaluation it was determined that the primary trail (which provides for greater buffer between the uses) would be satisfactory in this area.**

II. SOME QUESTIONS AND ANSWERS ABOUT THIS MASTER PLAN/FEIS

1. What is the action?

The adoption and implementation of a Master Plan for Amherst State Park.

2. Who will take this action?

Bernadette Castro, the Commissioner of NYS Office of Parks, Recreation and Historic Preservation (OPRHP) and the Town Board of the Town of Amherst.

3. Why was this report written?

This Master Plan/FEIS was written to provide people with an interest in Amherst State Park a chance to participate in planning for its future. The document has also been prepared to comply with the State Environmental Quality Review Act (SEQR) procedures.

4. How much opportunity has there been for participation by others?

Public participation has helped the Town and OPRHP in identifying issues, concerns and alternatives, as well as determining the level of study that should be given to each of the topics within the Master Plan and FEIS. The Amherst State Park Advisory Committee was established by Town of Amherst Supervisor Susan J. Grelick in January of 1999. The purpose of the committee is to advise the Town and the State on issues related to the park that are important to the community during the preparation of the Master Plan and Management Plan for the park. The Advisory Committee consists of representatives of adjacent neighborhoods, local environmental organizations, the local school district, the Village of Williamsville Board of Trustees, Town of Amherst departments including the police and fire departments, the New York State Office of Parks, Recreation and Historic Preservation and the New York State Department of Environmental Conservation.

The first formal discussion of the future of Amherst State Park took place during a Town Neighborhood Focus meeting in May 1999. Upon hiring a consultant, two formal public meetings were held by the Town of Amherst regarding the Master Plan. On July 26, 2000 a scoping meeting was held at the Main-Transit Fire Hall in Williamsville, New York. The purpose of the public scoping meeting was to encourage public participation and involvement in the initial stage of the planning process. At the meeting, attendees were encouraged to provide comments. All issues, concerns, problems, suggestions and ideas were accepted and recorded. Attendees of the July 26 scoping meeting received a copy of the comments from the meeting and a copy of the Draft Scope for the DEIS in the mail or by email. A final scoping outline was prepared by the Town and OPRHP on May 14, 2001.

On October 11, 2000 a public charrette (work session) was held at the Hutchinson Hose Company, Inc. The purpose of this charrette was to inform the public of alternatives for park development, receive additional information/feedback, and verify decisions about the park's future development. Participants were asked to make recommendations on the park's future program and layout. Based

on the comments from this charrette, the Town's design consultant formulated graphic plans that represented three alternative park plans. These alternatives were presented to the public on February 28, 2001. Based on public comments received on these alternatives, this Draft Master Plan was developed.

The Draft Master Plan/DEIS was made available for public review on April 24, 2002, its date of completion. A public hearing was held on May 13, 2002 to obtain comments on the Draft Master Plan/DEIS. Written comments were received by OPRHP and the Town of Amherst from April 24, 2002 through June 3, 2002 (close of the comment period). The public hearing transcript and a summary of oral and written comments are available from the OPRHP and Town of Amherst. OPRHP and the Town's response to changes made based on these comments can be found in Section VIII.

A website for this project (www.edrpc.com/amherststatepark) was developed to serve as an information center for the Amherst State Park Master Plan/DEIS. The intent of the website has been to enable the public to monitor the progress of the Master Plan/DEIS process. A full copy of this Master Plan/FEIS is available for public review on the website.

5. How should this report be reviewed?

It is really up to the reviewer. One can choose to read the entire report cover to cover or focus only on those parts that are of interest. The following table can help focus on the major areas of interest.

<u>Area of Interest</u>	<u>Section</u>
What is the park like now?	Section II - Environmental Setting
What is the Master Plan proposing?	Section V - The Master Plan
How did OPRHP and the Town of Amherst arrive at the Master Plan?	Section IV - Master Plan Analysis and Alternatives
What will happen if the Master Plan is Implemented?	Section VI - Environmental Impacts and Mitigation Measures
How have comments on the Draft Plan/DEIS been addressed?	Section VIII – Comments and Responses

6. What happens next?

Following a minimum 10-day public review period, comments on the final Master Plan/FEIS will be taken into consideration by the Town and OPRHP. A "Statement of Findings" will then be prepared by each Agency. The findings statement will describe the action being taken as well as a description of the basis for this action. The final Master Plan/FEIS will then be presented for the Commissioner of the OPRHP and the Amherst Town Board for formal adoption.

7. How can someone comment on the Final Plan/FEIS?

Persons wishing to comment on the Final Plan/FEIS may write or e-mail the agency contacts:

NYS Office of Parks, Recreation & Historic Preservation
Empire State Plaza
Albany, New York 12238
Contact: Thomas B. Lyons, Environmental Management Bureau
Phone: (518) 474-0409
Email: Thomas.Lyons@oprhp.state.ny.us

And

Town of Amherst, New York
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I. INTRODUCTION

A. Planning and Environmental Review Process

The Master Plan for Amherst State Park was developed in response to the acquisition of 85-acres by the State of New York in January of 2000 using Clean Water/Clean Air Bond Act monies. The property was the former St. Mary of the Angels Convent, home to the Sisters of St. Francis since 1923. The Town of Amherst originally retained ownership of the former Mother House and approximately 8 acres of associated land around it. Upon completion of the purchase of approximately 4 acres by CRS properties for the development of senior housing at the Mother House, the Town will retain the balance of approximately 4 acres. The State of New York owns the remaining 77± acres for the State Park. Under a management agreement, the Town of Amherst will be responsible for the operations and maintenance of the State Park property. The agreement between the Town and the State stipulates that the property will be used for "passive recreation and conservation purposes".

On January 10, 2000, the Town of Amherst and New York State announced their intent to serve as co-lead agencies under the State Environmental Quality Review Act (SEQR). The Town and OPRHP also issued a positive declaration requiring that a Draft Environmental Impact Statement (DEIS) be prepared to address the potential environmental impacts of Master Plan adoption and implementation. In May 2000, the Town of Amherst contracted Environmental Design & Research, P.C. (EDR) to develop a Master Plan and DEIS for Amherst State Park.

Public participation has helped the Town and OPRHP in identifying issues, concerns and alternatives, as well as determining the level of study that should be given to each of the topics within the Master Plan and EIS. The Amherst State Park Advisory Committee was established by Town of Amherst Supervisor Susan J. Grelick in January of 1999. The purpose of the committee is to advise the Town and the State on issues related to the park that are important to the community during the preparation of the Master Plan and Management Plan for the park. The Advisory Committee consists of representatives of adjacent neighborhoods, local environmental organizations, the local school district, the Village of Williamsville Board of Trustees, Town of Amherst departments including the police and fire departments, the New York State Office of Parks, Recreation and Historic Preservation and the New York State Department of Environmental Conservation.

The first formal discussion of the future of Amherst State Park took place during a Town Neighborhood Focus meeting in May 1999. Upon hiring a consultant, two formal public meetings were held by the Town of Amherst regarding the Master Plan. On July 26, 2000 a scoping meeting was held at the Main-Transit Fire Hall in Williamsville, New York. The purpose of the public scoping meeting was to encourage public participation and involvement in the initial stage of the planning process. At the meeting, attendees were encouraged to provide comments. All issues, concerns, problems, suggestions and ideas were accepted and recorded. Attendees of the July 26 scoping meeting received a copy of the comments from the meeting and a copy of the Draft Scope for the DEIS in the mail or by email. A final scoping outline was prepared by the Town and OPRHP on May 14, 2001.

On October 11, 2000 a public charrette (work session) was held at the Hutchinson Hose Company, Inc. The purpose of this charrette was to inform the public of alternatives for park development, receive additional information/feedback, and verify decisions about the park's future development. Participants were asked to make recommendations on the park's future program and layout. Based on the comments from this charrette, the Town's design consultant formulated graphic plans that represented three alternative park plans. These alternatives were presented to the public on February 28, 2001. Based on public comments received on these alternatives, the Draft Master Plan was developed and made available for public review on April 24, 2002, its date of completion. A public hearing was held on May 13, 2002 to obtain comments on the Draft Master Plan/DEIS. Written comments were received by OPRHP and the Town of Amherst from April 24, 2002 through June 3, 2002 (close of the comment period). The hearing transcript and a summary of oral and written comments are available at OPRHP and Town of Amherst. OPRHP and the Town's response to changes made based on these comments can be found in Section VIII.

Relationship to Other Federal, State, and Local Agency Programs

The action which initiated the preparation of the FEIS was the formation of Amherst State Park and the need for a Master Plan. The plan for the park reflects the Town's desire for a formal trail system, and achievement of other long-term open space and recreation goals for the Town as described in the Town of Amherst Recreation and Parks Master Plan. The development of the Master Plan also is consistent with the goals of New York State's Open Space Conservation Plan, including preservation of open-space, natural resource education and research, protection of diverse plant and animal species, protection and enhancement of scenic and cultural resources, and universal accessibility. The Amherst State Park Master plan also addresses the needs described by the State Comprehensive Outdoor Recreation Plan (SCORP). According to the SCORP, within the western analysis zones, there is a continued need for recreation facilities and protection of environmentally sensitive properties.

This FEIS was prepared in compliance with Article 8 of the New York State Environmental Conservation Law (SEQR) and the implementing regulations of the New York State Department of Environmental Conservation (NYCRR Part 617) on behalf of the lead agencies (Town of Amherst & NYSOPRHP). The major issues of concern relative to this project include impacts to surface water drainage, water quality, wetlands, ecological resources, recreational facilities/activities, and cultural resources.

During the preparation of this document, contributions of technical information were provided by the following:

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II. ENVIRONMENTAL SETTING

A. The Region

Amherst State Park is located within the south central portion of the Town of Amherst, Erie County, New York (Figure 1). Amherst is the fourth largest municipality in the State of New York outside of the NYC metropolitan area and is situated in the northwestern part of the County abutting the City of Buffalo to the southwest. Other adjacent municipalities in Erie County include Tonawanda to the west, Cheektowaga to the south, Lancaster to the southeast, and Clarence to the east. These towns are generally suburban in character. In addition, the Village of Williamsville is located within the southeast portion of Amherst. Adjacent municipalities in Niagara County include North Tonawanda and Wheatfield to the northwest and Pendleton to the north. Today, the Town of Amherst functions not only as a suburban community but also as an employment, retail, and institutional destination for its residents, and for residents of surrounding municipalities.

The Amherst State Park is less than 3 miles from the interchange of I-90 and I-290, a major route between the United States and Canada. The Buffalo Airport, Millard Fillmore Hospital, SUNY Amherst North Campus, Daemen College, and Erie County Community College are all located in the Town of Amherst within 2 miles of the State Park. The Town of Amherst is also the northeast headquarters of Tops Markets, the 15th largest employer in western New York.

The Park is located within the Niagara Frontier Region of the New York State Park system (see Figure 2). Most of the 17 State Parks in this region, with the exception of Amherst State Park and Knox Farm State Park, are located near the Niagara River, Lake Ontario, or Lake Erie. The region includes well-known and heavily used state parks such as Niagara Reservation State Park (which encompasses the American Falls) and Reservoir State Park, which offers a wide variety of athletic fields (see Table 1). It also includes smaller or less visited parks such as Joseph Davis State Park and Buckhorn Island State Park. In July of 2000, OPRHP acquired the 650-acre Ess-Kay Farm property in East Aurora. This park, now known as Knox Farm, includes a variety of forests and fields, ponds, and historic structures. The region's state parks provide diverse attractions including campsites, bathing beaches, swimming pools, waterslides, boat launches, seasonal slips and transient docking, golf courses, athletic fields, and historic sites. Most of the state parks in the region also provide fishing access, playgrounds, picnic areas, and/or nature trails.

Table 1. State Parks within the Niagara Region

Niagara Region State Park	Major Recreational Facilities
Beaver Island	950 acres, ½ mile beach, day use, 80 boat slips, golf course, nature trails
Big Six Mile Creek Marina	134 boat slips
Buckhorn Island	895 acres, trails, fishing access
Devil's Hole	Views to Whirlpool Rapids, trails
DeVeax Woods	Playing fields, trails
Earl W. Brydes Artpark	Performing arts center, geological tours, fishing, hiking
Evangola	Beach, day use, and 80 campsites

Table 1 (cont.). State Parks within the Niagara Region

Niagara Region State Park	Major Recreational Facilities
Fort Niagara	2 boat launches, trails, pool, waterslide, 18 soccer fields, picnic and playground areas, historic site
Four Mile Creek	266 campsites, trails
Golden Hill	Lighthouse, fishing, golf course, camping, boat launch, trails
Joseph Davis	Fishing, trails, day use, cross-country skiing, Frisbee golf
Knox Farm	650 acres, variety of trails and environmental education/interpretation opportunities, such as horseback riding, birding, field activities, and working farm experiences
Niagara Reservation	American Falls, Horseshoe Falls, Goat Island, observation tower, "Maid-of-the-Mist" boat tour
Reservoir	Extensive playing fields – softball, baseball, soccer, basketball, tennis
Whirlpool	Trails, pavilion and playground
Wilson-Tuscarora	395 acres, boat launch, marina, fishing, beach, day use
Woodlawn Beach	Beach and Nature Center, trails, day use

Erie and Niagara County also have three State Wildlife Management Areas and a Nature Preserve. Tillman Road Swamp in the Town of Clarence includes 230 acres of wetland and upland habitat with parking areas, accessible trails, and a viewing tower to support hiking, bird watching, cross-country skiing, fishing and trapping. Great Baehre Swamp is located approximately 2.5 miles from Amherst State Park in the Town of Amherst. This 271 acre forested wetland includes a parking lot, paved bike trail, and wheel chair accessible boardwalk. The area is used primarily for bird watching and nature hikes. Hartland Swamp is in the Town of Hartland. The 385-acre site provides upland and wetland habitat and includes trails, parking and camping areas to support bird watching, camping, hunting, fishing and trapping. The Dr. Victor Reinstein Woods Nature Preserve is located in the Town of Cheektowaga. The 300-acre preserve includes areas of young and mature forest, shrub thickets, ponds, marshes, and swamps.

B. The Park

1. History

The park was originally part of the Reist Milling Company Complex (see Figure 3). Located in the southwestern section of the park, the Reist Milling Company Complex included a flour mill, coal and wood sheds, a mill barn, 12 foot high water wheel, mill ponds, embankments, raceways, a large farm house, a two family mill house, carriage house, ox and horse team sheds, tenant houses, a cooperage, a hemp mill, forge, smoke house, chicken house, and saw mill. It was acquired (largely through foreclosure of mortgages) between 1889 and 1893 by Mr. John Blocher, a wealthy local shoe manufacturer. Mr. Blocher was an early promoter of the Village of Williamsville. He reportedly flooded a large area of his land and attempted to grow several acres of cranberries, a project that proved a failure. Another dream he had was to build a large dam in Ellicott Creek to form a lake in the low area between Reist and Mill Streets extending north from Glen Avenue to Sheridan Drive and Forest Road. He hoped to transform Williamsville into a summer resort and cut

ice from the lake in winter. When owners of neighboring property refused to cooperate with his scheme, he abandoned it (Stillman n.d.).

In 1901, Mr. Blocher donated nearly 100 acres of his land to the Sisters of St. Francis, on the condition that they construct and operate a home for the aged on this property (Amherst Bee 1955). In 1901, the Sisters began an addition to the former Reist farmhouse, and in April 1902, the Holy Family Home for the Aged was opened in the former farmhouse. Gradually the sisters operations and their real estate holdings expanded, as they built a chapel, bought the adjacent Kuhn farm, and built or relocated several farm and residential buildings to create an active living and farming complex, with farm products used to support the aged residents and the residents of the Sisters' Mother House in Buffalo. Between 1902 and 1922, improvements included new barns, and sheds, repeated enlargement of the residence, telephone and electrical service, public water, and a bridge across Ellicott Creek.

On October 28, 1928, the St. Mary of the Angels Convent building on Mill Street was dedicated. The Convent and Mother House building represents an expansion of the religious and social service function of the Sisters, with the construction taking place on the high ground in the northern part of the Blocher parcel. The Convent housed the retired sisters, the main offices of the order and training facilities; in addition one wing became a residence for the aged after the wood-frame Holy Family Home was vacated in 1937. Two years later, the Gethsemane Cemetery for Sisters was dedicated near the Stone chapel (see Figures 4 and 5).

The work of the sisters was in teaching the mission of the order, care of the poor and elderly and perpetual prayer. The sisters also worked the land to provide food for their use and for the needy. The farming function of the Holy Family Home, including production of food for the use of the residents and for the downtown Pine Street facility, was continued out of the Convent; the remaining orchard trees reflect this element of the operations. During its most active period of time, the Mother House provided a home for 200-250 sisters as well as up to 100 for the elderly. Community functions held at the Mother House included regional meetings of the order, classrooms and faculty offices for St. Clare Junior College for young women, annual Fireman's Festivals, plays, and a public midnight Mass at Christmas. As the area's population increased, the Sisters' property attracted nearby residents who came to enjoy the area's natural surroundings and fishing in Ellicott Creek.

Photographs from the 1940's and 1950s show the Mother House in its prominent position on a high ground overlooking the undeveloped floodplain. A circular drive surrounds the building and radial walkways lead outward into the ground to various landscape elements including the orchard down below a set of stone steps, the arbor, the gazebo, the stone grotto, and the memorial garden. Statuary was located at many of these features, but is now removed.

There is no indication as to when the original Holy Family Home was demolished but the Sanborn map for 1940 (corrected to 1947) shows that the original Holy Family had been demolished leaving the Mill/Barn and other out buildings.

In 1956, the St. Francis Home, a health-related home for the elderly, opened on the Reist Street property south of the Mill. This construction obliterated and/or rechanneled the millpond and raceway present in the 1870s through 1901. In 1963-1964, the Holy Family Home for the well-aging opened adjacent to the St. Mary of the Angels convent on Mill Street and a bridge was

constructed over Ellicott Creek to accommodate travel between the St. Francis Home and those on Mill Street (Pierce, 1997).

Over time, the number of Sisters associated with the St. Francis order in Amherst declined from over 400 to 85 and the size and operating costs of the St. Mary of the Angels building became a burden. In 1997 the Sisters decided to sell the St. Mary of the Angels building (referred to as the former Mother House) along with approximately 85 mostly undeveloped acres and build a new facility (referred to as the new Mother House) adjacent to the St. Francis Home on Reist Street.

The Sisters of St. Francis property was listed in the 1997 New York State Open Space Conservation Plan (NYSDEC and OPRHP, 1997) as a priority acquisition site. In 1998, the property was evaluated for purchase by the Town of Amherst. A Town of Amherst feasibility study concluded that the building would be suitable for use as government offices, youth/senior services, a conference center or senior housing and the grounds represented a significant natural open space (Flynn Battaglia Architects, 1998). The study also indicated that the former Mother House building is eligible for listing on the State and National Register of Historic Places by the OPRHP. In 1998, the State allocated \$2.5 million for acquisition of the Sisters of St. Francis property as a State Park. In January 2000, the Town of Amherst provided a \$2.5 million match and purchased the 85± acre site including the former Mother House and ancillary buildings, the Reist Mill, and undeveloped lands. Title to 77 acres of this land was transferred to New York State. The Town of Amherst owns the remaining land including the Mother House.

2. Legal Considerations

On January 10, 2001 the Town of Amherst and the State of New York signed a cooperative Operations and Maintenance Agreement. According to this agreement, OPRHP holds title to the park property, while the Town of Amherst shall assume the full cost and responsibility for the development, operation, maintenance, security and administration of the property. The agreement also stipulates that the property shall be used for passive, low intensity recreation, education and conservation purposes and any substantial man-made physical changes to the property shall be minimal. A copy of this agreement is included in Appendix C.

There is a 50-foot wide permanent easement to the State from Sheridan Drive just east of the Hutchinson Hose Company running south and slightly east to Ellicott Creek. This easement is for a storm drain from Sheridan Drive to an outfall to Ellicott Creek west of the Holy Family Home (see Figure 12). The Amherst State Park property includes an access road, which is encumbered by an easement with the Town of Amherst and the future developer of the Mother House.

In the spring of 2001, the Town of Amherst received proposals for future use of the former Mother House. CRS Properties, a local developer, was awarded a contract to develop the Mother House into a senior living center known as St. Mary's Commons. CRS Properties (St. Mary's Commons Associates, L.P.) is proposing a 102 unit Low Income Housing Tax Credit Apartment Community designed to provide an independent living environment for seniors age 55 and older. St. Mary's Commons will set aside 100% of its rental units for households which have a combined income of 60% or less than the area's median income, adjusted for household size. According to CRS Properties, there is a tremendous need for affordable senior housing in the area. Closing on the property along with easement agreements is anticipated to take place by the end of March 2003.

In the meantime, St. Mary's Commons Associates, L.P. has successfully nominated the Mother House and a portion of the State Park (Mother House area, Creek Bend area, and Orchard area) to the National Register of Historic Places (see Figure 6). The parcel was accepted to the State and National Registers in November 2002. It represents a roughly 30-acre portion of the original Sisters of St. Francis property, including all of the intact buildings and landscape features, which retain integrity as a complex. Any proposed work in National Register areas of the park will require review by State Parks Historic Preservation Field Services Bureau.

3. Park Boundaries and Adjacent Land Uses

As of December 2002, the State Park property includes approximately 80 acres, including undeveloped lands, the Mother House Garage/Maintenance Building, the Reist Mill and two nearby storage buildings. On November 21, 2002, the Town of Amherst Planning Board approved a site plan for the former Mother House that will see the structure converted to a 102-unit senior housing facility utilizing historic preservation and low income tax credits. The Mother House and 4.11 acres of property will be sold by the Town to CRS Properties (a.k.a. St. Mary's Commons Associates, L.P.), which will own and operate the facility. The property being purchased is smaller than the original 7.96-acre parcel that was reserved for future development of the Mother House. The balance of 3.85 acres will be retained by the Town of Amherst in three separate parcels. Two of these parcels (one located south and west of the Mother House building and the other located primarily east of the Mother House building) totaling 2.85 acres are intended to be combined with the State Park. These 2.85 acres have been included as part of the State Park in the Master Plan and Final Environmental Impact Statement for the purpose of assessing any environmental impacts associated with this land and thus bring the total acreage of park land to approximately 80 acres. The third parcel (1± acres) containing the old powerhouse north of the Mother House will remain in Town ownership.

Due to the history of the State Park property, much of the park borders property and facilities owned by the Sisters of St. Francis. To the west along Reist Street is the St. Francis home and the new Mother House. The park also surrounds the Holy Family Home located immediately north of the former Mother House. There are two private and two public recreational facilities that directly border the State Park. The Village Glen Tennis & Fitness Club is located along the east boundary off Mill Street and the Park Country Club is located to the west with access off Sheridan Drive. The Country Club golf course includes two holes on the east side of Ellicott Creek that directly abut the State Park. The remaining Country Club facilities are west of the creek. Glen Park, located adjacent to the south end of the park, is a 9.7 acre public park owned jointly by the Town of Amherst and the Village of Williamsville. It includes a spectacular waterfall, walking paths, and picnic areas. Residential neighborhoods border the State Park to the west along North Cayuga Road, to the east along Mill Race Court (north of Glen Avenue), to the east along Mill Street, and at the corner of Mill Street and Sheridan Drive. Other adjacent land uses include the Hutchinson Hose Company, a volunteer fire company on Sheridan Drive to the north, and several individual residences to the west off Sheridan Drive and Reist Street.

A majority of the park boundaries is characterized by dense vegetation, fencing, and/or steep slopes. Existing vegetation at the park boundaries and on adjacent property provides significant screening/buffer of the park particularly in the Northern area, Orchard area, and Reist Mill area.

The park is located in close proximity to many area colleges and universities. SUNY at Buffalo North Campus, Erie Community College and Daemen College are all within two miles of the park. The site is also within a short distance of the Mill Middle School, Williamsville South High School, Saints Peter & Paul School, Forest Elementary School, and Christian Central Academy.

In a broader Town context, Amherst State Park is located in close proximity to Williamsville, Snyder, Eggertsville and Getzville. It is also conveniently located near many other Town neighborhoods including Audubon, Transit Road, Maple-Klein and the North Forest neighborhoods.

Figure 6 shows Amherst State Park and adjacent land uses.

4. Park Description

Amherst State Park is an irregularly shaped parcel that parallels Ellicott Creek between Glen Avenue and Sheridan Drive. The park includes a mix of undeveloped deciduous forest, successional old fields, a former fruit tree orchard, and lawn and landscaped grounds associated with the former Sisters of St. Francis Mother House. The centerpiece of the park is a 3,850 linear foot section of Ellicott Creek. The majority of the park property occurs within the Ellicott Creek Floodplain and is subject to periodic inundation by floodwaters. For ease of description, the park can be broken down into seven discrete sub-areas (see Figure 6). A brief summary describing the various sub-areas within the park follows:

- 1) Northern Area - The irregularly shaped Northern area is defined on the north by Sheridan Drive; on the east by existing residential properties of Mill Street and the Holy Family Home; on the south by the former Mother House property; and on the west by Ellicott Creek, private residences, and the Hutchinson Hose Company. A six foot aluminum fence follows the south and west boundaries of the Holy Family Home, while a small wood snow fence follows the top slope of Ellicott Creek and the west woodland edge of the park approximately 400' starting from the Holy Family Home to the north. The area is generally flat with an average elevation of 612 feet above sea level. A combination of lawn, wetland and woodland habitat exist within this area. Currently, a softball field and the fire department's confined space training area also exist within this area.
- 2) Mother House Area - The Mother House area is the central core of the park. The area is defined on the north by the Holy Family Home; on the east by Mill Street; on the south by the Orchard area; and on the west by the Creek Bend area. The area is generally flat with an average elevation of 615 feet. The area is bounded by a downward slope ranging from 10% to 60% on the west and south edges of this area. Open lawn interspersed with trees and foundation plantings occur within the Mother House Area. The area does not include the main Mother House facility, and approximately 4 acres surrounding it, but does include several outbuildings and landscape structures related to the St. Mary of the Angels/Sisters of Saint Francis Mother House campus. The outbuildings in the park include the brick gatehouse and a long one-story brick garage. Landscape features and structures within the park include an arbor and gazebo located west of the Mother House; a stone grotto located south of the Mother House; a pumphouse near the bank of Ellicott Creek; a flight of stone steps that leads to the Orchard Area; and a small meditation garden located southwest of the Mother House.

- 3) Creek Bend Area - The Creek Bend area is located immediately west of the Mother House area. The area is defined on the north by the upland terrace of the Northern area; on the east by the upland terrace of the Mother House area; on the south by the Orchard area; and on the west by Ellicott Creek. The Creek Bend area is in the Ellicott Creek floodplain at an average elevation of 598 feet. The area also includes steep slopes in the range of 10% to 60% up to the Mother House area, a ditch originating from the Orchard area, woodland vegetation and open lawn.
- 4) Orchard Area - The Orchard area consists of an abandoned fruit tree orchard, open field, and conifer plantation. This area is within the 100-year floodplain of Ellicott Creek. The area is defined on the north by the upland terrace of the Mother House area; on the east by an abandoned iron fence and off-site private residential properties; on the south by the riparian woodland along Ellicott Creek; and on the west by a drainage ditch separating the Park Country Club's golf course from the park. The average elevation of the Orchard Area is approximately 600 feet.
- 5) Ellicott Creek Area - The Ellicott Creek Area consists of nearly the entire southern half of the park. Most of this area is riparian woodland and falls within the creek's floodway and 100-year floodplain boundaries. The area is defined on the north by the Orchard Area; on the east by off-site residential properties, the Village Glen Tennis and Fitness Club, and Glen Park; on the south by Glen Avenue; and on the west by open successional vegetation within the Ellicott Creek floodplain. The average elevation of the Ellicott Creek Area is approximately 598 feet.
- 6) Floodplain Area - The Floodplain area is located east of the Reist Mill area and is part of a larger area of low-lying fields and wetlands west of Ellicott Creek. The area is defined on the north and east by the Ellicott Creek floodway and on the south and west by the uplands surrounding the Reist Mill. The average elevation of the Floodplain area is approximately 600 feet.
- 7) Reist Mill Area - The Reist Mill area is located on the west side of the park and offers a point of entrance to the park for local residents to the west. This elevated upland area includes the historic Reist Mill, areas of mowed lawn and some successional woodlands on the slopes that descend to the Ellicott Creek floodplain. The area is defined on the north and east by the Open Floodplain Area; on the south by the new Mother House property and on the west by Reist Street and a private residence. The average elevation of the Reist Mill Area is approximately 615 feet.

5. Physical Resources

a) Surface Geology

The Erie County Soil Survey (USDA SCS, 1972) was used to identify soils on the park property. The majority of the park area near Ellicott Creek is dominated by floodplain soils (Wayland and Teel silt loam series). Much of the remaining area is dominated by lacustrine deposited soils (Odessa, Schoharie, and Hudson series), although there are small areas of a soil series derived from glacial till deposits in the southern portion of the park (Cazenovia silt loam series). Of the soil types found within the park, Wayland is considered hydric, while Odessa and Teel have the potential for hydric inclusions (USDA SCS, 1989). A soils map is presented in Figure 7. A description of the characteristics of the major soil types present on the site is presented below:

Teel silt loam, 0-3% slopes (Te) - This deep, medium textured soil is moderately well drained to somewhat poorly drained, and typically occupies long narrow bands or shallow basins in close proximity to major streams. The seasonal high water table rises into the subsoil and is controlled by the water level in the adjacent stream. Teel soils occur on both sides of Ellicott Creek in the central portion of the park. They total approximately 20% (16 acres) of the park's land area. This soil type is well suited to farming, but is poorly suited to urban uses due to flood hazard. Teel soils present limitations for various community and recreational uses due primarily to flood hazard, seasonal wetness, and high risk of frost damage. Areas that are not affected by flooding or wetness early in the spring may be suitable for recreational uses. The County Soil Survey indicates severe limitations on the development of buildings, roads and camping areas, moderate limitation on the development of lawns, landscaping, picnic areas and playgrounds, and only slight limitations on the development of paths and trails. Teel soils also have good potential for development of upland wildlife habitat.

Wayland silt loam, 0-3% slopes (Wd) - This deep, poorly drained and very poorly drained, medium textured soil developed in silty alluvium on the lowest parts of flood plains. It is level or nearly level and generally runs parallel to adjacent streams. The seasonal high water table rises to near or at the surface from November through June and is partly controlled by the adjacent stream. Approximately 19 acres of Wayland silt loam occurs very near Ellicott Creek in the central and southern portions of the park, in association with Teel silt loam. Wayland soils present serious limitations for all community and recreational uses due to their seasonal high water table, frequent flooding and high risk of frost damage. Wayland soils have good potential for the development of wetland wildlife habitat.

Schoharie silt loam (SaA - 0-3% slope and SaB - 3-8% slope) - This deep, fine textured, well drained to moderately well drained soil is of lacustrine origin. Schoharie soils occur on slightly convex higher parts of the lake plain. These soils have a perched high water table that reaches the lower portions of the subsoil in March through May. The subsoil and substratum display slow to very slow permeability, and available water capacity is moderate to high. Areas of Schoharie soils occur in the northern portion of the park, and comprise approximately 3% (2.5 acres) of the park's land area. Schoharie soils have severe limitations for various site development activities (excavations, structures, roads) due to wetness, low strength and high clay content. The County Soil Survey indicates moderate limitations on certain recreational uses (including lawns, fairways, campgrounds and playgrounds) due to clayey texture and slow permeability. Schoharie soils present only slight limitations on other recreational uses, such as picnic areas, paths and trails, and have good potential for the development of upland wildlife habitat.

Hudson silty clay loam, 15-25% slopes (HvD) - This lacustrine derived series consists of deep, well-drained soils with high silt and clay content. This soil occurs on moderately steep slopes, on the sides of dissected areas, ridges, and valleys. Areas of this soil are elongated on side slopes that are adjacent to creeks and streams. The water table is perched to the lower portion of the subsoil from November through April. Relatively small areas (approximately 5 acres) of Hudson series soils occur in the northern portion of the park on the steep slope adjacent to the floodplain of Ellicott Creek. Hudson soils are considered unsuitable for crops, due to their steep slope and associated erodability. The steep slope, poor stability, wetness and seepage, clayey texture and high erosion potential also place serious limitations on almost all site development and recreational uses of this soil. The soils present moderate limitations on the development of paths and trails, but have fair to good potential for the development of upland wildlife habitat.

Phelps gravelly loam, 0-3% slope (PhA) - This deep, moderately well drained soil is formed in water-laid deposits of sand, silt and gravel, and occurs on low flats of outwash plains. Phelps soil has a seasonal high water table in the lower part of the subsoil. The temporary seasonal high water table, seepage, and high frost damage potential of this soil present severe limitations for most site development uses. Limitations on the development of lawns, landscaping and almost all recreational uses are considered moderate due to the presence of small stones. Phelps soil has good potential for the development of upland wildlife habitat. Phelps soil occurs in the central portion of the proposed park, and comprises approximately 11 acres (14 %) of the park's land area.

Other soil types occurring within the park include the following:

CgC - Cazenovia silt loam, 8-15% slope
FaB - Farmington cherty loam, 3-8% slope
Od - Odessa silt loam
Ut - Urban land-Odessa complex
Uu - Urban land-Schoharie complex
WaB - Wassaic silt loam, 3-8% slope

Soils classified as Urban Land occur at the north end of the park, near Sheridan Drive. A small area of Odessa silt loam is shown near the Mill Street entrance (east of the Mother House) and small areas of Cazenovia silt loam are mapped in the vicinity of the Reist Mill. All of these soils are found in only small areas of the park. An area of Farmington cherty loam is located east of Ellicott Creek at the south end of the park, and a small area of Wassaic silt loam occurs right along Glen Avenue. Together, these soils total approximately 7 acres (9% of the park). These soils generally do not present significant constraints to various uses and forms of development, beyond potential erosion on areas with steeper slopes. Farmington soils do present limitations associated with shallow depth to bedrock, and Odessa soils can exhibit wetness and poor stability in certain areas.

b) Subsurface Geology

According to the County Soil Survey, Erie County is underlain by bedrock of the Upper Silurian and the Middle and Upper Devonian periods (USDA SCS, 1972). The various formations of rock are in bands that have an east-west orientation. The beds are oldest in the northern part of the county, and they become progressively younger toward the southern part of the county. The oldest bedrock formation is the Salina Group, which forms a band approximately 5 to 6 miles wide along the northernmost edge of the county. This formation underlies the park, and is composed of shale and dolomite. The bedrock in Erie County is fairly flat, but dips or tilts approximately 50 feet a mile to the southwest. The rocks have retained much of the form they had when they were deposited as silts and sands in the seas that covered this area approximately 300 million years ago (USDA SCS, 1972).

