

Co-operators *Southpointe* *Grand Island, N.Y.*

Southpointe A Planned Community

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TOWN CLERK
GRAND ISLAND, N. Y.

Grand Island, New York

Residential Townhouses
Commercial/Retail Business
Public Recreation

A project sponsored by
Co-operators Development Corporation Ltd.

I. Southpointe

A Planned Community

A mixed use development which provides for commercial and residential land uses to be integrated on a single site while preserving important wetland and environmental resources. The initial phase of the Project will provide a foodstore alternative for town residents. The Project will also provide socio-economic benefits and public recreational opportunities for the Town of Grand Island and the planned community.

Southpointe Project Elements

Three Project Phases 1995, 1997, 1999/2000+

- 175 Townhouse Units in a scenic setting
- Foodstore and Retail Center (100,000 GSF)
- Commercial Office (125,000 GSF)
- Commercial Retail (100,000 GSF)
- Research and Development (125,000 GSF)
- Open Space and Nature Areas (20 Acres)

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- Commercial Office Building (75,000 GSF)
- 50 Townhouse Units
- Public Recreational Amenities

III. The Southpointe Project Comparison

	Previous	Currently Proposed
Total Size	284 acres	105 acres
Single Family Residential Homes	170 homes	0 homes
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Total Commercial	1,150,000 GSF	450,000 GSF

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- Gas and electrical power are readily available to the site
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- Multi-use travelway
- Divided Boulevard with landscaped plantings
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- Landscaping and bermed buffer/screening between Southpointe project and adjacent land uses
- Replacement of one acre of New York State DEC wetland
- Transportation improvements including new traffic signal
- Avoidance of wetland impacts through roadway and project design
- Erosion and sediment control practices to be taken as needed

8. Fiscal Benefits

- Town Tax Contributor
- School District Tax Contributor
- A balanced community: Residential versus Commercial land uses
- Employment Opportunities
 - Temporary Jobs (250 to 600) per phase
 - Permanent Jobs (over 1,500)

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- Economic benefits (Jobs and tax base)
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- Environmentally sensitive project results in the preservation of wetlands
- New publicly accessible recreation
- Provision of new housing alternatives for community and future residents
- Provision of needed foodstore and other retail services
- Retail and other community services will reduce off-island commuting, resulting in a more self-sufficient island
- New traffic signal improves safety for vehicles on South Parkway
- Linkage of pedestrian trails/walkways and bicycle paths to overall recreational plan of the island.
- Exercise and educational stations on trail network.
- Planned Integrated Community benefits island residents.

V. Project Documents

1. Project Issues Addressed in Draft Environmental Impact Statement

- Community Services
- Employment
- Land Use
- Recreational Amenities
- Visual
- Noise
- Transportation
- Wetlands
- Wildlife
- Vegetation
- Air Quality
- Surface Geology
- Surface Water

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- Sheet 3 Schematic Site Plan
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- Sheet 9 Infrastructure Plan

**SEQR
FINDINGS STATEMENT**

Town of Grand Island Comprehensive Plan

August 1, 1994

Pursuant to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617.9, the Grand Island Town Board, as Lead Agency, makes the following findings.

Title of Action: Adoption of the Town of Grand Island Comprehensive Plan
Project Sponsor: Grand Island Town Board
2255 Baseline Road
Grand Island, New York 14072

**Contact Person for
Lead Agency:** Mr. James Sharpe, Councilman
Town of Grand Island
2255 Baseline Road
Grand Island, New York 14072
(716) 773-9600

Description of Action: The proposed action involves the adoption of the Grand Island Comprehensive Plan by the Town of Grand Island Town Board pursuant to Town Law (Section 272-a). The Comprehensive Plan is comprised of three components: land use, transportation and community facilities. The land use plan establishes land use policy and development patterns to provide residents with a variety of housing types; opportunities for employment and business; public facilities of all kinds; places for relaxation, recreation and enjoyment; and to preserve open space and rural character. The transportation component addresses recommended improvements to circulation patterns in order to properly serve the proposed land uses. The community facilities component addresses the potential future needs for community services including sewage disposal, water supply, emergency services, and education.

Location: Town of Grand Island, Erie County, New York.

