



Village of Williamsville Local Waterfront Revitalization Program

Draft

Adopted:

Village of Williamsville Village Board of Trustees,, 2022

Approved:

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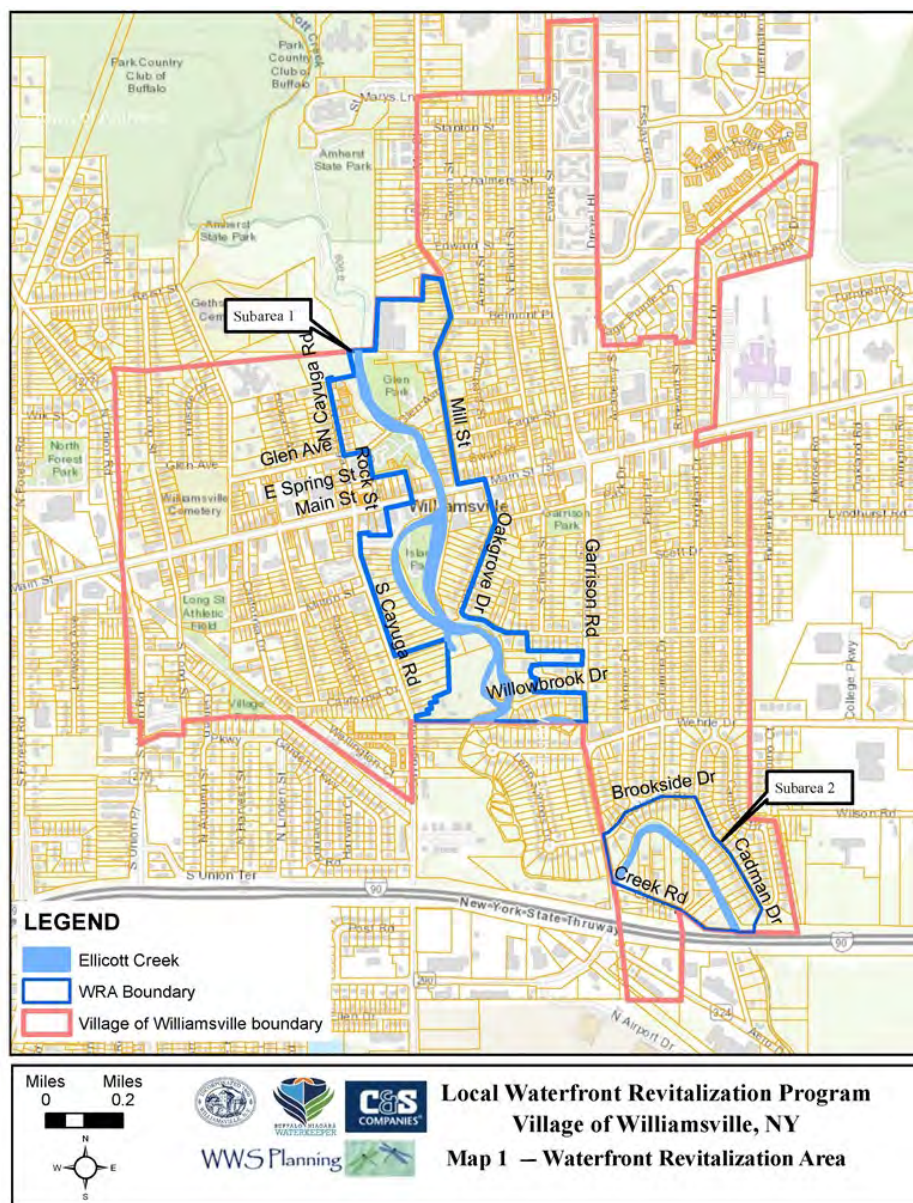
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SECTION I - VILLAGE OF WILLIAMSVILLE WATERFRONT REVITALIZATION AREA BOUNDARY

The Village of Williamsville Waterfront Revitalization Area (WRA), as illustrated on [Map 1 - Waterfront Revitalization Area](#), encompasses the portion of the Ellicott Creek corridor that lies within the municipal boundaries of the Village. Ellicott Creek is a designated inland waterway that flows to Tonawanda Creek and ultimately, the Niagara River.



The Williamsville WRA boundary encompasses public and private lands along Ellicott Creek, including wooded undeveloped areas, public parkland and private properties that are primarily used for residential purposes, a small number of commercial properties, and the portions of Ellicott Creek within the village boundaries. The WRA also includes significant portions of the creek's regulatory floodway¹ illustrated in FIRM 36029C0228H. More details about the community's natural features and facilities that determined the shape of the Williamsville WRA are described in Section II of the LWRP and labeled on [Map 3-Community Features](#) and [Map 7-Public Lands and Community Facilities](#).

The Harbor Management Area (HMA) of the Williamsville WRA encompasses the portions of the Ellicott Creek within the village boundary. The existing hydrological and geological characteristics of the segments of Ellicott Creek within the Williamsville WRA limit the range of water-dependent activities and public access to the creek. The locations of water-dependent activities are indicated on [Map 5-Surface Water Uses](#).

Because the path of Ellicott Creek and the shape of the village's municipal area, the Williamsville WRA is divided into two distinct subareas, as visible in all the maps included in the LWRP. The narrative below describes the boundaries of each subarea of the Village of Williamsville WRA.

Subarea 1 of the Williamsville WRA

The boundary for Subarea 1 of the Village of Williamsville WRA begins at a point where the northern municipal boundary of the Village of Williamsville with the Town of Amherst intersects with the western right-of-way of Mill Street. Then, the boundary for Subarea 1

- I. turns in a southerly direction and continues for approximately 2,125 feet along the western right-of-way of Mill Street, past the intersection with Belmont Place, to the intersection with the northern right-of-way boundary of Main Street (NYS Route 5), where it turns northeasterly and continues for approximately 750 feet; then,
- II. turns south to cross Main Street to align and connect with the western right-of-way boundary of Oakgrove Drive, where it turns southerly; then,
- III. follows the western right-of-way boundary of Oakgrove Drive to the intersection with Park Drive, where it turns southwesterly; then,
- IV. proceeds along the western right-of-way boundary of Oakgrove Drive for approximately 985 feet before it turns southeasterly; then,
- V. continues southeasterly past the intersection of western right-of-way boundary for Oakgrove Drive with Pine Acres Court, to a point located approximately 584 feet before the intersection of Oakgrove Drive with South Ellicott Street, where it turns south along the eastern boundary of tax parcel SBL No. 81.05-4-2; then,



Figure 1: Subarea 1 of the Williamsville WRA

¹ A regulatory floodway is defined as the watercourse channel and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than 1-foot over the 1% annual chance flood hazard water surface elevation, referred to as the Base Flood Elevation.

- VI. heads south along the eastern boundary for tax parcel SBL No. 81.05-4-2, for approximately 140 feet, to the intersection with the northern boundary of the adjoining tax parcel SBL No. 81.05-4-11.1, where it turns easterly; then,
- VII. continues easterly along the northern boundary of tax parcel SBL No. 81.05-4-11.1, approximately 140 feet south of the western right-of-way boundary of Oakgrove Drive, to the intersection with the western right-of-way boundary for Garrison Road, where it turns south; then,
- VIII. continues south for approximately 140 feet along the western right-of-way for Garrison Road, to the intersection with the southern boundary of tax parcel SBL No. 81.05-4-11.1, where it turns west; then,
- IX. continues for approximately 413 feet along the southern boundary of tax parcel SBL No. 81.05-4-11.1 to a point of intersection with eastern boundary of tax parcel SBL No. 81.05-4-11.21; then,
- X. follows the southern boundary of tax parcel SBL No. 81.05-4-11.21 to the point of intersection with the eastern boundary of tax parcel SBL No. 81.05-4-11.221, where it turns south; then,
- XI. continues south for 11 feet to the point of intersection with the northern right-of-way boundary for Castle Creek Road; then,
- XII. follows the same right-of-way boundary for Castle Creek Road to a point of intersection with the eastern boundary of tax parcel SBL No. 81.05-4-33, where it turns south; then,
- XIII. continues for 143 feet along the eastern boundary of tax parcel SBL No. 81.05-4-33 and continues in the same direction for another 37 feet, to a point of intersection with the northern right-of-way of Willowbrook Drive, where it turns east; then,
- XIV. continues east for approximately 462 feet along the northern right-of-way boundary for Willowbrook Drive to the intersection with the western right-of-way boundary for Garrison Road; then,
- XV. turns south following the western right-of-way boundary for Garrison Road for approximately 277 feet to the intersection with the southern boundary between the Village of Williamsville and the Town of Amherst, where it heads west; then,
- XVI. follows the municipal boundary between the Village of Williamsville and the Town of Amherst for approximately 1,663 feet to the intersection with the western boundary of tax parcel SBL No. 81.05-1-12.1; then,
- XVII. turns north, east, north, east, north, east, north, east, and then north for approximately 1,665 feet along the western and northern boundaries of tax parcel SBL No. 81.05-1-12.1, to the intersection with the south boundary of the adjoining tax parcel SBL No. 81.05-1-22; then,
- XVIII. continues northerly along the western boundary of tax parcel SBL No. 81.05-1-22 to the intersection with the southern boundary of tax parcel SBL No. 81.05-1-20, where it turns southwesterly; then,
- XIX. continues along the southern boundary of tax parcel SBL No. 81.05-1-20 to a point of intersection with the eastern right-of-way boundary for South Cayuga Road, where it turns northwesterly; then,
- XX. following the eastern right-of-way for South Cayuga Road to the intersection with Main Street, where it turns northeasterly; then,
- XXI. following the eastern right-of-way for North Cayuga Road to the intersection with the southern boundary of tax parcel SBL No. 68.20-3-1.12 (including the Town of Amherst municipal parking lot); then,

- XXII. turns east, north, and east again following the boundary for the Town of Amherst property (tax parcel SBL No. 68.20-3-1.12) to the intersection with the western boundary of tax parcel SBL No. 81.05-1-3.2 (village owned parcel), where it turns northeasterly; then
- XXIII. continues along the western boundary of tax parcel SBL No. 81.05-1-3.2 (village owned parcel) to the intersection with the eastern right-of-way for Main St; then,
- XXIV. continues along the eastern right-of-way for Main St to the intersection with an imaginary extension of East Spring Street; then,
- XXV. turns north, crossing Main Street to follow the eastern right-of-way and then northern right-of-way boundary for East Spring Street to the intersection with the eastern right-of-way boundary for Rock Street; then,
- XXVI. heads north along the eastern right-of-way boundary for Rock Street to the intersection with the northern right-of-way boundary for Glen Avenue; then,
- XXVII. turns westerly following the northern right-of-way boundary for Glen Avenue for approximately 250 feet to the intersection with the eastern right-of-way boundary for North Cayuga Road; then,
- XXVIII. turns northerly following the eastern right-of-way boundary for North Cayuga Road to its terminus and intersection with the southern boundary for Amherst State Park; then,
- XXIX. turns east and north following the boundary for Amherst State Park to the intersection with the municipal boundary between the Village of Williamsville and the Town of Amherst; then,
- XXX. turns east, north, and east again along the municipal boundary between the Village of Williamsville and the Town of Amherst to the point of beginning.

Subarea 2 of the Williamsville WRA

The boundary for Subarea 2 of the Village of Williamsville WRA begins at a point where the southern municipal boundary of the Village of Williamsville with the Town of Amherst intersects with the northern boundary for the Town of Cheektowaga. Then, the boundary for Subarea 2

- I. proceeds generally west along the municipal boundary to the intersection with the northern right-of-way of Creek Road; then
- II. heads northwesterly, following the northern right-of-way boundary of Creek Road to the intersection with the eastern right-of-way boundary for Wehrle Drive; then,
- III. turns northerly following the eastern right-of-way boundary for Wehrle Drive to the intersection with the southern right-of-way boundary for Brookside Drive; then,
- IV. turns northeasterly, following the southern right-of-way boundary for Brookside Drive to the intersection with the western right-of-way boundary for Cadman Drive; then,
- V. continues along the western right-of-way boundary for Cadman Drive, for approximately 700 feet, to the intersection with the southeastern property line of tax parcel SBL No. 81.14-2-23; then,
- VI. following along the southeastern property line of tax parcel SBL No. 81.14-2-23 for approximately 175 feet, and continuing along this trajectory for approximately 105 feet across right-of-way lands owned by New York State Thruway Authority, to the intersection of the village boundary; then,
- VII. continues for approximately 100 feet to the point of the beginning.



Figure 2: Subarea 2 of Williamsville WRA

SECTION II - INVENTORY AND ANALYSIS OF EXISTING CONDITIONS

This section includes the inventory and analysis of current conditions within the Village of Williamsville Waterfront Revitalization Area (WRA). It describes existing natural and built resources and conditions, presents the recommendation of existing local and regional plans that relate to the WRA, and identifies potential local actions that build on existing opportunities or address identified issues.