Erie County was covered and uncovered by several glacial advances and retreats during the ice ages that began approximately 300,000 years ago and ended about 10,000 years ago. As the ice moved southward, it picked up soil material and pieces of bedrock and ultimately redeposited a mixture of unconsolidated material. One of the more common deposits in the county is glacial till. Till is a heterogeneous mixture of particles carried by the glacier and deposited directly from it. Glacial lake

waters occupied the northern part of the county for several fairly long periods. The sediments deposited in these lakes formed in glacial lacustrine deposits (USDA SCS, 1972).

According to the Erie County Soil Survey, all of the major soil types within the proposed park have a depth to bedrock of greater than 60 inches (USDA SCS, 1972). A small area of exposed bedrock ledge occurs at the south end of the park, along the east side of Ellicott Creek.

c) Topography

Erie County is in two physiographic provinces within New York State. The northern half and the western edge of the county, which includes the Amherst State Park site, are in the Erie-Ontario lake plain province; the southern part is in the Allegheny Plateau province. The Erie-Ontario Plain has little significant relief, except in the immediate vicinity of the major drainage ways, and typifies the topography of an abandoned lakebed (USDA SCS, 1972). Elevations within the county range from a low of 569 feet above mean sea level at the Lake Erie shoreline to a high of 1,935 feet above mean sea level near the County's southern border. On the Erie-Ontario Plain, elevation ranges from 700 to 1,000 feet (USDA SCS, 1972).

Topography on the majority of the park site is characterized by the level to gentle slopes (0-8% slope) typical of a floodplain (see Figure 8). Steeper slopes are located along the edges of the floodplain that run through the park. On the west side of Ellicott Creek, near the Reist mill slopes along the floodplain are fairly steep (15-30%). Steep slopes also exist at the south end of the park near Glen Park (60-90%) and at the northern end of park, near the Holy Family Home. As mentioned above, the steep slopes at the south end of the park include exposed bedrock ledges. Fairly steep slopes (15-25%) also exist west and south of the Mother House. These slopes typically define the outside edges of the Ellicott Creek floodplain.

d) Surface and Groundwater Resources

1) Streams

Streams in the northern portion of Erie County generally meander across the flat lake plains. Gradients are low and there are numerous swampy areas (USDA SCS, 1972). Ellicott Creek is the main drainage-way north of Buffalo, flowing northeast and emptying into Tonawanda Creek near its outlet to the Niagara River. In the Town of Amherst, Ellicott Creek is in its lower third, and the floodplain is much flatter than the upper two-thirds of the creek. The floodplain at the park provides attenuation and storage that is a critical element in reducing the risk of flooding in areas downstream. There are few areas along Ellicott Creek that have not been developed, which further increases the importance of maintaining its floodplain habitat.

Ellicott Creek flows from south to north through the long axis of the park (see Figure 9). In the section flowing through the park, the approximate total length and average width of Ellicott Creek are 4,470 feet and 70 feet, respectively. In places, the stream channel exceeds 100 feet in width and includes multiple channels that surround small islands. During periods of low flow substantial portions of the stream bottom are exposed. Average depth of the creek is 1-3 feet, with a maximum depth of 5+ feet in a few of the deeper pools. Average gradient through the park is approximately 2%, with a median annual flow of 70 cubic feet per second (cfs) and generally slow stream velocity

(NYSDEC, 1997). The stream bank is lined with trees, shrubs and herbaceous vegetation. In most places tree roots, exposed rocks and streamside vegetation have resulted in stable banks that show little evidence of erosion. However, some areas of shoreline erosion, have been identified within the park (Freeman, 2001). Within the park, mature trees create a canopy over the water along the shore. The streambed consists of cobbles, gravel and sand, with some areas of bedrock at the south end and finer silty sediments at the north end. At the north and south ends, surrounding land rises fairly abruptly from the stream banks, while within the central portion of the park, the Creek flows through a broad flood plain. Stream banks remain well defined in this area, but adjacent topography rises gradually and remains within approximately 4 to 6 feet of the normal high water elevation.

The segment of Ellicott Creek that runs through Amherst State Park has been designated as Class B, a regulatory determination signifying that the best use of the water body is for primary and secondary contact recreation (swimming and boating) as well as fishing. According to the NYSDEC, water quality in Ellicott Creek downstream of the park (Sheridan Drive) has been rated as poor (NYSDEC, 1997).

Based on macroinvertebrate kick samples collected in both 1993 and 1994, water quality at this site was assessed as "moderately impacted". Community composition suggested that the fauna was most heavily influenced by toxic inputs (NYSDEC, 1997). Chemical analysis of crayfish from this site collected in 1993 and 1994 found no metals at levels exceeding levels of concern, and no nitrogen/phosphorus pesticides above minimum reporting levels. PCBs were found at moderate levels (234 µg/kg), and 4,4'-DDE was found at low levels (47 µg/kg) in the crayfish collected in 1993. Crayfish collected in 1994 showed 4,4'-DDE, 4,4'-DDT, methoxychlor and mirex present above detectable limits; no PCBs above detectable limits were found in these crayfish. Caddisflies collected in 1994 showed HCH delta, heptachlor epoxide and 4,4'-DDE above detectable limits; no PCBs or nitrogen/phosphorus pesticides were found above minimum reporting levels (NYSDEC, 1997).

NYSDEC analysis of water column samples from Ellicott Creek showed dissolved solids and iron to be parameters of concern at this site. Eighty-seven percent of dissolved solids values exceeded the assessment criterion, while iron values exceeded the assessment criterion in 27 percent of the samples collected. In the bottom sediment, chromium, copper, lead and zinc were found to be parameters of concern. Chromium exceeded the criterion in one of the two samples, while copper, lead and zinc in excess of the criterion occur in both of the two samples collected (NYSDEC, 1997).

Fish surveys conducted by the NYSDEC immediately below Glen Avenue and 0.75 mile downstream of Glen Avenue on August 24, 1999 indicated pH in the range of 7.3 to 8.0 and conductivity in the range of 850 to 870 (NYSDEC, unpubl. a). These measurements indicate neutral to slightly basic water acidity. Macroinvertebrate sampling performed by the NYSDEC behind the Village Glen Tennis and Fitness Club and downstream of Sheridan Drive on September 13, 2000 indicated an improvement in water quality (based on the diversity and abundance of macroinvertebrates) over the results of 1993 and 1994 sampling (NYSDEC, unpubl. b). The stream was assessed as "slightly impacted", with the primary influences determined to be nonpoint source nutrients and siltation (NYSDEC, unpubl. b).

Other surface water resources within the park include a small unnamed tributary stream that enters the west side of the park and outlets to Ellicott Creek downstream of the existing bridge (Figure 5). This stream carries the outlet water from a series of man-made ponds that occur along the east side of

Reist Street, from Glen Avenue to the St. Francis Home. The ponds and stream are reportedly fed by groundwater, which is consistent with our observations that the stream runs throughout the summer and appears perennial. Within the park, the stream occupies a relatively narrow channel that averages 3-6 feet wide. In most places the channel is lined by wetlands, and herbaceous wetland vegetation (e.g. cattails, rushes, watercress) occurs within the stream channel and along the banks in most locations. The stream channel generally has a silty/mucky substrate and gentle gradient.

Several other intermittent drainage channels also occur within the park (See Figure 9). The largest of these runs along the north edge of the former orchard, outletting to Ellicott Creek west of the former Mother House. This channel collects surface water runoff (and occasionally flood waters) from the open fields, lawns and floodplain forest in the park. It also transports stormwater discharge from developed areas to the east (Mill Street). A portion of this drainage channel currently runs through buried culvert pipe.

Other intermittent drainages occur on the west side of Ellicott Creek, one north of Glen Avenue and the other northeast of the Reist Mill (the former mill race outlet). The flow of this stream is supplemented by discharge from the excavated pond north of the new Mother House. Two intermittent drainages also occur on the east side of Ellicott Creek between the tennis club and the former orchard to the north. These drainages occur within the floodplain forest in the park and serve to connect forested wetlands (both in and outside the park) with Ellicott Creek. All of the intermittent drainages include some wetland vegetation and/or evidence of wetland hydrology.

2) Wetlands

Review of the New York State Freshwater Wetland Maps (Lancaster and Buffalo Northeast quadrangles) indicates that there are no state-regulated wetlands on or adjacent to the park. National Wetland Inventory (NWI) Maps identify Ellicott Creek and an area of wetland west of the creek classified as palustrine-forested-broad leaved deciduous-seasonally flooded/saturated (PFO1E) (see Figure 9).

Field review indicates that the forested wetland shown on the NWI maps is made up of several small depressions within the forested floodplain west of Ellicott Creek and north of the open field on the west side of the park. These wetlands are characterized by a black willow overstory and an open understory. Where the overstory is more broken, shrub and herbaceous species are more abundant and diverse. Although dry in the summer, observations in the spring revealed standing water up to 12+ inches in these wetlands.

Field review also indicated the presence of additional wetlands in the park, beyond those shown on the NWI maps. The mapped forested wetlands described above are actually part of a larger wetland system that extends out into open field along the west edge of the park. These wetlands occur along an unnamed tributary stream and former agricultural swales that collect surface runoff in the open field. An upwelling of groundwater in one location and occasional flooding from Ellicott Creek also maintain wetland hydrology in these areas. Within the field area the wetlands are characterized as wet meadow, dominated by herbaceous plants including sedges and rushes. During most of the year these wetlands are not inundated by standing water. However, saturated soils and pockets of standing water occur during a significant portion of the growing season. These wetlands transition gradually into an upland old field community, and although the precise boundaries have not been

delineated, we estimate this area of wet meadow totals approximately 2.0 acres. With the previously described forested wetlands the wetland complex in this area of the park totals approximately 5.5 acres.

In the remainder of the park, small areas of wetland were identified within the forested floodplain community and in small depressions and ditches in other upland communities. These include forested wetlands similar to those described above, along with scrub-shrub and emergent areas. The approximate location of these areas is indicated in Figure 9. In total, it is estimated that total wetland acreage within the park is approximately 7.0 acres. The dominant plant species and wildlife use of these wetlands are described in the Biological Resources Section. None of these wetlands are protected by the NYSDEC under Article 24 of the Environmental Conservation Law. However, because of their hydrologic connection or proximity to Ellicott Creek, it is assumed that most of these wetlands would be under the jurisdiction of the U.S. Army Corps of Engineers, as per Section 404 of the Clean Water Act.

3) Floodplain

A large flood event in 1960 initiated efforts to study flooding and floodplains within Ellicott Creek. In the Town of Amherst, Ellicott Creek is in its lower third, and the floodplain is more level than in the upper two-thirds of the creek. The floodplain within Amherst State Park provides storm water attenuation and storage that is a critical element in reducing the risk of flooding in areas downstream. Within the Town of Amherst there are very few areas along Ellicott Creek that have not been developed, which further increases the importance of maintaining this floodplain. According to the Flood Insurance Rate map for the Town of Amherst, most of the park (57 acres or approximately 70%) is within the 100-year floodplain of Ellicott Creek (FEMA, 1980) (See Figure 9).

4) Ground Water Resources

According to the County Soil Survey, depth to groundwater on the project site ranges from 0 - 3 feet, depending on soil type and time of year (USDA SCS, 1972). The site does not occur over a primary aquifer, and the park and adjacent residences do not draw their water supply from private groundwater wells.

e) Air Quality

Ambient Air Quality Standards have been established for six criteria pollutants, including sulfur dioxide, carbon monoxide, nitrogen dioxide, ozone, total suspended particulates, and lead. The Town of Amherst is located within the Niagara Frontier Air Quality Control Region, as defined by the U.S. Environmental Protection Agency (EPA). With the exception of ozone, the Niagara Frontier Region is in attainment of ambient air quality standards for the criteria pollutants previously mentioned. Air quality monitoring in the Amherst area has identified 14 exceedances of the 8-hour average ozone concentration. Nearby Buffalo and Niagara Falls had one and two exceedances, respectively, of 24-hour average total suspended particulates in 1998 (NYSDEC, 1998). These averages correspond to the downward trend in Amherst over the past ten years.

f) Climate

The climate of Erie County is characterized as humid continental, with four distinct weather seasons occurring during the year. The climate is influenced by the area's geographic location with respect to Lake Erie, which can affect localized precipitation events. Lake Erie also affects temperature, as it tends to maintain warmer air during the fall and winter, and cooler air during the spring and summer.

In winter the average temperature is 26 degrees F, and the average daily minimum temperature is 20 degrees. According to the County Soil Survey, the lowest temperature on record, which occurred at Buffalo on February 2, 1961, is -20 degrees. In summer the average temperature is 69 degrees, and the average daily maximum temperature is 78 degrees. The highest recorded temperature, which occurred at Buffalo on September 3, 1953, is 98 degrees (USDA SCS, 1972).

According to the County Soil Survey, the total annual precipitation is 37 inches. Of this, 18.5 inches, or 50 percent, usually falls between April and September. Thunderstorms occur on about 31 days each year, and most occur in summer (USDA SCS, 1972). Average seasonal snowfall is 97 inches. On an average of 45 days, at least 1 inch of snow is on the ground. The number of such days varies greatly from year to year (USDA SCS, 1972).

The average relative humidity in midafternoon is about 60 percent. Humidity is higher at night, and the average at dawn is about 80 percent. The sun shines 65 percent of the time possible during the summer and 30 percent in winter. The prevailing wind is from the southwest. Average wind speed is highest, 14 miles per hour, during the winter (USDA SCS, 1972).

6. Biological Resources

An ecological survey of the park was undertaken by EDR during the fall of 2000 and the spring and summer of 2001. The following description of existing conditions is based largely on the results of that field review, along with published and unpublished data collected from various sources.

a) Vegetation

1) Plant Species

A total of over 100 different plant species were documented by EDR within the park boundaries. These plants include native species as well as introduced exotic species that have either been planted or have become naturalized components of the plant communities in which they are found. A plant species list (including scientific names) is presented in Appendix E. All of the species identified are common within Western New York State.

2) Plant Communities

The Amherst State Park property is distinguished from the surrounding area by its abundance and diversity of natural communities. The park includes a variety of ecological communities that are defined by their composition of overstory, understory and ground plain vegetation. These communities and their respective acreages within the park are outlined below (see also Figure 10):

Community	Size
Floodplain Forest	20.0 acres
Upland Deciduous Forest	3.5 acres
Conifer Plantation	4.5 acres
Successional Old Field	7.0 acres
Successional Shrubland	2.5 acres
Old Orchard	15.0 acres
Lawn/Landscape	10.0 acres
Emergent Wetland	2.0 acres
Scrub-shrub Wetland	1.0 acres
Forested Wetland	4.0 acres
Mid-Reach River	7.5 acres

A description of each of these communities and their dominant plant species is presented below:

Floodplain Forest

The major forested community within the park is similar to the floodplain forest community described in the publication titled *Ecological Communities of New York State* (Reschke, 1990). This community occurs within the floodplain of Ellicott Creek and is dominated by mature deciduous trees including black willow, green ash, eastern cottonwood and box elder. Occasional planted or naturalized Norway spruce are also found in this community. The overstory is fairly continuous and closed in some places, and broken in others. Trees and shrubs in the midstory include overstory tree saplings, along with shrubs such as silky dogwood buckthorn, wild grape, apple and Tartarian honeysuckle. In places where the overstory is broken, additional sunlight has resulted in a thicker, more diverse shrub/sapling stratum. Ground plain vegetation in the floodplain community is dominated by species that prefer shade and moist soil conditions, such as dame's rocket, poison ivy, Virginia creeper, wild strawberry, garlic mustard, nettles and white snakeroot. In more open areas dense stands of Japanese knotwood (an aggressive introduced species) have developed. Along the creek edge wetland species such as Joe pye weed, jewelweed and blue flag are common.

Old Orchard

The area of the park that was formerly a fruit tree orchard is currently characterized as an old orchard. It is similar to the successional old field and orchard communities described by Reschke (1990). It is dominated by upland species of grasses and forbs, including orchard grass, timothy, spotted knapweed, clovers, heal-all and dandelion. The community also includes approximately 100 scattered fruit trees (primarily apples) that are no longer being pruned or harvested. A limited amount of documentation covering the history of the orchard was found during research for this report. Photographs from 1940-50s indicated the orchard once consisted of approximately 250 fruit trees. The type and age of the existing fruit trees was not determined. A significant number of the

apple trees are dead, dying, or include dead branches. This area is periodically mowed throughout the growing season.

Successional Shrubland

Relatively small areas within and adjacent to the floodplain forest community and adjacent to developed areas in the northern portion of the park are characterized as successional shrubland (Reschke, 1990). These areas are dominated by shrubs and saplings, including gray dogwood, hawthorns, common buckthorn, honeysuckle, multiflora rose, and box elder. These areas tend to be very dense, and typically include only limited herbaceous vegetation on the ground plain.

Successional Old Field

Open areas adjacent to the old orchard community and in the open floodplain on the west side of Ellicott Creek are characterized as successional old field (Reschke, 1990). These areas are dominated by upland grasses and forbs such as spotted knapweed, timothy, red top, Queen Ann's lace, Canada goldenrod, asters, clovers and plantains. The old field on the west side of Ellicott Creek transitions to a wet meadow/emergent wetland community as one heads to the south and west. This area is not regularly mowed.

Lawn/Landscape

The central and northern areas of the park include existing buildings and paved areas, as well as the maintained lawns and landscaped grounds surrounding these built features. This community is similar to the mowed lawn with trees, rural structure exterior and paved road/path communities described by Reschke (1990). This community includes mature silver maples and Norway maples over mowed lawn, along with patches of planted shrubs and conifers.

Conifer Plantation

This community is similar to the spruce/fir plantation and conifer plantation communities described by Reschke (1990). It includes a 2.7 acre block of planted Norway spruce located at the western edge of the park between the old orchard and Ellicott Creek. The planted spruces are approximately 40 years old and have formed a dense continuous overstory. The resulting shade has essentially eliminated any understory vegetation. A narrow band of planted conifers (Norway spruce, Colorado blue spruce, red pine and scotch pine) are also located on the slope south of the parking lot at the former Mother House. This 1.8 acre section of conifers is estimated to be approximately 60 years old.

Upland Deciduous Forest

A relatively small portion of the park (4.0 acres) is covered by upland deciduous forest similar to the Appalachian oak-hickory forest described by Reschke (1990). Upland forest vegetation occurs primarily on the steep slopes that border Ellicott Creek. This forest community is dominated by sugar maple, red oak, black cherry, and white ash. Other tree species present in lesser amounts, or found in more restricted areas, include black walnut, basswood, white oak and Norway spruce. Common saplings and shrubs in the forest understory include sugar maple, black walnut, beech, and

honeysuckle. The herbaceous layer is variable, and includes species such as avens, Virginia creeper, and poison ivy.

Forested Wetland

Located within the floodplain forest that borders Ellicott Creek are areas of forested wetland, similar to the floodplain forest and silver maple-ash swamp communities described by Reschke (1990). As mentioned in the water resources section, these areas are distinguished from the surrounding forest by depressional topography that results in more persistent inundation and/or soil saturation. These conditions have resulted in the dominance of hydrophytic vegetation. Common overstory tree species include willows and green ash. Shrub and sapling species include silky dogwood and box elder, while the herbaceous stratum is thin and includes blue flag, clearweed, jewelweed and moneywort.

Scrub-Shrub Wetland

This community is similar to the shrub swamp community described by Reschke (1990). It occurs to a limited extent within the park property, but covers a sizeable area immediately off site to the southwest (southeast of the new convent on Reist Street). This community is similar to the shrub swamp community described by Reschke (1990), and is dominated by silky dogwood and willows. Common herbaceous species within this community include sedges, grasses, blue flag and purple loosestrife. Within the park, pockets of scrub-shrub wetland occur around the edges of the old orchard and successional old field communities. There are also some small areas of shrub wetland adjacent to open lawn areas in the north end of the park.

Emergent Wetland/Wet Meadow

Areas of emergent wetland/wet meadow occur within the park, primarily as depressional areas in the successional old field community west of Ellicott Creek. Other small areas of emergent wetland occur in pockets along the edges of Ellicott Creek and in ditches and channels that drain to the creek. This community is similar to the shallow emergent marsh community described by Reschke (1990), and is dominated by herbaceous species including cattails, purple loosestrife, sedges, rushes, Joe-Pye-weed, boneset, horsetail, blue flag and asters.

Mid-Reach River

Ellicott Creek is the most significant aquatic community in the park. Its physical characteristics were described in the Water Resources section of the plan. Within the park, the river is similar to the mid-reach stream community (Reschke, 1990) at and above the existing bridge. Below the bridge, Ellicott Creek is more typical of the main channel stream community described by Reschke (1990). The mid-reach stream portion is characterized by a well-defined pattern of alternating pool, riffle and run sections. The main channel stream portion is characterized by a quieter base level channel with few distinct riffles and more clearly distinguished meanders. Aquatic vegetation is generally lacking or sparse within the portion of Ellicott Creek that traverses the park.

b) Wildlife

Based on existing data and field surveys conducted by EDR in the fall, spring and summer season during 2000-2001, 116 different wildlife species have been documented in Amherst State Park. However, a total of over 200 species are considered likely to occur in the park based on existing data and habitat conditions. A list of all wildlife species likely to occur in the park, including both common and scientific names, is included in Appendix E.

1) Birds

Amherst State Park provides habitat for numerous species of resident and migratory birds. New York State Breeding Bird Atlas (BBA) data for blocks 1876B and 1876D includes the Park area. These data indicate that approximately 70 species nest in the general region. Included in these 70 species are the common nighthawk and horned lark, birds listed by the NYSDEC as species of special concern, and the Henslow's Sparrow, listed as a threatened species. However, there are no known occurrences of state-listed threatened or endangered wildlife species in the immediate vicinity of the park (NYSDEC, 2000).

The portion of the park known as the Williamsville Glen is a locally important birding area that has been described by Rising (1994) as a "spring migrant trap" (i.e. an area that attracts numerous song birds during their spring migration). The Williamsville Glen extends north from Glen Avenue approximately one mile, and includes all of the park property located east of Ellicott Creek. Why this area acts as a migrant trap is undetermined, but between 1989 and 1992, 133 different bird species were identified, including 30 species of warbler (Rising, 1994). This species count includes only a few non-passerine birds and almost no water birds. Spring (mid-May) counts have documented up to 73 different species and 23 different warbler species on peak days.

2) Mammals

Mammalian species in the park were documented through field surveys and assessment of habitat suitability by EDR. Habitat conditions suggest the likely occurrence of at least 39 mammal species in the park, of which nine were observed during the 2000-2001 field surveys. Common species include whitetail deer, gray squirrel, red squirrel, raccoon, woodchuck, and eastern chipmunk. Relatively common bats such as eastern pipistrelle, little brown bat, big brown bat, and silver-haired bat are all likely to occur in the park at sometime. Similarly, widely distributed species of mice, voles and shrews, along with flying squirrels and weasels, also probably occur in the park, although not documented in this survey.

3) Reptiles and Amphibians

Habitat assessment and field surveys indicated that at least 28 species of reptiles and amphibians are likely to occur in the park, of which six were identified during the 2000-2001 field surveys. These species were observed by searching under fallen logs and debris, and by searching wetlands and the shoreline of Ellicott Creek. Common species of reptile and amphibian in the park include northern water snake, green frog, garter snake, and American toad. The abundance and diversity of reptiles and amphibians may be limited by a lack of suitable breeding areas (e.g. vernal pools) and limited undisturbed upland habitat outside the park boundaries.

4) Fish/Aquatic Species

According to fish surveys conducted by the NYSDEC during 1999, Ellicott Creek within Amherst State Park supports a warm water fishery (NYSDEC, unpubl. a). Electro-shocking conducted just below Glen Avenue and approximately 0.75 mile downstream within the park documented the presence of 14 different fish species. Common game species and panfish include smallmouth bass, largemouth bass, rock bass, pumpkinseed and bluegill. Rough fish include hogsucker, white sucker and carp, while minnows/forage fish include common shiner, stone roller, rainbow darter, bluntnose minnow, log perch and river chub (NYSDEC, unpubl. a). At the time the sampling was conducted (August 24, 1999), water temperature was in the range of 68°-71° F. According to a representative of the NYSDEC, cold water discharge to Ellicott Creek from a large upstream stone quarry is currently maintaining slightly colder water temperatures and more reliable summer time flows in the creek (M. Wilkinson, pers. comm.). These conditions are likely benefiting the existing aquatic community, but are not significant enough to allow the establishment of a cold water fishery.

Macro invertebrate sampling conducted in September 2000, indicates a fairly diverse macro invertebrate community (NYSDEC, unpubl. b). Kick samples taken in the vicinity of the tennis club and immediately downstream of Sheridan Drive identified various aquatic beetles, amphipods, caddisfly larvae and midge larvae. Species richness ranged from poor behind the tennis club to very good downstream of Sheridan Drive. Nonpoint source nutrient inputs and sedimentation are factors identified as limiting species diversity at the sampling location (NYSDEC, unpubl. b).

c) Wildlife Habitat

Each of the ecological communities found in the park has particular elements that make it valuable to different species of wildlife. The old field and old orchard habitat, although limited within the park, are essential for open country bird species such as bobolink, killdeer and eastern bluebird. These open areas also harbor abundant insect populations, and they therefore represent important foraging sites for many breeding birds. Old fields provide habitat for eastern cottontail, woodchuck and numerous species of small mammal. These species provide a prey base for predators such as hawks, owls, fox and coyote.

Thick shrub-dominated communities, including scrub-shrub wetlands, represent an intermediate successional stage between old field and deciduous forest. Certain bird species, such as cuckoos, gray catbird, brown thrasher, eastern kingbird, rufous-sided towhee, American goldfinch, indigo bunting and common yellowthroat specifically require low bushy vegetation for nesting and escape cover. Successional shrublands also provide food and cover for mammals such as whitetail deer, red fox and eastern cottontail.

Deciduous forest (including upland, floodplain and wetland communities) represent important wildlife habitat within the park. The mature forest canopy and standing and fallen deadwood in this community makes it attractive to a variety of wildlife species, including gray squirrel, deer, and forest songbirds such as woodpeckers, nuthatches, brown creeper and black-and-white warbler. Except during migration, the forest communities in the park do not represent forest interior habitat for species such as scarlet tanager and rose breasted grosbeak. The small conifer plantations on site provide roosting areas for birds such as great horned owl and foraging and escape cover for various

songbirds. Conifers represent preferred nesting habitat for mourning dove, solitary vireo and hermit thrush. These areas also provide winter (thermal and wind) cover for whitetail deer.

Along with food and cover, water is an essential habitat element for all species. It is used for drinking and bathing, and also provides food for a variety of terrestrial and aquatic wildlife species. Seasonal pockets of standing water within wetlands are also important breeding areas for amphibians. In Amherst State Park open water occurs primarily in Ellicott Creek. The creek provides foraging areas for waterfowl, wading birds such as great blue heron, and mammals such as raccoon and mink. Various songbirds also forage for insects over the creeks open water. The creek also supports a diverse community of aquatic species. Fish surveys conducted by the NYSDEC in 1999 indicate a fairly diverse warm water fish community within this portion of Ellicott Creek (NYSDEC, unpubl. a). Macroinvertebrate sampling by the NYSDEC in September indicated a fairly diverse benthic community in this area of Ellicott Creek (NYSDEC, unpubl. b).

The wet meadows/emergent wetlands in the park may be used by nesting songbirds such as red-winged blackbird. The forested wetlands are used as foraging areas by raccoon, opossum and other upland mammals. These areas also provide seasonal habitat for breeding amphibians such as American toad and spring peeper, however, their small size, dryness in the summer, and limited vegetative and structural diversity reduces their habitat value. Because most of the wetlands in the park do not include any permanent open water, they provide limited habitat value for common wetland/aquatic species such as waterfowl, wading birds, muskrat, beaver, bullfrog, snapping turtle, or painted turtle.

The remaining habitat areas in the park are referred to as lawn/landscape or developed. Mowed lawn areas are used for foraging by certain birds (robin, starling, flicker, Canada goose) and mammals (eastern cottontail, woodchuck, voles, etc.) In addition, park structures provide nesting and roosting sites for species such as starling, house finch, house sparrow, eastern phoebe and barn swallow. However, the habitat value of these areas is generally limited due to a lack of adequate cover and regular human disturbance (from park users as well as maintenance personnel). Consequently, these areas typically receive irregular use by a limited number of wildlife species.

d) Rare and Endangered Species

NYSDEC review of Significant Habitat and Natural Heritage Program files did not reveal the presence of any rare plants or significant natural communities on or in the immediate vicinity of the site (H. Krahlung, pers. comm.). This review also did not identify any listed endangered, threatened, or special concern wildlife species in the vicinity of the project site. However, the NYS Breeding Bird Atlas indicates that two species listed as special concern, and one species listed as threatened have been observed in the general area. The special concern species are common nighthawk and horned lark, while the listed threatened species is Henslow's sparrow. However, none of the aforementioned bird species has been observed on or in the immediate vicinity of the proposed park (H. Krahlung, pers. comm.).

No rare or unusual wildlife species were observed during field surveys or are considered likely to occur based on existing habitat conditions.

7. Recreational Resources

a) Area Park and Recreation Facilities

Information on regional state parks, wildlife management areas, and preserves in Erie and Niagara Counties is included in section II A. Regional parks, recreation, and open space offerings include a diversity of developed and undeveloped areas accommodating a wide range of activities including those proposed to be provided at Amherst State Park.

The Town of Amherst has numerous parks and recreation facilities and programs. As reported in the 1992 Town of Amherst Recreation and Parks Master Plan, available park acreage includes the following:

Neighborhood Parks (9)	39	acres
Community Parks (25)	1,137	acres
Municipal Golf Courses (2)	449	acres
Museum (1)	35	acres

The 1992 Parks Master Plan inventory of park acreage includes Glen Park (9.7 acres) that is owned jointly with the Village of Williamsville and is directly south of Amherst State Park. The 1992 Parks Master Plan identified a need to acquire 30 to 40 acres for active sports and additional lands linking one park or destination to another as necessary to meet Park Master Plan objectives. Since the 1992 Parks Master Plan was prepared, the Town has acquired Nature View Park (1,263 acres), a largely natural area located in the northeast corner of the Town.

The Town of Amherst is currently updating its Comprehensive Plan and its Parks Master Plan. The Bicentennial Comprehensive Plan website summarizes available parks and open space accessible to the public differently than the 1992 Parks Master Plan. The updated summary includes private golf course acreage and a wider variety of conservation areas than the 1992 inventory.

Town Parks	375	acres
Recreation Centers	129	acres
Special Purpose Parks	81	acres
Municipal Golf Course	229	acres
Private Golf Courses	965	acres
Trails/Bikeways	230	acres (18 miles)
Conservation Areas	1,890	acres
Other	122	acres

There are five Town/Village Parks located within one mile of the Amherst State Park. These parks offer a range of facilities and program opportunities, as summarized below.

Table 2. Adjacent Town/Village Parks

Name	Location	Size (acres)	Facilities
Briarhurst Park	Craigmore Road	7.2	Tennis & basketball courts, baseball & softball diamonds, playground, picnic shelter
Island Park	Behind Town Hall on Main Street	5.6	Playground, wading pool, picnic shelters, no washrooms
Garrison Park	Garrison Road @ Park Drive	2.4	Playground, basketball court, wading pool, gazebo, picnic area, portable washroom, sledding hill
Glen Park	Glen Avenue	9.7	Paved trails, portable washrooms, pavilion
Long Street Recreation Area	Long Street south of Main St.	5.4	Playground, ball diamonds, tennis courts, portable washrooms
North Forest Park	North Forest @ Union Road	6.7 acres	Outdoor 50-meter pool, wading pool, bathhouse, tennis courts, picnic shelter

Amherst State Park is approximately two miles from three Town of Amherst recreation centers (Audubon Recreation Complex, Clearfield Recreation Center, and Harlem Road Community Center). Additional active recreational facilities within two miles of the State Park are also available at the area's 3 public schools (Mill Street Middle School, Williamsville High School, Forest Elementary) and 2 private schools (Sts. Peter and Paul, Central Academy).

The 1992 Recreation and Parks Master Plan and the Bicentennial Comprehensive Plan envision a network of trails linking Amherst's park facilities. The Ellicott Creek Trail is a 7.2-mile trail along Ellicott Creek that extends from Ellicott Creek Park (in the Town of Tonawanda) to the northeast corner of Maple Street and North Forest Road in the Town of Amherst. The 1992 Parks Master plan envisioned extending this trail to Glen Park. Currently proposed trail projects focus on the Lehigh Valley Trail along I-290, extension of the I-990 trail, and an east-west trail linked to the Ellicott Creek Trail in the vicinity of Dodge Road and continuing on the south side of Dodge Road and Casey Road.

The 1992 Recreation and Parks Master Plan also included a random survey of 2,000 Town residents. Respondents from the Southeast Plan Area, which includes Amherst State Park and the Village of Williamsville, were found least likely to agree that there were sufficient park and open space areas in their neighborhood and ranked second in their support for expanding the Town's network of bicycle and pedestrian trails and protecting natural areas.

