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March 17, 2017

Eric W. Gillert, AICP, Planning Director  
Town of Amherst Planning Department  
5583 Main Street  
Williamsville, NY 14221

Re: Stormwater Management Design Comment Letter  
Project Name: Westwood Neighborhood  
Project Site: 772 North Forest Road, 375, 385 & 391 Maple Road  
Applicant/Project Sponsor: Mensch Capital Partners, LLC

File: O76.001.002

Dear Mr. Gillert:

In response to the written comments contained in the Memorandum issued by the Engineering Department dated January 19, 2017, we have prepared this letter to respond to Comment No 5. A copy of Comment No. 5 is reproduced below followed by our response. This letter has also been prepared to respond to comments made by a member of the Planning Board during the previous public hearings regarding the proposed filling of a portion of a 100-year floodplain associated with Ellicott Creek on the eastern portion of the Project Site. The comment pertained to ensuring that no filling in the 100-year floodplain would result in downstream flooding impacts.

***Comment:*** *Although there is recognition by the applicant to find a solution such that stormwater does not need to be pumped, the Town of Amherst will not accept the responsibility for the ownership, operation and maintenance of a stormwater pump station. As defined in the prior reviews, please note that this arrangement would also dictate other infrastructure ownership and maintenance responsibilities as no public stormwater can be tributary to a private pump station.*

**Response:** The Project Sponsor and our company acknowledge the fact that the Town of Amherst will not accept the responsibility for the ownership, operation and maintenance of a stormwater pump station and also that stormwater runoff from publicly owned infrastructure cannot be tributary to a privately owned and maintained pump station. Our review of the available topographic information and the updated Conceptual Master Plan indicates that it will be feasible from a technical perspective to drain the three smaller ponds on the northern portion of the Project Site to Ellicott Creek via gravity and separately from the discharge from the proposed large lake. Once detailed topographic survey and design plans with finish elevations are determined in connection with the preparation of fully engineered plans that are required to accompany Site Plan and Subdivision Applications, the exact routing, slope and location of the discharge pipe will be determined.

This letter confirms that our company has determined a privately owned and maintained pump station will not be required to provide drainage for publicly owned infrastructure to be installed in connection with the development of the Project Site.

We also recognize that we will need to prepare a Stormwater Management Plan, Stormwater Pollution Prevention Plan ("SWPPP") and a revised Engineer's Report for the project as part of the Site Plan and Subdivision review processes for the components of the proposed mixed use redevelopment project as depicted on the updated Conceptual Master Plan.

**Required Technical Review and Approvals for Filling in 100 Year Floodplain:**

Finally, as noted in Section 5 of the Draft Generic Environmental Impact Statement that was accepted as adequate for public review by the Town Board in December 2015, the development of the Project Site in manner consistent with the Conceptual Master Plan envisions the placement of fill within a portion of the regulated 100-year floodplain of Ellicott Creek located on the Project Site. The Project has been planned and will be designed to avoid adverse impacts to the Ellicott Creek flood storage capacity. A Floodplain Development Permit, which requires performance of a hydraulic evaluation, will need to be obtained from the Town of Amherst's Floodplain Administrator ("FPA"). The final sizing of open water storage and hydraulic structures will be performed as part of the Floodplain Evaluation Report to be prepared by a licensed engineering firm for review by both FEMA and the FPA.

The stringent technical review process requiring approvals by both FEMA and the FPA ensures that the development of a portion of the Project Site in the 100-year floodplain will not result in adverse flooding impacts. In the unlikely event that FEMA determines that the required detailed technical analysis is insufficient to satisfy its stringent standards, the project layout would need to be adjusted to decrease the scope of the mixed use neighborhood. There is not any circumstance in which FEMA and the FPA will issue the required approvals for filling in the 100-year floodplain if such filling would result in downstream flooding impacts.

Please feel free to call if you have any questions.

Sincerely,

C&S Engineers, Inc.



Victor O'Brien, P.E.  
Department Manager

cc: Jeffrey S. Burroughs, P.E., Town Engineer  
Ellen Kost, AICP, Associate Planner  
Matthew Roland, AICP, Director of Development & Planning, Hamister Group, LLC  
Sean W. Hopkins, Hopkins Sorgi & Romanowski PLLC