Ellicott Creek is a significant natural asset in the Village of Williamsville, offering excellent opportunities for recreation and scenic viewing in the community. The waterfront area in the vicinity of Glen Falls, in the Village Center, provided the location for early settlement in the area, and numerous remnants of the past remain as a testament to the community's heritage. The Village's vision for the waterfront is to protect, preserve and improve Ellicott Creek resources and surrounding land uses to enhance public access to the waterfront, environmental sustainability, and community character.

2.1 SUMMARY OF ISSUES AND OPPORTUNITIES IN THE WILLIAMSVILLE WRA

Although the Village of Williamsville is a densely developed urban area, the waterfront possesses a quaint, rural character with a mix of uses dominated by residential development and public parkland along Ellicott Creek. Ellicott Creek is a significant natural element in the community and functions as a significant recreational and scenic resource for the Village. The waterfront area of the Village was the center for early settlement that laid the foundation for the development of the community. Several structures with historic and architectural significance exist within the WRA that are important remnants of the past. In particular, Glen Park and the area around Glen Falls is the location where the first mill was built by Jonas Williams on Ellicott Creek, establishing the early settlement that ultimately became the Village of Williamsville.

Water dependent uses, include fishing, kayaking, wading, and swimming, are common in the Ellicott Creek waters north of Glen Avenue, and the dam at Island Park. This dam is utilized to control water flow in the creek and plays a role in flooding and erosion in the area. Water enhanced uses in the waterfront revitalization area include public parks and restaurants, which are important elements supporting local tourism activity.

Public Access to Ellicott Creek is available from Island Park, Glen Park, and the small section of Amherst State Park that extends into the northern portion of the Williamsville WRA. Access is also available along the southern right-of-way of Oakgrove Drive, even though vehicular parking is limited. Walking paths are available in the public parks. A nature trail extends along Ellicott Creek, below Glen Falls and north of Glen Avenue. There are no multi-use trails in the WRA.

Almost the entire Subarea 1 and most of Subarea 2 of the WRA are served by public water supply and sanitary sewer service. Dream Island in Subarea 1 and the southern extreme of Subarea 2 lack sanitary sewer service. Within the WRA, Ellicott Creek is the ultimate destination for stormwater runoff, which affects the creek's water quality. Main Street, which bisects the WRA, is the primary thoroughfare in the Village and a significant source of traffic flow that tends to obstruct pedestrian movement between the parkland amenities in the WRA.

These findings and further analysis of the inventory of existing conditions generated the following listings of *assets and opportunities* and *issues and concerns* that were identified in the waterfront revitalization area (WRA). Issues and opportunities are the elements that the Village of Williamsville will capitalize on to ensure continued public use and enjoyment of the Ellicott Creek waterfront and protection and enhancement of the important natural and man-made resources in the WRA. Issues and concerns are the elements that will be addressed to improve the use and protection of waterfront resources and ensure long-term sustainability of the waterfront area.

Assets and Opportunities

- ◆ Preservation of historic resources and community character has helped to maintain the quality of life in the Village center and along the Ellicott Creek waterfront, attracting visitors and enhancing public enjoyment.
- ◆ Ellicott Creek provides opportunities for passive recreation, including shoreline fishing, kayaking, wading, and swimming, walking/hiking, and birdwatching.
- ◆ There are numerous locations along the Ellicott Creek corridor for public enjoyment of scenic views that will be protected and, where appropriate, enhanced.
- ◆ The Village of Williamsville WRA benefits from the presence of three public parks that provide access to Ellicott Creek.
- ◆ The Ellicott Creek corridor provides habitat for a variety of wildlife, particularly migrating birds, enhancing public use and enjoyment of the WRA.
- ◆ The potential exists to create a pollinator corridor along the creek (e.g., along Village-owned shoreline, east of Island Park, and private residential properties along the shoreline) to enhance habitat quality and quantity.
- ◆ Efforts to continue fish stocking in Ellicott Creek will maintain and enhance recreational fishing opportunities in the WRA.
- ◆ Maintain, improve, and expand trails along the creek to ensure and enhance shoreline fishing and accessibility.

Issues and Concerns

- ◆ Ellicott Creek is a significant natural and recreational resource that provides benefit to the public. This creek is impacted by sediments and contaminants, such as pesticides and fertilizers, and non-point source pollutants carried in stormwater runoff that affect its water quality.
- ◆ The Village benefits from the existence of three public parks along the creek corridor, improvements could be made to the two Village owned parks to enhance public use and enjoyment.
- ◆ There are no docks or piers for shoreline fishing or launching paddle craft in the WRA. These features could increase recreational use of Island Park, where a dock for fishing and kayak launching is proposed to enhance public use and enjoyment of the park and creek waters.

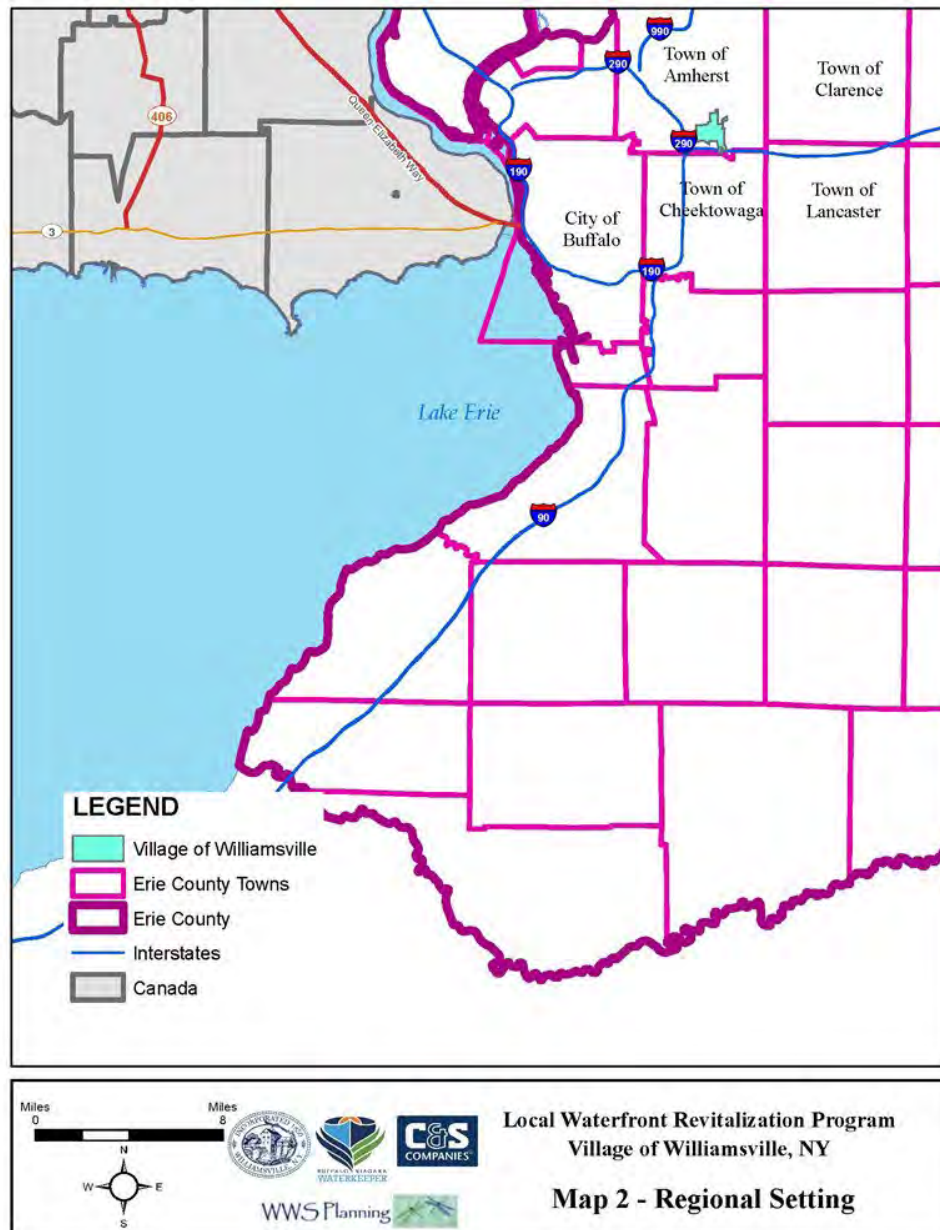
- ◆ There is no direct connection between Island Park and Glen Park; pedestrians must currently cross Main Street, which is a busy roadway. Improved connections between these parks, including wayfinding elements, as well as an enhanced connection to Amherst State Park, are needed.
- ◆ There is no safe place for bicyclists on Main Street without biking on the sidewalk. The streetscape improvements, which include bulb-outs and the on-street parking, makes biking along this street hazardous. Additionally, no other streets in the WRA have bike lanes or widened shoulders to safely accommodate bicycle movement throughout the WRA and Village at large.
- ◆ Except for the bridge entrance to Island Park, there are no other locations for pedestrians to safely cross Ellicott Creek to gain access to this park. There is a need for a multi-use connection from the east.
- ◆ Shoreline erosion along Ellicott Creek is evident, particularly along the eastern shoreline of Island Park, where vegetation struggles to take hold due to the impacts of recurrent flooding.
- ◆ Flooding of residential properties upstream of Island Park is an ongoing problem, particularly during periods of snowmelt and spring rains. Installation of the current flood gate system can exacerbate this problem.
- ◆ The Island Park dam structure and the associated weirs, which were constructed on Ellicott Creek in the 1930's, are deteriorated and require rehabilitation to improve their operational effectiveness and address flooding and erosion problems, as well as riparian rights issues.
- ◆ There are Village-wide inflow and infiltration (I&I) issues that impact local water quality in Ellicott Creek. Addressing inflow and infiltration problems will enable the Village to consolidate their sanitary sewer system with the Town of Amherst system.
- ◆ Point and non-point source contaminants and sediments are carried into Ellicott Creek and the ponds in Glen Park through stormwater runoff, which is adversely affecting water quality.
- ◆ A large extent of the waterfront lands in the Village are in private ownership and lack sufficient green and living infrastructure to properly manage stormwater runoff.
- ◆ Stormwater runoff from the municipal parking lot located north of Main Street, behind Town and Village Halls, is discharged directly to Ellicott Creek at Island Park. Measures are required to improve water quality in the creek. This parking lot could benefit from green infrastructure.
- ◆ The private historic stone walls that provide support for upland residential and commercial properties along the creekbanks above Glen Falls are deteriorating, with some areas along the east side of the creek significantly impaired. Failure of these structures could result in significant damage to shoreline structures and property.
- ◆ While the Village benefits from the preservation of historic structures in the WRA, interpretive features would enable residents and visitors to the WRA to recognize the history of the WRA and importance of remaining structures.

2.2 REGIONAL SETTING

The Village of Williamsville was incorporated in 1850. Most of Williamsville is located within the town of Amherst. However, a very small portion in the southern part of the village, near the Wehrle Drive underpass of the New York State Thruway, is in the town of Cheektowaga. [Map 2 – Regional Setting](#) illustrates the location of the village within the Town of Amherst, Town of Cheektowaga, and Erie County. The pattern of development within the village and its public parks, together with the municipal buildings

of the village and Town of Amherst, make Williamsville a populated village that preserves its original quaint rural character, which also functions as the center of the Town of Amherst.

Ellicott Creek crosses the village on its way from its headwaters in the Town of Darien in Genesee County to the east, to its outlet at Tonawanda Creek to the west, which ultimately flows to the Niagara River in the Town of Tonawanda. The village is also the location where the waters of Ellicott Creek fall over the Onondaga Escarpment, forming an impressive waterfall that attracted millers at the beginning of the 19th century. The creek corridor extends through the Village, into the Town of Amherst, and then back into the Village, creating two distinct subareas of the Williamsville WRA, as shown on [Map 1 – Waterfront Revitalization Area](#). Most of the Village’s WRA is dominated by well-established residential uses and public parkland.



Subarea 1 of the Williamsville WRA

Subarea 1 of the WRA includes the portion of Ellicott Creek that extends between the northern and southern municipal boundary between the Village of Williamsville and Town of Amherst. Subarea 1 includes a mix of public parkland that is enhanced by the presence of Ellicott Creek, commercial properties in the vicinity of Main Street and residential land uses, many of which border along the creek. Ellicott Creek flows over the Onondaga Escarpment just north of Main Street, which creates the Glen Falls. This waterfall has a long history of use for mills and is a locally significant scenic resource.

Subarea 2 of the Williamsville WRA

Subarea 2 of the WRA is located along the small segment of the Ellicott Creek that crosses the southernmost portion of the Village of Williamsville at its boundary with the Town of Cheektowaga. This area is comprised of residential properties that border along Ellicott Creek.

2.3 HISTORIC CONTEXT AND COMMUNITY CHARACTERISTICS AND FEATURES

Well established Native American footpaths were the foundational elements that led to the settlement and development of the Village of Williamsville. The Great Iroquois Trail, which extended from the Genesee River to the Buffalo River was the foundation for the Main Street that exists today. A second trail along Ellicott Creek provided access to that local waterway. Surveyed by Joseph Ellicott in 1798, he used the Great Trail to create the Buffalo Road, which connected Buffalo to the Holland Land Company office in Batavia, to the east. Early settlement in the Village arose because of the trail access and the creek. A collection of early industrial buildings was erected to form the center of the Williams Mills settlement. Known today as Williamsville, some of the structures that were built in the 19th century still exist today, over 200 years later. The large extent of natural resources, such as forests and stone, provided materials for buildings and the waters of the quick moving creek provided power to mills and industry. The fertile soil gave way to agriculture. These ingredients enabled Jonas Williams and others to create a prosperous village and local economy that has transitioned over the years through technological and transportation improvements.