The survey also asked about town wide satisfaction with specific types of recreational facilities and programs. Of those activities that could potentially be accommodated at Amherst State Park (fishing, boating, biking, roller skating/blading, cross country skiing, sledding, walking, and nature observation) biking and walking were the activities with the most participants and the highest level of satisfaction with existing facilities/programs. All relevant activities, except skating, ranked high in terms of number of participants. Less than half of the survey respondents were satisfied with the programs and facilities available for fishing, boating, cross-country skiing and sledding within the

Town. There is one town boat launching site at Amherst Veterans Canal Park and two sledding hills located at Glen Park and Margaret Louise Park. There are no formal cross-county skiing facilities and no fishing access sites provided by the Town of Amherst or by the New York State Department of Environmental Conservation along Ellicott Creek or Tonawanda Creek.

b) Existing State Park Recreational Resources

The various physical and biological resources of the Sisters of St. Francis property have historically supported a variety of informal passive recreational activities, including fishing, bird watching, walking and launching of canoes and kayaks. The most desirable fishing spots are reportedly in the southern portion of the park near Glen Avenue and near the bridge across Ellicott Creek in the central portion of the property. Ellicott Creek, especially the "Williamsville Glen" area closest to Glen Avenue, the old orchard, the conifer plantation, and adjacent meadow and wetland areas provide opportunities for local birders to observe resident and migratory birds. The Adirondack Mountain Club has typically offered group programs within the park highlighting birds, wildflowers and other ecological resources.

There are numerous informal footpaths in the park, especially east of Ellicott Creek between the orchard and Glen Park. There is also a newly trodden footpath along the fence adjacent to the new Mother House off Reist Street. There are stone paths from the paved driveway down the slope from the former Mother House west to Ellicott Creek that is sometimes used for access to the Creek by boaters. A similar gravel road extends through the orchard to the bridge over Ellicott Creek. There is also an existing ball field in the northern area of the park adjacent to the Hutchinson Hose Company. Occasionally, picnickers enjoy open space in the old orchard areas or along Ellicott Creek.

8. Transportation

a) Roadway Conditions

Amherst State Park is bounded on the north by Sheridan Drive, on the east by Mill Street, on the south by Glen Avenue, and on the west by Reist Street. The driveway to the former Mother House provides the main access to the park from Mill Street. The northern termini of Howard and North Cayuga Streets, and parking areas at Glen Park provide additional, but informal access on the southern edge of the park.

Sheridan Drive is a state highway and is considered a principle arterial. The pavement width along Sheridan Drive in the vicinity of the park is approximately 52 feet wide and is striped to provide four 12-foot wide travel lanes and a single center turning lane. The road is curbed and has no shoulders. No roadside parking is provided along this section of Sheridan Drive and there is a sidewalk on the north side. The posted speed limit is 40 MPH. The right-of-way in the project area is 100 feet wide.

Mill Street is a county highway and is considered a collector street providing for through traffic and access to adjacent lands and connecting roadways. The pavement in this area is approximately 30 feet wide and is striped to provide two 12-foot wide travel lanes and 5-foot shoulders. There is no roadside parking available on Mill Street. The posted speed limit is 30 MPH. The right-of-way in the

project area is 66 feet wide (P. Justin, ATSB). There are sidewalks on both sides of Mill Street and they are in good condition.

North Forest Road is a state highway and is considered a principle arterial providing for through traffic and access to adjacent lands and connecting roadways. The pavement in this area is approximately 50 feet wide and is striped to provide two 12-foot wide travel lanes and 5-foot shoulders. There are no parking restrictions and no sidewalks on North Forest Road. The posted speed limit is 40 MPH on the segment north of North Union Street. South of North Union Street in the vicinity of North Forest Elementary School the posted speed limit is 30 MPH.

Reist Street is a local road with pavement approximately 24 feet wide. It is striped to provide two 11-foot wide travel lanes and 1-foot shoulders. There are no parking restrictions on Reist Street, and the posted speed limit is 30 MPH. The right-of-way in the project area is 49.5 feet wide (P. Justin, ATSB). There are sidewalks on both sides of Reist Street and they are in good condition.

Main Street is a principle arterial with a pavement width that varies from 48 to 64 feet. It is striped to provide four 12-foot wide travel lanes, a center turn lane and parking in the Village (with curbs and no shoulders). The posted speed limit is 30 MPH. The right-of-way in the project area is 100 feet wide (P. Justin, ATSB). There are sidewalks on both sides of Main Street and they are in good condition.

North Cayuga and Howard Streets are local roads that provide informal access points to the park. Both streets have pavement widths of approximately 24 feet, with two lanes and no shoulder. Sidewalks are present and in good condition on both sides of the streets and the posted speed limit is 30 MPH. There is no roadside parking available.

Glen Avenue provides informal access to the Amherst State Park land through Glen Park. Glen Avenue is a local road with pavement approximately 22 feet wide. It is striped to provide two 10-foot wide travel lanes, with curbs and no shoulders. The posted speed limit is 30 MPH. The right-of-way in the project area is 49.5 feet wide (P. Justin, ATSB). There is a sidewalk on the south side of Glen Avenue in the vicinity of Glen Park.

The existing park entrance road from Mill Street is approximately 20 feet wide and has two 10-foot travel lanes with no shoulders. This road also serves as the access road to the Mother House. No roadside parking is provided. A four-foot wide concrete sidewalk parallels the south edge of the entrance road and terminates at the parking lot located on the south side of the Mother House. The existing entry road for the Holy Family Home located approximately 110' north of the park entrance on Mill Street provides no vehicle access to the park.

b) Existing Traffic Data

The 1998 Average Annual Daily Traffic (AADT) for Sheridan Drive, North Forest Road and Main Street were obtained from the New York State Department of Transportation (Chatterton, pers. comm.) AADT for Sheridan Drive (SR 324), between North Forest and Evans Roads, is 29,800 vpd. North Forest Road (SR 227), between Main Street and Sheridan Drive has an AADT of 15,000 vehicles. On Main Street, between Union Road and Evans Street, the AADT is 34,100 vehicles (1998). All sections of the aforementioned roads are relatively similar, and consequently these data

are considered representative of the approximate volume of traffic that occurs on these roads in the vicinity of the park. There are no identified areas of concern or recent traffic safety studies that have been performed in the area (Chatterton, pers. comm.)

c) Pedestrian Access

As mentioned in the discussion above, sidewalks are available along several of the roads bordering Amherst State Park. These include Mill Street, Reist Street, Glen Avenue, North Cayuga Street and Howard Street. None of these sidewalks extend onto the Park property, however, a paved walking path provides access to the Park from Reist Street near the Reist Mill. Pedestrians also use the entrance road off Mill Street (and adjacent lawn areas) to access the park from the east. Informal access points to the park include foot paths from the Glen Park parking area, Glen Avenue, and the Village Glen Tennis and Fitness Club. In some instances, pedestrians also access the northern area of the park.

Within the park, there exists a well-established but unplanned system of foot trails that connect with the gravel access road that runs through the park. The majority of these trails run along the east side of Ellicott Creek south of the existing park bridge. These paths, along with the gravel access road provide a north-south connection between the Glen Park/Glen Avenue area and the Park entrance road in the Mother House area (and adjacent sidewalks on Mill Street). A concrete sidewalk and stairway exist at the north end of the orchard area. Additional trails run along the west side of Ellicott Creek north of the bridge, and across the old fields and wetlands in the Open Floodplain area to the paved path in the Reist Mill area. This path and the existing bridge provide east-west access across the park, and are reportedly used by school children walking to the Mill Middle School on Mill Street from neighborhoods west of the park. The approximate location of existing pedestrian paths in the park is illustrated in Figure 2.

With the exception of the gravel road through the orchard and the paved paths off Reist Street and at the north end of the orchard, all of the existing pedestrian paths in the park are narrow (2-3 feet wide), unsurfaced, compacted earth. These paths are unmaintained and include poorly drained and periodically inundated areas, along with some steep areas that show signs of erosion. None of the paths in the park are designed as handicapped accessible.

d) Public Transit

There are three bus lines that pass in the vicinity of Amherst State Park. Route #49 Hopkins connects the south campus metro rail station and Transit Town Plaza and travels along Sheridan Drive and Mill Street. The route operates hourly from 9 AM to 9 PM Monday through Saturday. Route # 48 Williamsville connects the south campus metro rail station and Transit Town Plaza via Main Street in Williamsville. Route #48 operates hourly from 9 AM to 11 PM Monday through Friday, from 7 AM to 9 PM on Saturday and from 11 AM to 6 PM on Sunday. Route #66 is an express bus that operates eastbound along Main Street in Williamsville from 7 AM to 8 AM and westbound from 4:30 PM to 6 PM.

9. Land Use and Zoning

Figure 11 illustrates existing zoning within the immediate vicinity of Amherst State Park. The park is included in the Community Facilities zoning district (CF). It is anticipated that this zoning boundary will be modified to reflect the anticipated transfer of additional property to New York State. Surrounding zoning is Residential 3, except for the Mill Street frontage which is zoned Residential 4. Both of these zoning districts restrict use to single family housing and associated accessory uses. The CF district requires the following minimum set backs:

	To Structures (feet)	To Parking (feet)
Front yard, from right-of-way of dedicated Street	50	15
Side yard, abutting a residential district	25	10
Rear yard, abutting a residential district	50	10

Zoning regulations within this district further require that outdoor recreational activities take place 50 feet from abutting residential districts; that the front, side and rear yards required between lot lines and parking areas be landscaped; and that fences, walls, or plantings or other screening materials may be required to screen adjacent uses from on-site activities.

The Amherst Zoning Ordinance parking schedule does not include parking requirements for passive recreational uses. The closest listed use is Conservation and Gun Clubs which require a minimum of 10 spaces. The Ordinance requires freestanding signs to be located 25 feet from the lot line and to not exceed 6 feet in height nor 32 square feet in total face area (2 sides). The ordinance also requires that parking areas of 10 to 25 cars include interior landscaped areas equal to 5 percent of the parking area and that all driveways and parking areas be located 10 feet from adjacent residential lots.

10. Park Infrastructure and Utilities

The state park is served by public sewer and water systems. The water supply is provided by the Erie County Water Authority (ECWA). The Village of Williamsville and the Town of Amherst both have sewer systems within the study area. The Town of Amherst operates its own sewage treatment facility, which is currently operating below capacity. An 8" water line and an 8" sanitary sewer line are located on the west side of Mill Street adjacent to the proposed park. There are two gas lines, a 6" high pressure line and 4" low pressure line, located on the west side of Mill Street. The former Mother House was serviced by a 10" sewer line and pump station connected to a Village of Williamsville sewer line on the west side of Mill Street near the site access. There is also Town of Amherst 10" sewer line on the west side of Mill Street and an 8" line on the east side of Mill Street. The location of known existing sanitary sewer, water and gas lines is shown in Figure 12. Utilizing the sewer system of the Town of Amherst is the preferred option, given that the Williamsville system may be near full capacity.

There is little information available on the location of existing underground utilities within the Park. There are reportedly two water services that enter the park off of Mill Street. One of these lines serve

the Holy Family Home and the former Mother House, while the other is inactive. Existing electric and gas distribution lines occur on all streets bordering the park. Electric service is currently provided to the Holy Family Home and the former Mother House. Infrastructure currently existing within the park property includes the following:

- 1100 linear feet of paved entrance road from Mill Street to the former Mother House.*
- The existing 2,850 square foot maintenance garage north of the former Mother House, including 4 garage bays and office space.*
- Approximately 1950 linear feet of gravel road that crosses the park from the Mother House area to the Floodplain area on the west side of the park.
- An existing 55 foot long bridge crossing Ellicott Creek. The bridge is constructed of steel support beams on poured concrete abutments. It has steel railing on both sides and wood plank decking. The bridge's travel surface is 15 feet wide and capable of accommodating vehicles weighing up to two tons.

*Easements through the developer of the Mother House will be negotiated by the Town prior to the formal transfer of the Mother House property. These easements will consist of access to the entrance road and rights to the garage.

11. Park Operations and Maintenance

The Town of Amherst is responsible for the operation and maintenance of the State Park. The parks unit of the Amherst Highway Department provides the maintenance. The park maintenance is currently limited to periodic mowing and trimming, placement of picnic tables and benches, placement and maintenance of portable restrooms, trash collection and litter pick up. Wastebaskets are currently located near the top and bottom of the steps leading from the Mother House to the Orchard.

12. Community Support Services

The 1990 census reported the population of the Town of Amherst as 111,711. The 2000 Census reported a population of 116,510, a 4 percent increase from 1990. Median age in Amherst increased from 32.2 in 1980 to 35 in 1990 and 39.6 in 2000. Median household income reported by the 1990 Census for 1989 was \$41,466. The Town and Village of Williamsville provide a variety of community services to area residents. These services are described in the following section (see also Figure 13).

a) Fire and Emergency Services

From the Mill Street entrance it is approximately 1 mile south to the Williamsville Main Street Station of the Williamsville Volunteer Fire Department and ½ mile north to the Hutchinson Hose company Station on Sheridan Drive west of Mill Street. Both volunteer fire stations provide fire and ambulance

services which are dispatched by the Erie County enhanced 911 system. The Millard Fillmore Suburban Hospital is 1.5 miles from the Mill Street entrance to the Amherst State Park.

b) Police Services

The area in and around the proposed State Park is currently covered by two levels of police protection. The State Police have a barracks in the Town of Clarence, which is seven miles east of the proposed park, but their patrol is limited to the state highways. The Amherst Police Department has approximately 151 staff members and provides coverage to the entire town. The Town Police are capable of providing patrols utilizing cars, bicycles and four-wheelers. A minimum of 20 officers are on duty at any time.

c) Town Government

The Town of Amherst provides a full range of municipal services, including the following departments/staff:

Supervisor's Office
Town Board
Town Court
Tax Assessor
Building Department
Planning Board and Zoning Board of Appeals
Sewer Department
Planning Department
Police Department
Sewage Treatment Plant
Town Engineer/Engineering Department
Town Clerk and Receiver of Taxes
Recreation Department/Recreation Commission
Animal Control Officer
Fire Inspector's Office
Four Libraries
Senior Center
Highway, Drainage, and Parks Department
Disaster Coordinator
Youth Board
Wastewater Treatment Plant
Comptroller
Attorney's Office
Finance Department
Traffic and Safety Board
Computer Service
Refuse Control Officer
Compost Facility

The majority of these departments/staff are located in the Town Hall at 5385 Main Street. The Parks Department, a division of the Town's Highway Department, is responsible for maintenance of Amherst State Park and is based at 450 Maple Road.

d) School Facilities

The project site is located within the Williamsville School District. The Forest Elementary School campus (grades K-4) is located at 250 North Forest Road, approximately ¼ mile west of the park. Total enrollment during the 2000-2001 school year is 535 students. The Mill Middle School (grades 5-8), 505 Mill Street, is located 1/10th mile from the main entrance of the Park. This school has a current total enrollment of 728 students. South High School is located at 5450 Main Street, with 1,006 students currently attending (Braciscewski, pers. comm.).

13. Historical and Archeological Resources

There are numerous prehistoric archaeological sites throughout Erie County. The general pattern is for known Native American sites to occur along the creek banks inland from the Niagara River and Lake Ontario. Concentrations of prehistoric archaeological material have been found along Tonawanda, Four Mile, Eighteen Mile Creeks and Ellicott Creek. The Amherst area was occupied by Native Americans beginning approximately 10,500 years ago. Hartgen Archaeological Associates, Inc. undertook a Phase IA cultural resources survey of Amherst State Park in the fall of 2001. The results of that study are summarized in the following section. A copy of the Phase IA report is available at the Town of Amherst Planning Department.

The Phase 1A literature review identified 14 precontact archaeological sites and three historic sites within a mile of Amherst State Park. The precontact sites are situated along Ellicott Creek and the limestone escarpment overlooking the creek. The sites range from Paleoindian to Late Woodland times (9,000 B.C. and A.D. 1600). Several of the sites, including the National Register parcel's Centerpoint Paleoindian site, lie near the park. The presence of several precontact sites in the vicinity of the park suggests a high sensitivity for precontact cultural resources. Therefore, the undisturbed, dry, and level sections of the park are considered sensitive for precontact cultural resources. Sections of the project area impacted by historic development, especially the Sisters of St. Francis complex, would have a low sensitivity for containing intact precontact cultural resources due to prior disturbance.

The early 19th century Reist Mill complex is situated along the southwestern limits of the property. By the mid to late 19th century, the Reist Milling Company complex included the flour mill along with coal and wood sheds, a mill barn, 12 foot high water wheel, mill ponds, embankments, raceways, a large farm house, two family mill house, carriage house, ox and horse team sheds, tenant houses, cooperage hemp mill, forge, smoke house, chicken house, and saw mill.

The Sisters of St. Francis complex is listed on the National Register of Historic Places. The complex is situated within the north central portion of the property. The portion of the complex that lies between Mill Street and Ellicott Creek includes the large Mother House (St. Mary of the Angels Convent), the focal point of the religious campus. Constructed in 1928, the Mother House is a Late Gothic Revival style building with two courtyards, exterior walls of buff-colored brick, stone trim entrances, windows, watertable, and a slate-shingled roof. Ancillary buildings include a boiler

house, three garages, and a gatehouse. While the Mother House is the focus of the complex, the campus as a whole with its various buildings set within the landscape is significant. Other contributing site features include the circular drive surrounding the Mother House and a set of radial walkways leading to various contemplative and work spaces, including the arbor, the gazebo, the stone grotto, and the stone steps leading to the orchard. While some components of the original 100-acre complex such as the chapel, the barns, and the cemetery have been compromised by new construction and are not included within the boundaries of the nomination (nor the park), the roughly 30-acre nominated area retains the principal structures and the feeling and character of the complex as it developed during the period of significance, 1928-1956. Figure 6 identifies the boundary of the area listed on the National Register of Historic Places.

14. Scenic Resources

a) Visual

The proposed park and the surrounding area do not include any Scenic Areas of Statewide Significance as defined by the NYS Department of State (Coastal Zone Management program) or the NYSDEC (Program Policy DEP-00-2). However, Glen Park and the associated waterfall on Ellicott Creek is a locally significant scenic resource, and the wooded corridor along Ellicott Creek through the proposed Amherst State Park also has significant aesthetic value. This area is locally unique in that it offers enclosed natural views of undeveloped forest and river that are unusual within a heavily suburbanized area. Such views would be more typically experienced in more rural/wild areas of the state, and are therefore a valued resource for many local residents.

Between Glen Avenue and the existing bridge crossing in the park, there are numerous views up, down and across Ellicott Creek that include mature trees, running water, dappled sunlight, shoreline wildflowers, birds and other wildlife. In most of these views, even though residential, commercial and institutional development is nearby, it is well screened and does not alter the natural character of the view. This combination of landscape elements in a publicly accessible park setting represents a landscape with high visual/aesthetic quality. Representative views in this area are illustrated in Figure 14.

Other significant views that occur within the Park include open views across the former apple orchard, to the south toward Williamsville and toward the former Mother House to the north. Such open, rural character views are rare within the Town of Amherst. In addition, the elevated east shore banks of Ellicott Creek, at both the south and north ends of the park, offer opportunities for elevated views of the creek and the surrounding mature trees. Such views offer unique birding opportunities as well as aesthetic value.

b) Noise

Due to the residential and golf course land uses that border Amherst State Park, existing noise levels in the vicinity of the park are relatively low. Noise is generally restricted to that generated by passing traffic, normal residential noise (e.g. lawn mowing, dog barking, human voices, etc.), and noise associated with recreational activities within the park. In general, existing noises in the area are sporadic in nature, of relatively short duration, and do not reach decibel levels high enough to represent a significant nuisance or health hazard.

15. Phase I Environmental Assessment

A Phase 1 Environmental Site Assessment (ESA) was prepared for the St. Mary's of the Angels Property in May of 1998 (Ridel, 1998). This report was prepared in conformance with ASTM Practice E 1527-97, to identify evidence of any known or suspected "environmental condition on the property". This report identified a 6,000 gallon petroleum storage tank in the boiler house behind the former Mother House and a 250 gallon diesel storage tank in the maintenance building located just north of the boiler house. Evidence of minor leakage from the tank in the maintenance building was noted. This 250 gallon tank is not on State Park property. Evidence of petroleum leakage/staining was also observed in the automotive repair pit within one of the garages. This automotive repair pit is on Town land that will be transferred to the State Park. In addition, the presence of dumped refuse (including drums, containers, refrigerators, batteries, etc.) along Ellicott Creek was noted, as was the likely presence of lead paint and asbestos containing materials within the Mother House. The presence of electric transformers that might contain PCBs, along with possible floodplain and federal wetland concerns were also discussed.

The Phase 1 ESA recommended that the petroleum storage tanks on site be properly repaired, replaced or closed, and any contaminated soils be removed and disposed of in accordance with federal, state and local regulations. Sediment testing and a dye test were recommended for the floor drain in the auto repair pit to determine the type, location and extent of any contamination that may have occurred. In addition, it was recommended that dumped materials along Ellicott Creek be cleaned up and, if necessary, soils in the area be tested to determine if any on-site contamination has occurred.

An addendum to the Phase 1 report (consisting of letters from NFCS dated May 28, 1998 and June 2, 1998) addresses the leaking natural gas well/seep on site. The letters indicate that it is undetermined whether the escaping gas is from a natural seep or an abandoned well. However, based on various reports it appears that the latter is more likely. If this is the case, there could be safety concerns related to well collapse along with concerns over the presence of a flame or concentrations of hydrogen sulfide in the gas. However, the correspondence indicates that it is undetermined whether there is potential liability associated with the existing condition, and no recommendations for further investigation or remediation are proposed (Ridel, 1998). Other than initiation of the removal of dumped materials from along Ellicott Creek, no further investigation or remedial actions have been taken as a result of the Phase 1 ESA. In the course of removing debris, no materials or conditions have been encountered that would suggest the potential for contamination or the need for soil testing. Site remediation that may be required at the former Mother House complex will be undertaken by the new owners as part of their redevelopment of the facility for senior housing.

Observations within the park by EDR confirmed the findings of the Phase 1 ESA in regard to the presence of dumped materials along Ellicott Creek and the presence of the leaking gas well/seep. The Town is working with the Director of Emergency services to identify the location of the electric transformers and develop plans for emergency response in case of an accident and plans for their safe disposal if ever removed from the site. The gas seep is currently located at the upstream tip of an island within Ellicott Creek, approximately 600 feet upstream of the existing bridge crossing. It occurs in an area of exposed streambed that is inundated by the creek during periods of high flow. There is evidence of human use of the seep in the form of rock rings and the remnants of campfires.

However, when not bubbling through the water, the location of the seep is not obvious to the casual observer.

EDR also identified one other area of the park that may warrant additional investigation in terms of potential contamination concerns. This area is what appears to be the remains of the original Sisters of St. Francis Home, east of the Reist Mill and north of the new Mother House on Reist Street. This area includes several overgrown building foundations and an intact pump house. It also includes piles of cinders and other debris on the hillside, indicating the presence of a former dump. This particular area and the gas seep should receive further investigation prior to any development activities associated with implementation of the proposed park Master Plan.

16. Social and Economic Considerations

The 2000 Census reported a total population of 116,510 people in the Town of Amherst, including 7,397 people living in group quarters such as college dormitories, nursing homes, and jails. Although more detailed 2000 census information is not yet available, the 1992 Recreation and Parks Master Plan projected that the number of residents in age groups 45 and under would decline while those over 45 would increase (U.S. Census data). These population trends suggest expanded interest in passive recreation activities that can be enjoyed by seniors and other adults.

The primary users of the park are local residents who live within walking distance of the various formal and informal park entrances. A smaller number of park users drive to the park from greater distances to enjoy its unique features, including Ellicott Creek and migratory songbirds. User observations over the course of several visits to the site during the last 12 months indicate typical weekday usage is characterized by 2-10 vehicles at a time in the former Mother House parking area and a steady trickle of visitors staying for 1 to 4 hours. No formal park survey inventory was conducted for this FEIS.

III. VISION AND GOALS

A. Park Vision Statement

The overall vision for Amherst State Park is to provide an opportunity for the public to appreciate the unique environmental and cultural resources that exist within the park. Park development and management will be aimed at protecting these resources while increasing opportunities for their appreciation and enjoyment by the public. Consequently, the State Park envisioned in this plan will focus on passive, low intensity recreation, educational and conservation uses. The plan specifically includes an organized system of access and circulation, an interpretive education program and limited day use facilities sensitively incorporated into the park's assemblage of ecological and cultural communities.

B. Goals

The goals and policy statements discussed in this section are intended to provide a broad framework and general direction for development of the Master Plan for Amherst State Park. The goals have been derived from public comments, planning sessions with the Amherst State Park Technical Committee and the Amherst State Park Advisory Committee. The environmental setting and development capability of the park, along with an analysis of recreational demand also helped shape goals and objectives.

The overall intent of the Master Plan is to provide comprehensive recommendations for both the short and long term environmental protection and recreational development of the park. In accordance with the agreement between the Town of Amherst and the OPRHP, passive recreational uses should be incorporated in the Master Plan with emphasis being placed on both the preservation of unique natural and cultural resources and the provision of a limited level of development to accommodate recreational use. In general, it is recommended that the Master Plan concentrate on improving and expanding the existing activities in the park while adding selected new facilities based on recreational demand and identified recreational needs and deficiencies. The overall goal of the plan is to strike a balance between the development for recreational use and the preservation of scenic, natural and cultural resources.

The primary goals or policy statements for this Master Plan are summarized as follows:

- Provision of a limited level of improvement to facilities to accommodate appropriate recreational uses, based on identified needs and deficiencies.
- Enhancement and protection of unique natural, cultural, and scenic resources, including a proposed interpretive education program.
- Provision, enhancement and improvement of public access to, and circulation through, the park.

Based on public meetings and input from the Technical Committee the following additional goals and objectives have been established for the preparation of this Master Plan (the sequence should not be interpreted as a ranking in importance):

- The plan will reflect the development capability of the park; operations and maintenance considerations; projected capital funding potential; and additional park-specific studies. All these factors will be utilized in determining the intensity, location and type of recreational facilities to be developed in the park.
- Ensure that park development is compatible with the limitations and carrying capacities of the natural resource base. Identification of specific limitations will be based on findings presented in the Environmental Setting section of the Master Plan/FEIS. The preservation and enhancement of the character of the existing environmental setting should be a Master Plan priority.
- Ensure that facility design and plan recommendations contribute to the improvement of park operations and maintenance. Operational and maintenance considerations will be considered for all aspects and phases of Master Plan development.
- Energy efficient and vandal resistant design principles will be utilized in the development of plans for all proposed structures or facilities. Facilities proposed within the Ellicott Creek floodplain should be capable of withstanding occasional flooding/inundation.
- Upgrade and expand the trail system in the park. Providing access to significant environmental and scenic areas will be a priority of the Master Plan. Improving handicap accessibility throughout the park will also be addressed.
- Encourage year-round, four-season use of the park. Provide opportunities for winter use.
- Ensure that park programs and facilities are accessible by all segments of the population.
- Improve access to Ellicott Creek.
- Encourage local public input in the development and operation of selected facilities or programs within the park.
- Preserve and protect significant fish and wildlife habitats and stands of mature trees.
- Provide a safe, efficient pedestrian and vehicular traffic system, with adequate parking.
- Protect and enhance wetlands and floodplains.
- Preserve, rehabilitate and maintain the Reist Mill.
- Ensure enhanced access to the park for police and emergency response personnel.

IV. ALTERNATIVES AND ANALYSIS

A. Introduction

This section of the Master Plan/FEIS presents the results of various analyses that were performed during development of the proposed Master Plan. Also included is a discussion of the Master Plan alternatives that were considered and the criteria used to select the preferred alternative. A discussion of each alternative, including a no-action alternative, is provided to permit a comparative assessment of the pros and cons of each.

B. Parkland Classification

The OPRHP has developed a State Park classification system. The three categories that are most suitable for Amherst State Park include: Metro Parks, Recreation Parks and Scenic Parks. Metro Parks are located in urban, industrial or suburban surroundings with man-made architectural treatment of the environment. The level of designed use in these parks is high and built structures can comprise up to 75% of the site. Managed areas range from 0-25% and undeveloped 0-75% of the park. Recreation Parks typically include a mix of natural and developed areas, but significant natural area is not essential. Recreation Parks have a moderate to high level of use and are suited for such activities as swimming, boating, camping, golfing, picnicking, field and court games and skiing. In Recreation Parks, 0-15% of the land may be comprised of roads, parking lots, buildings or other types of built structures (developed). Managed areas, such as lawns or golf courses, can comprise from 0-100% of the park, as can undeveloped areas. Scenic Parks are defined as parks with a natural setting, limited development and scenic attractions within a suburban or rural area. A Scenic Park would have a mix of natural and developed areas with significant scenic features. Compatible recreational activities would include camping, walking, picnicking, swimming in natural water bodies, fishing and court and field games. The level of use ranges from low to high.

Given its present and proposed uses, the recommended parkland classification for Amherst State Park is as a Scenic Park.

C. Resource Limitations and Opportunities Analysis

As part of the development of a Master Plan for Amherst State Park, an analysis of the opportunities and limitations presented by the park's resources and features was conducted (see also Figure 15). This analysis essentially looked at the park's natural and man-made resources to determine how park development, use and maintenance might avoid problems and capitalize on opportunities presented by these resources.

LIMITATIONS

Limitations presented by the park's resources include the following:

Soils/Geological Resources

- Most soils in the park are floodplain soils that present limitations to development due to seasonal wetness, flood hazard and high risk of frost damage.
- Soils located at the edge of the Ellicott Creek floodplain present limitations due to steep slopes and erosion hazards.
- With the exception of two small areas of wetland, soils in the Mother House and northern areas of the park are generally level and well drained and present relatively few constraints on development of recreational facilities.
- Shallow bedrock or bedrock outcrops are rare within the park and thus present few limitations on park use or development.

Water Resources

- Ellicott Creek is subject to heavy flooding in the spring and following storm events. Approximately 75% of the park is located within the Ellicott Creek floodplain.
- Ellicott Creek is a protected stream and any proposed disturbance to its bed or banks would require an Article 15 permit from the NYSDEC.
- Ellicott Creek and the unnamed ditches, streams and wetlands that drain into it are Waters of the U.S. as defined in Section 404 of the Clean Water Act. Any filling of these waters would require a permit from the U.S. Army Corps of Engineers.
- The location, resource value and protected status of surface water features in the park limit pedestrian circulation options. New crossings of these waters will be limited due to cost, regulatory and environmental impact considerations.
- Water quality in Ellicott Creek is not considered good by the NYSDEC. However, no health advisories on fish consumption have been issued.

Biological Resources

- Threatened and endangered species have not been documented as occurring within the park, and thus place no constraints on park development or use.
- The “Williamsville Glen” area has been documented as a “migrant trap” and represents important habitat for migratory songbirds. Disturbance of this area that would adversely affect its value as wildlife habitat should thus be avoided.

- Certain invasive plant species that occur within the park (such as Japanese knotweed and garlic mustard) have an adverse effect on existing habitat value and may limit the type and extent of future habitat management activities in the park.
- Because forest habitat is relatively uncommon in the surrounding area, alteration or loss of forest vegetation in the park should be minimized.
- Ellicott Creek supports a diverse aquatic community. Activities that could adversely impact this resource should be avoided.

Recreational Resources/Activities

- Existing recreational facilities within the park are very limited. Those that do occur (primarily paths and trails) do not constrain future recreational development and use.
- Popular recreational activities in the park include walking, jogging, bird watching, dog walking, fishing and picnicking. Public interest in continuing these types of activities limits the range of new recreational activities/facilities that can be considered.
- Unauthorized and undesirable activities that occur within the park, such as night time parties and campfires, present public safety, liability and vandalism concerns.
- The agreement between the Town of Amherst and the OPRHP establishing the park required that the park be developed to accommodate passive recreational activities. This agreement precludes facilities for organized sports and other active/more intensive recreational pursuits.

Transportation/Access

- Vehicular access to the park is limited due to lack of road frontage and traffic safety considerations at Sheridan Drive.
- Vehicular access to the south end of the park is limited by lack of adequate frontage along Glen Avenue and the unwillingness of the Trustees of Glen Park to accommodate such access.
- Space constraints limit the amount of parking that can be provided at all park access points, especially at Reist Street and Sheridan Drive.
- The ongoing use of the Holy Family Home and the future use of the redeveloped Mother House limits allowable traffic volume and parking capacity at the main park entrance on Mill Street.
- Existing traffic congestion/capacity on Sheridan Drive limits access to the park from the north end.
- There are currently no accommodations for pedestrian access to the park from Sheridan Drive and residential neighborhoods to the north.

Land Use and Zoning

- The presence of the Holy Family Home and adjacent residential home owners limit the location and type of facilities that can be developed in the northern area of the park.
- Redevelopment of the Mother House as senior housing will limit the location and type of facilities and activities that can occur in the Mother House area of the park.
- The park's central location, diverse site characteristics and connectivity to the surrounding neighborhood fabric define its value and importance within the Town. The park plays a critical role with respect to maintenance of property values and marketability of the surrounding neighborhoods. The park also acts as a buffer or transition zone between various land uses.

Park Infrastructure and Utilities

- The narrow width of the existing entrance road does not adequately allow for two-way traffic.
- Use of the existing park bridge is limited by its tonnage capacity.

Park Operations and Maintenance

- Under the agreement with the OPRHP, the Town of Amherst will be responsible for maintaining the park. The Town of Amherst will need to accommodate the necessary maintenance equipment and manpower.

Cultural Resources

- Areas of archaeological sensitivity will need to be avoided or subject to further investigation prior to any disturbance.
- The local landmark status of the Reist Mill will limit the amount of changes proposed to the historic structure.
- The National Register Designation of the Mother House and surrounding lands will affect proposals for parking and other facilities (i.e. restroom facility and playground) in that area of the park.