Date Final EIS Filed: July 18, 1994

Agency Jurisdictions:

Adoption of the Comprehensive Plan involves preparation and filing of the DGEIS, the Final GEIS, a Findings Statement and, finally, a decision on plan adoption. Each of these tasks are the responsibility of the Town Board. No other approvals relative to plan adoption are required by any other local, county or state agency.

Additional actions will be necessary for full implementation of the Comprehensive Plan. The Town Board will take primary responsibility for each of the implementation recommendations and will delegate approval/review authority to other boards, as appropriate. The following list includes, but does not limit, those actions.

- Adopt Cluster Subdivision provisions
- Revise subdivision regulations
- Amend Town Sewer Ordinance
- Revise Grand Island Code
- Amend Zoning Ordinance provisions relating to Planned Unit Development Districts
- Develop Design Guidelines for Highway and Utility Corridors
- Prioritize redesign of intersections identified in Transportation Plan
- Create a Transportation Improvement District
- Develop Sidewalk and Trailway Design and Location Guidelines
- Develop specific Openspace Preservation Goals
- Prepare an Open Space Index and create a Conservation Advisory Board
- Revise the recreation fee schedule
- Prepare a detailed Town Center Plan
- Prepare Landscape Enhancement and Bikeway Plans
- Prepare a Neighborhood Improvement plan for Ferry Village

Copies of this Statement

Filed with:

- Commissioner, NYS Department of Environmental Conservation, 50 Wolf Road, Albany, NY 12233-0001.
- Regulatory Affairs, NYSDEC, 270 Michigan Avenue, Buffalo, New York 14203.
- Town Clerk, 2255 Baseline Road, Grand Island, New York 14072.
- Grand Island Memorial Library, 1715 Bedell Road, Grand Island, New York 14202.
- Grand Island Town Board, 2255 Baseline Road, Grand Island, New York 14072.

Facts and Conclusions in the DGEIS and FGEIS Relied Upon to Support the Decision:

Adoption of the Comprehensive Plan will have no direct impact on the physical environment of the Town of Grand Island. It will not result in approval of any development activity, either private or public. The purpose of the plan is to direct and guide growth that is occurring naturally in the town. In general, the plan will have a beneficial impact on the community over time through its recommendations for controlling density and preserving open space, and its provisions for a community focal point, transportation improvements, and additional community facilities to meet the needs of future residents.

As adopted public policy for the Town of Grand Island, any amendments to development regulations in the town will be drafted to meet the spirit of the Plan. Plan recommendations may be implemented through revisions to the town zoning code, subdivision regulations, and design guidelines. Furthermore, detailed plans will be prepared for development of the Town Center and Ferry Village. These revisions may impact land owners who planned to develop property in a manner contrary to the Plan recommendations or land owners in close proximity to proposed land uses that are contrary to their perception of compatible uses. The adoption of the Comprehensive Plan does not change existing land use regulations. That process can only be accomplished after considerable input from residents and landowners and only after compliance with the appropriate state and local laws.

Potential adverse and beneficial impacts can be identified based on potential character of land uses enabled under the proposed plan. These potential impacts include:

- Long term loss of natural vegetation and wildlife habitat due to conversion of vacant land to other uses;
- Increased traffic on roadways, intersections and bridges;
- Increased demand for community services including education, police and fire protection, recreation facilities, water supply, wastewater treatment, and solid waste disposal;
- Introduction of additional commercial and light industrial uses to balance the tax burden on residential properties while providing for daily shopping requirements and employment opportunities;
- Potential for an increase in town population (Demographic impacts will be beneficial over the current plan due to an overall reduction in density.); and
- Protection of visual resources, permanent open space and historic and archaeological sites through contemporary land use regulations and public/private partnerships.

The following measures will be employed to implement the plan and mitigate the potential adverse impacts cited above:

- 1) Maintain the overall reduction of development density along with a development pattern that encourages a rural atmosphere and community center in the town are the primary

mitigation measure for adverse community impacts cited above. Other mitigation measures include land use buffering/separation of incompatible uses, preservation of significant habitat and other important natural open space, recommended roadway improvements, and identification of significant aesthetic resources and recreation opportunities.