Through much of the 19th century, Williamsville could be characterized as a multi-use community, where most basic daily needs of residents were provided for. Within the limits of the Village, residents could purchase food, clothing, and other goods, attend school, work, and worship in several churches. However, the 20th century saw the transformation of land use in Williamsville as the connection to the thriving and easily accessible City of Buffalo grew stronger. Unprecedented population growth in the 1950s and 1960s helped transition Williamsville from a self-contained, self-sufficient municipality into a largely residential community surrounding a central business district. Commercial and industrial development along the shoreline of Ellicott Creek has given way to residential housing and public parkland.

Aside from the historic Williamsville Water Mill, the many mills, other businesses, and houses along Main Street were demolished and replaced with the commercial businesses and shops and multi-family residential structures that exist today. Additionally, the widening of Main Street dramatically transformed the character of the Village and context of the 19th century commercial buildings. A portion of Main Street in the WRA has been redeveloped as a civic center, hosting the Williamsville Village Hall, Amherst Town Hall, a public library, and local fire station. However, many of the historic structures along Main Street, Spring Street, and other roadways in the vicinity of Ellicott Creek and the WRA exist today as a testament to the enduring legacy of the past. Today, Main Street and the Village of Williamsville reflect the many

changes and trends that shaped the area. The early rural character of the community has been lost to rapid growth and traffic congestion, but the Village has focused on meeting the challenge of balancing new commercial growth with the preservation of its historic and architectural resources and its high quality of life. The existing combination of commercial uses, historic architecture, natural resources, and public spaces in the vicinity of Main Street, and the quaintness of the residential development along Ellicott Creek makes the Village of Williamsville WRA a place worthy of protection and well-planned revitalization.



The areas around Ellicott Creek that once supported mills and industry have been transformed into community parkland. Glen Park, Island Park, and Amherst State Park, labeled on Map 3 – Community Features, offer extensive opportunities for passive recreation and scenic viewing along the creek. Glen Falls and the historic Williamsville Mill attract a high volume of residents and visitors who frequent Glen Park and the other parks, as well as the restaurants and businesses on Main and Spring Streets, throughout the year.

2.4 OVERVIEW OF WATERFRONT RESOURCE PLANNING EFFORTS

Completed regional and local plans are available to guide land use, economic development, transportation and other infrastructure improvements, and other activities in the Village of Williamsville. These plans offer general guidance and planning strategies to improve conditions and quality of life in the Village and support the development of the Williamsville LWRP.

Framework for Regional Growth for Erie and Niagara Counties

The Framework for Regional Growth for Erie and Niagara Counties, New York is the regional planning document. The Framework was finalized in October of 2006 and establishes basic policies and principles to guide the future growth and development of the region. Specifically, the Framework provides:

- ◆ A vision for how the region should grow over the next 15 years.
- ◆ Direction regarding growth and redevelopment matters for County decision makers and other regional organizations that are linked to the two counties by way of funding, membership, or other relationships.
- ◆ Information on the ways local governments, private sector and non-profit actions and initiatives can reinforce the overall regional vision.
- ◆ Mechanisms to ensure that the goals, concepts, and recommendations of the Framework for Regional Growth are implemented in an efficient and accountable manner.

The Framework's recommendations build on the recognition that the Region's communities cannot effectively plan in isolation or independently address important issues, as almost every challenge faced by a locality has a regional dimension. The Framework is not a conventional zoning or land use plan or capital improvement program. It is designed to help County and



Figure 3: Framework for Regional Growth, Erie and Niagara Counties, 2006

regional leaders make better policy and investment decisions, more effectively leverage limited resources, and provide more consistent direction and support to municipalities.

The Framework for Regional Growth establishes planning policy areas that define, in broad terms, where County policies encourage development and public investment, where development and public investment may be appropriate subject to careful evaluation and where conservation strategies generally take precedence over plans for development and public investment. The planning policy areas include Developed Areas, Developing Areas and Rural Areas, as illustrated below. The Village of Williamsville is located within the Developed planning policy area, as it includes developed lands that are fully served by public sewer, water, and transportation infrastructure. Strategies promoted for Developed Planning Areas that apply within the WRA include: the preservation, repair and restoration of transportation infrastructure to support continued economic development; planning and zoning for employment-intensive commercial uses with ready access to highways and public transportation; and maintaining a network of interconnected streets with sidewalks and facilities for pedestrians and biking to strengthen walkability and promote alternatives to vehicular use. These strategies are consistent with the Village of Williamsville's planning objectives and vision for the future.

One Region Forward – Regional Plan for Sustainable Development

One Region Forward's Plan for Sustainable Development, entitled "A New Way to Plan for Buffalo Niagara", builds upon the Framework for Regional Growth in Erie and Niagara Counties. It weaves together nearly three years of research, community engagement, partnership building and planning by over 5,000 citizens and more than 700 local organizations. The plan explores potential strategies to align values, providing a basic framework for moving the region towards a more sustainable, resilient, prosperous, and opportunity-rich future. It offers insights on the future impacts of various approaches to regional development and provides guidance on how the region can work together to create a sustainable, livable Buffalo-Niagara for the 21st Century.

Invasive Species Comprehensive Management Plan

To address the risks posed by invasive species, the NYS DEC has developed the Invasive Species Comprehensive Management Plan, as directed in Title 17 of the Environmental Conservation Law Article 9, to encompass all current and future invasive species and ecosystem types found across New York State.

The goal of the Plan is to help minimize the introduction, establishment and proliferation of invasive species thereby limiting potential negative impacts. This plan positions New York State to continue its role as a leader in the management of invasive species and protect our natural resources for future generations. This plan² is framed around eight focus area initiatives:



Figure 4: NYS Invasive Species Comprehensive Management Plan, 2018

² New York State Invasive Species Comprehensive Management Plan, 2018

- ◆ Setting priorities for invasive species management and advance preparedness
- ◆ Engaging and informing the public
- ◆ Advance prevention and early detection
- ◆ Improving the response to invasive species
- ◆ Recovering ecosystem resilience, and
- ◆ Evaluating success.

Each initiative includes recommended actions to guide management activities of State agencies and to align the priorities of regional and local natural resource managers to State-level actions.

Bicycle and Pedestrian Master Plan for Erie and Niagara Counties

The 2008 Bicycle and Pedestrian Master Plan sets forth the vision for making bicycling and walking an integral part of daily life in the Buffalo and Erie/Niagara region. This plan recommends projects, programs, and policies for the next ten years to encourage use of these practical, non-polluting, and affordable modes of transportation. The plan looks at streets for cycling and walking, parking, transit connections, education, and marketing (health promotion), law enforcement and implementation. The plan contains goals and objectives, with over 100 suggested actions that detail how to implement the objectives in realistic, meaningful, and cost-effective ways.

The express purpose of the Master Plan is to provide coordinated guidance for the implementation of a safe, efficient, and accessible transportation system designed for walking and bicycling. By reassessing previous goals and objectives, the intent is to adjust and reaffirm a regional vision regarding bicycling and pedestrian activities, including the establishment of interconnected bicycle and pedestrian networks for transportation. Such networks provide for focused treatments and sometimes separate facilities to promote walking and bicycling and add a critical multi-modal element to a transportation system often geared toward motor vehicle travel. It furthermore reflects current federal goals to increase the amount of local bicycling and walking, and to increase safety by reducing the number of accidents. The Master Plan serves as a framework for facility investments and assists in promoting mobility options, healthier lifestyles, reducing air pollutants, and decreasing traffic congestion.

Recognizing that the 2008 Master Plan is getting outdated³, the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) and its partners are currently developing an updated regional bicycle master plan for Erie and Niagara Counties. The “Bike Buffalo Niagara” initiative will help create more bikeable communities in the region. It will include goals and objectives, an inventory of existing conditions, community input to identify desirable routes and priority corridors to close gaps in the network, and design guidelines to support bicycling as a safe, comfortable, and healthy form of transportation, recreation, and physical activity.

Transportation Improvement Program, 2020-2024

The Transportation Improvement Program (TIP) is the capital programming component of the 2050 Long-Range Transportation Plan Update. The 2050 Moving Forward Long-Range Plan integrates up to date demographic, financial and traffic conditions information, and goals and objectives that are used to evaluate significant projects that could impact future transportation. The 2040 Plan acts as the multimodal blueprint for transportation systems and services and guides future investments aimed at meeting the

³ Greater Buffalo-Niagara Regional Transportation Council, Bicycle and Pedestrian Planning

transportation demands of existing and future development in Erie and Niagara County. The TIP outlines all federally funded roadway, transit, and major transportation projects being considered within the region through 2024, based on recommendations from the Long-Range Plan. The TIP also includes those regionally significant transportation projects being advanced by State and local entities with non-federal funding. At present there are no projects in the WRA that are listed on the TIP.

The TIP 2020-2024 does not include any major projects in the Village of Williamsville. Previous projects included the reconstruction of Main Street to implement the recommendations of the Picture Main Street Plan, which resulted in an improved streetscape along Main Street through the Village that included traffic calming, landscaping, and other public realm improvements.

Moving Forward 2050

The Greater Buffalo Niagara Regional Transportation Council (GBNRTC), in conjunction with community partners and regional stakeholders, has developed Moving Forward 2050 for the Buffalo-Niagara region. This is the region's most up to date long-range transportation plan. The Moving Forward 2050 plan evaluates the way we commute, travel to work, connect to shopping and schools, and move throughout the Erie-Niagara region. It takes a fresh approach to solving present and future transportation challenges in the region and offers strategies and targeted transportation projects aimed at creating a more efficient, greener, smarter, and sustainable transportation system for future generations.

Erie County Hazard Mitigation Plan

The Erie County Hazard Mitigation Plan sets forth the County's approach for mitigating natural, technological, and man-made disasters that may result in federal disaster declarations with the County. This plan is not intended to serve as a reference for immediate disaster response; rather it is focused on actions that can be implemented prior to disaster events to reduce potential loss of life and damage to property. It is also intended to assist with the identification and prioritization of mitigation opportunities immediately occurring after a major disaster. The Plan focuses on maximizing and adequately responding to such situations to minimize injury, speed recovery, and protect public health and welfare. It consists of three components: multi-hazard disaster prevention and mitigation; disaster response; and disaster recovery. The Plan defines roles and responsibilities in prevention, response, and recovery, including a detailed chain of command during an emergency. The Plan places an emphasis on the role of local jurisdictions as first-line responders but identifies the key role that County departments play in the process. The Plan points out the importance of land use controls and development regulations in hazard-prone areas (e.g., floodplain development) for disaster avoidance and minimization.

The Village of Williamsville is one of 44 municipalities that passed a resolution to formally accept the Plan, which is reviewed annually and updated as needed to reflect changes in municipal planning strategies or disaster situations. As part of the Erie County Hazard Mitigation Plan update developed in 2021, the Village of Williamsville performed an inventory and analysis of existing capabilities, plans, programs, and policies that enhance its ability to implement mitigation strategies. An annex to the Plan was prepared to include a general overview of the municipality and who in the village participated in the planning process; an assessment of the Village of Williamsville's risk and vulnerability; the different capabilities utilized in the village; and an action plan that will be implemented to achieve a more resilient community. An excerpt of the annex is included in Appendix C of the LWRP.

Picture Main Street

In 2012, the Village of Williamsville recognized that housing, businesses, open spaces, natural resources, and community activity areas physically define the community. The natural waterfront, business district, historic buildings, civic spaces, neighborhoods, parks, and open spaces create a human-scale environment. Main Street also plays a prominent role in defining the identity and character of the Village and Village life. Peak hour commute times and increasing traffic congestion also created difficulties for drivers and pedestrians, impacting circulation and parking throughout the Village. The Village realized that Main Street presented challenges and opportunities for planning new development and redevelopment in the central business district.

In the desire to strike a balance between mobility and community character, in 2013, the Village developed a “context sensitive” approach to transportation planning – Picture Main Street. This plan evaluated existing land use, zoning, business activity, parking, and transportation/traffic conditions along Main Street to develop concepts for physical alterations to this roadway.



Figure 5: Conceptual Design and Design Standards, Picture Main Street, 2013

The Picture Main Street report included a plan for the redesign and redevelopment of Main Street that incorporated streetscaping features and amenities, landscaping, park improvements, gateways, pedestrian safety features, and green infrastructure to address the existing issues. The Plan also included more extensive planning concepts for Spring Street and the Williamsville Water Mill area (which were carried over into the subsequent Community Plan) to redevelop this area as a destination for activity in the downtown. To date, most of the recommendations outlined in the Picture Main Street report have been implemented.