Visual Resources

- Certain views within the park (e.g. across the old orchard and along Ellicott Creek) are unique and valued by the community. Development and future use of the park should not compromise the aesthetic value of these views.
- The presence of adjacent residences, especially at the north end of the park will require visual screening of certain facilities. Any night lighting will also be precluded.

Noise

- The proximity of the park to adjacent residential areas requires that noise-generating activities (recreation and maintenance) be limited.

Environmental Conditions

- Outside of the Mother House and its associated structures, environmental conditions identified in the Phase 1 Environmental Site Assessment are limited to some dumping along Ellicott Creek and possible drainage from a maintenance garage. Assuming these areas are adequately cleaned up, as recommended, and assuming no additional hazards are encountered, these conditions place no constraints on future park development and use.
- The leaking gas well in Ellicott Creek is a potential safety hazard. It should be plugged and avoided by developed recreational features and recreational use.
- The area where past dumping is evident on the west side of the park (east of the Reist Mill and north of the new Mother House) should not be disturbed/developed until it has been further examined.

OPPORTUNITIES

Most of the resources listed above, along with presenting some constraints on future development and use of the park, also offer opportunities that can be pursued. These opportunities are outlined below:

Soils and Geological Resources

- Most of the soils in the park present only slight limitation on the development of picnic areas, paths or trails, and have good potential for development of wildlife habitat.
- Areas with steep slopes offer opportunities for enhanced views/overlooks of Ellicott Creek and the Old Orchard.

Water Resources

- Ellicott Creek is the Park's greatest asset. It provides opportunities for fishing and boating as well as enjoyment of the scenery and quiet contemplation.
- Ditches and swales in the park offer opportunities for habitat enhancement through day lighting culverted sections, regrading to establish natural contours, development of wetland and wildlife habitat corridors, etc.
- Existing wetlands offer the opportunities for environmental education and enhanced appreciation of wetlands as a valuable ecological resource.

- The Ellicott Creek floodplain offers an opportunity for environmental education regarding the importance of floodplains and the impacts of development in these areas.
- The trend of improving water quality in Ellicott Creek suggests that ongoing monitoring of water quality and potential impacts to water quality should be undertaken.

Biological Resources

- Heavy use of the park by migrant songbirds, and the popularity of bird watching within the park suggests that trails be designed to enhance birding opportunities and interpretive education materials regarding songbird migration and the importance of various habitat features be developed. Facilities such as blinds and viewing platforms should be considered.
- The park's diversity of natural communities provide opportunities for habitat enhancement, invasive species control programs, biological monitoring and environmental education.
- Ellicott Creek's aquatic communities provide opportunities for research and monitoring, outdoor education for local school groups, as well as fishing and informal exploration and discovery by casual park users.

Recreational Resources/Activities

- Existing recreational use and facilities within the park suggest that various trail-oriented uses be accommodated. Existing trails and paths provide a starting point from which a more organized, more interesting, and less disruptive circulation system can be developed.
- Existing popular activities such as bird watching and fishing suggest that accommodations for these uses be provided.
- Flat, well-drained, and easily accessible areas of mowed lawn in the Mother House area offer opportunities for picnic facilities, gardens and gatherings.

Transportation and Access

- The existing road entrance on Mill Street is the logical location for the primary vehicular access point.
- Existing parking lots at the Mother House, Glen Park, and Hutchinson Hose Company on Sheridan Drive offer opportunities to address vehicular and pedestrian access to the park.
- The presence of a flashing light at the Hutchinson Hose Company entrance on Sheridan Drive may offer opportunities to address vehicular and pedestrian access to the north end of the park.
- Existing sidewalks on Mill Street, Reist Street, Glen Avenue and at Glen Park offer opportunities for pedestrian connections to adjacent residential areas, parks and schools.

- Reconstruction of the Glen Avenue bridge over Ellicott Creek may offer the opportunity for enhanced pedestrian connections with Glen Avenue and Glen Park.

Land Use and Zoning

- The presence of the Holy Family Home and redevelopment of the Mother House for senior housing offers opportunities for seniors to enjoy the park facilities. Accessible gardens, walks and seating areas would be utilized by residents of these adjacent facilities.

Park Infrastructure and Utilities

- Existing and former roadways within the park offer opportunities for restricted (emergency, handicapped, special event) vehicular access to Ellicott Creek.
- The existing bridge over Ellicott Creek provides a pedestrian connection between the east and west sections of the park and a scenic overlook on the creek.
- The existing garage for the former Mother House presents opportunities for park maintenance headquarters and equipment storage.
- The Reist Mill presents potential adaptive re-use opportunities such as an education center, or administrative offices.
- Remnant structures associated with the Sisters' use of the property (gazebo, fountain, stairways) present opportunities for adaptive reuse and interpretive education.

Parks Operations and Maintenance

- The existing garage offers an adequate space and strategic location for maintenance and operations requirements at the park.

Cultural Resources

- Existing historic and prehistoric cultural features in the park present opportunities for interpretive education. Opportunities to view these features can also guide trail layout and placement of interpretive signs.
- See previous discussion of the adaptive reuse of the Reist Mill.

Visual/Aesthetic Resources

- The old orchard presents opportunities for restoration to improve aesthetics and provide interpretive education opportunities.

- Existing steep slopes, overlooks, open areas of river shoreline and the bridge over Ellicott Creek offer opportunities to provide and enhance views of the park's scenic features.

Environmental Conditions

- The former gas well in Ellicott Creek, which must be plugged, offers opportunities for environmental education regarding park geology and the history of oil and gas exploration in the area.
- If cleaned up and/or determined not to present a hazard, building foundations east of the Reist Mill and north of the new Mother House would be interesting trailside features that offer interpretive educational opportunities.

Results

The analysis of limitations and opportunities presented by park facilities and resources suggests that development and use of Amherst State Park should focus on the following:

1. Floodplain, wetland and wildlife habitat sensitivity suggest that major recreational improvements and intense recreational activity are not appropriate.
2. Improve the trail/pedestrian circulation system in the park to accommodate a variety of appropriate uses (walking, cross country skiing, biking, bird watching, etc.). Trail development should utilize existing trails and remove redundant trails to minimize potential impacts. Trails should highlight the park's interesting features, including Ellicott Creek, wetlands, wildlife habitat, scenic overlooks and cultural features. Opportunities for connection with existing off-site sidewalks and paths should be pursued.
3. Proposed facilities should accommodate the type of uses currently occurring in the park. However, because of the sensitivity of park resources, these facilities should be designed in anticipation of increased levels of use over that which is currently occurring.
4. Limit parking opportunities within the park to limit the number of visitors and their potential impact on park resources.
5. Existing infrastructure, buildings and other facilities within the park should be redeveloped or otherwise used to minimize the environmental impacts of new construction and/or provide opportunities for interpretive education.
6. Picnic, day use and senior/family oriented facilities should be concentrated on open lawn areas with few environmental constraints.
7. Proposed facilities within the Ellicott Creek floodplain must be designed to withstand flooding and vandalism.
8. Wildlife habitat improvement and invasive plant control programs should be initiated.

9. A comprehensive interpretive education program should be developed focusing on the park's ecological and cultural resources. This program could include signage and trail guides, and cooperative research and education programs with local colleges and schools.

D. Recreational Use Alternatives

During the Master Plan development process, several recreational uses identified during the public participation process were evaluated and their development options identified. In general, most of the major recreational alternatives proposed were found applicable to the park's passive recreation goals. See Table 3 for more details.

During the comment period for the Master Plan, many persons commented that Amherst State Park should provide a place for dogs to run off-leash. The Master Planning process had considered the placement of an off-leash area for dogs in the Northern area of the park near Sheridan Drive. The Northern area was chosen as the only potential site for this type of facility because of its current land use and distance away from the Ellicott Creek corridor. However, this idea was rejected due to the proximity of the area to adjacent residences on Mill Street and Sheridan Drive. Since there were a significant number of people who spoke in favor of this type of facility at the public hearing, the Town of Amherst is working with an organized group of Amherst residents and dog owners to find an alternative location for this activity. A location at a large Town-owned park in the central area of the Town is currently being considered and was discussed with the Town Board. Additional information will be provided to the Town Board in the near future. A decision on the alternate site is expected within a few months.

E. Program Alternatives

Several program options were considered during the Master Plan development process. The following provides a summary of the program options at the Park and the issues related to each one:

- 1) Environmental Interpretation / Education - Opportunities for environmental interpretation / educational programs are evident due to the diverse natural resources and wildlife habitats that exist within the Park. Section II of this report identifies the park as a unique open space that contains significant ecological resources. Interpretive signage and programs focusing on the park's ecological resources would help reinforce visitor awareness of and sensitivity to the Park's resources.
- 2) Cultural/Historic Interpretation/Education - Several historic and cultural elements exist within the park, including the Reist Mill, old orchard and Mother House. Identifying these historic elements and providing interpretative signage could enrich the Park visitor experience. These features can be highlighted in various locations along the park's circulation system.
- 3) Winter Recreation and/or Art Festivals - During the Master Planning process, participants encouraged passive recreational use of the park in the winter such as cross-country skiing and

snow shoeing. Festivals of various types were also considered acceptable, although limits on their size, type and location were recommended.

- 4) Visitor Center/Park Offices/Maintenance - Considering the size of the park and future passive recreation demands, a formal visitor center was not considered necessary. However, the demands on Town support for the maintenance of the park suggests there will be a need for an on-site maintenance office and storage facility. Three alternative locations for the maintenance facility were considered including: 1) adaptation of the Reist Mill; 2) the use of the existing garage that was part of the Mother House complex; and 3) the construction of a new facility in the Mother House area. Reuse of the existing garage is the preferred alternative because of its existing advantageous location and size, and efficient adaptability as a park maintenance facility.
- 5) Research/Monitoring - In addition to an environmental interpretation/education program, there are also opportunities for environmental research/monitoring programs. These could include monitoring long-term changes to the park's ecological communities, evaluating the effectiveness of various invasive plant control techniques, monitoring wetland mitigation/enhancement efforts, monitoring changes in water quality in Ellicott Creek, etc. Local secondary and college level students could participate in various research and monitoring programs.

F. Master Plan Alternatives

In developing the proposed Master Plan for Amherst State Park, the following alternatives were considered:

- 1) No Action
- 2) Alternative One (Minimum Level of Development)
- 3) Alternative Two (Preferred Alternative)
- 4) Alternative Three (Maximum Level of Development)
- 5) Draft Master Plan
- 6) Other Alternatives

Each of these alternatives is discussed below.

No Action

The no action alternative would essentially leave the park as it is. No new programs would be proposed and no new physical improvements to the park would be undertaken. This no action alternative would also keep capital costs to a minimum. However, the level of use the park is currently receiving is already causing certain environmental impacts, including loss of vegetation and soil erosion along various footpaths and areas of river shoreline. Levels of use will only increase over time with increasing population and greater awareness of the park as a public open space resource. Consequently, the type of impacts currently occurring are likely to increase and the no action alternative does not allow for the correction of existing problems or prevention of additional problems that can be anticipated with increasing public use. Increased use without some level of improvement to accommodate that use will also lead to public dissatisfaction with the park. In addition, benefits such as improved access to Ellicott Creek, multiple use trails, an organized

circulation system, handicapped accessibility and various natural resource protection and management activities will not be realized under the no action scenario.

Alternative 1

Alternative 1 represents the minimum level of park improvement considered necessary in this alternatives analysis (see Figure 16). This alternative would eliminate the existing softball field at the north end of the park, provide vehicular access to the park only at Mill Street, improve circulation only on two primary trails, and provide limited interpretive education improvements. It would not include permanent bathroom facilities, restoration of the orchard, improved access to Ellicott Creek, or development of garden areas. This alternative would cost less to implement and maintain than the preferred alternative. It would also limit construction-related disturbance of natural resources. To the extent that limited facilities place limits on the amount of use the park receives, Alternative 1 might also limit the amount of human disturbance (physical disturbance and noise) that the park receives. However, existing problems such as excessive/redundant trails and on-going trail erosion will not be fully addressed. The limited vehicular access and trail facilities proposed also may not be adequate to accommodate the increased use the park is likely to receive in the future. This is especially true for out-of-town visitors who are not familiar with the park, arrive by automobile, and require safe, well-marked entrances and adequate parking. Opportunities to improve circulation and aesthetics within the park will be limited, as will opportunities for improved interpretive education or enhanced appreciation of the park's resources. The lack of permanent restrooms will make the park less desirable for certain visitors, and the lack of gardens preclude use by local garden clubs or gardeners residing in the Holy Family Home. The acquisition, however, of additional land (Potential Park Additions A-D) surrounding the park is viewed as a benefit to the protection of existing resources. Overall, the improvements proposed in Alternative 1 are considered barely adequate to address existing use/impacts, and inadequate to accommodate the type and level of use the park is anticipated to receive. It does not fully respond to local or regional recreation needs as expressed at the public meetings and documented in the 2001 SCORP. Alternative 1 is therefore not the preferred alternative for the development and maintenance of Amherst State Park.

Alternative 2

Alternative 2 was the Plan proposed as the preferred alternative for the park in the Draft Plan/DEIS (see Figure 17). This plan closely resembles the Draft Master Plan. In summary, it proposes 1) vehicle access and parking at three locations, 2) an organized pedestrian trail system including primary cross-park trails, secondary trail loops and additional pedestrian access points on areas identified for future acquisition, 3) increased opportunities for public appreciation and education regarding the cultural and natural resources of the park, 4) permanent restrooms, including handicapped accessible facilities, 5) partial restoration of the old orchard and other historic features such as the existing gazebo and stone stairway to the river, 6) a proposed playground and a designated festival/gatherings site in the Mother House area, 7) stabilization of the Reist Mill for possible future interpretive and administrative purposes, 8) two small garden areas, and 9) provisions for cartop boat access and handicapped access to Ellicott Creek. The plan also calls for specific restoration, management and maintenance practices to protect and enhance the park's natural resources, particularly its wildlife habitat value.

Alternative 2 responds to local recreational demand/deficiencies, as determined through meetings with the Amherst State Park Technical Committee, the park Advisory Committee and the general public. It also responds to regional and statewide needs as described in the 2001 SCORP (1994). The enhanced access and circulation system will facilitate increased public use (including handicapped use) of the park, improve safety within the park and provide increased opportunities to appreciate and learn about the park's natural and cultural resources. The type and level of improvements proposed also balance public use with protection of sensitive natural resources, including wetlands and wildlife habitat. The plan as proposed addresses existing environmental problems (trail erosion and habitat disturbance) while enhancing opportunities for wildlife viewing, access to Ellicott Creek and environmental education. The acquisition of additional land (Potential Park Additions A-D) to buffer the park is also recommended.

The Master Plan proposed as Alternative 2 could lead to increased levels of public use. However, the relatively small number of parking spaces and developed facilities provided will still limit such an increase in use. The use will also be concentrated in areas and on trails that can physically accommodate such use without significant impact to the environment. Introducing more people to some of the forested habitat areas within the park could increase disturbance of birds and other wildlife. However, because redundant and poorly located trails will be eliminated, disturbance of many sensitive areas could actually be reduced. No trails are proposed in areas that do not already have trails or receive significant pedestrian use, with the exception of a trail in the Northern area to Sheridan Drive.

Partial restoration of the old orchard is a compromise between full restoration for historic/aesthetic purposes and no restoration for wildlife habitat purposes. The orchard restoration as proposed in Alternative 2 will preserve and perpetuate the historic orchard while also protecting much of its wildlife habitat value (by limiting mowing, pruning and removal of dead wood). Picnic and day use facilities are still relatively limited, but are proposed at locations that can accommodate such use and at levels that are compatible with protection and enjoyment of the park's natural resources and solitude.

Alternative 3

Alternative 3 is the Master Plan that proposes the maximum level of development that is considered acceptable in a "scenic" park with an emphasis on passive recreation (see Figure 18). It is still relatively low intensity in that it does not propose facilities or programs to accommodate organized active recreation, or large numbers of park users. Parking is increased over the level proposed in Alternative 2 and includes providing handicapped parking at the proposed cartop boat launch on Ellicott Creek and at Glen Park. Two additional pedestrian access points are also proposed and the primary north-south trail through the park is shifted to the west side of Ellicott Creek south of the existing park bridge crossing. The acquisition of expansion area B would allow for these additional entrances. Acquisition of the additional potential expansion areas would also allow for additional trail routes. Larger restrooms are proposed, along with a formal picnic area (including a picnic shelter) and larger areas of mowed lawn that can accommodate informal games (Frisbee, kickball, catch, etc.). The Reist Mill is proposed as a fully restored building under this alternative and more seating areas are designated throughout the park. The existing softball field at the north end of the park would also be maintained.

The improvements proposed under Alternative 3 would allow the park to offer a more complete package of day use activities (including informal sports activities) and thus attract a wider variety of park users. A formal boat launch with shoreline grading and stabilization improvements is proposed. With full restoration of the Reist Mill as a visitor center/environmental education facility and development of a more extensive circulation system, this alternative would also allow provision of a more comprehensive interpretive education program. However, the improvements and programming envisioned in Alternative 3 would be significantly more expensive to implement. In addition, the proposed level of development could lead to increased levels of public use and physical disturbance that exceed the "carrying capacity" of the park's natural resources and/or decrease the quality of the park experience for certain park users. The new trail on the west side of Ellicott Creek and the designation of parking at Glen Park were specific recommendations of Alternative 3 that were not received favorably by some members of the public. For these reasons, and because the level of development proposed in Alternative 3 exceeds that desired by the public (as expressed by the Advisory Committee and at the public meetings), this alternative is not being proposed as the preferred alternative.

Draft Master Plan

The Draft Master Plan (see Figure 19) evolved from Alternative 2 and additional public comments. The difference between Alternative 2 and the Draft Master Plan is the proposal for a designated car top boat launch. Otherwise, pedestrian and vehicle circulation and program elements are similar. Details regarding the Draft Master Plan can be found in the DMP/DEIS for Amherst State Park (EDR, 2002).

Other Options

Northern Area Options

Several alternatives were evaluated during the development of the Draft and Final Master Plans in an attempt to resolve concerns associated with the north end of the park. These concerns relate primarily to the park's irregular boundaries, access difficulties off of Sheridan Drive and potential park use impacts on adjacent landowners. These alternatives and their pros and cons are outlined below. Additional evaluation of these alternatives is also discussed in Section VIII based on the comments received on the DMP/DEIS.

1) Primary Trail and Park Entrance

One of the north end alternatives under consideration was relocation of the primary trail between the Mother House and Sheridan Drive. This alternative was proposed as a means of eliminating potential traffic and pedestrian safety concerns associated with the Sheridan Drive entrance to the park and avoiding potential conflicts between park users and adjacent landowners, including a private residence to the west and the Holy Family Home. This north end of the park was to link the main body of the park with residential areas north of Sheridan Drive. Screen plantings, fences and berms, along with trail re-alignment, were proposed as mitigation of possible conflicts with adjacent neighbors and to develop a sense of connection between Sheridan Drive and the main body of the park.

As a result of comments received on the Draft Master Plan, this alternative was reevaluated. Concerns from neighbors regarding privacy and security, along with the fact that several issues associated with the Northern area (i.e. vehicular access; land transfers) require ongoing evaluation, resulted in the determination that the Northern area would remain unprogrammed. There will be no vehicular access to the park from Sheridan Drive.

2) Land Exchange

Under this alternative, up to 14 acres of land on the southwest side of the park (see Figures 16-18, Potential Park Addition 'C') would be donated to the state in exchange for the approximately 7.7 acres of parkland north of the former Mother House. The 7.7 acres of parkland would be held in private ownership and thus potential conflicts between the public and adjacent landowners would be precluded. This alternative has some merit in that it would 1) exchange lawn/landscaped areas for natural habitat, 2) create a larger, more contiguous block of parkland, and 3) reduce potential conflict and confusion regarding the location of park boundaries. Adding land to the southwest of the park would also protect additional sensitive resources including wetlands and the Ellicott creek floodplain. Under this proposal direct connection of the park with Sheridan Drive would be precluded. However, sidewalk access along Mill Street would still provide a pedestrian connection between the park and areas to the north.

While this proposal could result in benefits to the park it nonetheless would result in a removal of parkland from public use. This option would require agency approval and supplemental environmental review under SEQR should it become a viable option. If the exchange is not feasible, it would not preclude the Town's and OPRHP's interest in obtaining this land (see section VB).

3) Easement from the Holy Family Home

This alternative would involve acquiring an easement on land east of the Holy Family Home as a means of maintaining pedestrian access to the north but avoiding potential conflicts with adjacent landowners to the west. This alternative is not considered feasible, as the Holy Family Home has indicated that it would not agree to grant such an easement. In addition, any potential conflicts with adjacent landowners might simply be shifted from the west to the east side of the park.

Phasing Option Versus Full Implementation

The other Master Plan alternatives considered in this analysis related to the timing of plan implementation. These alternatives ranged from full implementation of the proposed Master Plan soon after its adoption by the Town and OPRHP, to doing little, if anything, for the foreseeable future. The feasibility of these alternatives is based primarily on cost and logistical considerations, with immediate full implementation obviously requiring significantly more fiscal and operational resources than various phased or delayed implementation options. However, phasing alternatives also differ in terms of being able to evaluate the adequacy and actual impacts (beneficial and adverse) of various park improvements. A phased approach allows for feedback from park users and maintenance personnel regarding what works and how things could be improved. With this feedback loop in place, inadequate, excessive or misdirected expenditure of funds and manpower can be minimized. Unanticipated or underestimated adverse impacts to park natural resources can also be identified before they have significant adverse effects. For all of these reasons, a phased

implementation alternative is recommended. The recommended approach would be to implement certain improvements immediately following Master Plan adoption, with a specific schedule for the implementation of additional recommendations over time. It is envisioned that Phase I will be implemented in the short term (within 12 months) following Master Plan adoption, while proceeding phases would more logically occur later. Some actions, such as the construction of the playground, would best be implemented following any adjustment of park boundaries and/or redevelopment of the former Mother House. The schedule and the type and extent of specific improvements proposed can be modified based on the results of implementing the initial improvements.

V. MASTER PLAN

A. Introduction

This section provides detail on the proposed Master Plan for Amherst State Park. Included in Figure 20 is a conceptual map depicting the plan for the park in terms of recreation use and resource protection.

B. Description of Master Plan Elements

In general, the Master Plan recommends supporting the existing activities in the park while adding/improving limited facilities to meet certain passive recreational needs and deficiencies. The proposed Master Plan is a variation of Alternative 2 and the Draft Master Plan described above with some modifications in response to public comments on the Draft Plan. The overall goal of the plan is to strike a balance between development for passive recreational use and the preservation of scenic, natural, and cultural resources. The Master Plan calls for improvements in six of the seven sub-areas of the park. A brief summary describing the plans for each of these areas within the park is described below (see also Figure 20).

- 1) Parkland Classification- Amherst State Park will be designated a Scenic Park. See Section IV B for more detailed discussion of this parkland classification.
- 2) Access, Parking, and General Circulation- One primary and one secondary vehicle access points are planned for the park. The primary vehicle access point will be located at Mill Street, using the existing Holy Family Home entry road. The Master Plan proposes to reconfigure the two existing roadways from Mill Street from two-way roads to one-way roads, the northerly road becoming the entrance to properties (State Park, Holy Family Home and St. Mary's Commons) with the southerly road becoming the exit. Two new segments of road will be constructed, one a one-way segment extending the proposed entrance road from the Holy Family Home entrance to the St. Mary's Commons property, and a second two-way road segment that will provide the Holy Family Home access to and from the proposed exit road to Mill Street (see Figure 21). As a result of this connecting road, two new intersections are proposed. Two-way stop signs are proposed at these intersections. This new road connection allows for one common entrance and exit for Park visitors, Holy Family Home residents and employees, and for the future occupants of the Mother House. The two-lane road also allows two-way traffic between the Holy Family Home and the park's main parking lot.

Parking for the main entrance will be located south of the Mother House within the Mother House Area. The exact location of the parking has not been determined due to the ongoing planning for the development of the Mother House. The plan calls for a parking area to accommodate approximately 25 vehicles. The plan proposes that the main parking lot be separated from the Mother House parking lot by green space to provide a clear delineation between park uses and the Mother House development. An asphalt pavement surface is proposed for the park's access roads and parking lot. Two additional handicap accessible parking spaces will be provided in the Creek Bend area. The existing asphalt driveway down to

the Orchard area and improvements to the existing gravel/compacted soil pathway to the Creek Bend area will improve universal access to the floodplain areas of the park.

One secondary vehicle access point is proposed at the west side of the Park adjacent to the Reist Mill. The plan shows a one-lane road (approximately 9' wide) that extends to the east side of the Mill. Parking for 3 vehicles, including one handicap accessible space is proposed. The parking near the Reist Mill is intended to accommodate local traffic demands. Signs at the parking lot will direct walkers, joggers, cyclists, fishermen, and cross-country skiers to the trail system.

A pedestrian trail access and circulation system is also planned for the park. Trails will be arranged into a formal classification of either primary or secondary. The hierarchy of pedestrian trail systems is intended to protect the park's natural resources while also improving opportunities for walking, bicycling, and jogging through the park. The primary trails will run north/south and east/west through the Park, starting and ending at designated park access points. In general, the alignment of the primary trails will follow existing pathways to the extent possible. Boardwalk will be constructed (as necessary) where the primary trails are aligned through existing wetland and stream crossings. The east-west primary trail from Mill Street to the bottom of the existing asphalt roadway at the north side of the orchard is proposed to be an 6' wide concrete walkway. All remaining lengths of primary trail will be 6' wide with a stone-dust or equal type of surface treatment.

Both the north/south and east/west primary trail will begin at Mill Street, approximately 100' south of the park's main exit drive, and extend south through the Mother House area, and Orchard area. South of the bridge over Ellicott Creek, the north/south primary trail will follow the east edge of the Creek south toward the pedestrian-only park access point located near the Glen Avenue Bridge. The total length of the north/south primary trail will be approximately 2,225 feet long (excluding the shared section of the north/south and east/west primary trail from the Orchard area to Mill Street). The east/west primary trail will cross over the Ellicott Creek Bridge, and complete its western section through the Floodplain Area and the Reist Mill Area. Boardwalk construction is planned for the section of the east/west primary trail located within wetlands in the Floodplain area. The total length of the east/west primary trail will be approximately 3,800 feet long (including the shared section of the north south and east/west primary trail from the Orchard area to Mill Street).

The secondary trails will for the most part loop off the primary trail alignments. The purpose of these trails is to provide pedestrian access to areas of the park away from the primary through routes. Bicyclists will be restricted from these trails to prevent conflicts with pedestrians and trail surface degradation. The secondary trails will follow existing trails where appropriate and the surface treatment will vary from wood chips, stone dust, or boardwalk. The trails will be 4-5' wide.

All trails will be clearly marked with small trail markers. Signs at the access points into the park will provide a map of the park and the location of trail systems. The primary trails will also provide emergency access into the park's interior. Emergency vehicles will be allowed to enter the park from Mill Street and Reist Street. No vehicle access will be permitted between the Ellicott Creek Bridge and Glen Park. The emergency access route from Mill Street will extend

west along the east/west primary trail as far as the hard surface trail extends before it becomes boardwalk.

- 3) Relationship to Mother House and Holy Family Home – On November 21, 2002, the Town of Amherst Planning Board approved a site plan for the former Mother House that will see the structure be converted to a 102-unit senior housing facility utilizing historic preservation and low income tax credits (see Figure 22). The Mother House and 4.11 acres of property will be sold by the Town to CRS Properties (a.k.a. St. Mary's Commons Associates, L.P.) who will own and operate the facility. The property being purchased is smaller than the original 7.96-acre parcel that was reserved for future development of the Mother House. The balance of 3.85 acres will be retained by the Town of Amherst in three separate parcels and thus bring the total acreage of the park land to approximately 80 acres. Two of these parcels (one located south and west of the Mother House building and the other located primarily east of the Mother house building) totaling 2.85 acres are intended to be combined with the state park. The third parcel (1± acres) containing the old powerhouse north of the Mother House will remain in Town ownership. The parking for the Mother House will coexist with minimal conflicts with the Park's parking and users. OPRHP and the Town will work closely with the developer to assure that any conflicts are minimized.

As part of the conditions regarding the purchase of the St. Mary of the Angels Property, the Town of Amherst agreed to make several improvements to the Holy Family Home Adult Care Facility. During the summer of 2001, approximately 1050 linear feet of six-foot high black aluminum picket fencing was installed along the south and west property lines of the Holy Family Home. The Town of Amherst also funded the installation of a new five-foot wide concrete sidewalk offset approximately 20 feet from the north edge of the existing Holy Family Home driveway. The new sidewalk currently ends near the entrance at Mill Street.

The Master Plan proposes new signage clearly identifying the Holy Family Home and its address at the Mill Street entrance and at the intersection of the road leading to the Mother House and park. Lighting is planned along the driveways and the proposed sidewalk to the Holy Family Home for safety, security and visibility. The lighting fixtures will be a style consistent with the period and architecture of the Mother House. Identification and address signage will be externally lighted for visibility.

The agreement with the Holy Family Home also indicates that the Town of Amherst will preserve the area east of the Mother House between the south driveway and the north property line as a green area free of new structures and parking areas. The Town of Amherst also will plant a minimum of 50 five (5) to six (6) foot tall evergreen trees to be distributed evenly on both sides of the proposed fencing along the new south and west property lines separating the Holy Family Home property and the Mother House property. A 110-foot long buffer will be provided adjacent to the west side of the western most wall of the Holy Family Home.

These plans around the Holy Family Home are designed to provide adequate separation and privacy from the Park. The new signage should help delineate the location and identity of the Home and prevent conflicts between Home and park users.

- 4) Recreation Elements-The Master Plan generally proposes improvements to the existing recreation opportunities available at the Park. The most significant recreation improvement is the organization of the path system within the park. A hierarchy of trail systems is intended to protect the park's natural resources while improving opportunities for walking, bicycling, and jogging through the park (see previous discussion in item 2). Improvements to the circulation system should also improve the use of other recreation elements. The trails will be classified as either primary or secondary. The primary trails will run north/south and east/west through the Park, starting and ending at designated park access points. Park visitors will be required to have dogs on a leash per Town of Amherst requirements (six foot leash maximum with clean up). Discussion of additional recreational elements within each park area follows:

Northern Area - The Northern area will be unprogrammed and be maintained as open green space. See General Response in Section VIII.

Mother House Area - Recreational activities within the Mother House area include picnicking, gardening, concerts, and playground equipment. Picnicking will be allowed in the open lawn areas and in the southwest corner of the area where five to seven picnic tables will be placed. No barbecue grills will be located in this area or within the entire park. The open lawn area southeast of the Mother House will also provide space for small, organized concert events. No formal amphitheater or stage is proposed. A flower garden is proposed east of the proposed Park maintenance garage. A community group, including participation by the Holy Family Home and St. Mary's Commons residents, will help maintain the garden. A playground will be located west of the Mother House in close proximity to the main parking lot. The playground design and size will be based on community input.

Creek Bend Area - The Creek Bend area will offer opportunities for picnicking, access to Ellicott Creek, and informal sport activities. Three to five picnic tables will be located near the banks of Ellicott Creek. Two handicap accessible parking spaces in this area will improve access to the floodplain areas of the park.

Orchard Area - The Orchard area will offer recreation elements related to gardening and informal picnicking. An informal flower garden is proposed at the base of the stone steps leading to the Mother House Area. "Day lighting" of a currently culverted ditch at the north end and creating a stream/wetland habitat corridor will enhance wildlife viewing opportunities in this area. Two to three picnic tables are planned near the base of the Mother House steps. The rehabilitation of the Orchard and the establishment of flower gardens in this area will provide opportunities for a garden group to participate in the maintenance of these features and also offer a means for which donation/contribution to the park is made (i.e. memorial trees, etc.).

Ellicott Creek and Floodplain Area - The Ellicott Creek area and Floodplain area will primarily offer recreation elements related to the trails through the area. Access will remain rather informal for wading and shoreline fishing; shoreline seating facilities will be provided and signage will be installed to indicate certain access points into Ellicott Creek. Birding and wildlife observation will be encouraged along the trails with the addition of interpretive signage.

Reist Mill Area - Recreation elements at the Reist Mill area will include access to the primary east/west trail, opportunities for historic interpretation of the Reist Mill and space for informal picnicking.

- 5) Cultural Resources - An interpretive program will focus on the cultural resources within the Park. The prehistoric and historic significance of the Ellicott Creek Corridor will be discussed through interpretive signage. The interpretive program will also focus on the Reist Mill, activities of the Sisters during their ownership of the property, and other significant historic and archeological subjects.
- 6) Natural Resources – A major focus of the proposed Master plan will be the protection and enhancement of natural resources throughout the park. Existing impacts (e.g. soil and shoreline erosion invasive plant species, etc.) will be addressed. Opportunities for wetland enhancement, improvement of wildlife habitat and improved wildlife observation will be pursued in various areas of the park. A management plan will be developed to guide overall park maintenance to assure that the quality and diversity of wildlife habitat is maintained.
- 7) Education and Interpretation Elements - The cultural and natural resources of the park present opportunities for an extensive and comprehensive interpretive program. One of the key components of this program will be a diversified program of trail signage. A comprehensive approach to the signage should be considered. The signs should be organized into a system that has a sequence and low profile that is unobtrusive to the surroundings. The signage content should combine text with graphics (historic photographs, sketches, etc.). The following is a preliminary list of signage locations and their purpose:

Northern Area:

No interpretive signage is currently proposed in this area.

Mother House Area:

Signage identifying the significance and history of the Mother House and use of the site by the Sisters.

Creek Bend Area:

Signage focusing on Ellicott Creek, its fish and wildlife habitat, flooding, etc.

Orchard Area:

Signage along the primary north/south path discussing the history of the orchard, its use by the sisters and its wildlife habitat value.

Ellicott Creek Area:

Signage along Ellicott Creek identifying key elements of fish and wildlife habitat.

Floodplain Area:

Signage describing wetland functions and values.

Reist Mill Area:

Signage discussing the significance and history of the Reist Mill and its surroundings, including the area to the east where the original convent was located.

