

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, Region 9  
270 Michigan Avenue, Buffalo, NY 14203-2915  
P: (716) 851-7010 | F: (716) 851-7005  
[www.dec.ny.gov](http://www.dec.ny.gov)

March 10, 2021

Joe Rubino  
Howard Hanna Office  
4562 Sheridan Drive  
Williamsville, New York 14221

Dear Joe Rubino:

**Wetland CC-15  
Boundary Delineation  
1789 Dodge Road  
Town of Amherst, Erie County**

This letter serves as notification that I completed an office review of your property at 1789 Dodge Road, parcel #42.00-1-45.2, to determine whether wetlands present within and adjacent to the parcel meet New York State Department of Environmental Conservation (NYSDEC) criteria for state wetlands jurisdiction.

Based on our review, we verified the boundary, delineated by Earth Dimensions, Inc. (EDI), of Wetland CC-15, denoted as "Wetland 1" by EDI. The wetland boundary is identified with pink plastic flagging consecutively numbered from W1-1 through W1-7 and extends generally south to north across the eastern property boundary, as depicted in Figure 6 in EDI's December 2020 Wetland and Waterbodies Delineation Report.

In 1975, the New York State Legislature passed the Freshwater Wetlands Act to preserve and protect wetlands and their functions, such as flood protection and fish and wildlife habitat. Activities that may have a negative impact on the wetlands and their functions, such as construction, filling, draining, clearing vegetation, or polluting, are regulated. Landowners must first obtain permits in order to ensure that no problems result from their proposed activities in the wetland or the regulated 100-foot adjacent area. Contact our Division of Environmental Permits Office for information regarding permit requirements at:

New York State Department of Environmental Conservation  
Division of Environmental Permits  
270 Michigan Avenue  
Buffalo, New York 14203-2915  
Telephone: (716) 851-7165

Mr. Joe Rubino  
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Locations of wetland flags were recorded with a hand-held Global Positioning System and, therefore, may not be survey-accurate. For precise locations of the boundaries, have the flags surveyed relative to the property boundary. Note that wetland boundaries may change over time and this map does not fix the wetland boundary indefinitely.

If you would like to document the precise boundary of the wetland relative to your property boundary, it is your responsibility to have the wetland boundary surveyed. If you choose to complete a survey, the wetland boundary survey map should be submitted to me for verification. A copy of this Department's Requirements for Wetland Survey and Mapping is enclosed. Please note that a surveyed wetland boundary that has been verified by this Department will be considered valid for **five** years.

Please note that, for the purpose of an Article 24 application, this Department will not require a surveyed wetland boundary map. Instead, you may submit a sketch of the planned work areas on the wetland delineation map and indicate distances between the work areas and the wetland boundary using on-the-ground measurements.

Be advised that the U.S. Army Corps of Engineers may also have wetland jurisdiction irrespective of the Department of Environmental Conservation. For more information, you may contact the Corps at:

United States Army Corps of Engineers Regulatory Branch  
1776 Niagara Street  
Buffalo, New York 14207  
Telephone: (716) 879-4330

If you have any questions about this wetland delineation, please feel free to call me in the Buffalo office at (716) 851-7010.

Sincerely,



Angela G. Driscoll  
Wetlands & Waters Ecologist  
Region 9 - Buffalo

AGD:ef

Attach: Survey Requirements  
Wetland Information Handout

cc: Ms. Jody Celeste, Earth Dimensions, Inc.  
Wetland CC-15 file

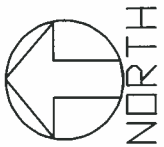
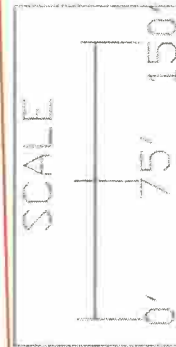
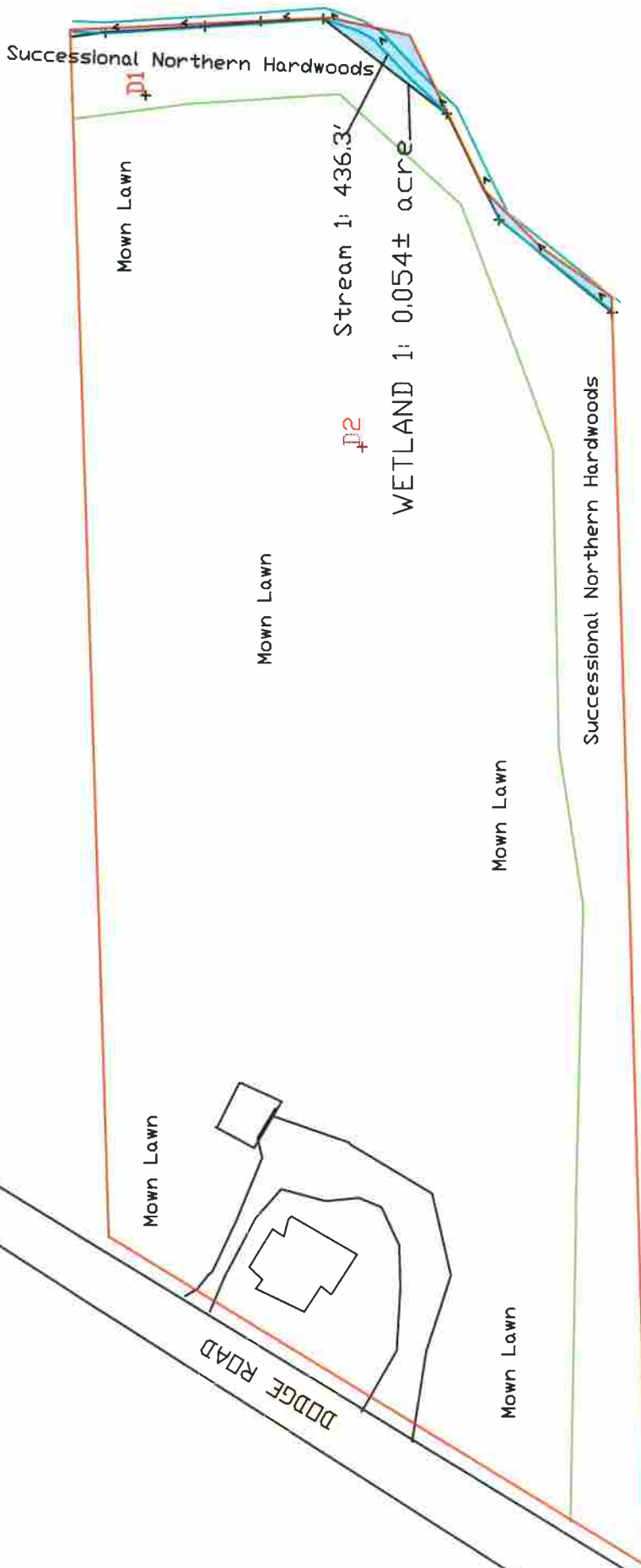


Figure 5: General Vegetation Map  
1789 Dodge Road  
Town of Amherst  
Erie County, New York



### LEGEND

- Wetland Area
- Stream
- Data Point Location
- Investigation Area

Scale: as shown
Map Date: December 21, 2020 JMC/EDI Revised:
Base Map Provided By: GPS Mapping
File Name: VEG MAP.DWG EDI Project Code: W20J20a