Village of Williamsville Community Plan

In May of 2015, the Village adopted an amendment to their comprehensive plan. The Village of Williamsville Community Plan recognizes that the historic Village of Williamsville occupies a unique niche within the Buffalo-Niagara metropolitan area. Within easy commuting distance to Buffalo, regional shopping, and transportation infrastructure, including the Buffalo – Niagara International Airport, the Village is both an attractive place to live and do business. However, lifestyle and land use trends have weakened the Village fabric over the years, and the very character and qualities that make Williamsville

special. In light of this, the Community Plan evaluates existing conditions in the community and outlines several strategies for land use, the Main Street business district, and transportation infrastructure. The Williamsville Community Plan builds off recommendations outlined in prior Village planning efforts (Picture Main Street, see above) and the Town of Amherst Bi-Centennial Comprehensive Plan. The Community plan established two focus areas that warrant planning attention for transformation and revitalization. One such area is the Village Square Focus Area.

The Village Square Focus Area encompasses the portion of the WRA that includes Main Street and the historic Williamsville Water Mill area on East Spring Street. Strategies and recommendations were devised to improve the use, aesthetics, connectivity, and wayfinding throughout this focus area. The intent is to enhance and revitalize this area as a destination for tourism, public enjoyment, commerce, and historic recognition. Most of the recommendations included in the Plan for the Village Square Focus Area have been implemented, including restoration and reuse of the historic Williamsville Mill, construction of a plaza area/pedestrian court in front of the mill, the installation of green infrastructure improvements along Spring Street, and an enhanced entryway into Glen Park from Main Street. However, efforts to strengthen this area as a larger part of the Village center and integrate resources through improved linkages and connections are still needed.

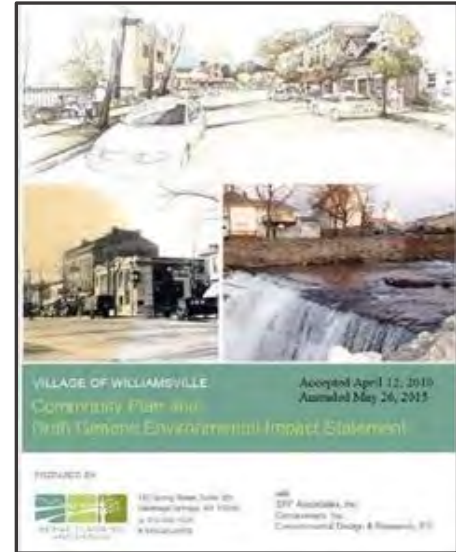


Figure 6: Williamsville Comprehensive Plan

Picture Our Parks 2025

The Village Parks Committee prepared a unified plan for the revitalization of Island Park and the complete redevelopment and renewal of South Long Park, as well as minor improvements and capital projects for the balance of village parks facilities. This plan, POP 2025, guides the future of parks usage and



Figure 7: Picture Our Parks 2025

rejuvenation in the community, including the establishment of a better-connected corridor of green space (physically and visually) along Ellicott Creek and improvements to individual parks and open space amenities. The Plan includes specific recommendations for Island Park, which are further discussed in this section. Appendix C of the LWRP includes the POP 2025.

Resilient New York Flood Mitigation Initiative: Ellicott Creek, New York

Flood mitigation has historically been an initiative in western New York and in the Ellicott Creek watershed. The Ellicott Creek Watershed has a total drainage area of approximately 120 square miles at its confluence with Tonawanda Creek (Erie Canal), and is primarily located in Erie County, NY, with a portion of the headwaters located in Genesee and Wyoming Counties. The watershed lies within the Towns of Darien, Alden, Lancaster, Cheektowaga, Amherst, Bennington, Pembroke, Newstead, Clarence, and the Cities of Tonawanda and Buffalo. The creek originates near Darien Lakes State Park northeast of the intersection of South Alleghany Road (Route 77) and Broadway Road (Route 20) in the Town of Darien, and generally flows from southeast to northwest into Tonawanda Creek (Erie Canal) in the City of Tonawanda.

In November of 2018, New York State announced the Resilient NY program in response to devastating flooding in communities across the State in the preceding years. Based on frequency and severity of flooding and ice jams, extent of previous flood damage, and susceptibility to future flooding and ice-jam formations, the Ellicott Creek watershed was chosen as one of the study sites for this initiative.

The Resilient NY Initiative addressed the following:

1. Perform comprehensive flood and ice jam studies to identify known and potential flood risks in flood-prone watersheds
2. Incorporate climate change predictions into future flood models
3. Develop and evaluate flood hazard mitigation alternatives for each flood-prone stream area, with a focus on ice-jam hazards

Ellicott Creek is a Regulatory Floodway, which is defined as the watercourse channel and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1-foot over the 1% annual chance flood hazard water surface elevation, referred to as the Base Flood Elevation (BFE). (Gomez and Sullivan, 2021)

In the regulatory floodway, communities must regulate encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway and demonstrate through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not increase flood levels within the community during the occurrence of the base flood. Development in the portions of the floodplain beyond the floodway, referred to as the floodway fringe, is allowed as long as it does not increase the BFE more than 1.0 foot (FEMA, 2000).

The sites identified in the study to have a high-risk of flooding and ice jams are grouped in the southeastern corner of the Town of Amherst along Lehn Springs, Aero Drive, Wehrle Drive, and Transit Road. The flood mitigation strategies presented in the report must be implemented at these locations. Those sites are also the locations for proposed flood mitigation projects. To implement proposed flood mitigation strategies the report recommends that communities should engage in a process that follows the following steps⁴:

1. Obtain stakeholder and public input to assess the feasibility and public support of each mitigation strategy presented in this report.

⁴ Resilient New York Flood Mitigation Initiative Ellicott Creek, New York, prepared by Gomez and Sullivan Engineers, July 2021

2. Complete additional data collection and modeling efforts to assess the effectiveness of the potential flood mitigation strategies.
3. Develop a list of final flood mitigation strategies based on the additional data collection and modeling results.
4. Select a final flood mitigation strategy or series of strategies to be completed for Ellicott Creek based on feasibility, permitting, effectiveness, and available funding.
5. Develop a preliminary engineering design report and cost estimate for each selected mitigation strategy.
6. Assess funding sources for the selected flood mitigation strategy.



Figure 8: High Risk Area identified in Ellicott creek Flood Study developed as part of the Resiliency NY Initiative

Stormwater Management Plan

The Village of Williamsville is a member of the Western New York Stormwater Coalition. The Coalition developed a Stormwater Management Plan as a shared resource to help local municipalities comply with the NYS DEC General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4). This Plan provides policy and management guidance, including minimum control measures and best management practices for Public Education and Outreach, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Construction Site Runoff Control, Post-Construction Stormwater management, and Pollution Prevention / Good Housekeeping for Municipal Operations.

Town of Amherst Bicentennial Comprehensive Plan

The Town of Amherst Bi-Centennial Comprehensive Plan acknowledges Williamsville as a key component of the Town's quality of life and identity. The Town's vision statement recognizes the importance of the Village's "vibrant older neighborhoods" and envisions the Village's commercial areas as places that are "revitalized and attract continuing investment". Williamsville is designated as a "Mixed Use/Activity Center" on the Town's Conceptual Land Use Plan. As noted in the Comprehensive Plan, this designation entails the strengthening and provision of mixed-use walkable environments that are "higher density and incorporate a wider range of uses than the low density, predominantly residential areas surround them".

Williamsville is also featured as one of six Focus Planning Areas within the Town. For these focal areas, a more detailed analysis and set of recommendations focus around strengthening the Village as a vibrant, mixed-use destination; improving the pedestrian experience; and linking together assets, such as Village parks. Many of the concepts and recommendations established for Williamsville Focal Planning Area are included and expanded upon in the Williamsville Community Plan.

2.5 DEMOGRAPHIC CONSIDERATIONS

Population

According the 2013-2017 American Community Survey 5 to 7-year estimates (U.S. Census Bureau), as of July 2017, the Village of Williamsville population was reported at 5,263 persons. The population in the Village has been steadily declining since 1980.

Suburban housing growth resulted in significant increases in the Village's population after 1940, with the population almost doubling in size by 3,264 persons between 1940 and 1970. However, growth has slowed since then, with the population dropping from a high of 6,868 persons in 1970 to 6,017 persons by 1980. The population in the Town of Amherst, on the other hand, has been steadily on the rise as new housing development has continued unabated due to the availability of open land.

The average household size in the Village has been declining, which is also a regional trend. The average household size decreased from 2.41 persons per household in 2000 to 2.11 persons per household in 2017. The percentage of family households has remained stable; 52.8% in 2000 vs. 52.7% in 2017. The population is slowly becoming more racially diverse, with 97.3% reported as white in 2000 vs. 90.9% in 2017.

The Village's population is getting older, with the median age of the increasing from 44.2 years old in 2000 to 48.3 years old in 2017. The percentage of people over the age of 65 has remained relatively stable (25.8% in 2000 to 24.0% in 2017).

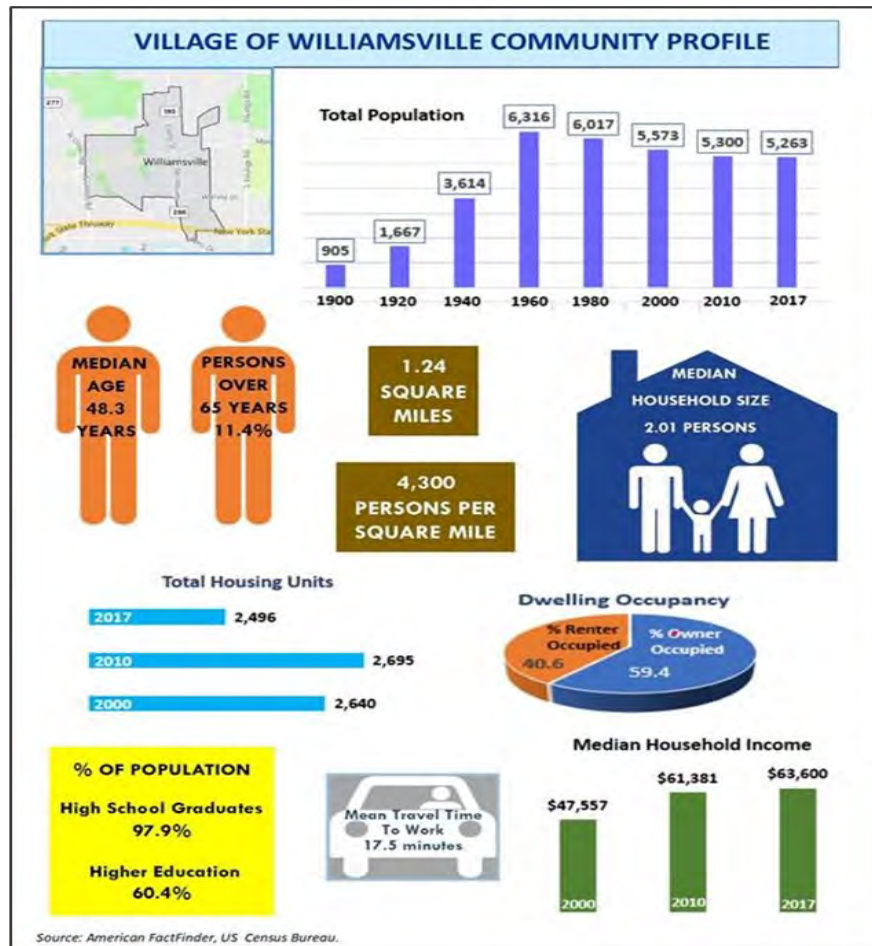


Figure 9: Community Profile, American FactFinder, US Census Bureau

Housing

In 2010, the total number of housing units in the Village of Williamsville was reported at 2,695 (US Census Bureau). This represents an approximately 2.0% increase over the number of housing units that were reported in the 2000 Census (2,640 units). In the 2017 census estimate, most of the housing stock in the Village was comprised of single-family, detached homes (55.6%); 5.4% was reported as single-family attached housing and 39.0% were reported as structures with two or more dwelling units (American FactFinder, US Census Bureau).

As of July 2017, approximately 97.0% of the housing stock was occupied. Of the occupied units, 1,438 units (59.4%) were owner occupied and 982 units (40.6%) were rentals. The percentage of renter occupied housing has remained relatively stable since 2000 and 2010 (both reported at 39.7%). The age of the housing stock is mixed, with approximately 49.1% of the homes being built prior to 1950 (36.3% pre-1940), and over 90% built before 1990. Only 3.0% of the dwellings in the Village (76 units) were built between 1990 and 2014. The number of homes being built annually in the Village has decreased, with a high of 477 units reported in 1960 and a low of 10 units reported between 2010 and 2014. Housing values in the Village have been on the rise. The median value of a home in 2010 was reported at \$154,600 and \$164,600 in 2017.

Income and Education

In 2017, the estimated median household income in Williamsville was \$63,400; median family income was reported at \$85,648. The Census data indicate that income for both individual households and families in the Village has been on the rise over the past several decades. Williamsville has a well-educated workforce, with almost 98% of the total population earning a high school diploma and over 60% earning a bachelor's degree or higher. In 2017, approximately 64.5% of the Village's population (or an average of 2,965 persons over the age of 16 years old) was estimated to be in the civilian workforce, and the unemployment rate was reported at 4.7%.