Development of the signage program should consider the use of trail guides and their contribution to the park experience.

- 8) Research - Opportunities for research programs in the park are possible with coordination between the Town of Amherst, New York State, and nearby colleges/universities. Programs for consideration include research on the effectiveness of various park management activities (e.g. invasive plant species control), water quality monitoring, breeding bird surveys, and fishery surveys.
- 9) Maintenance and Operations - The Town of Amherst will be responsible for the maintenance and operations of the Park. The maintenance and management of the park is discussed in detail in the Management Plan section of this report. In general, the goal of the maintenance and management plan is to protect and enhance the natural communities and species within the park while accommodating appropriate park uses.
- 10) Infrastructure and Utilities - One restroom facility is proposed near the main parking lot within the Mother House area. The facility will be relatively small (approximately 400 square feet) and have 2 toilets (one handicapped accessible) and two sinks per gender. Trash receptacles will be available at the parking lots. The remaining park will be under a carry-in/carry-out policy. Security lighting is planned near the park parking lot.
- 11) Transportation - The park will be accessible to pedestrians from three public roads surrounding the park on the south, east and west. Vehicle access will be available off of Mill Street and Reist Street. Adequate accessibility to the park is a primary focus of the Master Plan.
- 12) Open Space Conservation and Potential Park Additions - The park is classified as a scenic park. This classification recommends a limited level of development. The park is a vital open space feature in the Town of Amherst that should be protected. An increase in additional permanent open space is possible with the acquisition of additional land around the park. The Town of Amherst will consider such acquisitions by fee title, conservation easement or other agreements. Above all, the areas identified on the master plan for potential park land additions (see Figure 20) would, if acquired, serve as important additions for recreation and open space/natural resource protection. The following outlines the potential benefits of each parcel:
 - Potential Park Addition 'B' (6.3 acres) – This area would provide future buffer to the natural resources of the park and allow for a secondary trail to enter/exit the park off Mill Street. Currently, the Town of Amherst is in the process of acquiring approximately one acre (254 Mill Street) from Erie County in this area.
 - Potential Park Addition 'C' (14 acres) – This large parcel, is undeveloped and essentially a part of (culturally and environmentally) the Floodplain area. Acquisition of this property would allow for additional trails and reduce the awkward property delineation at the park's west border.

- Potential Park Addition 'D' (.14 acres) – This small parcel, currently privately owned, would eliminate the awkward indent on the park's southeast border. The existing conditions of this parcel are complimentary to the adjacent park characteristics.

In all, these areas proposed for potential future park additions compliment the park's existing character and share the same limitations as far as environmental conditions (i.e. floodplain soils, wetland considerations, etc.). Mitigation measures, similar to those for the park, would need to be taken as proposed in Section VI for new facilities in these areas, such as trails.

Additional land acquisitions and additions to the park not shown on the Master Plan will also be considered in the future.

13) Design Guidelines - Development within the park is not intended to degrade the natural resources of the park. Items to consider with the addition of proposed amenities include materials that are durable and consistent with the aesthetic and historic aspects of the park. Other items to consider include:

- Trails and seating facilities within the Ellicott Creek floodplain that withstand flooding.
- Signage that is vandal resistant and relatively easy/inexpensive to replace.
- A signage system that is coordinated and flexible to allow the addition of new signs thereby limiting the proliferation of stand-alone signs.

C. Implementation Strategy

1. Statement of Issues/Problems/Goals

As has been established elsewhere in this Plan, the uniqueness of Amherst State Park lies in its rich mix of cultural and natural resources and its tranquil setting in a densely populated suburban area of Western New York.

The park, as envisioned, will be an integrated system of infrastructure, vegetation, wildlife, water resources, topography and circulation elements. Issues and actions involving any single aspect of the park have direct or indirect implications for the whole. As such, for a Master Plan to be viable and realistic, it must be coupled with a management plan and implementation strategy.

Fulfilling the multiple missions of Amherst State Park for passive recreation, education and the preservation and enhancement of ecological and cultural resources will challenge the ability of the OPRHP and the Town of Amherst to sustain the quality of its assets. Ironically, diminished government support for operations and capital programming comes at a time when the Park's popularity is anticipated to grow significantly due to its increased recognition as a public open space.

Internal and external funding will continue to be a difficult issue for foreseeable future. Applying visitor and user fees is not currently a viable approach here, given the public status and mission of the park. If New York State continues to encounter budget constraints – with a disproportionate burden falling on the parks and recreation function – and federal preservation funding continues to

dwindle, there will be increasingly little choice but to adopt an aggressive development strategy and pursue private and philanthropic sources within the region and beyond. However, such is the approach being adopted by other institutions as well, and in an era of “donor shock” and a recessionary economy, Amherst State Park begins the competition for philanthropic and community support already somewhat behind many of these “peer” institutions. Nevertheless, the inherent strengths and broad public appeal, coupled with a strong Master Plan, should place Amherst State Park in a competitive position among potential contributors, or should New York State pass another preservation or bond act.

The goal of the Master Plan is to first, address the immediate need of providing for basic services, maintenance and resource protection; and second, to set forth the basic parameters of a long-term, centralized management structure for Amherst State Park that, within the missions of OPRHP and its support organizations, protects the value of the Park and effectively anticipates and responds to the needs of its users.

Following are a set of interdependent functional and discipline-specific management options which can be combined for an optimum solution.

2. Park Administration: Alternatives Considered

a) No Action

The current operational structure where the Town of Amherst is essentially maintaining the park as a Town Park is an interim approach, pending adoption and implementation of the Master Plan and final negotiations with the OPRHP. To date, this arrangement has protected and maintained the physical integrity of the park and has secured and enhanced its public reputation. At the same time, it is an arrangement that was designed to be temporary. Were this arrangement to become permanent, it is anticipated that portions of the park would receive minimally adequate maintenance in terms of cleaning and repair, preservation and conservation and grounds keeping, and interpretation and programming.

b) Proposed Management Structure

Administration

Full implementation of the proposed Master Plan and the need to gain maximum benefit from existing and future opportunities require a formal management structure. The general structure envisioned in this alternative is illustrated in the Proposed Management Organization Chart.

Proposed staff positions are described below. Achievement of this staffing level will depend upon fiscal and budgetary constraints, administrative concerns, regional staffing priorities and implementation of other Master Plan recommendations.

Park Manager- A park manager is needed to manage the broad variety of internal functions at Amherst State Park, such as: operations, maintenance, landscape and building care, budgeting, planning, and implementation of New York State, OPRHP, Niagara Frontier Region, and Town of Amherst policies and procedures.

This manager must also coordinate with various agencies for the benefit of Amherst State Park and the people who use it. Coordination with external agencies such as New York State Department of Environmental Conservation, local and state police agencies, local and state governments, as well as compliance with appropriate laws, rules and regulations are important responsibilities for the person in this position.

The Park Manager would also directly oversee the landscape design process; management of grounds crew, monitoring performance of contractors and staff; and coordination of volunteer efforts. In addition, the Park Manager would be responsible for development of the park's operational budget, coordination of educational programs, and providing appropriate public liaison.

The Park Manager, along with OPRHP Regional Staff, would be responsible for the development of a strategic financial development plan for Amherst State Park, facilitating all fund-raising operations, formulating new fund-raising projects and implementing plans and budgets. The Manager would consult with and support the park, in grant source identification and application writing.

The following positions are also proposed within the authorized town staffing level to assist in meeting the goals of the Master Plan.

Education Coordinator– The Education Coordinator would be directly responsible for development, presentation and evaluation of all cultural and environmental educational programs and materials at Amherst State Park. This individual would also be responsible for recruiting, training and scheduling volunteers (tour guides, gardeners, etc.), helping the staff to effectively utilize volunteers, and coordinating informational services, tours, special events, and facility scheduling.

Although this permanent staff would comprise the core support for Amherst State Park, a consistent, dependable level of seasonal funding must be provided. Continuous efforts must be made to recruit and encourage volunteer support of the park and the services provided to its patrons.

Maintenance and Operations

In order to carry out an effective maintenance program, and fully implement the proposed Master Plan, the Park Manager will assume responsibility for grounds maintenance with the following supporting staff:

- 1) Supervisor of Grounds: This position will be responsible for the coordination of grounds maintenance programs, including natural areas, trails, walkways, roads and lawns, involving supervision of grounds maintenance staff.
- 2) Grounds Staff: General staff positions consisting of horticultural assistants and park workers.

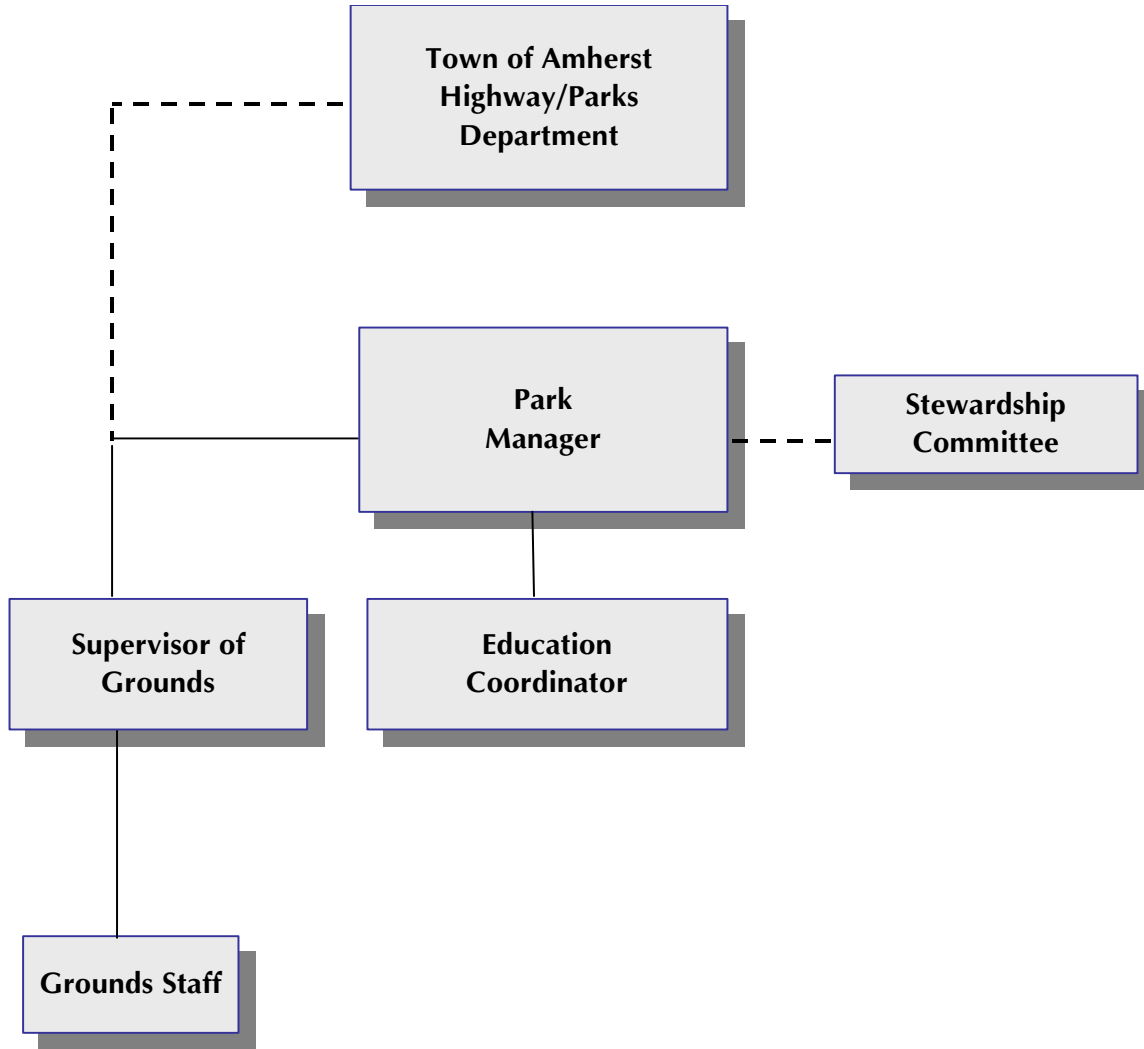
Stewardship Committee

It is critical that the collaborative process initiated by the Master Plan Advisory Committee be continued. A guiding body is needed to periodically evaluate management activities, studies, and future decisions. The purpose of the committee will be to review:

- The status of Master Plan implementation;
- The consistency of specified proposed actions with the park and Master Plan;
- Actions that need to be taken to aid or advance implementation;
- The need for updating or revising the Master Plan or elements thereof.

The proposed committee will provide the needed mechanism to assure proper overall plan implementation and flexibility.

The Stewardship Committee would consist of representatives of the Town of Amherst with participation by OPRHP staff at the Regional level. Based on issues which require specialized input or coordination, the Stewardship Committee could seek input, advice and concurrence from other agencies or groups, including but not limited to the NYS Department of Environmental Conservation (DEC), the NYS Department of Transportation (DOT), the Village of Williamsville, or various park user groups.



Proposed Management Organization

3. Recommended General Operations and Maintenance Policies

a) Maintenance

- The proposed Maintenance Building behind the former Mother House is generally isolated from public activity areas. The Maintenance Area should continue to be isolated and appropriately screened from other uses and recreation areas in the Park.

- A comprehensive preventive maintenance program should be developed annually to ensure both full coverage of the grounds and adequate coverage of high activity zones.
- In its ongoing vegetation management activities, Amherst State Park should utilize an Integrated Pest Management (IPM) Program. In connection with this program, a safe pesticide/herbicide storage facility may be required. New York State has been gradually shifting towards the use of relatively non-toxic horticultural oils and insecticide soap. In addition, biological controls are being tested and may be appropriate in the future. In addition, formal IPM training should be provided to all park grounds staff regarding the safe handling, storage, use and control of toxic and hazardous materials. Included in the training would be a review of State and federally required procedures concerning the handling and disposal of hazardous and toxic materials and wastes.
- A detailed schedule should be developed for the preventive and rehabilitative maintenance of park facilities. The schedule should identify, by facility, the specific type and frequency of maintenance, and equipment required for all park facilities.
- Special events and festivals should be reasonably self-supporting, with a revenue schedule developed that is adequate to supplement permanent and seasonal staff with per diem workers to set up and clean up. Park management should monitor the number and size of special events, particularly those that may damage the landscape.
- Development of an in-house capability, utilizing the resources of the Town of Amherst and OPRHP staff, to design and maintain selected structural and landscape restoration projects at Amherst State Park should be explored to augment outside specialized crafts persons.
- A comprehensive set of detailed landscape health treatment and maintenance guidelines should be prepared by a qualified horticultural professional to address site specific issues for the park. After an initial detailed inventory and assessment of site conditions is made, the qualified horticultural professional should address all landscape concerns requiring short or long-term maintenance and care. Subsequent maintenance guidelines should be developed following the construction of site elements or features. The resulting guidelines should outline specific conditions present with photographic documentation. Photographic alterations or hand sketches to illustrate recommendations should accompany guidelines for treatment of all landscape health and maintenance issues. Guidelines should also be in the form of brief yet specific written recommendations, suitable for implementation by all levels of park staff. Topics suitable for guidelines and recommendations may include tree installation and staking, mulching, weed barriers, fertilization, plant groupings or massings, and pruning.

b) Fee Collection

Entrance fees are currently not collected from vehicles entering the park. A vehicle use fee is not proposed at this time, a fee may be considered in the future. According to the cooperative agreement between the Town and State Parks, a fee may be charged comparable to what is charged at other State or County Parks if approved by OPRHP. Fee schedules for the use of park facilities and

grounds for meetings, photographic shoots, exhibitions or other gatherings should be periodically evaluated for their consistency and competitiveness with comparable settings and to ensure coverage of all expenses incurred by the host for use of the facility.

c) Solid Waste Management

The proper and environmentally sensitive disposal of solid waste has become an issue of general public concern. This has been highlighted by the passage of comprehensive regulations by the NYS Department of Environmental Conservation (DEC) for the management of solid waste, including the development of mandated recycling programs. At Amherst State Park, current solid waste management includes the collection and disposal of non-hazardous materials from facility operation, including litter resulting from use of the facility by visitors. Provided below are general policies to be followed in the control, collection and disposal of solid waste at the park.

- The institution of a park recycling program, consistent with DEC requirements, should minimize the amount of solid waste generated at the park.
- There should be coordination with the Town of Amherst to determine the most economical and environmentally sensitive means for the disposal of collected wastes, including “green waste” such as branches, leaves and garden waste. An on-site compost facility may be the most practiced disposal of “green waste.”
- The disposal of any hazardous materials must comply with all DEC and United States Environmental Protection Agency requirements. An inventory and comprehensive plan for the disposal of hazardous wastes should be developed for the park.

d) Safety and Security

The safety and security of park staff, visitors and facilities is currently maintained without the use of permanent Park Police or Rangers. The passive character of Amherst State Park and the general absence of hazardous features permit this arrangement. However, the park does have a history of unauthorized use including nighttime parties and campfires. A number of policies and recommendations to safeguard persons and property are identified below.

- The adequacy of lighting for security, accessibility and safety should be evaluated, particularly in those areas where visitor use is anticipated during nighttime hours, including in the vicinity of parking facilities and structures.
- The Town of Amherst should periodically evaluate the need for a 24-hour security presence on site.
- The adequacy of security and traffic control staff for special events should be evaluated and a control plan for major or recurring special events should be formulated. Funding for added security, traffic control and clean-up should be provided by the sponsor of the special event.

- Park staff and key volunteers should be given specialized training in emergency response, fire control and first aid. Cooperative emergency/disaster planning should be undertaken in cooperation with OPRHP, Erie County, the Amherst Police Department, volunteer Fire Departments and the Town of Amherst Disaster Coordinator, including procedures for emergency medical evacuation.
- In the absence of permanent park police or rangers, the Town of Amherst Police Department shall provide regular daily patrols of the park during normal operating hours and after hours. Park staff could be deputized or given limited police power to issue warnings and/or tickets to violators of park rules regarding litter, noise, vandalism, dog feces, dog leash laws or the presence of dogs if banned from the park.
- The presence of unleashed dogs in the park shall be monitored on a continual basis. The Town Board may ban dogs from the park if it is determined that unleashed dogs pose a safety/security threat to park visitors and/or wildlife or if the presence of dog feces poses a health concern.

e) Planning and Development

Planning for the future of Amherst State Park is the primary responsibility of the Town of Amherst in cooperation with OPRHP. The planning process includes development of a Park Master Plan, and implementation of Master Plan recommendations by the Town. Monitoring of progress in implementing Plan requirements is the responsibility of the Town with the participation and input of the Stewardship Committee. Future amendments to the Plan must undergo environmental review, if they are considered to have the potential to cause significant environmental impacts and are not adequately addressed within the Final Master Plan/FEIS for the park. The policies to be followed in plan implementation, monitoring Plan conformance and completing required revisions to the Plan are outlined below.

- Master Plan actions should be incorporated into the annual operating plans and budgets for Amherst State Park and the Town of Amherst.
- A Stewardship Committee for Amherst State Park should be convened with general composition based on the model established by the Master Plan Advisory Committee. The charge of the Stewardship Committee should include, but not be limited to: providing long-range policy guidance to the Park Administration through reviewing or commenting on proposed budgets and plans; reviewing progress in implementation of plan recommendations; recommending amendments to the Master Plan; and serving as a conduit for the exchange of information among Park administrators, the OPRHP-Regional and Albany offices, and the Town of Amherst. This committee should also continually review the park's fiscal needs and overall budget to insure that adequate funds are available for park maintenance and operations and to assist the Town in fitting the park into its debt management program.
- Progress toward implementing Plan requirements should be monitored annually. A detailed status report, identifying progress toward implementing Plan requirements should be prepared under the direction of the Park Manager's office, in consultation with the Stewardship Committee. The report should be submitted to the Regional Director of OPRHP, the

Commissioner of OPRHP, and the Town of Amherst. The analysis should include specific recommendations on the steps required to maintain progress in implementing Plan requirements.

- Based on the analysis provided in the annual plan status report, steps should be taken to implement Plan recommendations or to revise the Plan, as appropriate. These could include incorporating funding requests into operating and capital budgets of the Town of Amherst or the formation of ad hoc advisory committees to address specific areas of concern.
- Computerized management information systems to track administrative data, budgets and resource inventories should be developed.

f) General Administration

- The long-term potential for centralization of administrative offices for the Park within the Reist Mill or the Maintenance Building should be evaluated.
- Permanent staffing levels should be increased as necessary to meet existing and future park needs.

g) Natural Resources Conservation and Management Policy

Forest Management

- In woodland or other natural areas, landscape conditions caused by natural phenomena should not be modified unless required for public safety in connection with the reconstruction of trails or the development of new trails. No harvesting of plant life should be allowed in any area of the park, except as necessary for approved research and monitoring programs.
- The location of rare, threatened or endangered plant life should be identified through a long-term program of field investigation and research, in association with the statewide and regional agreement with The Nature Conservancy. Dissemination of information concerning the location of identified species should be carefully managed to minimize the potential for loss or damage due to direct harvesting. Visitor access to known locations of rare, threatened or endangered species should be controlled.
- Control of fungi, insects, rodents and other species of concern (possibly including deer) should be limited to where required to conserve and protect rare, threatened or endangered plant species, to manage a human health hazard, or to prevent outbreaks of the pest from spreading to the larger vegetative populations within or outside the park. Otherwise, these populations should be allowed to function unimpeded. The concept of holding pests to tolerable populations in contrast to complete elimination is a key component of Integrated Pest Management (IPM). IPM advocates the use of a variety and combination of controls, including chemical, manual and biological to control pests. Achieving an effective balance among the controls helps to reduce the hazardous side effects. IPM is recommended for all necessary pest management and invasive plant control programs undertaken in Amherst State Park.

Exotic Plant Species Management

- Undertake a comprehensive survey to identify areas of the park with significant concentration of invasive exotic plant species. Species of concern include Japanese knotweed, garlic mustard, common reed, black swallow wort, and purple loosestrife.
- Initiate pilot projects to evaluate the feasibility of various control techniques on each of the invasive plant species found in the park. For each species, the following techniques should be evaluated on a trail basis:
 - Cutting or pulling by hand.
 - Selective herbicide application.
 - Any biological controls that may be available.
- Develop a park-wide integrated exotic plant control program based on the results of the pilot projects described above.
- All herbicides should be applied by state certified applicators in accordance with label restrictions. These chemicals should not be used in any areas with documented rare plants.
- In general, do not mow areas with invasive plant infestations as this method fails to remove the roots/rhizomes and can serve to spread seeds.
- Concentrate initial control efforts on areas with light infestations or where invasive species are just becoming established, as such areas are easiest to control.
- Do not spread soil or compost within the park that may be contaminated with the roots, rhizomes or seeds of invasive plant species.

Orchard Rehabilitation and Management

- Create an orchard management program based on an existing tree survey and desired species.
- Consult with OPRHP's Historic Preservation Field Services Bureau regarding proposed plans for the orchard as the Orchard Landscape is a contributing element to the National Register site.
- Plant disease resistant apple varieties to reduce the amount of spraying that would otherwise be necessary. Varieties like Liberty, Freedom, Redree and William's Pride are recommended by the Cornell Cooperative Extension's Department of Fruit and Vegetable Science. In addition, they recommend some trees developed by New York State that are identified by number: NY73334-35, NY 74828-12, NY 74840-1 and NY 75413-30. It is advisable to plant several varieties, not just one, to promote better pollination and fruit production over a longer season.
- The use of standard or semi-dwarf trees is recommended since they are relatively long-lived and sturdy, when compared to dwarf trees.

- Trees can be pruned to shape a low tree that allows for the harvesting of apples from the ground or with a short ladder.
- Flowering crabapples can be mixed with fruit producing trees for ornamental value and for enhancing pollination.
- There are a number of nurseries in New York State that offer the above referenced apple varieties (and others) for sale.

Fish and Wildlife Management

- Rare, threatened or endangered animal species should be inventoried through a long-term program of field investigation and research in cooperation with organizations such as the Buffalo Ornithological Society. Dissemination of information concerning the location of identified species should be carefully managed to minimize the potential for loss or damage due to direct harvesting. Visitor access to known locations of rare, threatened or endangered species should be controlled.
- Deer management options: Continued monitoring of deer-vehicle accidents, local deer populations (from bi-annual NYSDEC aerial surveys), and monitoring of vegetation browsing will occur. This area of the Town is located within "Zone 2" of the *Proposed Town of Amherst Deer – Vehicle Accident Management Plan* (DVAMP). Currently, this document and its associated DGEIS are in the review stages and progress of these documents will be monitored for completion and adoption. Upon adoption, the DVAMP will provide an approach for dealing with the issue of deer-vehicle accidents in the area of Amherst State Park and throughout the Town. Although deer population control is proposed by the plan in other areas of the Town, the Amherst State Park property and its adjacent neighborhoods (Zone 2) currently are not candidates for such measures. Specific measures to mitigate negative impacts to Amherst State Park related to deer over browsing will be developed in concert with NYSOPRHP and NYSDEC.
- Monitor occurrence and/or complaints of nuisance wildlife (i.e. overabundant rat, raccoon, or woodchuck populations). Work with State Parks and DEC to deal with the issue.
- Removal of individual nuisance or disease transmitting animals by park personnel or Animal Control Officers should be allowed when such removal is critical to the health, safety and welfare of staff and visitors to the park or to the preservation of threatened plant life.
- A comprehensive plan to maintain and enhance the diversity and quality of wildlife habitat in the park should be developed.
- Request that the NYSDEC conduct regular stream sampling and/or creel surveys to determine the composition and health of the Ellicott Creek fishery. OPRHP and the Town of Amherst should use survey results to guide NYSDEC fish stocking activities and stream improvement or water quality management activities.

- Preserve large mast-producing trees (cherry, beech, oak, hickory and mulberry) which provide food for wildlife.
- Where possible, preserve trees with active dens, nests or cavities.
- When selecting plant material, give preference to shrubs that provide food and cover for wildlife. Planting food and cover producing shrubs (especially under existing stands of mature trees) will enhance the habitat value of the park for a variety of wildlife species, especially songbirds. However, only native species of plants may be used.
- In landscape designs, plantings should provide a multi-layered effect, as this is attractive to songbirds.
- Encourage vegetative diversity. Consider planting more vines, conifers and mast-producing trees (oak, hickory, beech).
- Plant badly eroded areas to enhance soil quality, improve populations of soil invertebrates, and decrease siltation of water bodies. In high traffic areas use defensive vegetation (thick, thorny vines and shrubs) to keep people out.
- Plant native trees and shrubs, as these are recognized as desirable by wildlife.
- Mow designated areas of the old orchard and the old field in the Floodplain Area on an annual basis to maintain open meadow (not lawn) habitat. This habitat is important to open country bird species and is becoming uncommon in western New York.
- Encourage development of brushy irregular edges around the old orchard and other old field and lawn areas by allowing limited invasion (or planting) of food-producing shrubs and evergreens into openings. Creation of an irregular brushy zone between forests and openings enlarges the ecotone area and increases the "edge effect."
- Consider planting species that are attractive to butterflies, such as butterfly bush, milkweed, joe-pye-weed, butterfly weed and clover.
- To benefit some cavity nesting/denning species (e.g. bluebirds and woodducks) place nest boxes in various locations in the park. Allowing light to enter the bluebird boxes (along joints or via holes in the side covered with hardware cloth) discourages their use by starlings. Larger boxes, placed high in trees (for raptors, squirrels or raccoons) would be less susceptible to damage from vandalism.
- Limit tree pruning as well as the clean up of fallen branches and trees. This material should be removed only when it presents a safety or circulation problem, as it provides cover and foraging areas for a variety of songbirds.
- When trees are cut, do not remove the fallen material. To provide cover for rabbits and songbirds, and to improve soil quality, the woody debris can be placed in small piles (large piles

are often burned by park users), or lopped and scattered. Do not haul it away or reduce it to chips. Branches and tops can be placed in eroded areas to hold leaf litter and sediments, and to discourage human traffic.

- Except where severe flooding problems arise, do not remove partially submerged logs. These are important pathways between aquatic and terrestrial habitat for an abundance of aquatic and amphibious organisms. Logs in streams offer shelter for fish, and often create splashing water attractive to birds.
- Consider increasing conifer cover within the park. For maximum cover value, plant conifers near brush areas or small herbaceous openings (along the edges or in the corners). Other valuable areas to plant evergreens are near streams, wet areas, and points with contrasting slope aspects.
- When planning the improvement of circulation and access, especially within forested habitat areas, consider eliminating unnecessary paths to decrease human disturbance. Preserve paths that offer good wildlife viewing opportunities, especially those on high points, and those running along edge zones.
- Undertake pilot wildlife habitat improvement projects to demonstrate the feasibility of wildlife management in the park, and to improve the wildlife viewing opportunities of park users.

h) Cooperation in Regional Planning Efforts

- On a regional basis, with the appropriate input from the Town of Amherst, OPRHP should take an active role, in coordination with DEC, The Nature Conservancy, and other responsible and concerned organizations, in the development of consistent plans for the management of biological resources of the area. This should include the development of consistent and cooperative approaches to the management of the landscape, plants, forests and wildlife of the area.

i) Water Resources Management

- Review and supplement results of the Corps of Engineers investigation to identify areas of bank erosion along Ellicott Creek and undertake corrective actions to stabilize these areas. Bio-engineering techniques (i.e. use of plants and biodegradable fiber rolls and blankets) should be given preference over rip rap or other structural solutions.
- Request that the NYSDEC undertake regular monitoring and testing of benthic organisms in Ellicott Creek to track water quality trends and the health of the aquatic community.
- Undertake periodic water quality sampling and testing to determine pollutant load in Ellicott Creek and identify potential sources of these pollutants. Sources within the park should be eliminated or controlled to the extent possible.

- Any earth disturbing activities undertaken in the park should utilize “best management practices” to minimize potential sedimentation impacts on water resources within the park.
- Activities that reduce or otherwise impair the flood storage capacity of the Ellicott Creek floodplain should not be undertaken.
- Prior to undertaking any action that could impact wetlands in the park, a wetland delineation should be performed in accordance with the procedures outlined in the 1987 Corps of Engineers Wetland Delineation Manual (Environmental Laboratory, 1987).
- Opportunities for wetland enhancement/creation should be explored as part of park improvement projects.
- Appropriate state and federal permits will be obtained for all construction or maintenance activities that affect protected waters (wetlands, Ellicott Creek, etc.).

j) Air Quality Management

The Clean Air Act Amendments of 1990 highlights air quality within park areas – where ambient air quality is expected to be particularly good – and the effects of acid deposition. Both of these concerns are relevant to Amherst State Park, and the following general management programs should be implemented:

- The use of motorized vehicles should be minimized to the extent practicable by both Park staff and visitors, except to gain access to appropriate parking facilities.
- Plans should be completed to minimize the release of volatile organic compounds and toxic air pollutants, during the handling, storage and use of gasoline, diesel fuels, solvents, cleaning materials, lubricants and other materials used at the park.
- OPRHP should cooperate with the DEC and U.S. Environmental Protection Agency at the regional and park level to develop air quality management plans required under the Clean Air Act Amendments of 1990, including the development of specific plans for park areas, and the development of plans to limit the amount of acid deposition.

k) Noise Management

One of the unique attributes of Amherst State Park is its tranquility. Little man-made noise interrupts the sound of Ellicott Creek, the wind-related sounds of trees and vegetation, and the sounds of birds and other animal life. Major exceptions are noise from the use of motorized equipment, including vehicles and maintenance equipment. Occasional higher noise levels are associated with aircraft flight patterns in the Buffalo region. Maintaining low and natural activity-related noise levels is an objective of this Master Plan.

- The use of motorized vehicles should be minimized to the extent practicable by both Park staff and visitors, except to access appropriate parking facilities. The use of snowmobiles, motorcycles, and ATVs by park visitors is prohibited.
- Regulations concerning the use of radios, tape recorders and other noise-producing instruments should be strictly enforced, and modified as necessary, to assure a quiet and tranquil experience for park visitors.
- Noise associated with amusement devices during special events should be limited in duration and amplitude.

l) Soils Management

- All construction activities within the park should incorporate measures to minimize potential soil erosion. Measures to be applied should be consistent with best management practices developed by the DEC.
- Detailed soils investigations should be completed prior to initiating any major construction to determine the suitability and limitations of the soil for the proposed development.

m) Environmental Monitoring

The park should, based on staff and volunteer resources, undertake or participate in a program of periodic environmental monitoring to gauge the impact of Park operations on the natural and man-made environment. A comprehensive program should include surveys of water quality; major animal populations; known threatened, rare or endangered animal or plant life; invasive plant species; and forested areas. Also, there is a need for some clean up effort and to address items identified in the Phase I Environmental Audit. The Town of Amherst will be responsible for working with NYSDEC to specifically address these items.

n) Program Policy

The development of an Interpretive Plan encompassing all those interpretive and cultural activities that will occur here is of basic importance, and should be a primary responsibility of the proposed Education Coordinator. The education, interpretation and research policy for Amherst State Park should provide a balanced program of:

- Comprehensive orientation and specialized information as appropriate in order to provide Park visitors with the information needed for an enjoyable and educational park experience.
- Public awareness and appreciation, to provide park visitors with information on the cultural history and natural resources of the park, to encourage the experience of all aspects of the park over single or multiple visits, and to gain an understanding of the unique attributes of Amherst State Park.

- Provide the facilities and opportunities necessary to complete research on the natural and cultural resources of the park.