- 2) Revise the Comprehensive Plan to show an overlay of the revised Transportation Plan with the Land Use Plan.
- 3) Realign the conceptual residential road connectors shown on the Transportation Plan to have the least impact on designated wetlands/open space as part of the Plan implementation procedure. Evaluate the alignment of the Mid-Island Parkway during site plan review of specific site projects to determine the proper alignment of each segment to avoid/minimize impact to important environmental resources.
- 4) Revise the Comprehensive Plan to identify the six ecosystems, mapped by the NYS Department of Environmental Conservation (NYSDEC) and deemed important by the town. These include the Gun Creek, Woods Creek, Spicer Creek, Ferry Road - Beaver Island, Love Road, and Big Sixmile Creek ecosystems that are currently incorporated in open space designated on the Land Use Plan. *M.L. MARS*
- 5) Retain Comprehensive Plan provisions for the Mid-Island Parkway that will alleviate potential future traffic congestion on local roads, avoiding the need to widen existing roads, and helping to preserve the perception of rural character. Provisions for conceptual residential connectors will help to link future residential development to the existing road network in order to alleviate congestion on existing roads.
- 6) Retain Comprehensive Plan provisions that recognize existing undeveloped school sites and provide recommendations for new police and fire stations to support future potential populations in the town to mitigate potential impacts on community services associated with new residential development. Incorporation of the town Parks, Recreation, and Open Space Plan (Kotz and Associates 1992) will meet the recreation and open space needs of the current and future residential populations of the town. Water supply is sufficient for the town and not considered a problem to serve future development. Wastewater treatment capacity is addressed by limiting the geographic area programmed for central sewer service to the area currently within existing sewer districts and by limiting development density. These limitations are designed to control wastewater generation at buildout under the Plan's recommended land use pattern to the existing wastewater treatment capacity assuming some improvement to the conveyance system but no improvements to the sewage treatment plant.
- 7) Revise the implementation plan to include provision to create a Long Range Planning Committee. This committee will be responsible for preparing a yearly status report to the Town Board on plan implementation and management. The committee will also be

responsible for plan revisions. A town sector review and update will occur on a five year interval. This would involve focus on a particular area of the town that would benefit from plan revisions to better meet the needs of that sector. An update to the entire Comprehensive Plan will occur every 20 years. In this manner, the Town Board can monitor the success of the plan and institute changes as required by the community. The committee would be composed of representatives of town agencies/boards with responsibilities for managing or responding to community growth.

- 8) Authorize the Town Planning Board to mandate the use of Cluster Subdivision procedure as provided in State Law. In doing so, the Town Board has several options which include:
- providing the Planning Board with "blanket" authorization to mandate clustering at their own discretion and using their own criteria. In this option, the Planning Board should establish written criteria for its use of the procedure.
 - Town Board development of criteria that would define when the Planning Board could mandate clustering. The criteria could include situations when the proposed development involved land identified on the Land Use Plan as Open Space.
 - limit the Planning Board to using clustering on a case by case basis with the authorization of the Town Board. Under this scenario, the Planning Board would have to go to the Town Board with a request to mandate clustering with each subdivision application they receive.
- 9) In accordance with new statewide planning legislation, develop an incentive zoning system which provides density/floor area bonuses for developments which contribute to open space, recreation, affordable housing and other identified community goals. This incentive system must include clearly written provisions and procedures to avoid its use as a method for increasing densities without providing clear public benefit.
- 10) Revise subdivision regulations to reflect the concepts of the Comprehensive Plan. Cluster development provisions and regulations and site plan review procedures for attached residential units should be integrated into the subdivision regulations, along with procedures for SEQOR review. The regulations should be consistent with state law.
- 11) As an aid to the development community and to assist the Planning Board in conveying the idea of the character of development it will encourage, create a Development Guidelines Manual. This manual could be used by project designers to determine site planning and subdivision requirements prior to commencing the design process. Site plan reviews undertaken by the Planning Board would be based on development conformance with design guidelines. By using these guidelines, developers would save on design costs and would know the "rules of the game" that would be used by the town in evaluating and approving their project.