2.6 EXISTING LAND USES

Land use in the Williamsville WRA is illustrated on [Map 4- Existing Land Use](#) and consists primarily of a mix of public recreation and residential uses. Total land area in the WRA is approximately 94 acres: 69.3 acres in Subarea 1 and 24.7 acres in Subarea 2. There are no industrial uses in the WRA. Residential uses include single-family dwellings, as well as a small number of two-family homes and apartment buildings in Subarea 1. Although housing density in the Village is high, existing residential areas exhibit a rural feel, adding to the character of the community. Commercial uses are found in Subarea 1 along Spring Street and along Main Street in the vicinity of Mill Street and Oakgrove Drive. There is also a small office building on South Cayuga Drive, near the municipal parking lot. Commercial uses include a mix of small shops, offices, and restaurants, as well as a commercial plaza on the south side of Main Street immediately east of Ellicott Creek. The commercial properties in the WRA, as well as certain multi-family uses, are supported by large areas of paved parking. Municipal uses are found on the south side of Main Street, which are supported by a large municipal parking lot that is situated between Main Street and Island Park. Parkland includes two large Village-owned parks and a small section of Amherst State Park.

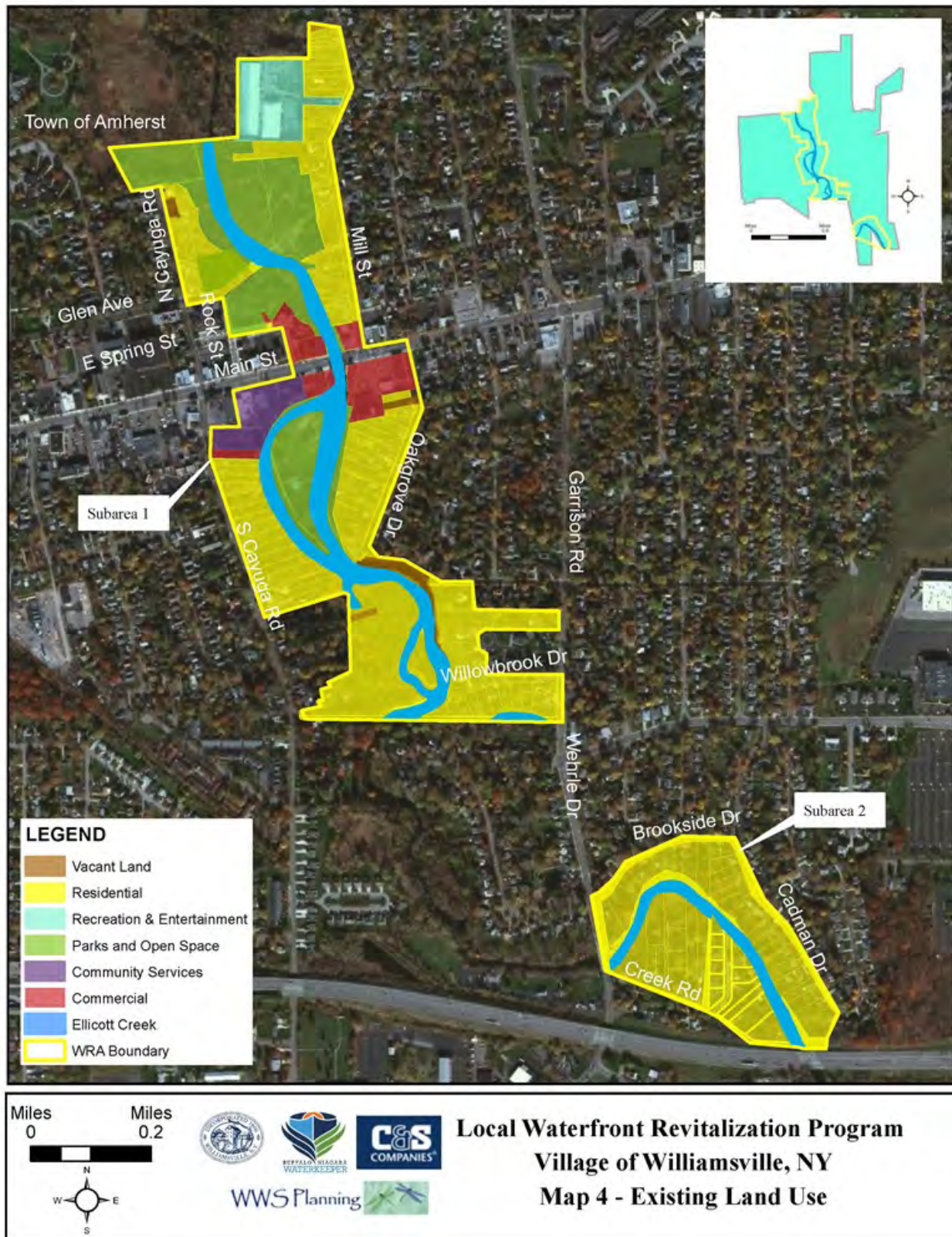
Subarea 1 of the WRA

Residential - There are 111 residential parcels in Subarea 1, accounting for 31.0 acres, or 57.6% of land coverage (and 39.7% of the WRA). Residential uses include one and two-family dwellings in Subareas 1 and 2, and a few multi-family apartment buildings in Subarea 1.

Commercial - There are 13 commercial parcels in Subarea 1 that account for 11.9 acres of land, or 17.2% of overall land use. Commercial properties include a variety of small shops and restaurants along Main Street and Spring Street, the historic water mill property on Spring Street, a medical office building on Main Street, automotive repair shop and indoor tennis center on Mill Street, and a plaza that contains a restaurant, hardware store, dry cleaners, beauty salon and other small shops and businesses on Main Street. All commercial uses in the WRA are located in Subarea 1.

Parks – There are three parkland properties, which encompass 22.1 acres, or 25.1% of land coverage. Glen Park (located in the northern portion of the WRA) is comprised of six parcels, including a section of Ellicott Creek and Glen Falls, north of Glen Avenue. A small section of Amherst State Park, located directly north of Glen Avenue, extends along both sides of Ellicott Creek, and Island Park (located south of Main Street, bisecting Ellicott Creek) are other recreational properties in this Subarea. All public parkland in the WRA is in Subarea 1.

Vacant – Approximately 3.7 acres, or 5.3% of Subarea 1 consists of vacant land, including wooded, undeveloped, or unutilized parcels.



Subarea 2 of the WRA

Residential - There are 50 residential parcels in Subarea 2, accounting for 24.7 acres or 98% of land coverage in that area (or 20.1 % of the WRA).

Vacant – There is one vacant parcel that measures approximately 0.4 acres and comprises 2.0% of the land area in Subarea 2.

The area in the vicinity of Spring and Main Streets is identified in the Village of Williamsville Community Plan as the Village Square Focus Area, labeled on [Map 3 – Community Features](#). This area was envisioned as a destination and ideal location for the creation of a Village center of activity. Many of the recommendations included for this area in the Community Plan have been implemented, including restoration and reuse of the historic Water Mill site, construction of a plaza/court area in front of the mill, and drainage improvements with enhanced streetscaping along Spring Street with green infrastructure to remedy problems with runoff that were impacting Glen Park. Also, infill development, reorganization of existing parking areas, and stairway access to Glen Park will further enhance this area.

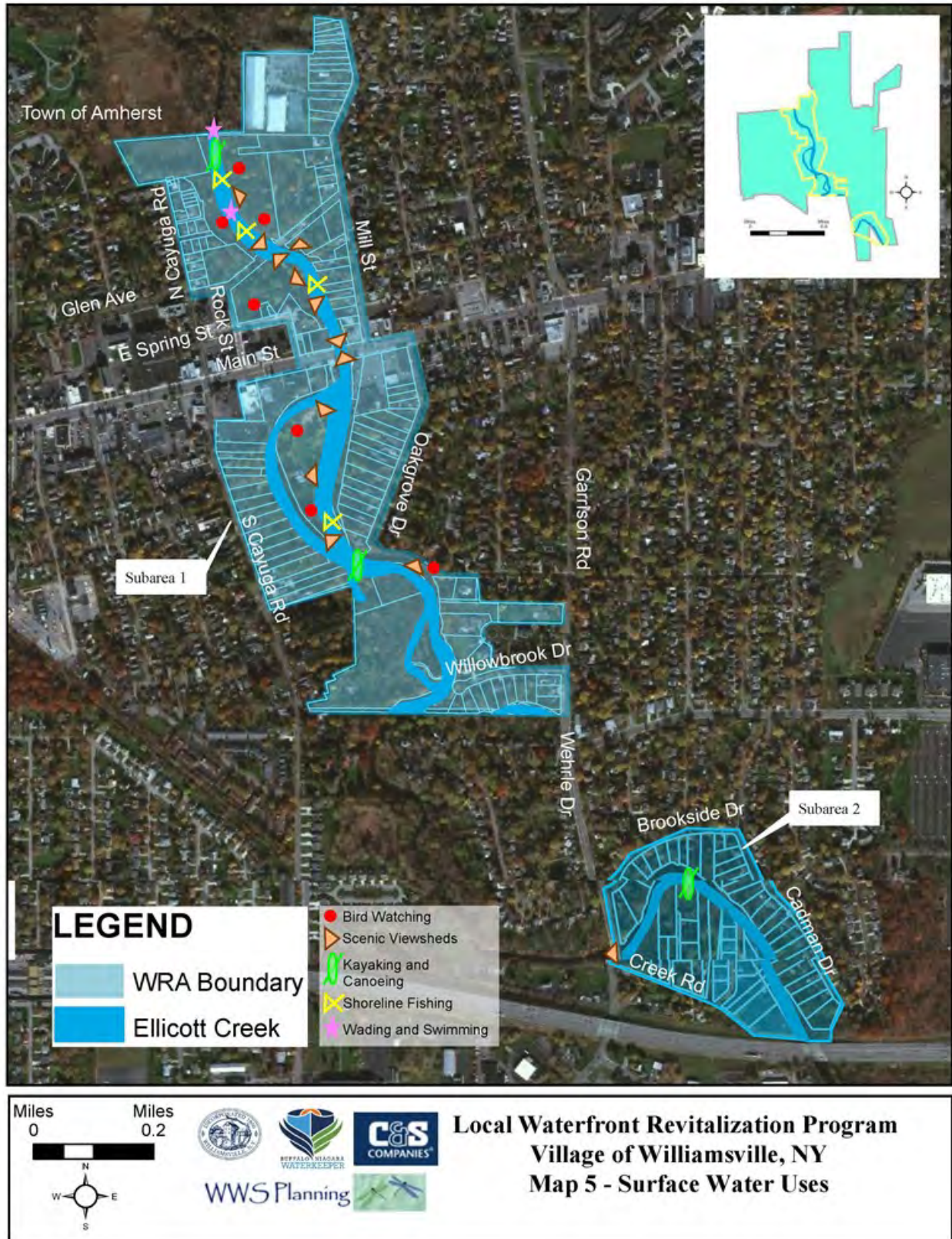
Continued revitalization of the Village Square Focus Area, along with renewal of other areas along Main Street, including the Ed Youngs Plaza, will also strain the amount of existing parking that exists in the WRA. The municipal parking lot that provides public parking, and the parking lots along Spring Street and in the plaza, along with on-street parking, do not meet current needs and as redevelopment occurs in this area, this problem will likely get worse. There is a need for a comprehensive parking study to determine solutions for current and future parking.



Figure 10: Proposed Village Square Focus Area

2.7 WATER DEPENDENT AND WATER-ENHANCED USES

Ellicott Creek in the Williamsville WRA is an importance recreational resource for Williamsville and the Town of Amherst. Surface water uses in the WRA are limited by the natural features of the creek and consist of fishing, swimming/wading, and kayaking, as indicated on [Map 5 – Surface Water Uses](#). The natural features and water levels of the creek do not support navigation of motorized vessels, or structures such as docks, marinas, or other typical marine infrastructure. Also, no formal boat launch sites for the use of non-motorized vessels exist. The water levels in Ellicott Creek fluctuate based on the seasonal precipitation. The feasibility of a floating dock for shoreline fishing and kayak launching, above the falls where the water is deep enough throughout the warmer seasons, will be examined by the Village during the development of the Glen Park Master Plan, which is a project proposed in Section IV of the LWRP. Another project proposed in Section IV of the LWRP will examine the benefits and means to improve public access to the creek in Island Park.



Ellicott Creek is a popular location for recreational shoreline fishing. Fish stocking occurs at Glen Park in support of this activity. There are several locations above and below Glen Falls where fishing occurs, but there are no officially designated sites for this activity. Apart from the ponds in Glen Park, swimming and wading is not restricted in any portion of Ellicott Creek and occurs randomly in creek waters, typically north of Glen Avenue in Amherst State Park. There are no officially designated swimming or wading areas.