Major elements of this program, many of which are discussed in greater detail in appropriate chapters and sections of this plan, should include:

- Eventual Development of a park interpretation and orientation facility in the restored Reist Mill housing basic exhibition, presentation and associated services. Brochures and other materials on the biological and historic assets of the site should be provided in this facility. Information concerning current and future environmental and related programs and events should be posted.
- Further development of education and interpretive programs through the Deputy Administrators' offices. Each official will be responsible for overseeing appropriate education, interpretive and research activities at the park, and will coordinate multi-disciplinary and general park orientation programs through staff and volunteers.
- Coordination with local school districts. A comprehensive and sequenced education program, meeting district and appropriate New York State requirements should be developed in cooperation with local school districts, and other responsible and appropriate organizations.
- Coordination with related institutions. Program development and coordination should be considered with regional research, cultural/historic and educational institutions (including the State University of New York), for development of specialized ecological and historic studies and research programs. Such consideration should identify potential opportunities for funding specific research efforts.

o) Cultural Resources Management

A number of broad cultural resource management activities may be appropriate including the following:

- Gather documentation to prepare a National Register nomination form for the Reist Mill. Maintain up-to-date Historic Structures and Landscape Reports in consultation with OPRHP's Division for Historic Preservation (DHP).
- Field investigations (Phase 1B survey) should take place as needed to verify the presence or absence of archaeological resources prior to initiating any earth-disturbing activities in previously undisturbed areas of the park.
- Interpretive markers should be placed throughout the site to indicate significant structures, and other features of interest. Interpretive signage and programs should impress upon the visitor the diverse and unique assemblage of cultural and natural resources found in the park. Markers should be of a consistent style and size.

4. Implementation Cost Estimates and Priorities

a) Estimated Capital Costs

Given the estimated cost of implementing all of the elements of the proposed Master Plan, it is necessary and appropriate to implement the Master Plan over a period of years. This approach is necessary given the financial resources of the Town of Amherst, which is responsible for all capital, maintenance and operating costs. The cost of Master Plan implementation is justified by the need to provide for the safety and security of park patrons and adjacent residents. It is also necessary to enhance, preserve and protect the Park's unique natural, scenic, historic and cultural resources. The facilities proposed in the Master Plan and the following implementation schedule directly help to achieve these goals. The schedule outlined below phases the implementation of the park Master Plan over a period of six years, with the highest priority elements included in the first phase. Details are included in a series of spreadsheets compiled by the Town of Amherst (Town of Amherst, 2003).

Outside sources of funding will be important components of the implementation of the Master Plan. State and Federal grants will be sought to match Town dollars. In addition, donations of materials, volunteer time and private financial contributions will also be sought in order to implement the Master Plan in a timely manner. However, these additional funding sources cannot be guaranteed. The Town of Amherst may find that it will take longer to implement the Master Plan than anticipated without such financial assistance. The following section outlines the estimated cost of implementing the capital improvements recommended by the Master Plan. Estimated maintenance and operating costs are discussed in section b.

Phase 1 (Essential Elements) - 2004/2005: Estimated Cost \$500,000

Main Parking Area and Re-configuration of Driveways to/from Mill Street: The existing driveways are too narrow to handle two way traffic. Widening them would necessitate the removal of numerous trees and a portion of the historic brick wall at Mill Street. Instead, the Master Plan proposes to build two small segments of road to allow the north driveway to function as the entrance to the Park, St. Mary's Commons and the Holy Family Home; the south driveway will function as the exit for all three entities. St. Mary's Commons senior residential facility is under development in the former Mother House. Upon its sale by the Town to CRS properties there will be little or no parking available for state park patrons. It is essential that a parking area dedicated to the park be established to prevent park patrons from parking in St. Mary's Commons parking areas or impeding emergency vehicles by parking along the narrow driveways. Lighting is also necessary along the driveways and in the parking lot for safety and security purposes. Light fixtures with a historic appearance will be coordinated with the lighting for the St. Mary's Commons project.

Coordinated Signage System: New lighted signage with street addresses will be needed at Mill Street and along the entrance/exit drives to identify the Holy Family Home, St. Mary's Commons and Park. New regulatory signage for the park is needed to insure that the park is used safely and in accordance with Town and State rules and regulations. A way-finding sign system (trail maps) for park trails needs to be established to guide park patrons safely through the trail system. Interpretive signage will educate park patrons about the parks diverse wildlife and natural, historic and cultural resources that exist within the park.

East-West Primary Trail: This trail is needed to provide pedestrian access to the Creek and Orchard areas of the park from residential areas west of the park. Access was lost when the new Mother House was constructed on Reist Street. This trail consists of a segment of paved trail from Mill Street to the orchard, then a stone dust trail through the orchard to Reist Street with a short section of boardwalk required over a wet area with a stream. Pedestrian scale lighting is proposed along the section of this trail near the Mother House for safety and security purposes. Trails also facilitate wildlife observation.

Rehabilitate Bridge over Ellicott Creek: The existing bridge over Ellicott Creek is in need of a new deck surface and railings to improve it's safety and aesthetics. The bridge is a favorite spot for park users to observe Ellicott Creek.

Rehabilitation of Gazebo: The gazebo located adjacent to the west side of St. Mary's Commons is in need of repair and renovation. Historically appropriate lighting is proposed for the gazebo for safety and security purposes due to its proximity to the St. Mary's Commons residence.

Seating Areas: Benches and other forms of seating (flood resistant shoreline seating) are needed along the east-west trail for the comfort of park patrons.

Landscaping/Environmental Enhancements: A variety of trees, shrubs and ground covers/perennials are proposed to be planted to provide screening for adjacent land uses as well as for shade, aesthetics and wildlife habitat. A small drainage-way currently buried in a pipe in the Orchard Area will be day-lighted and planted with native riparian/wetland plant species.

Historic Preservation: All work done in the Mother House area, Creek Bend area and the Orchard area will need to comply with the requirements of the State Historic Preservation Office. This may add cost to this phase of the project.

ADA Requirements: All areas of the park must meet the requirements of the Americans with Disabilities Act (ADA) for handicapped accessibility. Costs associated with ADA compliance are included in the total estimate.

Phase 2 - 2006/2007: \$450,000

North-South Primary Trail and Orchard Area Secondary Trail: Development of the North-South Primary Trail will require up-grading existing established dirt footpaths to stone dust and boardwalk trails to reduce soil compaction and erosion by stabilizing the exposed clay soil and creating an improved walking surface. It will also involve closing and restoring redundant and inappropriately located trails in the forest along Ellicott Creek. This trail currently consists of a disorganized network of paths running along the east side of Ellicott Creek connecting Glen Avenue with the Orchard area. To avoid conflicts during construction, the implementation of this trail should wait until the reconstruction of the Glen Avenue Bridge over Ellicott Creek is completed. A narrower secondary stone dust trail is proposed around the perimeter of the orchard. These trails are necessary to provide a safe, dry walking surface for park patrons, prevent further soil compaction and erosion, and facilitate wildlife observation.

Renovation of the Garage for Park Office/Maintenance Facility: The existing brick garage located north of St. Mary's Commons will serve as the park headquarters for operations and maintenance. Renovations are necessary to bring the building up to code and to make it functional for its intended purpose. The garage is a contributing structure for the area recently placed on the State and National Register of Historic Places. Renovations will need to comply with the requirements of the State Historic Preservation Office.

Signage: Additional way-finding signage (trail maps) and regulatory signage will be needed to give direction to park users and to insure that the park is used in accordance with Town and State rules and regulations. Additional interpretive signage will educate park patrons about the park's diverse wildlife and natural, historic and cultural resources that exist within the park.

Habitat Restoration, Rehabilitation of the Orchard: Native trees, shrubs and herbaceous plants will be planted to enhance wildlife habitat and mitigate erosion problems along Ellicott Creek, thus improving water quality. Management practices will be employed to eradicate invasive plant species that displace native species and degrade the quality of wildlife habitat in the park. New apple trees (*heritage varieties*) will be planted to begin the process of restoring the orchard to maintain the historic integrity of this area. The orchard area is included in the area recently listed on the State and National Register of Historic Places.

Seating Areas/Overlooks: Benches and other forms of seating (flood resistant shoreline seating) are needed along the north-south trail for the comfort of park patrons. Appropriately sited overlooks will take advantage of the topography to provide viewing areas overlooking Ellicott Creek.

Historic Preservation: All work done in the Mother House area, Creek Bend area and the Orchard area will need to comply with the requirements of the State Historic Preservation Office. This may add cost to this phase of the project.

ADA Requirements: All areas of the park must meet the requirements of the ADA for handicapped accessibility. Costs associated with ADA compliance are included in the total cost estimate.

Phase 3 - 2008/2009: \$450,000

Restroom Building: A permanent, heated, handicapped-accessible restroom building is needed to replace the existing portable toilets, to provide year-round convenience and comfort to park patrons and to address the potential problem of park users seeking heated restroom facilities in the private St. Mary's Commons residence.

Garden Area: A small garden area is proposed in the Mother House Area. This area will feature flowering trees, shrubs and annual/perennial plants, a seating area and a small water feature. This will provide an outdoor experience in the park for those physically unable to appreciate the more expansive natural resources of the park, particularly (but not limited) to physically disabled residents of St. Mary's Commons and Holy Family Home.

Historic Preservation: All work done in the Mother House area, Creek Bend area and the Orchard area will need to comply with the requirements of the State Historic Preservation Office. This may add cost to this phase of the project.

ADA Requirements: All areas of the park must meet the requirements of the Americans with Disabilities Act for handicapped accessibility. Costs associated with ADA compliance are included in the total cost estimate.

Phase 4 - 2009/2010: \$450,000

Mother House Area Primary Trail, Floodplain Area Secondary Trails: These trails will complete the trail system for the park. They will provide access to the Creek Bend area and its picnic facility, and to the Floodplain area and its opportunities for bird-watching and fishing. These trails are necessary to provide a safe, dry walking surface for park patrons and to prevent further soil compaction and erosion.

Restoration of Stone Steps: There are two sets of stone steps in the park, the large staircase in front of the Mother House overlooking the orchard and a smaller scale set of stone steps located north and west of the Mother House leading down to Ellicott Creek. The large set is in need of repairs to make them safer to negotiate. The smaller set requires total restoration. The rehabilitation/restoration of these steps is consistent with their being located in the area recently listed on the State and National Register of Historic Places.

Signage: Additional way-finding signage (trail maps) and regulatory signage will be needed to give direction to park users and to insure that the park is used in accordance with Town and State rules and regulations. Additional interpretive signage will educate park patrons about the parks diverse wildlife and natural, historic and cultural resources that exist within the park

Parking: A three space parking area located off of Reist Street will prevent parking on Reist Street for those park users approaching the park from the west. This parking area will also provide parking for those with physical handicaps (1 handicapped accessible space).

Creative Play Area: A creative play facility in the Mother House area, with durable vandal-resistant equipment, will provide an alternate experience for children visiting the park and will serve the needs of the residential neighborhoods located within walking distance. Children visiting residents of the Mother House and Holy Family Home will also benefit.

Landscaping/Environmental Enhancements: A variety of native trees, shrubs and herbaceous plants are proposed to be planted to enhance wildlife habitat and mitigate erosion problems. Management practices will be employed to eradicate invasive plant species that displace native species and degrade the quality of wildlife habitat in the park.

b) Estimated Maintenance and Operating Costs

Park Staff: In order to effectively and efficiently maintain and operate the park, the Master Plan proposes a management structure for the park that includes a Park Manager, Education Coordinator, Supervisor of Grounds and Grounds Staff (horticultural assistants and park workers). The experience level of these positions and their status as full or part-time positions will have a significant effect on the annual cost for staffing the park. Annual personnel costs could range between \$75,000 and \$200,000 (in 2002 dollars), depending on the level of staffing established. Sharing maintenance staff with the Town of Amherst Highway/Parks Department can help to minimize personnel costs, however funding must be added to the Highway/Parks Department budget to reflect the additional personnel/time required to maintain and operate Amherst State Park.

Revenues collected through various means, including parking fees and fees for concerts, weddings, festivals and other events could offset some of these costs. Fees collected for events typically only cover the costs associated with staffing and cleaning up the event. A liberal estimate of parking revenue based upon estimated trip generation figures and the application of a \$5.00 fee (similar to entrance fees for other State Parks) could reach \$200,000 annually. However, the proximity of the park to local streets may encourage park patrons to avoid paid parking by utilizing adjacent streets or parking lots and walking in. This would reduce revenue and create an unwanted parking condition on streets and in adjacent parking lots.

Police Patrols: The Town of Amherst Police Department will continue to be responsible for policing Amherst State Park. Park staff could assist the police in monitoring the park and enforcing park rules and regulations, thus reducing the burden on the Police Department. Annual costs for police patrols in the park are estimated to be in the range of \$10,000 to \$25,000 depending on overtime needs.

Operating Costs: These costs include all utility costs and the cost for materials, equipment, equipment maintenance and building maintenance. Additional operating costs may occur in association with ongoing environmental enhancement projects that are not included in the Town's Capital Improvement Program (CIP). Only projects with an estimated cost of \$100,000 or more are included in the CIP. All other projects must be included in a departmental operating budget.

c) Committees/Volunteer Programs

Stewardship Committee: The Master Plan recommends the creation of a guiding body to evaluate management activities, which includes maintenance and operations. This committee should also continually review the parks fiscal needs and overall budget to insure that adequate funds are available for park maintenance and operations and to assist the Town in fitting the park into it's debt management program.

Friends of Amherst State Park: A citizens support organization has been proposed in order to monitor the Town's efforts at implementing the Master Plan, Management Plan and maintaining the park. This group could also serve as a source of volunteer and fundraising support for the park.

Corporate/Philanthropic Partnerships: Partnerships with local corporations and foundations should be secured to assist the Town with the maintenance and operations of the Park.

VI. ENVIRONMENTAL IMPACTS

A. Introduction

Implementation of the proposed Master Plan for Amherst State Park will result in few adverse impacts to the physical, biological and cultural resources of the park. This is due to the fact that the proposed Master Plan recommends limited, relatively small scale improvements designed to accommodate the type and level of activities that are currently occurring on the site. In addition, because of the Master Plan's focus on protection of the park's natural resources and enhancing opportunities for their appreciation by park users, minimization of adverse impacts on these resources is almost by definition a component of plan implementation. The most significant impacts associated with implementation of the proposed Master Plan will be 1) development of the proposed circulation system, including primary north-south and east-west pedestrian/bike trails through the park, 2) provision of additional vehicle parking for park users, 3) provision of support facilities to accommodate various uses, including benches, picnic tables, restrooms and a restored gazebo, 4) management/maintenance of various areas within the park, and 5) increased pedestrian, bicycle and vehicle activity in and around the park as a result of the proposed improvements. Potential impacts on various park resources are described in this section of the Plan/FEIS, along with proposed means of avoiding, minimizing and mitigating these impacts. This section also takes into account the reduction of impacts in the Master Plan since the Draft Plan was made available for public review. While the reduction of impacts was not major, the changes did reduce impacts on soils, vegetation, and traffic. Please see Section VIII for more details.

B. Environmental Impacts of Alternatives

An essential component of any environmental impact statement is a description and evaluation of reasonable alternatives to the proposed action. These alternatives include the following:

- 1) No Action
- 2) Alternative One (Minimum Level of Development)
- 3) Alternative Three (Maximum Level of Development)
- 4) Draft/DEIS
- 5) Other Alternatives

Each of these alternatives is discussed below.

1) No Action

The no action alternative would minimize environmental impacts, as no new physical improvements to the park would be undertaken. However, as mentioned previously, the level of use the park is currently receiving is already causing certain environmental impacts, including loss of vegetation and soil erosion along various footpaths and areas of the Ellicott Creek shoreline. Levels of use will only increase over time. Consequently, the type of impacts currently occurring are likely to increase and the no action alternative does not allow for the correction of existing problems or prevention of

additional problems that can be anticipated with increasing public use. The No Action alternative is also not appropriate because the cooperative operations and maintenance agreement requires the completion of a management plan for the park. Adoption of a Master Plan fulfills that requirement

2) Alternative One (Minimum Level of Development)

Alternative one represents the minimum level of park improvement considered necessary to accommodate existing use. This alternative would limit construction-related disturbance of natural resources (approximately 1.25 acres). To the extent that limited facilities place limits on the amount of use the park receives, Alternative 1 might also limit the amount of human disturbance (physical disturbance and noise) that the park receives. However, existing problems such as excessive/redundant trails and on-going trail erosion will not be fully addressed.

3) Alternative Three (Maximum Level of Development)

Alternative three is the Master Plan that proposes the maximum level of development that is considered acceptable in a "scenic" park. The improvements proposed under Alternative three would allow the park to offer a more complete package of day use activities (including informal sports activities) and thus attract a wider variety of park users. However, the improvements and programming envisioned in Alternative three would result in greater disturbance to park resources (approximately 3.0 acres). The facilities proposed in this alternative could lead to increased levels of public use and physical disturbance that exceed the "carrying capacity" of the park's natural resources and/or decrease the quality of the park experience for certain park users.

4) Preferred Alternative in the Draft Plan/DEIS

Reference 2002 document for thorough review of adverse and beneficial impacts associated with the preferred alternative in the Draft Plan/DEIS.

5) Other Alternatives

Other alternatives that were evaluated to resolve concerns associated with the Northern area of the park or utilize different phasing approaches will not significantly alter the type and extent of potential environmental impacts. However, removing the Northern area improvements from the plan will eliminate any potential impacts in this area. The land exchange alternative, also, would have some environmental benefits by protecting additional sensitive resources including wetlands and the Ellicott Creek floodplain. This alternative will receive supplemental environmental review if it becomes viable.

C. Environmental Impacts of Master Plan and Mitigation of Adverse Impacts

As discussed in the Draft Master Plan/DEIS (NYSOPRHP, 2002) adverse environmental impacts were relatively minor. Based on public comments and revisions to the plan, such as leaving the Northern area of the park unprogrammed, environmental impacts of the final plan are further reduced.

1. Land (Topography, Geology, and Soils)

Potential Impacts

Implementation of the proposed Master Plan will not impact bedrock or any steep slopes on site. In fact, some steep slope areas currently experiencing erosion as a result of pedestrian traffic will be avoided/protected as part of the development of the proposed trail system.

Implementation of the Master Plan will eventually result in disturbance of the soil on approximately 2.00 acres (2.5%) of the park. Of this total, approximately .5 acres of soil disturbance will be associated with development/reconfiguration of proposed parking lots and the access road to the handicapped - accessible parking area near Ellicott Creek. The remainder of the anticipated soil disturbance will result from installation of the proposed trail system. The trail system includes approximately 2.5 miles of new surfaced trails, approximately 65% of which follows existing trail alignments. The approximate areas of various soil types that will be subject to disturbance as a result of the access road, parking lot and trail construction are as follows:

<u>Soil Type</u>	<u>Area of Disturbance</u>	
CgC	.04	acres
FaB	.11	acres
Hvd	.70	acres
Od	.45	acres
PhA	.12	acres
SaA	.08	acres
SaB	0	acres
Te	.33	acres
Ut	0	acres
Uu	0	acres
WaB	.02	acres
Wd	.26	acres

During construction, these disturbed areas could be subject to sheet and rill erosion during rainfall and snow melt events. However, the small area of disturbance involved and the lack of significant slopes in most of the areas where trails and parking areas are proposed will limit soil erosion impacts. In addition, most of the proposed trails will utilize existing disturbed paths, and in many cases will relocate trail use away from sensitive areas and places with existing soil erosion and compaction problems. In fact the proposed trail system is less extensive than the informal network of trails that currently exist in the park.

Proposed Mitigation

Employing the following construction/erosion control guidelines will mitigate impacts to soils on the project site:

Soil Types

In recognition of the moderate to severe limitations on-site soils present to various forms of site development and recreational use, very little new facility construction is proposed within the park. No significant structures, roads or playing fields are being recommended, due in part to soil limitations such as flooding, poor drainage and steep slopes. Proposed parking areas are restricted to well-drained, level upland areas that present few constraints to development. Recreational development elsewhere in the park is generally limited to pedestrian trails which, according to the Erie County Soil Survey, generally face only limited constraints due to on-site soil conditions. Where very poorly drained soils are encountered (e.g. wetlands), trail rerouting or boardwalks will be employed to minimize construction impacts and redirect existing pedestrian access away from these areas. Areas with poorly drained soils in the Northern area will be avoided because no improvements are planned in this area. Impacts to steep slopes will be minimized by avoiding such areas or utilizing and up-grading existing travel routes that traverse them. At the south end of the park, consolidation of pedestrian traffic onto one surfaced trail will reduce ongoing soil erosion that is occurring on steep portions of multiple trails that currently exist in this area.

Sedimentation and Erosion Control Plan

Anticipated examples of mitigative practices that will be employed during trail and parking lot construction to reduce the potential impacts of soil erosion include the following:

Required clearing and grading will be kept to a minimum and accomplished as quickly as possible to minimize the amount of time soils are exposed to erosional forces (wind and rain).

Silt fence will be placed down-gradient of disturbed areas to protect undisturbed vegetation, wetlands, wildlife habitat and water courses from potential erosion and sedimentation. In certain sensitive areas haybale dikes or similar barriers may also be used. Haybales will be set at least one inch below the ground surface and staked down to prevent wash-out or removal.

Preservation of vegetative buffers around Ellicott Creek, wetlands and ditches, will assure that any runoff from disturbed areas is clear of water-borne silt and sediment.

Vegetative stabilization of disturbed areas will be performed as soon as possible, generally within one week after establishment of finished grades. Stabilization will generally be in the form of seeding and mulching. Outside of the growing season, grading and distribution of excavated soils will be followed by temporary mulching of the graded material.

2. Water Resources

Potential Impacts

Surface Water Hydrology

Implementation of the proposed park Master Plan will not significantly alter on-site surface water runoff patterns.

The existing site includes approximately .32 acre of impervious surfaces (roads, parking lots, roof-tops, etc.). The proposed project will increase impervious surfaces by approximately one acre. All trail surfaces will be either stone dust, boardwalk or wood chips and therefore will not add to the amount of impervious surfaces within the park. With the implementation of erosion and sedimentation control measures, as described in the previous section, construction of trails and parking lots should not result in adverse impacts to water quality from non-point source runoff. In fact, to the extent that the proposed trail system concentrates pedestrian and bicycle traffic on a durable, non-eroding surface (stone dust or boardwalk) and reduces pedestrian traffic on multiple, unsurfaced trails (already suffering from erosion) soil erosion and sedimentation impacts should be reduced.

Implementation of the proposed Master Plan will not require the use of fertilizers or pesticides for maintenance of lawn, garden and orchard areas. Any chemical treatments that may be used to control aggressive introduced plant species such as Japanese knotweed will be target-specific and applied by certified applicators in accordance with all label restrictions. This will assure that the potential for runoff of these chemicals to surface waters is minimal.

No new crossings or other impacts to the bed or banks of Ellicott Creek are proposed, other than isolated areas of shoreline stabilization, as recommended by the U.S. Army Corps of Engineers (Freeman, 2001). This stabilization work would involve plantings of stabilizing vegetation to help anchor the soil and reduce the impact of elevated flows and moving debris, and result in an improvement of water quality in Ellicott Creek. Wetlands will be protected as important components of the park ecosystem. The only potential impact anticipated at this time is a boardwalk crossing of the wet meadow/emergent marsh in the Floodplain Area on the west side of the park by the proposed primary east-west trail. Some trail crossings of intermittent stream/drainage channels along the primary north-south trail within the floodplain forest east of Ellicott Creek are also anticipated. These crossings will utilize boardwalk or culverts and will impact only very small portions of the channels (estimated at 96 square feet each).

None of the proposed improvements will have an adverse effect on the flood storage capacity of the Ellicott Creek floodplain. Groundwater resources will also be unaffected. Proposed restroom facilities will be connected to existing municipal water and sewer systems.

Groundwater Hydrology

It is anticipated that impacts to groundwater hydrology will not be significant due to the fact that no new groundwater wells or septic disposal systems are proposed. The proposed project will connect with the existing municipal water supply and sanitary sewer systems.

Proposed Mitigation

Surface Water Hydrology

Potential impacts to off-site surface waters will be minimized primarily through the preservation of undisturbed buffer zones between Ellicott Creek and project-related soil disturbance and through development and implementation of a stringent soil erosion and sediment control plan. Prior to development of construction plans for the proposed trail system, a wetland delineation will be performed along the proposed route to identify all water resources under the jurisdiction of the U.S. Army Corps of Engineers. Based on the results of the delineation, final plans will be developed that avoid or minimize wetland and stream impacts while still allowing the desired access and interpretive opportunities to be provided. The trail crossings will be constructed in a manner that avoids adverse impacts on wetland hydrology, drainage patterns and habitat value. All necessary permits will be obtained from the Corps of Engineers and the NYSDEC (Section 401 Water Quality certification), and wetland mitigation will be provided as necessary. One potential wetland mitigation opportunity is the proposed day lighting of the culverted section of the intermittent drainage across the north end of the former orchard. As part of the reestablishment of a surface water channel in this area, seasonal shallow water habitat could be created to provide habitat for wetland plants and wildlife, increase stormwater retention capacity and improve the quality of surface water runoff. Additional wetland development within a mowed grass swale that runs south to north through the orchard (and connects with the drainage described above) could also be pursued.

Groundwater Hydrology

The anticipated impacts to groundwater are such that mitigative measures should not be necessary.

3. Air

Potential Impacts

a) Air Quality

Potential air quality impacts that may occur as a result of the project could include a minor increase in vehicle exhaust and some generation of dust during the construction phase. However, because of the minimal increase in traffic (a total of 28 new parking spaces are being provided) and the very small areas of soil disturbance associated with trail and parking lot construction these impacts should be insignificant.

Proposed Mitigation

a) Air Quality

Air quality impacts from construction vehicles will be mitigated by assuring that these vehicles are in good running condition and are not producing excessive exhaust. Upon completion of the project,

the additional vehicle trips generated by the project will be minimal, and mitigation of impacts to air quality from vehicle exhaust will not be required.

4. Ecological Resources

a) Vegetation

Full implementation of the proposed Master Plan, will impact approximately 2.0 acres of vegetation within the park. Approximately 50% (one acre) of this disturbance will occur in the mowed lawn/landscape community. Approximately 0.2 acre of old field, 0.1 acre of wetland and 0.7 acre of floodplain forest will also be disturbed by trail construction. These impacts will be minimized by utilizing existing trails to the extent possible and by limiting trail width to a maximum of 6 feet. Where necessary, the proposed primary trails will be rerouted to avoid clearing overstory trees and significant understory vegetation. Means of avoiding and minimizing impacts to wetland communities have been discussed previously.

Implementation of the proposed Master Plan will also have some impacts on the species composition and physical character of certain natural communities. The majority of the old field communities in the park will be maintained in herbaceous vegetation by mowing once or twice annually. Some of these areas are currently being mowed much more frequently (e.g. areas in and around the former orchard), while others are not being mowed at all (e.g. the Floodplain Area west of the existing bridge crossing). Approximately 8.5 acres currently characterized as old field, but subject to more frequent mowing, will continue to be mowed to maintain grass/lawn areas.

A brushy border (approximately 175 to 200 feet in width) will be established or maintained along the edges of the old orchard and some of the old fields by mowing once every 3-5 years. These maintenance practices are designed to maintain open areas and views, while also improving wildlife habitat. If not undertaken, the old field and successional shrubland areas of the park would eventually transition to young forest or be maintained as something similar to the lawn/landscape community.

It is proposed that new fruit tree plantings be undertaken to restore a portion of the former orchard. The restored area of orchard would be smaller than the original orchard, but would replicate historic conditions in terms of the planting pattern and species selection. Along with filling in where trees have been lost, some dead and dying trees within the orchard would be removed. No trees with cavity nests will be removed, and no pesticides or herbicides will be used to maintain the restored orchard.

b) Wildlife

Because implementation of the proposed Master Plan will not introduce new uses or significantly change or reduce available wildlife habitat, impacts on park wildlife should be minimal. Construction of the trail system will result in some minor loss of habitat and temporary disturbance during construction. However, utilizing existing trail routes will minimize habitat loss and construction will be timed so as to avoid the spring and fall migration period and the bird breeding/nesting season (May-June). Increased use of the trails after they are constructed could result in some additional disturbance to park wildlife. However, significantly increased use will be limited

by the amount of new parking provided (28 spaces). This impact will also be offset if, as anticipated, the proposed trails consolidate use along a single route, rather than having people using multiple trails through sensitive areas. Some of these secondary trails will still be available for use by birders and others, but the majority of casual walkers and through travelers will follow the primary trails, thus reducing disturbance to the larger surrounding area. Some currently inappropriate or redundant trails will be eliminated and restored to wildlife habitat.

As mentioned previously, restoration of the former apple orchard will involve some removal of dead or dying trees. These trees can be valuable to wildlife by providing perches, foraging areas and nesting areas. As stated above, no trees with cavity nests will be removed, removal (pruning) of dead wood will be kept to a minimum and the new trees will ensure a continuing supply of roosting and foraging areas. Implementation of the proposed Master Plan will have no adverse impact on the park's fish and other aquatic species.

c) Rare Species

Due to the lack of rare plant and wildlife species (or appropriate habitat for these species) in the park, impacts from implementation of the Master Plan are not anticipated.

Proposed Mitigation

Avoiding sensitive areas and utilizing previously disturbed areas for proposed improvements will minimize impacts to vegetation and wildlife. However, beyond these efforts to avoid and minimize impacts, the following mitigation measures are proposed:

- Increasing available wetland acreage through the daylighting of the culverted portion of the intermittent drainage at the north end of the former orchard.
- Placement of bluebird nest boxes in and adjacent to the old orchard and successional old-field communities on site.
- Leaving dead trees and fallen deadwood in place in forest communities except where removal is required to maintain trail access and the safety of trail users.
- Leaving fallen trees and woody debris in place along Ellicott Creek to maintain instream cover/structure and stabilize the shoreline.
- Favoring native species that provide food and cover for wildlife when selecting planting materials. To minimize potential damage, species not favored as browse by deer are recommended.
- Vegetation maintenance/management activities designed to maintain and enhance habitat diversity, including early successional communities.
- Control of invasive plant species that displace native plants and reduce habitat value (e.g. Japanese knotweed, purple loosestrife, garlic mustard, etc.).

- Placement of trails, boardwalks and overlooks so as to minimize wildlife disturbance while facilitating wildlife observation.
- Provision of interpretive signage to increase public understanding of and appreciation for the parks ecological resources.

5. Scenic/Aesthetic Impacts

Impacts

Implementation of the park Master Plan will have minimal impact on the park's visual/aesthetic resources. Proposed improvements are small in scale, consistent with existing park character, and/or will not be visible from most sensitive/significant vantage points. This certainly applies to the proposed trail system. The trails will largely utilize existing informal pathways and will be surfaced with earth-tone colored, natural materials. As such, they will not contrast significantly with existing conditions. It is also worth noting that trails will be located so as to allow visitors to experience many of the more unique, high quality views available in the park (e.g. elevated views of Ellicott Creek and open views across the orchard). Other proposed facilities such as parking lots, security lighting, access roads, restrooms and the restored gazebo will all be relatively small, screened by existing or planted vegetation, and/or of an architectural/aesthetic character that is compatible with the existing park setting.

Increased use of the park that results from the improvements described above and increased recognition of the park as a recreational resource does have the potential to alter the parks aesthetic character, including changes in appearance and increased littering. However, impacts should be minimal in that the facilities and program proposed by the Master Plan are generally consistent with the type and level of public use the park currently receives.

Mitigation

As the proposed plan will not have a significant adverse impact on the park's aesthetic resources, no specific mitigation measures are required. New or renovated facilities (trails, parking areas, restrooms, gazebo) will be designed by design professionals (architects and landscape architects) to assure that they are well screened from sensitive views and/or compatible with the character of the park. Strategically placed trash receptacles and regular pick-up by the Town will ensure littering does not become a problem. The number of lighting fixtures for security will be kept at a minimum and the height and lamp light level will be maintained at appropriate levels compatible with the park setting and adjacent land use.

6. Historic and Archaeological Resources

Impacts

The Mother House and approximately 30 acres surrounding it including the Orchard Area, the Mother House Area and the Creek Bend Area (see Figure 6) have been listed on the National Register

of Historic Places. Careful consideration to the location and design of the park's parking, restrooms, and playground will be necessary to complete implementation of the Master Plan. The rehabilitation of the stone steps, gazebo, and orchard will also require review by the New York State Historic Preservation Office (SHPO). Also, because much of Amherst State Park is considered highly sensitive for the presence of both historic and prehistoric archaeological resources, Master Plan implementation could result in the discovery or disturbance of unknown cultural resources. Although the earthwork that will occur as part of trail and parking lot construction will impact only small areas, some of these, such as undisturbed, dry and level areas along Ellicott Creek, could be particularly sensitive.

Mitigation

Consultation with NYS Parks Historic Preservation Field Services Bureau (FSB) will occur for all activities planned in the National Register designated areas of the park. The FSB will provide guidance on location and design of any proposed facilities in these areas. (Some generic FSB design guidelines are included in Appendix F). Projects to be reviewed by FSB include the above mentioned facilities as well as the gardens, orchard restoration and access roads. Any proposed changes in other Historic Areas of the Park such as at the Reist Mill will also require consultation with the FSB.

It is premature to discuss mitigation of archaeological impact associated with the proposed project site because it is unknown at this time if intact cultural resources exist on the site. Soil disturbance was documented during the site visit within several portions of the property. Most of the disturbances are generally the result of grading and filling activities associated with construction of the Sisters of St. Francis complex within the central portion of the property and filling along the Ellicott Creek floodplain. Other disturbances include grading associated with installation of a storm sewer north of the Sisters of St. Francis Mother House. If impacts resulting from the installation of trails, access roads or parking lots are to occur in these areas, no subsurface testing was recommended in the in the Phase 1A investigation. However, the majority of the site is characterized as highly sensitive for the presence of evidence of historic and prehistoric activity and a Phase IB subsurface investigation will therefore be undertaken prior to the initiation of any earth-disturbing activities in previously undisturbed areas of the park.

7. Open Space and Recreation

The loss of the softball field in northern area will reduce the active recreation opportunities within the park, but will increase the open space available to the public. The addition of property surrounding the park as depicted on the master plan (Figure 20) would have a positive impact on the park and surrounding area. These undeveloped properties would serve as important additions for recreation and open space/natural resources protection. Each of the areas identified on the Master Plan (Park Additions 'A-C') have similar environmental limitations (i.e. floodplain location, soils, and/or wetland considerations). Similar mitigation measures, as described in the Master Plan and environmental impacts sections would be appropriate for all of the proposed park addition areas.