- 12) Amend the Town Sewer Ordinance to require the elimination of cross connections between sump pumps and sanitary sewers. Begin to address the legal requirements for consolidating individual sewer service areas.
- 13) Supplement design guidelines with a landscape ordinance that would specify landscape treatments within developments and along public thoroughfares. This landscape ordinance could be incorporated into needed modifications to the Town Zoning Ordinance.
- 14) Amend the following sections of the Town of Grand Island Code to bring the code into compliance with contemporary practice and current New York State enabling legislation and to ensure their enforceability:

Chapter	5	Architectural Review Advisory Board
	7	Building Construction and Fire Prevention
	8	Building Construction Administration
	14	Electrical
	15	Excavation, Topsoil Removal and Landfill
	20	Mobile Homes
	22	Appliance Disposal
	24	Salvage Yards
	24(d)	Land Subdivision
	25	Licensing (Electrical & Plumbing)
	25a	Waste Disposal
	27	Plumbing
	30	Restaurants
	36	Signs
	42	Tourist Homes, Auto Courts and Motels
	44	Swimming Pool Enclosures
	46	Use, Storage and Sale of used Materials
	49	Zoning

- 15) Consistent with amendments to Town Law (Section 272-a), which became effective in July of 1994, adopt the Comprehensive Plan as an official guide to managing growth, preserving open space and providing needed amenities/facilities. Adoption by the Town Board gives the plan greater status as policy for guiding the actions of all the agencies and groups within the town on issues related to resource management.
- 16) Consistent with the Plan, development amendments to Planned Unit Development District provisions within the zoning ordinance. This section should allow flexibility in uses and densities while providing for the preservation of large blocks of permanent open space and the development of needed recreation facilities. Further, the ordinance should provide a mechanism for determining, in advance of development approval, ownership and management responsibility for all common facilities or those that will be deeded to the

town.

- 17) Use the Town Engineering Department's data management system as the base for developing a Traffic Count Program for local roadways. Annual traffic count data from State and County agencies should be incorporated into this system. The system should be used to identify areas where daily or peak hour traffic is approaching highway design capacity. Further, this information should be used by the Planning Board during its site plan and subdivision review process, particularly during its discussions of traffic reduction and redirection issues. During the SEQRA review process for environmentally significant projects, this information should form the backbone of information used to identify potential problem areas and mitigating measures. As a means for effectively managing and using this information, consideration should be given to development of a Geographic Information System for the Engineering Department.
- 18) Develop explicit design guidelines for highway and utility corridors. These guidelines need to be coordinated with highway design, improvement and maintenance organizations.
- 19) Establish priorities for redesigning the intersections indicated on the Transportation Plan for redesign and realignment.
- 20) Explore the potential for creating a Transportation Improvement District for the area in the Town Center and along Grand Island Boulevard. Under such a district, transportation improvements needed to support the type of growth indicated in the Land Use Plan would be designed and their costs estimated. These costs would be assigned to undeveloped properties and required as a development fee at the time the parcel is developed. All funds would be designated for highway improvements within the district in accordance with the plan and could not be used for any other purpose.
- 21) Develop sidewalk guidelines for incorporation into site plan review. Existing sidewalk provisions should be evaluated and modified to meet plan recommendations. These guidelines should include provisions for locating and constructing sidewalks.
- 22) Create a not-for-profit Grand Island Land Trust. One of the main purposes of the trust would be to work with land owners to create ways of preserving open space and shaping community growth. This land trust could focus on creative preservation techniques such as conservation easements.
- 23) In cooperation with the New York State Department of Environmental Conservation, prepare a detailed vegetation and wildlife habitat survey that could be used by the Land Trust and by the Town in its on-going planning activities. These activities should include Comprehensive Plan review, subdivision design and site plan review.
- 24) In order to finance open space and recreation acquisitions and capital improvements at town recreation facilities, revise the schedule of "in lieu" payments for subdivision lots.

As an alternative, the town should consider a formula that takes the town's limit on recreation land set aside and the value of unimproved land into consideration. In this manner, the town will receive recreation fees which reflect the value/cost of land in the town.