The harbor management area within the Williamsville WRA consist of the waters of the two segments of the creek within the WRA. The village will continue to support the existing surface water uses within the harbor management area and will improve conditions where appropriate, to enhance the public's enjoyment of the creek. The water-dependent uses in Ellicott Creek include fishing, kayaking, and wading/swimming. Most of these activities occurs north of Glen Falls. Kayak use is common in the vicinity of Island Park. Because the creek is barely navigable by small paddle crafts, such as kayaks and canoes, marinas were never seen as necessary. Historically, the creeks' limited fish resources don't support commercial fishing. Consequently, upland facilities and business associated with the commercial fishing have not been developed. There are no commercial and industrial land uses that require a location on the waterfront to function.



Figure 11: Island Park Dam



Figure 12: Reconstructed Raceway Structure for Mill

The WRA has two water-dependent structures, Island Park dam and the abandoned raceway for the historic Williamsville Water Mill. The Island Park dam, which has removable floodgates, controls water flow in the upper reaches of Ellicott Creek and around Island Park. This structure, as well as the two stone weirs located at the mouth and terminus of the west branch of the creek, were installed as part of a Works Progress Administration (WPA) flood control project in the early 1930's to ensure sufficient water levels in the west branch of the creek for residential parcels, in accordance with historic riparian rights for properties with shoreline Island Park Dam frontage along this area of the creek. This is because the western branch of Ellicott Creek was the original creek corridor; historically, the eastern (or what is now considered the main branch of the creek), did not exist.

The historic Williamsville Water Mill, which is located on Spring Street above Glen Park, received water for its milling operations through a raceway (or sluiceway) that was built in 1834 and still exists today. This stone and wood structure diverted water flow from the west branch of Ellicott Creek (on the south side of Main Street) to the mill. The raceway runs from

the northern creek bank at the north end of Island Park, extending underground below Main Street and the businesses that front along the north and south sides of this street, emerging aboveground in the grotto area of Glen Park, behind the mill.

The historic Water Mill is the only water dependent structure that remains from the Village's industrial past when numerous mills lined the eastern and western shorelines of Ellicott Creek to take advantage of the water flow. Today, the mill no longer operates in its traditional capacity.

Water enhanced uses in the WRA include passive recreation in Glen Park and Island Park, the historic mill, and a small number of restaurants located near/or along Main Street and Ellicott Creek.

Harbor Management Area Conflicts, Congestion, Competition

The Harbor Management Area (HMA) of the Williamsville WRA encompasses the portions of the Ellicott Creek within the village boundary. The existing hydrological and geological characteristics of the segments of Ellicott Creek within the Williamsville WRA limit water-dependent activities and public access.

As explained above, the water-dependent uses within the Williamsville WRA consist only of fishing, kayaking, and wading/swimming immediately above and below Glen Falls. Commercial and industrial land uses that require a location on the waterfront to function don't exist along the creek, due to the shallow waters of the creek, the well-established residential uses, and the physical characteristics of the banks.

The physical characteristics of the creek's banks don't allow for an expansion of the existing public access. The Village will continue the existing water uses and, where appropriate, will improve the existing public access to the creek's waters, to enhance the public's enjoyment of the creek.

Due to the creek's natural features, no conflicts, competition, or congestion exist between the existing water-dependent uses and further expansion of these uses is not physically possible.

The major water-related issues within the Williamsville WRA are the structural integrity of the existing dam and recurrent flood events in certain portions of the WRA, which are presented in great detail in this section and addressed in the projects proposed in Section IV of the LWRP.

2.8 ABANDONED, UNDERUTILIZED AND DETERIORATED SITES AND STRUCTURES

Abandoned, underutilized, and deteriorated structures in the Williamsville WRA include the Island Park dam and the stone weirs that are located at each end of Island Park (at the mouth and terminus of the western branch of Ellicott Creek), and the historic Williamsville Water Mill raceway (noted above). The dam is located just south of where the west branch of Ellicott Creek joins the main branch at the north end of Island Park. The concrete piers for the dam are deteriorating and the gates do not work properly and need repair. They are difficult to manipulate, especially if they become frozen.

To ensure the proper control and level of water flow around Island Park it is important that this structure is fully functional or that some other means of control is constructed to properly maintain flow conditions in the creek.

Apart from a vacant structure along the creek at the corner of Mill and Main Streets, other properties, and structures in the Village of Williamsville central business district near Ellicott Creek are utilized and well maintained.

There is a retail plaza on the north side of Main Street in Subarea 1, just east of Ellicott Creek, that could be considered underutilized. Existing uses are set back from Main Street and parking to support these uses is shared and limited. Potential redevelopment with increased density would likely result in a shortage of required parking unless parking was redesigned and needs re-evaluated. Proposals for mixed use redevelopment of this property would need to ensure that future parking requirements for all uses could be accommodated, in accordance with the existing zoning. Although there are no current plans for site redevelopment, such action should have buildings located closer to Main Street, with parking relocated in the rear. This layout would offer the potential to provide a means for public access across Ellicott Creek to Island Park.



Figure 13: Deteriorating dam structure, deteriorated weir, and gate door for the Water Mill raceway

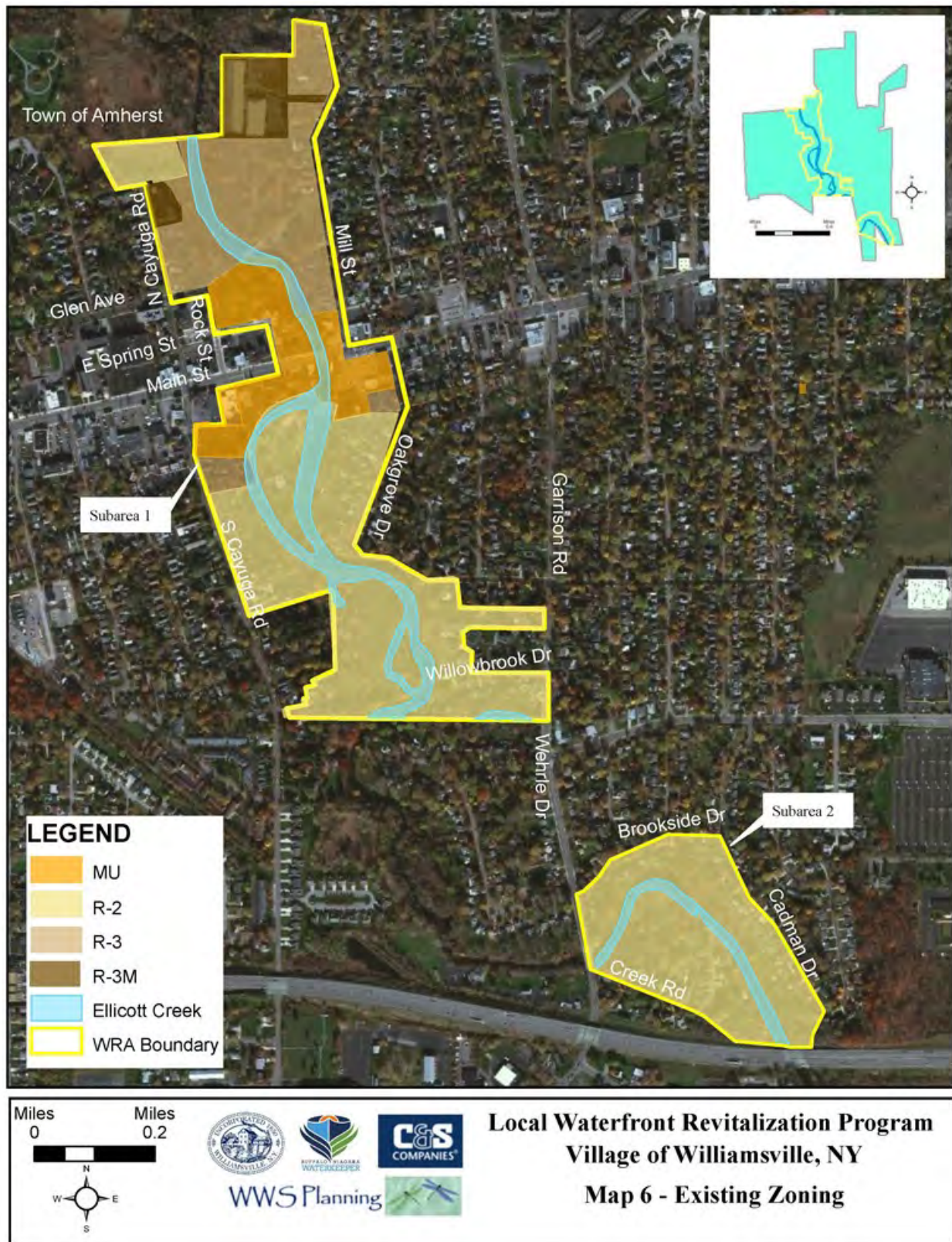
2.9 ZONING DISTRICTS

Within the Village of Williamsville, land use is controlled by the Comprehensive Plan and Chapter 112. Zoning of the Village Code. Zoning in the WRA includes four classifications: R-2 – Single Family Residence District, R-3 Single-Family or Two-Family Residence District, R-3M – Multiple Dwelling Residence District, and MU – Mixed Use District. Existing zoning in the WRA is depicted on [Map 6 – Existing Zoning](#). A large portion of the Village WRA is located within a R-2-Single Family Residence district; lands zoned R-2 are located south of Main Street in Subarea 1 and Subarea 2. The land on the immediate north and south side of Main Street is zoned Mixed Use. North of Main Street the majority of the WRA is zoned R-3 Residence, apart from two small areas that are zoned R-3M Multiple Dwelling.

Zoning regulations include provisions for Planning and Architectural Review Board, Zoning Board of Appeals, non-forming uses, parking and stormwater management. Signage is regulated under a separate chapter in the Code. Chapter 112 establishes height and bulk regulations, site plan specifications, development standards, required improvements, and penalties for development in the Village.

R-2– Single Family Residential

The R-2 district allows higher-density residential development on lots with a minimum area of 6,250 square feet. Permitted uses include single-family dwellings (one per lot), boarding/rooming houses, religious facilities and private schools and fire stations without clubhouses. The minimum lot frontage is 60 feet and maximum height for development is 30 feet.



R-3 – Single Family/Two-Family Residential

The R-3 district allows higher density residential development on lots with a minimum area of 6,250 square feet for single-family structures and 7,500 square feet for two-family structures. Permitted uses include single-family and two-family dwellings (one per lot), boarding/rooming houses, religious facilities and private schools, and fire stations without clubhouses. The minimum frontage is 50 feet and maximum height for development is 30 feet.

R-3M – Multiple Dwelling Residential

The R-3M district allows for the higher-density, multi-family development. Permitted uses include one and two-family dwellings, multi-family structures and townhouses. Home occupations and private parking lots are permitted by special permit. The R-3M regulations focus on the importance of well-designed, publicly open spaces for the creations of organized, high-quality residential neighborhoods. The R-3M regulations allow for a variety of housing types and flexibility in design. The regulations include provisions for site planning and design for buildings, entryways, sidewalks, pedestrian and vehicular circulation, shared access, parking, landscaping, and on-site infrastructure.

MU – Mixed-Use

The Mixed-Use district provides specific regulations and guidance for new development and rehabilitation projects within the Main Street corridor. These regulations are designed to ensure that the Main Street commercial district remains viable and economically relevant through the preservation, enhancement, and leveraging of the Village’s historic and architecturally significant character. The regulations address pattern, form, massing, proportion, and composition of architecture to complement the historic character, with a focus on quality of design, materials, and a mix of uses to foster walkability and provide a pleasant, unique, and inviting atmosphere for residents and visitors. The MU District was developed in accordance with the recommendations of the Williamsville Community Plan. This district allows a variety of retail, commercial, and residential uses, both as-of-right and by special permit.