8. Critical Environmental Areas

There are no designated Critical Environmental Areas in or around the park. Thus impacts to such areas will not occur and mitigation is not necessary.

9. Transportation

Impacts

Park Usage and Traffic Generation

The estimated average vehicle trips per day to be generated by the State Park is 180 (EAF, 400 Mill Street) for a weekday and 320 (Institute of Transportation Engineers, 1997) for a Saturday. These figures reflect the passive nature of the proposed park as well as the fact that Amherst State Park functions as a community park with a significant number of visitors that will walk to the park. In addition, all traffic from the senior housing facility proposed for the former Mother House will share the access to Mill Street with the State Park. The proposed senior housing facility will have 102 units and 127 parking spaces. The maximum vehicle trips generated per hour from the proposed senior housing facility is projected to be 28. The Holy Family Home nursing facility has 80 beds and 60 total staff that operate on three daily shifts. Peak staffing occurs during the morning shift with 20 employees beginning work between 6:00 a.m. and 8:00 a.m. The maximum vehicle trips generated per hour from the Holy Family Home is projected to be 16 (Institute of Transportation Engineers, 1997).

Mill Street is a County Highway. The Erie County Department of Public Works, Division of Highways has reviewed the proposed Master Plan for the park as well as the traffic estimates as presented in this section. The County has determined that there will be no noticeable traffic impacts to Mill Street resulting from the park entrance, senior housing facility, and Holy Family Home (see Appendix G).

Pedestrian Access

The project will also involve construction and enhancement of approximately two miles of new pedestrian trails. These trails will be located primarily along the routes of existing informal footpaths and will be designed to offer access to a wide variety of resources. Two types of trails, primary and secondary will accommodate park uses. The primary trail, approximately 6' wide will accommodate all park users, including walkers, joggers, bicyclists, cross country skiers, dog walkers, bird watchers, and school groups. The secondary trails, approximately 4-5' wide will accommodate all types of park uses, except for bicyclists. The trails will provide opportunities for wildlife observation, views of Ellicott Creek, fishing access, and connections with proposed off-site trail systems.

Mitigation

The proposed park improvements will have a minor impact on the existing traffic conditions in the area. The intersection of Mill Street with the main park entrance road will receive some increased traffic because the Holy Family Home and Mother House development will use the same entrance

and exit. However, this increase will be limited as parking for only 25 vehicles is being provided in the park and parking for the Holy Family will remain the same (approximately 40 spaces) and the Mother House development will have approximately 127 spaces. The combined entrance and exit for the facilities will raise the level of vehicle safety and efficiency. Park parking at Reist Street will be limited to 3 vehicles total. Safety and congestion on the adjacent roads will not be adversely affected due to the low percentage of traffic increase associated with park use, when compared to the total capacity. The identification of the main entrance, however, will need to be made more clear. Additional parking and ancillary items such as signs will mitigate, if not eliminate, any congestion. There will be no change in level of service at nearby intersections on the adjacent roadways that provide access to the park. Therefore, no improvement to adjacent roads, addition of signals or any other mitigation of transportation impacts is required.

The proposed project will have a beneficial impact on pedestrian/trail access; therefore no mitigation in this area is required.

10. Energy

Implementation of the proposed Master Plan will require some use of energy resources (electricity, gasoline, diesel fuel, etc.) for the construction of proposed improvements, including trails, parking areas and restrooms. Energy will also be expended on the proposed restoration of the gazebo and the stabilization of the Reist Mill. Energy is also required for park maintenance activities, including mowing, trash collection and trail maintenance. Overall, however, because of the limited development of facilities and lawn areas, and the focus on nature/pedestrian-oriented activities, energy use associated with Master Plan implementation will be relatively low and will not require mitigation.

11. Noise and Odor

The construction of proposed park improvements may create additional noise for short periods of time. None of the proposed facilities require prolonged use of heavy equipment or noisy machinery. After construction, noise impacts should be restricted to vehicular traffic and noise associated with public use of the park (human voices, etc.).

None of the noise impacts likely to occur during construction or operation of the proposed facilities will be of a decibel level or duration that could cause annoyance or interference with verbal communication for neighboring residences. Temporary construction noise and increased human activity could disturb park wildlife, but the type and level of noise associated with park use are not anticipated to be significantly different than that which currently exists. As is the case with existing noise sources, any noise impacts associated with the proposed project will be of limited duration, moderate decibel level, and will occur exclusively during daylight hours. Increased security and enforcement of park rules could reduce nighttime noise associated with the campfires and parties that currently occur in the area.

Proposed Mitigation

a) Noise

With the elimination of a trail system in the Northern area, potential noise impacts on adjacent residents have been eliminated.

Measures that will be used to mitigate the potential noise impacts of the proposed project include the following:

Hours of construction operations will be restricted to 7:00 a.m. - 7:00 p.m. Monday through Saturday, with no work permitted on Sunday. Work on trails in sensitive areas of the park will not take place during the spring and fall migrations or the bird breeding season.

All heavy construction equipment will comply with State Environmental Law, Subchapter E, Part 450 (Noise from Heavy Motor Vehicles).

Vegetative buffers between the park and adjacent land uses will be preserved wherever possible to reduce noise and visual impacts from the proposed project and to reduce disturbance to park users caused by adjacent uses.

12. Public Health and Safety

Potential Impacts

a) Police Services

Increased park use could increase the potential for accidents and the demand for monitoring trespassing during after-hours. The existing staff and equipment can handle these demands, therefore, no significant impact on police services is anticipated.

b) Fire and Emergency Services

Because the project will ultimately result in more people using the park, there is increased potential for accidents. The significance of this impact is reduced due to the fact that the primary recreational activities (hiking, picnicking, bird watching) are not overly stressful or hazardous. However, the creek and some steep rocky areas at the south end of the park do present potential hazards. Even so, the project is not of such magnitude that additional fire or ambulance personnel or equipment will be required. Consequently, there will therefore be no significant adverse impact on emergency services.

c) Public Utilities

The proposed restroom facilities are the only component of the park Master Plan that affects public utilities. However, the demand these facilities will place on the existing Town water and sewer

system is minimal. Tie-in to existing lines will not present difficulties as water and sewer lines are already in place at the former Mother House.

d) Environmental Conditions

Any solid waste removal will be conducted according to solid waste regulations. The gas well in Ellicott Creek will be plugged according to DEC's requirements. The results of these processes should provide a beneficial impact.

Mitigation

The elimination of the primary trail in the Northern area eliminates potential security concerns expressed by neighbors adjacent to the park.

13. Character of Community and Adjacent Neighborhoods

Potential Impacts

a) Visual Resources

The proposed State Park and the improvements recommended by the Master Plan will not represent a significant visual change in the character of the area.

Zoning and Land Use

The proposed project will be consistent with historic, existing and proposed future patterns of land use on and adjacent to the site. Development of park and recreational facilities as proposed is allowed under the Town Zoning Ordinance and consistent with the recommendations of the Town Bicentennial Comprehensive Plan and the 1992 Recreation and Parks Master Plan. In particular, it will comply with Comprehensive Plan land use and community facility policies and general development objectives, including the increase of park land in the southern end of the Town.

Proposed Mitigation

Visual Resources

Professional design and construction standards for proposed park improvements will reduce any adverse aesthetic impacts to the extent possible. Maintenance equipment, dumpsters, and similar elements will be housed in the existing maintenance building at the former Mother House, or will be otherwise screened from view. During the installation of trails and parking areas existing trees will be preserved to the extent possible. In addition, appropriate landscaping will be provided to integrate the parking areas and restrooms into their surroundings, and screen these areas from the remainder of the park.

Zoning and Land Use

The park is a State owned facility and as such is not subject to local municipal laws and regulation. The State will make every effort to coordinate with the Town of Amherst regarding local zoning ordinances. The project is consistent with the goals and objectives of the Town's Comprehensive Plan and in full conformance with the requirements of the Town Zoning Ordinance. Therefore, no land use and zoning mitigation is proposed. Any specific measures necessary to protect environmentally sensitive features and adjacent properties have been discussed previously.

Recreational Facilities

The planned Amherst State Park is designed to provide family-oriented recreation opportunities for all ages. In all areas of the park, the primary activity would remain passive recreation, including picnicking, fishing, and enjoying views to the river. The main improvement would involve the organization and improvement of the current informal trail system.

Implementation of the Master Plan for Amherst State Park will not have any adverse impacts on other recreational facilities within the area. In fact, it will increase and diversify the recreational opportunities available to area residents. As stated previously, preservation of open space and the creation of a diverse recreational facility to satisfy the needs of all Town residents, is consistent with the recommendations of the Town Comprehensive Plan and OPRHP's Statewide Comprehensive Outdoor Recreation Plan.

Town Government

The project as proposed will not adversely impact any of the functions of Amherst Town government. The park will require at least two full-staff persons to oversee the maintenance and management of the facilities. These positions, with the addition of one to two part-time maintenance positions, should not overly burden the organization and budget of the Town Highway/Parks Department.

This project will have no negative economic impact upon the community. The project as planned does not require any increase in community services and the existing infrastructure of the community appears sufficient to accommodate the project as planned. Overall, the project is likely to have a beneficial impact on the local economy by increasing adjacent land values and attracting some additional visitors to the area.

School Facilities

The proposed project will not result in an increase in residents in the Williamsville School District. It will therefore not affect school enrollment, transportation costs or school taxes. Because of its proximity to the school campuses, the proposed State Park may offer opportunities for student educational field trips or cross-country running.

Proposed Mitigation

Because the project will not adversely impact community services, no mitigation is required.

D. Unavoidable Adverse Impacts

Implementation of the Master Plan for Amherst State Park will result in relatively few unavoidable adverse impacts to the environment. In almost all cases, if the park is developed and operated as proposed (i.e. with the recommended impact avoidance, minimization and mitigation measures employed), significant adverse impacts are not anticipated. The only impacts of Master Plan implementation that are considered unavoidable and adverse, include the following:

- Minor (<0.75-acre) soil disturbance and associated potential for erosion and sedimentation during construction of proposed recreational and access facilities.
- Minor (<0.75-acre) loss of existing vegetation (primarily mowed lawn) through development of recreational and access facilities.
- Minor loss and/or disturbance of wildlife habitat through development and increased use of trails in natural areas of the park.
- Very minor increases in traffic associated with increased use of the park.
- Some potential increase in noise associated with greater recreational use of the park.

E. Irreversible and Irretrievable Commitment of Resources

Although implementation of the Master Plan for Amherst State Park will bring benefits to Town of Amherst and other New York State residents, some non-renewable, natural or man-made resources will be consumed during the development and operation of the park. These resources are considered to be irretrievably and irreversibly committed, since their reuse for purposes other than the proposed project is either impossible or highly impractical.

Trail and recreation facility development as proposed will result in the removal of small areas of natural vegetation, and wildlife habitat on the site. Increased use of the park by the public also has the potential to increase disturbance to wildlife and damage habitat. Such loss of wildlife and vegetation on the site could be irreversible and irretrievable losses. However, careful siting of the proposed facilities and organization/consolidation of the existing informal trail system should minimize and offset such losses.

All materials and energy consumed in the construction of the proposed project are irreversible and irretrievable commitments. Included in this category are all the materials used to construct the trails and other built facilities on the site. In addition, the fuel used by the construction equipment will also be a resource loss, as will the energy consumed in operating the park once it is complete. The public utilities and services which will be furnished to the park are opportunity costs to the various agencies and companies providing those utilities and services, in that their use for the proposed project precludes their use for other programs or projects.

The human effort involved in developing and maintaining the park, along with the capital expended are also an irreversible and irretrievable commitment of resources.

F. Growth Inducement

Certain proposed actions covered under the SEQR process are thought to trigger further development by either attracting a significant local population or by relocating employment and or support facilities. The proposed development and operation of Amherst State Park will not induce such growth. Rather, the proposed recreational facilities and opportunities at the park represents an appropriate response to increasing recreational demands occurring in the Town of Amherst and the Buffalo/Niagara Frontier region.

G. Supplemental Environmental Review

Portions of this Draft Master Plan/DEIS are somewhat general or conceptual. Decisions regarding the type and extent of certain actions will be dependent on the findings from more specific studies or analysis still to be completed. For example, construction of proposed new trails in some areas of the Park may require site specific studies such as archeological surveys. The findings from these site specific evaluations may identify impacts that were not addressed in detail for this plan/EIS. Under such a circumstance, an additional or supplemental review will be required. As part of its responsibility under the State Environmental Quality Review Act , the Town of Amherst will review proposed implementation projects with respect to consistency with this plan and EIS. Projects found by the Town to be consistent with the plan can go forward without any additional review. Other types of proposals may require additional review ranging from completion of an environmental assessment form to perhaps a site specific environmental impact statement.

To assist in this consistency evaluation, the following types of actions have been identified as likely to require additional review under SEQR:

- Any new actions not addressed within the Master Plan that do not meet the Type II categories within Part 617, the rules and regulations implementing SEQR;
- Any change from the proposed recreational and facility elements of the plan which would result in significant environmental impacts;
- Any leases, easement, memoranda of understanding, or other agreements between OPRHP or the Town of Amherst and private entities or other agencies that affect resources in a manner that is not sufficiently addressed in this plan;
- Any new land acquisitions not addressed within this plan and any proposals for land exchange that would affect the type and location of recreational facilities approved within this plan.
- Any change to the program of the Northern area which would result in significant environmental impacts.

VII. RELATIONSHIP TO OTHER PLANS AND PROGRAMS

A. State and Local Planning Documents

The development of this Master plan and DEIS for Amherst State Park took into consideration various statewide and local planning documents. The following is a list of plans that specifically relate to the development of this Master Plan and DEIS:

1. State Comprehensive Outdoor Recreation Plan
2. State Open Space Conservation Plan
3. Town of Amherst Parks and Recreation Master Plan
4. Town of Amherst Comprehensive Plan 2000
5. Ellicott Creek Watershed Study (US Army Corps of Engineers)

As previously mentioned no plans for Amherst State Park conflict with the goals and objectives of these plans. In fact, the goals and objectives for the Amherst State Park Master Plan meet the criteria for both the state and local plans.

B. Coordination with Other Agencies

It is anticipated that the following agencies would participate in reviewing, issuing permits, and/or approving the project:

- Town of Amherst
- NYS Department of Transportation
- NYS Department of Environmental Conservation
- U.S. Army Corps of Engineers

Pursuant to SEQR, copies of the Notice of Completion of FEIS and FEIS will be sent to all interested and involved agencies including the following additional offices:

Erin Crotty, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233

Environmental Notice Bulletin
www.dec.state.ny.us

All agencies, offices, and entities interested in the proposed action are encouraged to participate in the SEQR process and to make known their views on the project. Written comments may be submitted to the contact person with the NYSOPRHP or the Town of Amherst, the lead agencies under SEQR, within the time specified in the Notice of Completion of the FEIS.

C. Required Permits and Approvals

The proposed project will be developed and constructed in compliance with the rules, regulations, and standards set forth by federal, state, and local agencies including:

- Federal Clean Water Act
- American With Disabilities Act
- New York State Health Law
- New York State Environmental Conservation Law
- The New York State Energy Conservation Law
- The New York State Uniform Fire Prevention and Building Code
- New York State Department of Transportation Regulations
- Erie County Department of Transportation Regulations

VIII. RESPONSE TO COMMENTS

A. INTRODUCTION

This Chapter contains responses to the comments received by the Town of Amherst and OPRHP on the Draft Master Plan/Draft Environmental Impact Statement (DMP/DEIS) for Amherst State Park. The DMP/DEIS was issued for public review on April 15, 2002. A public hearing to receive comments on the DMP/DEIS was held at 7:00 p.m. on May 13, 2002 at the Amherst Municipal Building, 5583 Main Street, Williamsville, New York. Thomas Lyons, of the OPRHP served as hearing officer. Approximately 105 persons from the general public attended the hearing and 32 people provided a statement. The public comment period ended on June 3, 2002.

OPRHP received written comments or oral statements from 44 people and organizations. A list of persons and organizations providing comments is contained at the end of this Chapter.

The comments received included requests for additional information or clarification of information presented in the DMP/DEIS. Requests that certain issues be reexamined and the plan be reconsidered in light of such reexamination, were also made. Corrections and comments related to specific aspects of the Plan were also provided. All comments were reviewed and organized by topic areas. The comments are summarized and responses to comments are provided in this Chapter. Where deemed appropriate, the Master Plan was modified in light of the comments.

Staff for the Town of Amherst and OPRHP acknowledge and very much appreciate the time and effort that persons interested in the future of Amherst State Park have invested in their review and comment on the DMP/DEIS.

B. RESPONSE TO COMMENTS

Comments and responses have been grouped and presented by category so that information common to more than one individual comment can be presented with minimal repetition. The intent was to keep responses as concise and complete as possible. Toward this end, a general response is provided that addresses the major changes made to the DMP/DEIS as a result of the public comments received. Individual comments have been summarized. In some cases similar comments have been grouped together, and only one response has been provided. Lead Agency responses follow each of the comment descriptions. If a response is associated with a change in a section within the Master Plan/FEIS, the location of that change is indicated in the response.

The public comments received on the DMP/DEIS have been grouped under the following headings:

- A. Soils, Topography, Hydrology
- B. Wetlands
- C. Flora/Fauna
- D. Automobile Traffic and Parking
- E. Zoning and Land Use
- F. Cultural Resources

- G. Program
- H. Master Plan and Alternatives
- I. Pedestrian Circulation
- J. Dog Park
- K. SEQR/DEIS Document

Copies of the comments and Hearing Record are available upon request from the Town of Amherst Planning Department.

1. GENERAL RESPONSE REGARDING REVISION OF THE MASTER PLAN

A significant number of comments on the DMP/DEIS pertained to the proposal to construct a primary trail connecting the Mother House area to the Northern Area. Adjacent landowners expressed concern over the close proximity of a portion of the north/south trail to their property. Concerns included site limitations due to slope and wet conditions as well as safety and security.

Additional evaluation and site visits by Town and Park representatives confirmed the need for further evaluation of site conditions and trail design and location. Moreover, the proposed location for this portion of the trail is essentially on the park boundary with little buffer between the trail and private lands. Design of the trail in this area would require additional evaluation with respect to access issues to the park and from the park in this location.

The proposed extension of the north/south trail to the northern area was based on projected park use and use of property in the immediate vicinity of the park. However, there are several unresolved issues associated with the Northern area of the park. Portions of parkland in this area are currently used by the Fire Department as a confined space training area and for recreation. The area shown on the Draft Master Plan as proposed acquisition "A" has been purchased by the Fire Department for the construction of a new fire hall.

Thus, due to the fact that property acquisitions/transfers and vehicular access/parking issues in the Northern area have yet to be resolved, OPRHP and the Town have determined that the Northern area will remain unprogrammed. As a result, the final Master Plan calls for the Northern area to be maintained as open green space, and activities that have historically occurred there will be allowed to continue. The revised plan identifies the north/south trail as continuing as a loop around the north side of the Mother House to meet the east/west primary trail east of the Mother House. This loop would connect with the existing sidewalk system on Mill Street. It would prevent a dead-end trail and further enhance the objective of organizing the park's trail system. Details related to this general response can be found in Section V of the Final Plan/FEIS and within responses to specific comments throughout this chapter. Any future proposals for recreational development in the Northern area of the park will be subject to supplemental environmental review.

2. SPECIFIC COMMENTS AND RESPONSES

- a) SOILS, TOPOGRAPHY, AND HYDROLOGY

1. Soils investigations should be undertaken prior to development of the Master Plan.

Response: Soils data in the DMP/DEIS were obtained from the County Soil Survey and is considered appropriate for the evaluation of potential Master Plan impacts. More specific soils investigations will be undertaken as appropriate prior to the construction of specific improvements.

2. North/south trail traverses steep slopes near the Holy Family Home. It should be rerouted.

Response: The proposed primary trail in this area did not traverse any steep slopes. It was proposed on a level area above the creek bank. Any concerns related to steep slopes and soil erosion have been eliminated as the trail in this area has been relocated by reconfiguring the trail alignment to the south. Please see General Response.

3. The Trail near the private home in the Northern area should be rerouted to avoid poorly drained soils.

Response: Poorly drained soils/areas of wetland in this area were to be avoided by trail narrowing and/or use of boardwalk. However, concerns related to poorly drained soils in this area have been eliminated as the trail in this area has been relocated by reconfiguring the trail alignment to the south. Please see General Response.

4. Joy Report says trail will alter drainage and induce flooding and soil erosion on adjacent private property.

Response: If appropriately located, the proposed trail in the draft plan would not have created drainage, erosion or flooding problems. This issue, however, is no longer a concern as the trail in this area has been eliminated by reconfiguring the trail alignment to the south. Please see General Response.

b) WETLANDS

1. A wetland delineation should have been done prior to development of Master Plan so as to allow for avoidance or minimization of impacts. Impacts to wetlands cannot be estimated until a wetland delineation is done.

Response: The level of wetland study conducted during development of the DMP/DEIS (i.e. map review and field reconnaissance) was appropriate for planning and general impact evaluation purposes. General locations of wetlands were identified and this information was used to guide development of the Master Plan and assure that adverse wetland impacts are avoided or minimized. Future wetland delineations and permitting as proposed in the plan will identify and quantify specific impacts and propose appropriate mitigation if necessary.

- 2. It is a matter of law that a wetland delineation must be undertaken prior to planning development. The field review referenced in the DEIS is illegal/inappropriate.**

Response: The level of wetland field review conducted for Amherst State Park is typical of how wetland issues are handled in State Parks Master Plans. If a plan contains a design that is considered final then detailed information on wetlands will also be provided. However, for more conceptual elements of a plan, detailed delineation and design normally take place at a time more proximate to project implementation. Please see previous response (b1).

- 3. The wetland adjacent to the Kannar/Weissman home was not identified. The proposed trail will significantly impact/destroy wetland adjacent to the Kannar/Weissman residence.**

Response: OPRHP and the Town acknowledge that the wetland adjacent to the Kannar/Weissman residence was not identified. This wetland was assumed to be off-site at the time of the field review. However, the proposed trail could have been located and built in a manner that would not have significantly impacted the wetland. The trail could have avoided or minimized impacts by running along the east edge of park property where no filling or tree removal would be necessary. This issue, however is no longer a concern as the trail in this area has been eliminated by reconfiguring the trail alignment to the south. Please see General Response.

- 4. The Beak Delineation Report determined that the wetland adjacent to Kannar/Weissman residence is under Federal jurisdiction.**

Response: OPRHP and the Town acknowledge the Beak Delineation Report's finding of a wetland adjacent to the Kannar/Weissman residence but a final determination regarding its jurisdictional status has not been made by the U.S. Army Corps of Engineers.

c) FLORA AND FAUNA

- 1. The source of information regarding the lack of rare species is not clear.**

Response: The sources of information regarding the lack of rare species in the park are letters regarding this subject from the NYS Department of Conservation and the US Department of Fish and Wildlife. In addition, field observations were used to confirm a lack of habitat that typically supports rare plant and animal species.

- 2. The rare plant survey should have been undertaken prior to development of the Master Plan/DEIS. The failure to determine conclusively whether rare species exist before issuing the DEIS is a fatal flaw.**

Response: OPRHP and the Town believe the referenced field study and the letters regarding rare species (please see previous response) adequately described the potential for

rare species occurrence within the park. A reconnaissance level survey and contact with responsible agencies is an adequate level of detail for the elements presented in this Master Plan. More detailed studies will be undertaken, as necessary, prior to implementation of certain projects (e.g. trail development along Ellicott Creek).

3. The recommendation for long term inventory and research on rare species of plants and animals indicates that the DEIS studies are inadequate.

Response: The type of recreation uses proposed within the plan are passive and do not call for substantial alteration of resources. State Parks is none-the-less interested in tracking, where possible, changes in habitat and biodiversity over the long term. Long-term studies can help determine if specific steps are required to assure satisfactory stewardship of the park and its resources. Impacts over the long term can be associated with recreational uses but also changes to environmental conditions such as the impacts of invasive species on biodiversity. The recommendation for long term inventory and research on rare species does not indicate inadequate data in the DEIS. On the contrary, it demonstrates the interest of the Town and State in proper discharge of their stewardship responsibilities.

4. The Draft Plan disregards the importance of Williamsville Glen as a “migrant trap.” Nesting by 133 bird species in this area is almost twice as many as elsewhere.

Response: Significant use of the Williamsville Glen by both migrants and breeding birds is acknowledged in the DMP/DEIS. It should be noted that the area’s role as a migrant trap and as a nesting area are generally unrelated. Nothing in the Plan as proposed would adversely affect the value of this habitat for migrants or breeding birds.

5. The Draft Plan did not document the presence of white deer.

Response: This response serves as acknowledgement of the presence of white deer in the park. White deer have been found in other state parks and other parts of the state albeit infrequently. However, there is nothing within the final plan that affects the presence or abundance of white tailed deer in the park whether white or normal in color.

6. A wildlife study should be undertaken to determine the impact of the proposed trails on the Williamsville Glen.

Response: A wildlife study beyond the scope of that already undertaken is not necessary. The level of study undertaken to date allows accurate description of the park’s wildlife community relative to the type and magnitude of impact that can be expected from Plan implementation. In addition, it should be noted that the proposed improvements are very limited. The proposed trails within the park will consolidate existing trail use thereby reducing physical and noise disturbance, including the avoidance of tree cutting to minimize loss of habitat. None of the allowed uses would have significant adverse impacts on wildlife use of the park.

7. Conclusions regarding the lack of impact on rare plants are baseless.

Response: The conclusions regarding lack of impact on rare plants are valid based on the results of existing data and surveys undertaken to date and the type and location of park improvements proposed.

8. The trail adjacent to the Kannar/Weissman property was supposed to preserve existing vegetation. This is not possible in the narrow corridor that exists there.

Response: Please see the response to comment b3 and General Response.

9. The wetland adjacent to the Kannar/Weissman home is an important wildlife habitat with numerous tree cavities. This habitat will be impacted/destroyed by the north/south trail.

Response: Wildlife habitat provided by the wetland adjacent to the Kannar/Weissman residence would clearly not be destroyed. No tree cutting would be necessary, certainly none that were large enough to accommodate cavity nests. This issue is no longer a concern as the trail in this area has been eliminated by reconfiguring the trail alignment to the south. Please see General Response.

10. Where will vegetation and wildlife habitat be impacted by the proposed improvements?

Response: The majority of impact to habitat, other than mowed lawn, is along the proposed trail system in the Ellicott Creek and Floodplain areas of the park. Loss of vegetation/habitat along these existing trails is anticipated to be very minor. As stated previously, adverse impacts would be offset by the consolidation and removal of existing trails in these areas.

11. To protect habitat, new trails should not be built where none currently exist.

Response: The majority of trails proposed in the DMP/DEIS conform with this approach. New trails are generally proposed in areas where minimal disturbance will occur (e.g. existing lawn) or where safe access to an important feature is lacking.

12. The concept of a path system through the Northern area of the Park, in particular the very narrow stretch of land just west of the Holy Family Home and east of the Kannar/Weissmann residence is insensitive to existing flora and fauna and wetland restrictors. The imposition of a walking/jogging/bike path through the narrow stretch of land connecting the north and south parcels of the park would constitute a loss of naturally developed ecosystem with scientific and educational value.

Response: The location of the proposed north/south trail west of the Holy Family Home and east of the Kannar/Weissmann Residence was not insensitive to existing flora and fauna and wetland resources. As stated previously, design of this trail section could be done so as to minimize adverse impacts to flora and fauna and wetlands. Any

loss to the natural ecosystem and its educational and scientific value would be negligible. However, this issue is no longer a concern as the trail in this area has been eliminated by reconfiguring the trail alignment to the south. Please see General Response.

13. The wetland adjacent to Kannar/Weissman home represents “wildlife interior habitat”.

Response: The wooded wetland adjacent to the Kannar/Weissman residence does not represent “wildlife interior habitat.” The area is a small patch of woods (less than .85 acres) bordered by a residential yard and large mowed lawn associated with the Holy Family Home. This type of habitat is far too small to support forest interior species.

d) AUTOMOBILE TRAFFIC AND PARKING

1. The primary trail entrance at Glen Park may create excessive traffic volume on Glen Avenue.

Response: The State Park is not expected to generate a significant amount of additional vehicular traffic. The State Park will provide its own parking facility at the main entrance off of Mill Street. Accordingly, no excessive traffic volume is expected at the trail entrance on Glen Avenue. A sign with a map of the park trail system will be set along the trail a minimum of twenty (20) feet from Glen Avenue and will not identify a primary park entrance. No parking for the park will be located off of Glen Avenue, so no conflict with existing traffic and parking off Glen Avenue is expected. The sign at the main park entrance off of Mill Street will announce the presence of a parking facility for the State Park. Traffic volume increases will be monitored. According to the County of Erie Department of Public Works, Division of Highways no significant impacts are expected as a result of the proposed park entrance at Glen Avenue (see Appendix G).

2. Traffic analysis is a basic required component of a DEIS. A census of potential park users should be conducted followed by a project-specific study to determine traffic generated and likely routes of travel.

Response: Given the limited park improvement and parking proposed, a project specific traffic study was not warranted. Correspondence from County of Erie Department of Public Works, Division of Highways indicates that traffic capacity and safety are not a concern and that a traffic study is not necessary (see Appendix G).

3. Newer information than the 1998 NYSDOT count for Sheridan Drive is needed.

Response: An entrance and parking area at Sheridan Drive are not being proposed at this time. Please see General Response.

4. The conclusions regarding traffic impacts are baseless.

Response: Letters from Erie County DOT and New York State DOT indicate no traffic conflicts will result from implementation of the proposed plan.

5. The NYSDOT did not provide a formal review prior to releasing the DEIS.

Response: The DMP/DEIS was released prior to receiving NYSDOT's analysis. The Town, however, had discussed the project with NYSDOT representatives before the release. The County of Erie Department of Public Works, Division of Highways has reviewed the revised analysis of potential traffic impacts and confirms the lack of impact from the proposed plan (see Appendix G).

6. Inconsistency between assertion that park use will increase and conclusion that traffic impacts not significant.

Response: The uses proposed in the Master Plan suggest that the park's primary increase in usage will be from pedestrians who access the park by foot. Available parking will limit automobile use. Increase in traffic is not likely to be significant and no traffic impact requiring mitigation is necessary (see Appendix G).

7. Parking for 25 vehicles in the main parking lot appears excessive.

Response: Parking for 25 vehicles at the main entrance off of Mill Street is a number consistent with current use and is a relatively conservative quantity. Removal of the 10-vehicle lot off of Sheridan Drive from the Master Plan could serve to further support the size of the parking lot at the main entrance. The need for additional parking will be determined by monitoring actual park use.

8. Parking alternatives should include using the Mill Street School lot.

Response: No offsite parking alternatives were considered necessary based on the proposed uses and anticipated level of use of the park. While a representative of the Williamsville School District was a member of the Amherst State Park Advisory Committee, the district was not approached about this specific issue during the planning process. The District might be approached in the future on a case-by-case basis to allow use of their property for parking for large events.

9. Were police departments contacted to get accident information for adjacent roads?

Response: OPRHP and the Town did not contact any police departments for specific accident information for public roads adjacent to the park. Throughout the process, however, the Town of Amherst police were directly requested to review and comment on the Master Plan. No major concerns regarding accidents were identified. The letters from the Erie County DOT and NYSDOT confirm that there

will be no major traffic impacts from the proposed plan. Also, the removal of the parking lot and vehicle access to the park from Sheridan Drive should further reduce any potential for accidents or vehicle conflicts.

10. Heavy traffic and high speeds on adjacent roads could make vehicular, bike and pedestrian access to the park dangerous.

Response: Concern over conflicts with automobiles was one of the reasons for the proposed primary trail system within the park. Relocation of the trail terminus from Sheridan Drive to Mill Street does have the potential to increase conflicts between bicycles and automobiles on Mill Street. However, removal of the Sheridan Drive entry precludes potential conflicts between high speed traffic on this road and pedestrians and bicycles trying to cross it.

11. There is no sidewalk on the south side of Sheridan Drive. Linkages with the proposed north/south trail do not exist.

Response: This concern has been addressed by removal of the trail connection with the Northern area of the park and the Sheridan Drive entry. See previous response and General Response.

12. The DEIS should include field observations of actual speed on adjacent roads.

Response: Field observations of vehicle speed were not conducted for the DEIS, and are not typically required as part of the traffic impact analysis section of a DEIS. The letters received from the Erie County DOT and the NYSDOT indicate that further study of potential traffic impacts is not required.

13. How long is the proposed access road off Sheridan Drive and where is the northern terminus of the north/south trail?

Response: The Draft Master Plan indicated that the entry road would be short in length. No definitive length for the road was determined. The terminus of the north/south trail in the Northern area was planned at the proposed parking lot to allow park users to access the trailhead by vehicle. However, this issue is no longer a concern, as vehicular access to the Northern area is not being proposed in the Final Master Plan. Please see General Response.

14. Provide additional details regarding the use of the Hutchinson Hose Company parking lot. Has an easement been granted? How will unauthorized use be prevented?

Response: Formal use of the Hutchinson Hose Fire Company parking lot was not proposed, thus no easement for use of the lot for the state park was sought or granted. Unauthorized use would have been minimized by the provision of a separate parking area specifically for park use off of Sheridan Drive on state park property. However, no facilities are proposed for the Northern area of the park at this time,

thus eliminating the potential for unauthorized use of the Fire Company parking lot. Please see General Response.

15. Access and parking at Mill Street entrance are adequate. There is no need for vehicular access and parking off Sheridan Drive.