- 25) As a method for encouraging open space preservation, develop preservation goals that can guide the actions of town agencies. These goals must be developed with significant input and public discussion by the Conservation Advisory Council.
- 26) Encourage the participation of not-for-profit conservation groups in its preservation efforts. Such groups could include the National Wildlife Federation, Ducks Unlimited, The Audubon Society and the Buffalo Ornithological Society. Such groups have the ability to manage open space resources that will benefit residents of the town, particularly those that value open space resources.
- 27) Using the inventory of physical and cultural resources for the town, prepared as Phase I of the Comprehensive Plan, prepare an Open Space Index in accordance with State Law. This index (*which should include the Open Space/Natural Habitat category on the plan map*) should be prepared by the Conservation Advisory Council and be submitted to the Town Board for its review, modification and approval after which the Council can be qualified as a Conservation Advisory Board. With this status the new Board will have the authority to review and recommend action on development proposals that involve lands designated on the index.
- 28) Prepare a conceptual Town Center Plan to illustrate the Town Center concept and prepare for development of land use regulation issues.
- 29) Prepare a landscape enhancement and bikeway alignment plan for West River Parkway from Beaver Island State Park to Buckhorn Island State Park.
- 30) The Planning Board's representative to the Long Range Planning Committee and Town Board should participate in the planning activities of regional agencies that have an impact on development and capital expenditures/allocations effecting Grand Island. Those agencies should include the Horizons Waterfront Commission and the Niagara Frontier Transportation Council. Working relationships with these agencies will enable the town to influence regional decisions as they effect the town and to ensure that regional resource allocation takes the needs of Grand Island into full consideration.
- 31) Develop detailed plan for the Ferry Village community. This should be accomplished by using available planning assistance and by appointing a resident committee that will provide citizen input.
- 32) Clearly define a role for the Conservation Advisory Council in the growth management process. Roles that have emerged as a result of their participation in the Comprehensive

Plan review process include: doing original research on the natural and cultural resources of the town, recommending resource management policy to other town agencies that deal with growth management issues, and managing town conservation and open space resources. This management responsibility would be clearly separated from the management responsibilities of the town Recreation Commission over active recreational facilities.

- 33) An Architectural Review Board has been established with its powers and duties created within the framework of the Town Zoning Ordinance. The Board should have the authority to review proposed structures within commercial, industrial and multifamily residential zones. One of its first orders of business should be to develop architectural guidelines for use by builders during the design process. These guidelines should also be referenced by the Review Board during its review of development projects.
- 34) Educate all town agencies in the opportunities for plan implementation provided by the New York State Environmental Quality Review Act (SEQRA). The primary purpose of that legislation is to provide for the balancing of environmental issues with economic and social concerns. The law provides for a process where adverse impacts of an action are assessed and where measures to mitigate those impacts can be identified. It is through this process that town officials can identify provisions to be incorporated into their decisions that not only mitigate adverse impacts but also implement the recommendations of the Comprehensive Plan. Plan provisions that are amenable to this implementation approach include the preservation of open space, management of critical natural and wildlife resources, improvement of impacted transportation resources and provision of affordable housing options.
- 35) Provide local boards with professional planning assistance in carrying out various tasks assigned to them for the implementation of the Comprehensive Plan.
- 36) Educate The Grand Island School District on the provisions of the Comprehensive Plan by the Planning Board. A coordination mechanism should be established for ongoing planning.
- 37) Eliminate the Proposed Recreation Area shown along East River Road south of the intersection of Ransom Road. This area has been approved for residential development.
- 38) Designate the Proposed Town Recreation Area at the south west corner of Buckborn State Park for passive recreation without a marina service component.

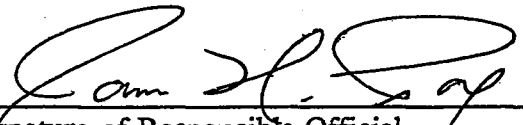
CERTIFICATION OF FINDINGS TO APPROVE

Having considered the Draft GEIS, the Final GEIS, and the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met;
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable; including the effects disclosed in the environmental impact statement, and
3. Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable in the Draft and Final GEIS and the additional mitigation and review required in this findings statement.

Town of Grand Island Town Board

Name of Lead Agency



Signature of Responsible Official

James H. Pax

Name of Responsible Official

Supervisor

Title of Responsible Official

August 1, 1994

Date

2255 Baseline Road Grand Island, NY 14072

Address of Lead Agency

Attachment 3

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