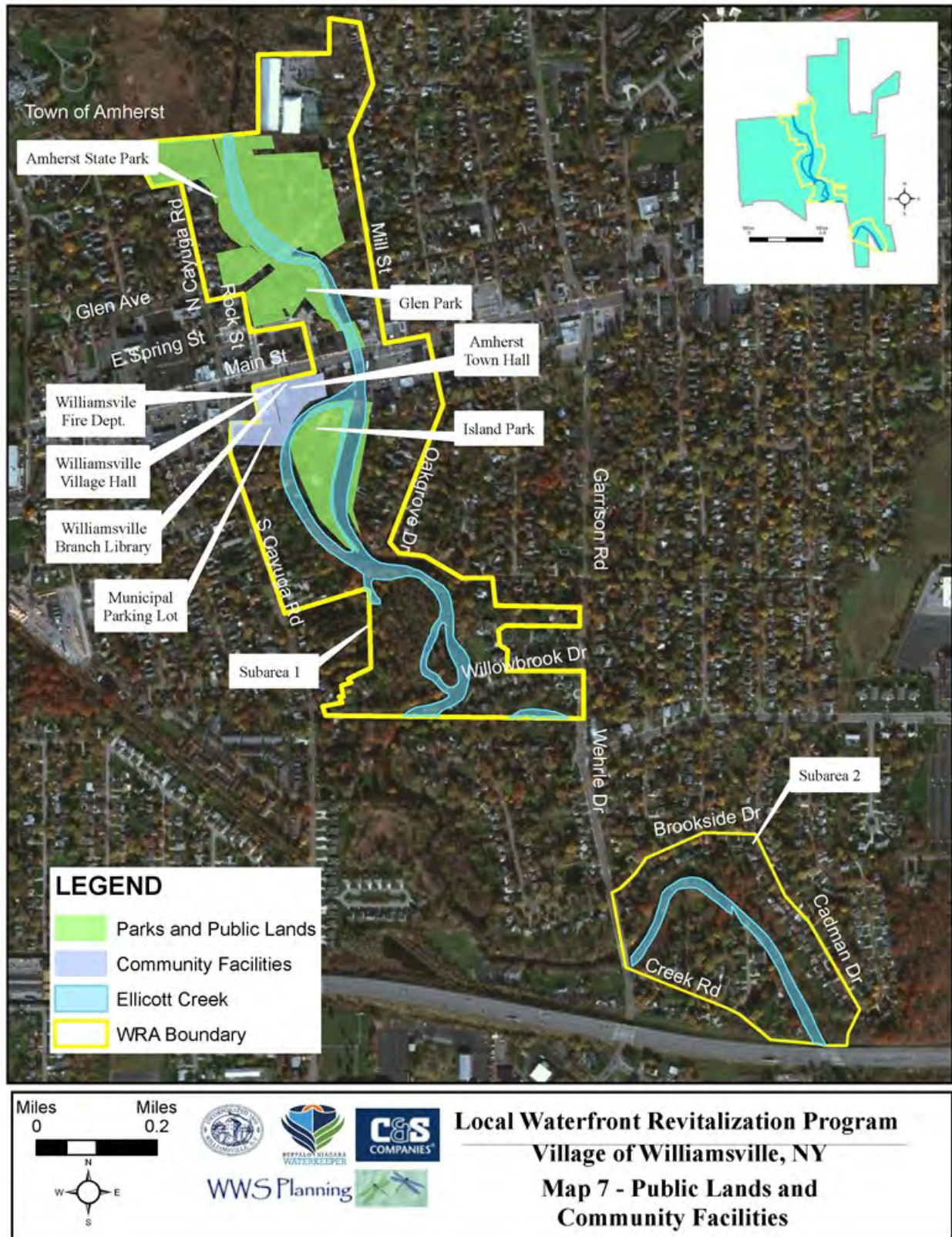
Other regulations in the Village of Williamsville that affect land use in the WRA include:

- ◆ Chapter 15 – Buildings Unsafe and Unfinished
- ◆ Chapter 31 – Flood Damage Prevention
- ◆ Chapter 39 – Garbage, Rubbish and Refuse
- ◆ Chapter 47 – Historic Preservation
- ◆ Chapter 57 - Landscaping
- ◆ Chapter 70 - Parks and Public Lands
- ◆ Chapter 72 – Property Maintenance
- ◆ Chapter 74 - Recycling
- ◆ Chapter 81 – Sewer Use
- ◆ Chapter 84 - Signs
- ◆ Chapter 89 – Streets and Sidewalks
- ◆ Chapter 100 – Wireless Communication
- ◆ Chapter 101 - Trees
- ◆ Chapter 107 - Water

2.10 PUBLIC LANDS

There are several upland properties located the WRA that are publicly owned. These properties include public parkland and a small number of municipal buildings and lands that, combined, represent a civic center in Subarea 1. There are no publicly owned lands in Subarea 2.

The public lands, many of which are discussed further in this section and shown on [Map 7 – Public Lands and Community Facilities](#), are as follows.



- ◆ A 7.25-acre southern portion of Amherst State Park, extending along both sides of Ellicott Creek.
- ◆ Glen Park, which is jointly owned by the Village of Williamsville and Town of Amherst and comprised of five separate tax parcels.
- ◆ A 3.3-acre parcel of Town-owned property located at the terminus of North Cayuga Road, which is a part of Amherst State Park; Town-owned land located south of Main Street that includes Amherst Town Hall, the Williamsville Branch of the Erie County Public Library system, and the municipal parking lot.
- ◆ Village-owned land located south of Main Street that includes Williamsville Village Hall and the Williamsville Fire Company Station.
- ◆ A narrow strip of Village-owned right-of-way located along the eastern shoreline of Ellicott Creek, south of the Ed Young Plaza and across the creek from Village-owned Island Park.
- ◆ A narrow strip of Village-owned right-of-way located between Ellicott Creek and the south side of Oakgrove Drive.

Underwater Land Ownership

Ownership of underwater lands in Ellicott Creek has not been fully determined. Such a determination would require an examination of individual property deeds for riparian land ownership. As identified on the tax map, there are six properties in the vicinity of Glen Falls where ownership rights of the bottom lands in the creek are established.



Figure 14: Williamsville Tax Map, Glen Falls vicinity

The tax parcel (No. 5618) that encompasses the creek corridor, located immediately north of the Ellicott Creek Bridge over Main Street is owned by the Village of Williamsville. The other five tax parcels that have frontage along Mill Street extend across the creek to the western shoreline. These properties are the former location of mills that operated east of the creek.

Some residential property surveys show ownership to the middle of Ellicott Creek, but many Erie County tax maps only show the property boundaries extending to the shoreline of the creek. A review of individual property deeds and title searches may be the only way to reveal actual riparian ownership.

2.11 PUBLIC ACCESS AND RECREATION RESOURCES

The Williamsville WRA includes three municipal parks that provide public access and recreation opportunities. The parks are all located in Subarea 1, as labeled on [Map 7-Public Lands and Community Facilities](#). There are no public recreational resources in Subarea 2.



Figure 15: Views of Public Parks

Amherst State Park

The southern portion of Amherst State Park extends into the Village of Williamsville. This 7.25-acre area surrounds the Ellicott Creek corridor, providing access for shoreline fishing and passive recreation. There are informal, dirt walking paths along both sides of the creek that extend north from Glen Avenue.

Glen Park

Glen Park is jointly owned by the Village of Williamsville and the Town of Amherst. Located directly north of Main Street, this park is made up of five parcels of land, three of which comprise the main portion of the park that lies between Glen Avenue and Main Street. The other two parcels are situated north of Glen Avenue and include a public parking area.

The main (south) portion of Glen Park, which is located between Glen Avenue and Main Street, includes paved walking paths and some benches that surround a small system of interconnected ponds, as visible on Figure 16. This part of Glen Park borders Ellicott Creek where it cascades over the Onondaga Escarpment, with the main area of the park located below the escarpment. Glen Falls, the waterfall located in this park, provides a focus area and significant scenic viewing opportunities in the park. There is a pedestrian walkway that extends along the west side of the creek, above Glen Falls, that connects to a paved path that extends down grade and into the main area of the park, providing access from Main Street. The path is rugged and could be improved to make access easier for visitors who are more physically challenged. Enhanced public access, such as a secondary access into the park from Rock and Spring Streets, will be explored through the implementation of the related proposed projects described Section IV of the LWRP.

Some Park visitors already utilize this area as a way into the park by stepping over the guard rail and walking down the hillside. Formal access in this area would offer an alternative entrance into the park to improve connectivity with the Village Square Focus Area and safer entry into this lesser used area of Glen

Park, which will be explored through the implementation of the related projects proposed in Section IV of the LWRP.

There is an overlook area located on the south side of Glen Avenue, east of the creek, where views of Glen Falls are available. This area offers handicapped parking, benches, and a “lending library” box that was installed by the Boy Scouts.



Figure 16: Glen Park – South area: Aerial View showing ponds and pathway system that provides pedestrian access along the Ellicott Creek between Main Street and Glen Avenue; the parking area for Glen Park, located north of Glen Avenue (west of Ellicott Creek); the historic Williamsville Water Mill, which is centrally located in this photograph; Glen Falls, which is situated to the right (east) of the Mill; and much of the Village Square Focus Area (which includes the Water Mill); Source: Google Maps; USGS Map Data, 2021.

The north portion of Glen Park contains a covered open-air pavilion with picnic tables, which used to be the Noll Nature Center, a “natural” children’s play area, and an informal entrance to the path system in Amherst State Park. This portion of Glen Park could be enhanced with additional amenities to increase public use and enjoyment, including public restrooms, and more seating and picnic amenities. Additionally, the informal entry to the path system along Ellicott Creek in the State Park should be improved with regrading or similar improvements and wayfinding signage to enhance public use, safety, and recognition.

Both sides of Glen Park could be improved for resource protection and enhancement and public enjoyment. The north side of Glen Park could benefit from additional amenities, such as picnic tables and

benches. Public restrooms should also be installed in the pavilion where utilities are available to support this use. The informal entrance to Amherst State Park also needs enhancement to improve identity and public safety. An improved pathway leading to the entrance and wayfinding signage will be explored in the related projects proposed in Section IV of the LWRP.



Figure 17: Glen Park – North Area: Aerial View of the southern extent of Amherst State Park (along both sides of Ellicott Creek, north of Glen Avenue), the northern portion of Glen Park with pavilion and nature play area; the secondary parking area for Glen Park (located west of the creek); and the scenic viewing area with handicapped parking lot (located south of Glen Avenue); Source: Google Maps; USGS Map Data, 2021.

As previously noted, the main area of Glen Park, south of Glen Avenue, includes a diverse environment of flora and fauna, including a spring fed system of drainage ponds that need improvement. A strategic

master plan should be prepared for this area of the park that includes an inventory and analysis of existing conditions of the entire park to assess the biodiversity of the aquatic systems, landscape plantings, pedestrian accessibility, and overall site drainage.



Figure 18: Views of Glen Park - South, the Glen Park Overlook, and the north portion of Glen Park

Island Park

Th Island Park is owned by the Village and located on an island in the center of Ellicott Creek, north of Main Street in Subarea 1. The island bisects the creek into two branches that flow along the east and west sides of the park. Access to the island is provided by a small bridge located off the municipal parking lot behind Amherst Town Hall. Island Park offers picnic area, a playground, large pavilion, and small gazebo for public gatherings.



Figure 19: Views of Island Park

The Village prepared the Parks and Open Space Plan (POP 2025) that outlines improvements to Island Park to provide greater opportunities for recreational use and enjoyment of the park, which are supported by the public. POP 2025 is included in Appendix B of the LWRP.

This plan recommends several physical improvements, including the construction of a dock along the east side of the park for shoreline fishing and launching of paddle craft. Island Park is the site for several public events each year, including Old Home Days, Oktoberfest, Music in the Park, and Christmas caroling. It also hosts weddings and other celebratory events in the pavilion. These activities should be continued. One recommendation of the POP 2025 is to develop a stronger connection between Glen Park and Island Park. While both parks border Ellicott Creek, these parks are geographically separated by Main Street, which carries a high volume of traffic and is hazardous for pedestrian travel. A Hawk Signal was installed by the Village to enable pedestrians to safely cross Main Street in the vicinity of Village Hall. While this improves the ability to get across this busy roadway, wayfinding signage and other physical improvements that

would help pedestrians better navigate between the two parks are proposed in a related project proposed in Section IV of the LWRP.