Response: OPRHP and the Town agree that the proposed access and parking at the Mill Street entrance will be adequate for the projected level of park use. In light of the fact that the Sheridan Drive access has been deleted from the current proposed Master Plan, no parking is currently planned for the Northern area. Any future improvements in the Northern area of the park will be subject to supplemental environmental review.

16. Various proposed users of the primary trail system (bicyclists, walkers, joggers) may not be compatible.

Response: Based on current use, projected use, and experience in other State Parks with multi-use trail systems, acceptable compatibility between users is expected. Rules for trail use will be clearly posted at the trailheads and parking areas. Compliance with these rules will be monitored and enforced by Town police. If problems arise, changes to the rules may need to be considered.

17. The DEIS contains inconsistent conclusions regarding the extent of anticipated increase in future Park use.

Response: The Draft Plan shows a commitment to accommodating current use in the park, while acknowledging that some modest increase can be anticipated with the increased public knowledge of the park. Anticipated increases in use can be accommodated with the facilities proposed.

18. What is the basis for the estimated number of vehicle trips per day and their distribution at various Park access points.

Response: Trip generation estimates are based upon the reference entitled "Trip Generation, 6th Edition" as published by the Institute of Transportation Engineers in 1997 (see Appendix G). Due to the changes in the proposed Master Plan eliminating parking off of Sheridan Drive, vehicles entering/exiting the state park will utilize the main entrance at Mill Street or the secondary entrance off of Reist Street (see Appendix G).

19. The north end of the park, in particular the north/south trail will experience a significant increase in use following implementation of the Master Plan.

Response: A significant increase in use of the Northern area of the park was not anticipated, due to the limited available parking and available alternative access points to the park. However, this is no longer a concern based on the decision to leave the Northern area of the park unprogrammed at this time and remove the north/south trail in this area. Please see General Response.

20. Will limiting available parking actually limit park use? If not, how will impacts of increased use be controlled/mitigated?

Response: The increase in park use will not necessarily be vehicle oriented. Nonetheless, the number of available parking spaces will provide some measure of control on the number of park users. The level of increased use and associated impacts will be continually monitored by the designated site manager. Appropriate solutions will be proposed, if necessary, based upon the results of this monitoring.

e) ZONING AND LAND USE

1. The Master Plan violates the requirements of the Town of Amherst zoning ordinance by proposing outdoor recreational “activities” within 50 feet of abutting residential districts. A trail within 19 feet of the Kannar/Weissman residence appears to violate this ordinance.

Response: A footpath does not meet the definition of a recreational facility as described in the Town Zoning ordinance. While the State will make every effort to coordinate with the Town of Amherst regarding the local zoning ordinance, the park is a State owned facility and as such is not subject to local municipal laws and regulation. This issue is no longer a concern, as the trail in this area has been eliminated by reconfiguring the trail alignment to the south. Please see General Response.

2. Where will zoning district boundary referenced on page 28 of the Draft Plan/DEIS occur?

Response: The zoning district boundary would extend the Community Facilities zoning district (CF) around those properties acquired by New York State for the purposes of additional parklands.

f) CULTURAL RESOURCES

1. In light of high archeological sensitivity, a Phase 1B survey should be conducted before development of the DMP/DEIS so impacts can be avoided.

Response: A Phase 1B survey is not necessary at this time. The Phase 1A study provided an adequate level of detail for Master Planning and impact assessment. Phase 1B surveys are typically conducted once improvements are more specifically defined. The Plan recommends such surveys prior to implementation of improvements proposed in the Master Plan.

2. The Plan could violate the Native American Graves Protection and Repatriation Act (USC 3001-3013).

Response: The Master Plan/DEIS does not violate the Native American Graves Protection and Repatriation Act. The plan would be in violation only if human remains were disturbed. The potential for occurrence of human remains will be determined by a

Phase 1B archeological investigation. Should such remains be discovered (either during the 1B Survey or an unanticipated discovery during construction) appropriate measures will be taken to avoid and protect these resources.

g) PROGRAM

- 1. The location of the picnic grounds in the Creek Bend area puts picnickers at risk of errant golf shots (from Park Country Club) and the noise from the grounds may cause a major distraction to golfers.**

Response: The primary goal of the Master Plan is passive recreation. Although picnic tables will be added to this site, the noise in this area is expected to remain at or near the same level as currently exists. Because of distance separating the proposed picnic area from the golf course, no additional safety issues are anticipated at this location.

- 2. The park should not include sculpture. The unpredictability of artwork may violate the natural character of the park.**

Response: Although installation of sculpture sensitive to the park's characteristics was indicated as a possibility in the draft plan, this proposal has been withdrawn on the grounds that it could result in unnecessary controversy and additional maintenance costs.

- 3. The park should not include a play area for children. There are other area parks and playgrounds available. The park should remain unique, unspoiled, and natural.**

Response: The park should remain unique, unspoiled, and natural, and the Master Plan reflects this intent. However, in the area of the Mother House there is already a well-established level of development. The presence of level, mowed lawn and paved parking in the Mother House area helped determine the location of the playground. The request for a playground came from the Town's Parks and Recreation staff. It is appropriate in this area of the park since it will provide a play area within walking distance of neighborhoods to the east of the park not currently served by such a facility.

- 4. The Draft Master Plan needs to address how unauthorized and undesirable activities will be addressed.**

Response: The Town of Amherst will be responsible for monitoring park activities and enforcing regulations. Rules and regulations for the park will be posted at the park entrances, parking areas and trailheads. The Town of Amherst Police Department is now and will be responsible for patrolling Amherst State Park. The Master Plan recommends that the Town of Amherst Police Department provide regular daily patrols 24 hours a day. Refer to Section VC (Implementation Strategy) of the Master Plan.

5. The alternative of siting proposed recreational facilities at other County and local parks should be addressed.

Response: Other than the proposed playground, no additional recreational facilities are proposed that could be accommodated at other parks. The proposed facilities (primarily trails) are designed to highlight features and accommodate the type and level of use anticipated in Amherst State Park.

6. The DEIS misrepresents the findings and recommendations of the 1992 Town Recreation and Parks Master Plan.

Response: OPRHP and the Town conclude that the DEIS and the draft Master Plan accurately reflected the intent of the recommendations included in the 1992 Town Recreation and Parks Master Plan. Recommendations in the 1992 Recreation and Parks Master Plan were partly based upon information received from respondents to a random sample questionnaire. The random sample survey results produced a statistically valid sample of Town of Amherst residents. The results determined that the recreational activities with the largest number of participants were bicycling and walking for fitness/exercise, indicating that facilities accommodating these uses are desired by Amherst Residents and will be used if provided at Amherst State Park. The presence of certain soil types, floodplains and wetlands does not preclude the provision of trails for bicycling and walking.

7. The need and demand for recreational facilities proposed in the draft Plan, especially that in the Northern area, is not demonstrated.

Response: The plan, including the Northern area does respond to local recreational needs. The development of the park program was based on extensive public input. Work sessions with the public specifically identified desired recreational facilities consistent with the character and carrying capacity of the park. The program of the park is also consistent with the agreement between OPRHP and the Town limiting use to passive recreational activities.

h) MASTER PLAN AND PLAN ALTERNATIVES

1. The Plan fails to consider alternative that focuses on goal of environmental preservation and enhancement.

Response: All of the alternatives considered, even the highest level of development, were driven by the primary goal of resource protection. Only passive recreation alternatives were considered. Proposed improvements will have minimal impact.

2. The Plan inappropriately focuses on promoting recreational uses.

Response: The agreement between OPRHP and the Town of Amherst states that the land will be made available for public recreation and conservation of open space. All of the alternatives considered were guided by the primary goals of environmental protection and passive recreation. The Final Plan strikes a balance between possible recreation for park users and sensitive treatment of the ecosystem.

3. The alternatives considered are all variations on the same theme.

Response: The only viable alternatives were those that protected the environment and accommodated some level of passive recreational use. It is the type and level of passive recreation proposed that primarily distinguished the alternative plans. Relative to the world of possibilities, all of the alternatives proposed relatively minimal development.

4. The Master Plan proposed is inconsistent with the Park's funding, public input and declared vision and goals.

Response: Please see previous responses.

5. There is no funding/budget for environmental enhancement projects.

Response: The Preliminary Cost Estimates included in the Draft Master Plan are for Phase I and Phase II only. The Draft Master Plan acknowledges that the implementation of some elements of the Master Plan may take longer than two years. This section of the final Master Plan has been revised to clarify the issue of funding and implementation schedule (please see Section VC). Each new implementation phase includes specific elements that are related to environmental enhancement projects.

6. The Master Plan does not address the full range of public comments received during the planning process.

Response: All public comments were taken into consideration during the planning process. Some alternatives and/or recreation elements proposed were not considered appropriate for Amherst State Park and thus were not discussed within the Draft Plan.

7. An alternative without the north trail connection was not considered.

Response: The north/south trail was proposed in all of the alternatives because from a recreational planning standpoint it makes sense in any park development scenario. However, because of unresolved issues associated with the Northern area of the park, the Final Master Plan indicates that the trail in this area has been eliminated by reconfiguring the trail alignment to the south. Please see General Response.

- 8. The north/south trail is inappropriate as a bike path. The bike path shown in the 1992 Town of Amherst Recreation and Parks Master Plan is a better way to link the Ellicott Creek bike trail and Glen Park than the proposed north/south trail.**

Response: Use of roads as bicycle trails is less desirable than utilizing park trails. The 1992 Recreation Plan was prepared before the park existed. Good planning suggests organized bike circulation through the park and connecting with destinations outside of the park.

- 9. Adequate alternatives exist for the Northern area of the Park, including 1) swapping it for other more desirable land, 2) deferring decisions regarding its use while other options with the Holy Family Home are explored, or 3) put the northern area to a separate use, such as a dog park.**

Response: For these and other reasons, the Northern area of the park is currently proposed as unprogrammed. Please see General Response.

- 10. The potential noise, visual and security impacts on adjacent residents associated with the proposed north/south trail are not addressed. At the Kannar/Weissman residence the DEIS is wrong when it states that the type and level of noise associated with Park use are not anticipated to be significantly different than that which currently exists.**

Response: Issues related to privacy and security contributed to the decision to reconfigure the trail alignment to the south. Please see General Response.

- 11. There is concern that Park visitors will cross private property to access the creek.**

Response: The trail system within the park is organized in a manner that minimizes the potential for unauthorized access to private property. Trail alignments are located to promote through traffic and are, to the extent possible, screened and buffered from adjacent properties by vegetation. Access to Ellicott Creek will be offered to park users at appropriate locations.

- 12. Proposed maintenance facility will have adverse noise and visual impacts on Kannar/Weissman residence. Mitigation measures need to be proposed.**

Response: Due to the significant distance (600'±) between the proposed maintenance building and the Kannar/Weissman residence, the fact that no exterior changes to the existing building are proposed and that the facility would be used primarily during normal work hours on weekdays, no adverse noise or visual impacts are anticipated.

13. Alternatives of not building the north/south trail needs to be discussed as possible mitigation for impacts to adjacent residents, wetlands, wildlife habitat, etc.

Response: Although most of these impacts were either unlikely or could have been avoided or mitigated, this is no longer an issue as the trail in this area has been eliminated by reconfiguring the trail alignment to the south. Please see General Response.

14. Some security and buffer considerations applied at the Holy Family Home and 508 Mill Street should be applied to the Kannar/Weissman property. Firm screening commitments should be made.

Response: These considerations contributed to the decision to eliminate this section of the trail by reconfiguring the trail alignment to the south. With this trail segment no longer proposed, additional screening is not necessary.

15. The Master Plan/DEIS should ban the use of snowmobiles, motorcycles and boom boxes.

Response: OPRHP and the Town agree with this policy. Prohibited uses are noted in the Final Management Plan (please see Section VC).

16. An alternative with no vehicular access to Sheridan Drive should be considered.

Response: This alternative is reflected in the Final Master Plan. Please see General Response.

17. OPRHP and the Town failed to consider the Kannar/Weissman comments and concerns in development of the Master Plan alternatives.

Response: OPRHP and the Town believe the Kannar/Weissman concerns were considered. This is why the residence is shown on the plan and commitments regarding planting, fencing and berming were made. Please see General Response.

18. The Draft Plan does not comply with funding requirements that limit park uses to passive low intensity uses that require minimal physical changes to the property.

Response: OPRHP and the Town believe the proposed Master Plan represents passive low intensity uses. The Cooperative Operations and Maintenance Agreement between the Town and the State states that "Substantial man-made physical changes to the property shall be minimal. Traditional passive recreation uses and development of supporting infrastructure of the property shall not be unduly restricted or prohibited". The proposed Master Plan is consistent with the agreement.

19. Enhanced circulation should not be proposed at the expense of the park's natural resources.

Response: As stated in previous responses, the trails have been located so as to minimize impacts on sensitive resources while still providing access to the parks interesting features. The circulation system proposed would consolidate and remove existing trails that currently impact park soils, vegetation and wildlife. Adverse impacts of trails will be minimal.

20. Differences, if any, between Alternative 2 and the preferred plan need to be described.

Response: Although Alternative 2 and the preferred Plan are very similar, differences between the two have been clarified in the Final Master Plan (please see Section IV and V).

21. The Sheridan parcel should remain an undeveloped pocket park that protects local neighborhoods.

Response: The Northern area of the park is currently proposed as an unprogrammed and preserved open space. Please see General Response.

22. The land exchange option involving acquisition of parcel C is feasible and better than the proposed plan.

Response: The Final Plan/FEIS concurs with this statement (please see Section IV). However, this option is not feasible at this time as the property owner is not willing to sell. Negotiations with the St. Francis Home to acquire "parcel C" will continue to be pursued.

23. The Master Plan should document Town efforts to obtain an easement from the Holy Family Home. This option presents fewer adverse impacts on adjacent residents and the environment than the proposed plan.

Response: Town efforts to obtain an easement on the west side of the Holy Family Home are documented. The Town inquired about a possible easement on the east side of the Holy Family Home for the north/south trail only at the insistence of the owners of property located west of the park. There would not be fewer adverse impacts on adjacent residents and the environment with a trail on the east side of the Holy Family Home. In fact, the impacts would simply shift from the west side to the east side of the Holy Family Home. However, this issue is no longer a concern as the north/south trail has been rerouted to enter/exit at Mill Street. Please see General Response.

24. The 508 Mill Street property should be used as play access for Mill Street School students.

Response: During the park acquisition and planning process neighbors adjacent to this narrow parcel voiced concern about an entrance and trail at this location. As a result, no

trail and trailhead was established in this area, especially because an acceptable east entry point was identified.

25. Cost estimates do not include environmental protection/management activities and do not include costs of necessary mitigation and maintenance for various alternatives.

Response: Specific cost of alternatives not necessary if not being proposed. Cost of any mitigation activities that may be required are unknown at this time.

26. The boat launch on Ellicott Creek is discussed in the text but is not shown on the Master Plan. Is a boat launch proposed or not, and if so, where?

Response: No formal boat (canoe/kayak) launch is proposed. OPRHP and the Town will neither encourage or restrict this activity in the park. The Final Master Plan will reflect this policy.

27. History of “northern parcel” not accurately described. The parcel was added to compensate for other portions of property not sold to the Town and maintain state funding. Need to explain that the original park boundary did not include the northern area. Thus providing pedestrian access to Sheridan Drive was not a primary goal.

Response: OPRHP and the Town acknowledge that the Northern area was in part acquired to maintain state funding for the Park. Prior to the actual acquisition of the property, an easement west of the Holy Family Home was sought from the Holy Family Home to provide for a second vehicular access for the Mother House for emergency and safety considerations and to provide vehicular access from the State Park to Sheridan Drive. This property was subsequently offered by the Sisters to be sold to the Town/State for the park, in part to compensate for other property originally offered but sold to the St. Francis home under an option agreement. It was later determined that there was no need for vehicular access to Sheridan Drive for the Mother House and that a small parking area at Sheridan Drive with a pedestrian trail to the main body of the park would significantly reduce negative impacts to the park and adjacent properties. Changes in the final Master Plan acknowledge the constraints/limits on the use and access to the Northern area.

i) PEDESTRIAN CIRCULATION

1. The area from the Glen Avenue Entrance northward to the gas well should receive no changes or intervention at all. The existing pathway system is adequate and presents park users to the natural systems characteristic to the floodway zone.

Response: One of the primary goals of the Master Plan is the improvement of public access and circulation through the park. The plan identifies an upgrade to the existing pathways in this area to: 1) improve through circulation and 2) prevent erosion problems on existing paths. A discrete entrance at Glen Avenue will likely not change current use patterns, but allow for trail identification and user orientation.

Because the proposed trail will primarily use existing trails, adverse impacts on natural resources will not be significant.

- 2. Given the nearby long and wide walking/jogging/bike paths, no new pathways at Amherst State Park should accommodate cyclists. Allowing cyclists on the same pathways as pedestrians conflicts with the minimal environmental impact goals of the park and presents potentially dangerous conflicts with pedestrians.**

Response: OPRHP and the Town acknowledge that potential conflict between cyclists and pedestrians exists. However, cyclists currently use many of the existing trails within the park. No major conflicts were documented during development of the Master Plan. Although not allowed on secondary trails, restricting cyclists from using primary park trails was not considered a viable option because enforcement of this type of policy was impractical. Therefore, the plan proposed a trail system for uses that we know will occur on them. Although the width and surface treatment of the improved primary trails will provide minimal environmental impact, the trail alignment will also take into consideration “blind spots” and other potential areas such as steep slopes, where pedestrians and cyclists may have dangerous conflicts.

- 3. By increasing public access to Ellicott Creek, the Town and State would inadvertently make the golf course more accessible to the general, non-golfing public. Increased access opens up liability issues for canoeists, pedestrians, and picnickers. Any regular use of the creek in the area of the golf course frontage simply would be dangerous to the public. Although canoeing and kayaking without a designated launch area does not reduce the risks.**

Response: No fence separating the park and the Park County Club is considered necessary at this time. A formal canoe/kayak launch is not proposed in the final Master Plan.

- 4. The location of secondary trails along the border of the Park Country Club’s property line presents liability problems and risks of injury. The close proximity of the park to the course, with no barriers in-between (during winter) opens the doors for winter recreationists to cross over into club property.**

Response: OPRHP and the Town acknowledge that the proposed trail system might inadvertently make the golf course subject to some unauthorized access by some park users. However, it is unlikely that a significant number of park users will be attracted to the golf course. To address this concern, the plan will remove the secondary trail within the conifer plantation adjacent to the Golf Club property.

- 5. The by-product of a primary trail entrance at Glen Park will increase usage of Glen Park parking lots by visitors to the State Park. The potential pressure of Amherst State Park users will overtax both East and West Glen Park parking lots. No trail/or trail entrance should be at this proposed location.**

Response: The passive nature of improvements to the Park is not expected to generate a significant increase in usage of the state park over current levels. Accordingly,

OPRHP and the Town believe the trail entrance at Glen Avenue will not significantly increase the usage of the Glen Park Parking lots. This trail is an existing occurring trail, which indicates the desire for users of both parks to move between them. Improvements to the surface are required to minimize negative environmental impacts (soil compaction and erosion) associated with the existing trails. In order to address the concern that Amherst State Park visitors may use the east and west Glen Park parking lots, the trail entrance will access Glen Avenue only. No trail is proposed to directly access Glen Park. Signage will not be placed at Glen Avenue. A wayfinding sign with a trail map will be placed adjacent to the trail a minimum of twenty (20) feet from Glen Avenue so as not to draw attention to this pedestrian entrance to the state park. In addition, the plan provides adequate vehicular access and parking at a central location within Amherst State Park. The park users entering at the Glen Avenue entrance will likely be pedestrians. Pedestrian access to the state park at this location benefits Glen Park users that desire to walk in this area of the state park or walk to other areas of the state park.

- 6. In order to maintain the natural environment and discourage roller blading/boarding no paved paths should exist in the main areas of the park, especially in the vicinity of the creek. Those paths adjacent to the creek also should be eliminated to avoid accidents related to steep slopes and fast moving and potentially dangerous sections of Ellicott Creek.**

Response: As a point of clarification no hard pavement, such as asphalt or concrete, is planned for the trails in proximity to the creek. The only section of trail which may be installed with a hard pavement is the section of primary trail located in the Mother House area. All other trails within the park will have surfaces of either stone dust, boardwalk, or wood chips to minimize potential environmental impacts. Trails located near Ellicott Creek will be located to avoid areas subject to flood damage and dangerous high water conditions. The consolidation of trails within the Ellicott Creek Area will help avoid potential accidents and reduce environmental damage.

- 7. Pedestrian and bicycle access from the south entrance is very important to Amherst State Park.**

Response: OPRHP and the Town concur with this statement. Such access is maintained in the Final Plan. However, the State and Town are cognizant of the concerns of the Village and of the Glen Park Joint Board and will therefore provide a discrete trail head at the Glen Avenue entrance. Please refer to the response to comment i-5.

- 8. The statement that there is no pedestrian access to the Park from Sheridan Drive is incorrect. Access is provided by sidewalks on Mill Street and Sheridan Drive.**

Response: The Draft Plan intended to provide direct access to the Park from Sheridan Drive by providing parking and access to the north/south trailhead. This access would provide more direct access to the park from neighborhoods north of the park. The final plan does not include a trail or trailhead parking at Sheridan Drive and instead utilizes sidewalk access on Mill Street to complete the north/south pedestrian connection.

j) DOG PARK

1. A fenced-in dog park or designated off-leash area should be developed to protect both the dogs and park users.

Response: OPRHP and the Town do not believe that a fenced in designated off-leash area for dogs is consistent with the Cooperative Operations and Maintenance Agreement between the Town and the State and that such a facility, depending on it's location within the park would either be detrimental to the parks natural and aesthetic resources or a disturbance to neighbors and park users. The Cooperative Operations and Maintenance agreement states that "the subject property shall be used for passive, low intensity recreational, educational and conservation purposes". A fenced in off-leash area for dogs would concentrate this activity on a small area of park land effectively creating a more intense use of a specific geographic area of the park. The area of the Park where the activity generally occurs now (west side of the creek adjacent to the wooded creek corridor) features sensitive wildlife habitat, specifically habitat for migratory song-birds and ground nesting birds. To place such a facility at this location would have a significant negative impact on this habitat and on the scenic and aesthetic quality of the area. The Master Planning process considered the placement of this type of facility in the Northern area of the park near Sheridan Drive. This idea was rejected due to the proximity of the area to adjacent residences on Mill Street and Sheridan Drive. Since there were a significant number of people who spoke in favor of this type of facility at the public hearing, the Town of Amherst is working with an organized group of Amherst residents and dog owners to find an alternative location for this activity. A location at a large Town-owned park in the central area of the Town is currently being considered and was discussed with the Town Board. Additional information will be provided to the Town Board in the near future. A decision on the alternate site is expected within a few months.

2. A dog park is not the responsibility of the Town or State to provide. A dog park also does not meet the objectives of the park and should not be developed.

Response: The Town is cooperating with citizens to find an alternate location for a dog park on public land. Please see response to comment j-1.

3. The DEIS should formally consider creating a dog park in the Northern area of the Park in the location of the former softball field.

Response: Based on the decision that the Northern area of the park will be unprogrammed area (see General Response) and the current efforts to create a dog park at an alternate site, this comment is no longer relevant. Please see response to comment j-1.

k) SEQR/DEIS DOCUMENT

- 1. Overall, the DEIS fails to give serious consideration to the “no action” alternative, particularly in regards to path systems. Multiple use paths appear to have been automatically imposed with little thought or justification.**

Response: Program development for the park began with public input and observations of park use. Based on this process, and the fact that 1) the park is experiencing loss of vegetation and soil erosion along various footpaths and 2) level of trail use is expected to increase, excluding improvement to the existing trail system was considered an inappropriate planning approach. All improvements to the circulation system shown in the Final Plan acknowledge existing travel patterns.

- 2. Flaws in the DEIS violate SEQR and require preparation of new Master Plan/DEIS. Flaws include lack of detailed planning studies and numerous inaccuracies.**

Response: The level of detail of the DEIS document is typical and appropriate for the evaluation of Master Plan implementation. Because the specific details of park improvements proposed in the Master Plan are not yet defined, general reconnaissance level investigations are adequate to define the anticipated type and magnitude of possible environmental impact. More detailed studies of certain areas (e.g. wetlands, cultural resources) are recommended prior to the implementation of Master Plan elements. The quantity and quality of the information in this DEIS is consistent with the requirements outlined in SEQR.

- 3. The Draft Plan/DEIS is an advocacy document, not a fair accurate presentation of facts and evaluation of impacts.**

Response: The Draft Plan/DEIS is a fair and accurate document that meets the intent and requirements of SEQR. Decisions identified in the document are based on facts, public input and proper planning principals. Changes to the Final Plan following receipt of public comments further indicate the open-minded approach advocated by OPRHP and the Town and their willingness to consider other alternatives.

- 4. The DEIS fails to note all applicable laws and contracts that constrain its development. It also fails to discuss the legal procedures required for a land swap.**

Response: The level of detail in the DEIS is adequate. Greater detail on laws, contracts, and other legal procedures would not substantively change the recommendations of the plan or the findings of the FEIS. All legal procedures and constraints will be investigated and complied with prior to finalizing any contract, land exchange or other type of land transaction.

5. Creek safety should be reviewed by the State/Town.

Response: OPRHP and the Town believe adequate discussion of safety issues related to Ellicott Creek are included in the DEIS. The Master Plan does not propose any unsafe use of the Creek (e.g. swimming). Existing safety concerns, such as unsafe trail locations and gas well plugging have been addressed in the Master Plan.

6. Excessive use of qualifying, generalizing language is found in the Master Plan/DEIS.

Response: The DEIS provides an appropriate level of detail and specificity for a Park Master Plan. The type of language in the plan is consistent with describing the potential impacts at this stage of planning since not all details are worked out nor should they be for this type of study.

7. All adverse impacts are concentrated in vicinity of Kannar/Weissman residence. This is not explicitly stated/acknowledged by the DEIS.

Response: The DEIS and FEIS addressed potential adverse impacts across the entire park and not just at one specific location. In general, adverse impacts outlined in the plan are very limited, including those within the vicinity of the Kannar/Weissman residence. The elements proposed in the Master Plan will not significantly impact wetlands, wildlife, soils, or slopes. However, concern regarding privacy and security is valid, and contributed to the decision to remove the north/south trail from this area. Please see General Response.

8. The location of the parking lot off Sheridan Drive is not defined.

Response: The location of the parking lot off Sheridan Drive was proposed in the Alternative Plans and Draft Master Plan for the extreme eastern side of the state owned property, or alternately, within the boundaries of Potential Park Addition "A", if acquired. The State and Town acknowledge that the exact location of the lot was not determined due to unresolved questions regarding final park boundaries in this area. The land considered as Potential Park Addition "A" in the Draft Master Plan is no longer available for acquisition. No parking off of Sheridan Drive is proposed in the Final Master Plan because the Northern area is proposed to remain unprogrammed. Please see General Response.

9. Adverse impacts of increased human use of The Park not adequately evaluated.

Response: The Master Plan takes into account potential increased human use of the Park and its potential impacts. Because the trail system is the most heavily used recreational resource, improvement to the circulation system was a primary focus of the planning process. The trails were designed to accommodate modest increased use. Consolidation of the trails reduces adverse impacts. Overall, the passive recreation

goals set forth for the park and the continuation of existing uses present limited disturbance to park neighbors, wildlife and other natural resources.

10. Adverse environmental impacts of north/south trail not adequately described/considered.

Response: The adverse impacts of the north/south trail were adequately presented in the DEIS. Concern over potential impacts to the wetland adjacent to the Kannar/Weissman residence no longer exist due to the relocation of the north/south trail in the Final Plan. Please see General Response.

11. The public never spoke in favor of north/south trail coming close to Kannar/Weissman residence. The aerial photo was deceptive. People were unaware of the location of the Kannar/Weissman home and its proximity to the proposed trail.

Response: OPRHP and the Town acknowledge the proximity of the trail to the Kannar/Weissman residence was not clearly identified in earlier versions of the plan. However, during the planning process, the presence of this residence was considered in the development of the Master Plan and the owner's request that their residence be noted on the plan was respected. The location of this segment of the north/south trail is no longer an issue as the trail has been reconfigured to loop to the south prior to the section that passed close to private residences.

12. All factual representatives regarding strip of Parkland adjacent to the Kannar/Weissman residence are wrong.

Response: This area and potential impacts to it were accurately described in the DEIS. An in-depth analysis of the area near the residence was not performed nor was it warranted because no significant impacts were anticipated in this area. The woods and wetlands were not identified and described because it was not clear they were located on park property. Previous responses address impacts to soils, steep slopes and other resources in this area.

13. Boardwalks will not work on the soils in the Park, and will likely cause erosion and flooding problems.

Response: Boardwalks will work on the soils in the Park. Boardwalks are used in numerous parks and preserves to accommodate trails in poorly drained or otherwise sensitive areas. Construction methods and materials today allow boardwalks to be built in many types of soils including unstable peat and muck (which do not occur in the Park) without significant adverse environmental impact. A boardwalk occurs on similar soils in the Town of Amherst adjacent to Hopkins Road in the Great Baehre Conservation Area. The construction of properly designed and located boardwalks not only do not cause erosion they actually prevent them.

14. The DEIS fails to address impacts on adjacent residents.

Response: OPRHP and the Town believe the DMP/DEIS addresses potential impacts on adjacent residences, including noise and visual impacts. Siting of park facilities as far away as possible from adjacent residences, preservation of existing vegetation and the use of vegetative screening and fencing would minimize potential noise and visual impacts. It is not possible to eliminate all noise and visual impacts.

15. The conditions at the 508 Mill Street portion of the park and reasons for its proposed sale are not described.

Response: Conditions at the 508 Mill Street portion of the park and the reason for its proposed sale were not described because they were not considered relevant to the proposed Master Plan and DEIS. The property is proposed for sale because it serves no critical function to the park in terms of park access, circulation or use.

16. The DEIS should describe where vegetative buffers and/or fencing exist between the Park and adjacent residences.

Response: Section II B3, of the FEIS acknowledges that adjacent residences are generally well screened from the Park by existing vegetation, various types of fencing and other natural conditions such as steep slopes.

17. Buffer between the park and the Holy Family Home is actually a berm. Clarify whether evergreens are to be planted west of the newly-installed fence at the Holy Family Home.

Response: The buffer between the Park and the Holy Family Home was planned as a berm with a fence. Additional vegetation, including deciduous and evergreen trees and shrubs, was also proposed along with the fence. Removing the segment of the north/south trail from this area in the Final Plan precludes the need for a berm and new planting.

18. Town of Amherst officials promised no vegetation would be removed adjacent to the Kannar/Weissman residence.

Response: Minimal if any vegetation would have had to been removed from this area if the north/south trail extended to the Northern area. However, the relocation of the trail in the Final Plan eliminates any concerns relating to this issue. Please see General Response.

19. Plan needs to acknowledge and address adverse impact on property value of the Kannar/Weissman residence.

Response: The presence of adjacent parkland generally would not have an adverse effect on property value. In fact, the adjacent open space, natural resources and recreational

opportunities would likely increase the value of most neighboring properties. For a variety of reasons the segment of the north/south trail in this area has been relocated and reconfigured. Please see General Response.

20. Segmentation issues associated with future use of the Mother House need to be addressed.

Response: The plan calls for coordination of planning between the two entities (the Park and the Mother House). However, segmentation does not apply in this instance as the park study area for the DEIS did not include the Mother House in the first instance.

3. LIST OF PERSONS PROVIDING SUBSTANTIVE COMMENTSa) WRITTEN STATEMENTS RECEIVED DURING COMMENT PERIOD
(April 24 through June 3, 2002)

Author	Organization
Board of Governors	The Park Country Club of Buffalo, Inc.
Calnan, Ellen J.	Local Resident
Collins, Robert J.	Local Resident
Cornbleth, Catherine	Local Resident
Jazwiecki, Leonard P.	Local Resident
Kannar, George	Local Resident
Koepsell, David R.	Local Resident
Piazza, Basil J.	Village of Williamsville, NY, Mayor for the Board
Reitan, Paul M.	Local Resident
Shannon, Ph.D., Margaret A.	Local Resident
Weissman, Ellen	Local Resident

b) HEARING TRANSCRIPT

List of Speakers with Comments

1. William Kindel
2. George Richmond
3. Ellen Callanan
4. Bruce Levine
5. Patrick MacDiarmid
6. Marti Precurato Grubb
7. James Burghduff
8. Mark Casper
9. Diane Stawicki
10. William Irr
11. Eileen Torre
12. Mary Carol Dearing
13. Joyce Troy
14. David Lotempio
15. Rosemarie Sugg
16. Ben Dwyer
17. Linda Breitbach
18. Bob Collins
19. Scott Hopkins
20. John Benz
21. Victor Paquet
22. Ellen Calnan
23. Peter Waran
24. Linda Weisser
25. Al Weissman
26. Mike Blumensen
27. MaryAnne Avery
28. Amy Renn
29. Wayne Kindel
30. Toby Klyn
31. Diane Letina
32. Tania Sodaro

IX. CITATIONS

Amherst, Town of. 1991 Zoning Ordinance.

Amherst, Town of. Planning Department. Estimated Capital Costs for Amherst State Park, 2003.

Braciscewski, Noreen. Secretary, Williamsville School District. Telephone conversation with Sam Jackson (EDR) on October 3, 2000.

Chatterton, Andrew. NYSDOT, Buffalo Region. Telephone conversation with Sam Jackson (EDR) on August 23, 2000.

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X. APPENDICES

Appendix A. Preliminary Listings of Issues, Impacts and Concerns

Appendix B. Final Scope: Amherst State Park Master plan/Draft Environmental Impact Statement

Appendix C. Cooperative Operations and Maintenance Agreement

Appendix D. Legal Description of Property.

Appendix E. Plant and Wildlife Species Lists.

Appendix F. Design Guidelines for New Construction at Historic Properties

Appendix G. Town of Amherst, November 15, 2002; Letter from Planning Department. County of Erie, January 23, 2003; Letter from Department of Public Works Division of Highways