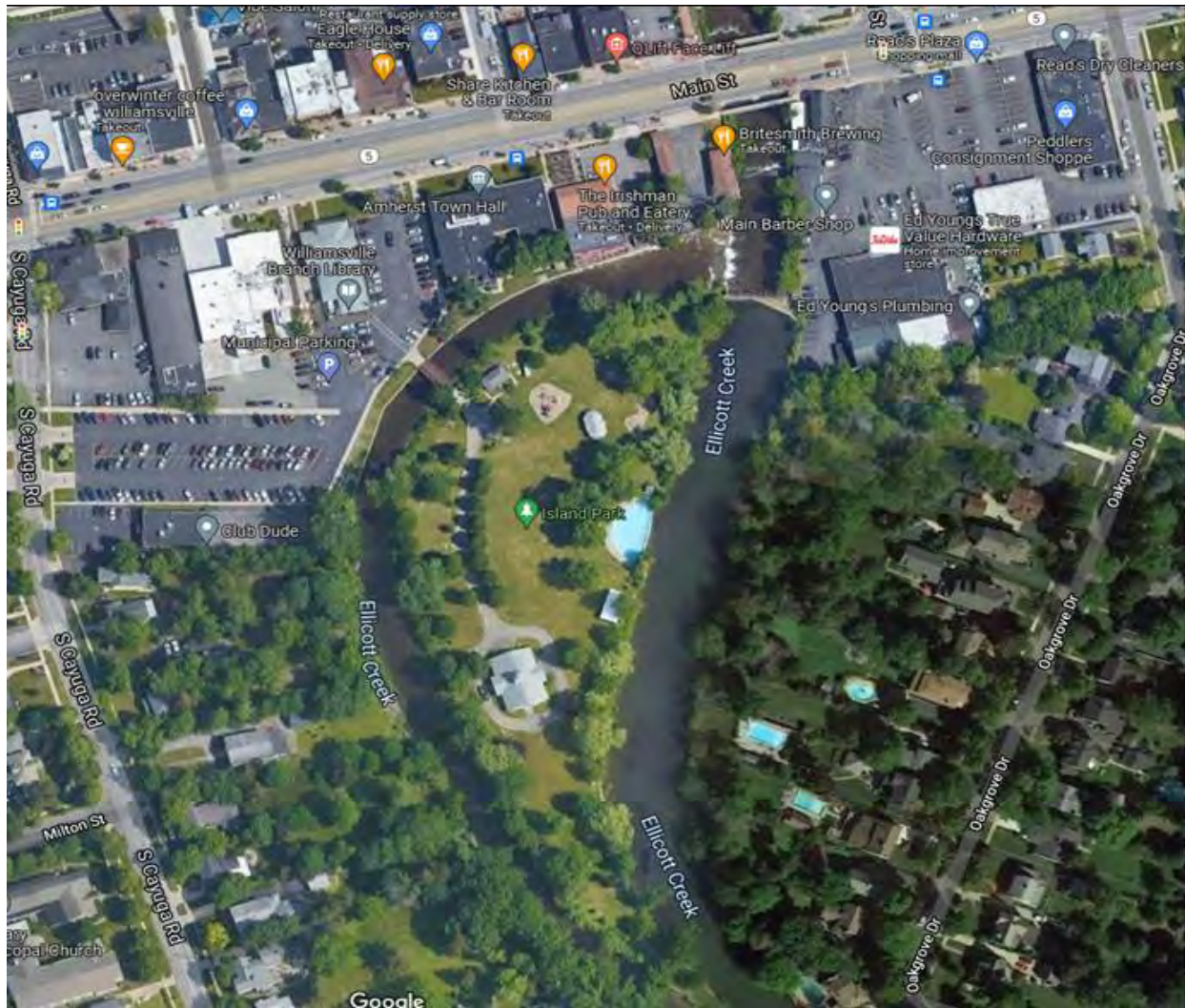


Figure 20: Island Park - Aerial View of Island Park, the dam located at the north end of the park, the municipal buildings (Village Hall, the Williamsville Fire Station, the Erie County Public Library, and Amherst Town Hall) and the municipal parking lot; and the Ed Youngs Plaza (located east of the dam); the historic Main Street bridge and the entry area to Glen Park (located immediately west of the bridge); Source: Google Maps; USGS Map Data, 2021.

Additionally, the only way to access Island Park is by way of the bridge crossing behind Amherst Town Hall. Access from the east would make it easier for residents and visitors to get to the park from Oakgrove Drive and the eastern side of the Village. The Village owns a strip of land along the eastern shoreline of Ellicott Creek, across from Island Park that could be used to provide access. However, this land abuts a large commercial development (Ed Young's Plaza) and several private residences. The village will evaluate the potential for current and future access from the east. As part of the redevelopment of the plaza the Village will consider an additional entrance to the Island Park. The Island Park dam previously provided access to the park, visitors could walk or bike across the dam. However, the dam is currently deteriorated and operationally deficient and needs to be reconstructed or replaced. The Village will evaluate the

structural integrity, functionality, and future of the Island Park dam. If it is determined that the dam should remain at its current location as part of this project, consideration will be given to reestablishing access to Island Park, at that location.

Village Glen Tennis Center

The Village Glen Tennis Center is a large, private indoor recreational facility located on Mill Street at the northern boundary of Subarea 1. This property includes indoor and outdoor tennis courts, a wellness center, and a large parking lot. Access to the pathway system along Ellicott Creek in Amherst State Park can be gained behind the tennis center building.

Public Shoreline Access

As discussed above, the Williamsville WRA benefits from the substantial amount of public parkland that offers access to Ellicott Creek. This access provides formal and informal opportunities for shoreline fishing, wading, or swimming, walking/hiking, bird watching, and scenic viewing. As noted, the Ellicott Creek corridor, north of Glen Avenue, has dirt paths along both shorelines. These paths extend from the north side of the Glen Avenue bridge into Amherst State Park (which is located in the Town of Amherst) and are heavily utilized by hikers, anglers, birdwatchers, and others.

Informal public waterfront access to Ellicott Creek is provided along the Village-owned southern right-of-way of Oakgrove Drive in Subarea 1. Here residents can reach creek waters for fishing or scenic viewing. Parking along the roadside in this area is not readily available due to the limited amount of land located between the creek corridor and the roadway. This area is more easily accessible on foot or by bicycle.



Figure 21: Public right-of-way area along Oakgrove Drive; informal path along the lower reach of Ellicott Creek

Glen Avenue, Main Street, and the south side of Oakgrove Drive are the only roads that provide direct access to Ellicott Creek and do not support residential development. Glen Avenue provides access to Glen Park, Amherst State Park, and Ellicott Creek, where residents enjoy shoreline fishing and passive recreation, as discussed above. It is not uncommon to see anglers fly fishing under the Glen Avenue bridge or in the waters below Glen Falls.

As previously discussed, there is a small overlook area on south side of Glen Avenue, east of Ellicott Creek, that is part of Glen Park and provides views of Glen Falls and the park. This area also provides parking for

handicapped visitors to the area. This overlook is one of several locations where views of the creek are readily available.

Main Street provides access points to Ellicott Creek by way of parking lots, scenic walkways, and informal paths. A walkway that is situated on the west side of the creek provides access to the main area of Glen Park, which is located north of Main Street. This walkway offers scenic views of the creek and Glen Falls and meanders through Glen Park, providing a pedestrian connection between Glen Avenue and Main Street. Two different parking lots located south of Main Street provide visual access to Ellicott Creek. These include the municipal parking area behind Town and Village Halls, and the private parking lot for the Ed Youngs Plaza on the east side of the creek. Island Park, which is surrounded by Ellicott Creek, waterfront can only be reached by a public pedestrian bridge that extends from the municipal parking lot. The Ed Young's Plaza parking lot previously provided access to Island Park by way of the dam structure located at the north end of the park. Deterioration of the dam and associated access issues resulted in the removal of this access. Future redevelopment of the plaza property should include restored access to Island Park.

Connectivity is a common theme that comes to light through the discussion of the different parks in the WRA. Each of the public parks has walking paths as part of public access. The improved connection of these pathways into a greenway system, with better wayfinding signage, is proposed as part of the Village's Community Plan update and related projects proposed in Section IV of the LWRP. This parks greenway would be a larger Village-wide system of sidewalks, trails, and crosswalks that is envisioned for the community.

To enhance the visitors' experience, the wayfinding signage should be complemented by historic interpretive signage and kiosks that will tell the story of the remaining traces of the once very prolific local milling industry.

Tourism

The public parks and historic landmarks in the WRA attract residents and visitors alike. Picturesque Glen Park is heavily utilized for passive recreation and scenic viewing, Glen Falls being the major attraction. Others come to this area to hike the trails in Amherst State Park or fish along the shoreline below the falls or in the State Park. The historic Williamsville Water Mill on Spring Street and the small collections of shops and restaurants on Spring Street and Main Street in the Village Square Focus Area are frequented by residents and visitors to the community. Main Street, Glen Park and Island Park are the sites of annual and seasonal events and festivals that draw large crowds. The municipal parking lot is also the site of the Williamsville Farmers' Market⁵ in the fall. The Village will work with the Williamsville Business Association to develop a marketing strategy for the Village Square Focus Area that links the promotion of local cultural events in parks, the historic value of the area, and the attraction of Glen Falls and the local parks as a significant draw for tourists, with business and economic development. Such a strategy could strengthen the vitality of this area and make the Main and West Spring area a focal point for activity, as recommended in the Village's comprehensive planning documents. As previously noted, public parking is another issue that will be evaluated as part of the related project proposed in Section IV of the LWRP.

⁵ <https://www.williamsvillefarmersmarket.com/>

2.12 SOILS, TOPOGRAPHY, AND GEOLOGY

The soils within the Village of Williamsville WRA fall into 17 categories as classified by the U.S.D.A. Soil Survey. Most soils within the WRA, including those classified as urban lands, are comprised of loams generally indicative of riparian floodplains.

Subarea 1 is composed of a combination of loam and silty loam soils. Silty loams are generally found directly in or adjacent to Ellicott Creek, and feature more poorly drained soils, while upland areas contain better-draining loamy tills.

Subarea 2 primarily contains well-draining loamy till along the western extent of the WRA, while the stream channel itself and the adjacent floodplain contains poorly drained silt loam alluvium material. The full soil survey data for the WRA can be seen below in Table 1.

Table 1 - Soils

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ux	Urban land-Wassaic complex	16.8	13.60%
HoB	Honeoye loam, 3 to 8 percent slopes	15.4	12.50%
Wd	Wayland soils complex, 0 to 3 percent slopes, frequently flooded	15.2	12.30%
OvA	Ovid silt loam, 0 to 3 percent slopes	13.1	10.60%
W	Water	10	8.10%
LmA	Lima loam, 0 to 3 percent slopes	9.4	7.60%
FaB	Farmington channery loam, 3 to 8 percent slopes	8	6.50%
CsB	Collamer silt loam, 3 to 8 percent slopes	66	4.80%
Te	Teel silt loam	5.7	4.60%
WaB	Wassaic silt loam, 3 to 8 percent slopes	5.6	4.60%
BgC	Benson very channery loam, very rocky, 8 to 15 percent slopes	5.3	4.30%
PhA	Phelps gravelly loam, 0 to 3 percent slopes	4.7	3.80%
CgB	Cazenovia silt loam, 3 to 8 percent slopes	3.6	3.00%
HvD	Hudson silty clay loam, 15 to 25 percent slopes	1.9	1.60%
In	Ilion silt loam	1.9	1.50%
CoA	Churchville silt loam, 0 to 3 percent slopes	1.2	1.00%
UrA	Urban land-Lima complex, 1 to 6 percent slopes	0	0.00%

The topography of Western New York, including the Village of Williamsville was primarily influenced by glaciation, which created lowland plains with relatively flat topography near the present-day Lakes Erie and Ontario, with glaciated hills in the southern Niagara River Watershed.

The most significant topographic and geologic feature within the WRA is the Onondaga Escarpment. This escarpment is a group of limestones and dolomites dating to the Devonian age (419.2–358.9 million years ago). The Onondaga formation spans from the Hudson Valley, across New York State, and continues northwest through Ontario Canada, where it terminates at Lake Huron. Because of the relative hardness

of the sedimentary rocks in the group, it is more resistant to weathering and erosion than other nearby formations, creating steep drop-offs that form the Onondaga Escarpment.

The Onondaga Escarpment was formerly the southern extent of the historical Lake Tonawanda. The vertical drop-off, which can range up to 60 vertical feet in some locations, creates barriers and waterfalls on several local creeks and tributaries, including on Ellicott Creek in the Village of Williamsville. This drop off is apparent in and around Glen Park, where the grade changes significantly between Glen Avenue to the north and Spring Street to the south. At the escarpment in Glen Park, Ellicott Creek drops nearly 50 feet, creating Glen Falls, the waterfall for which the park is named.

Surficial Geology within the Village of Williamsville WRA is primarily classified as till, which is defined by the New York State Museum's surficial geology maps as "variable texture (boulders to silt), usually poorly sorted sand-rich diamict, deposition beneath glacier ice, permeability varies with compaction, thickness

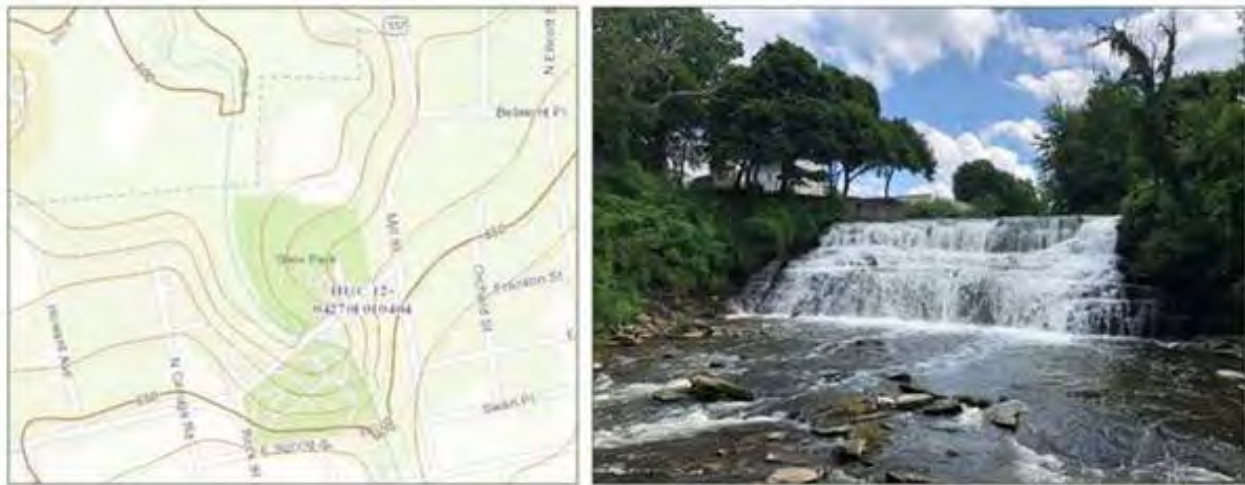
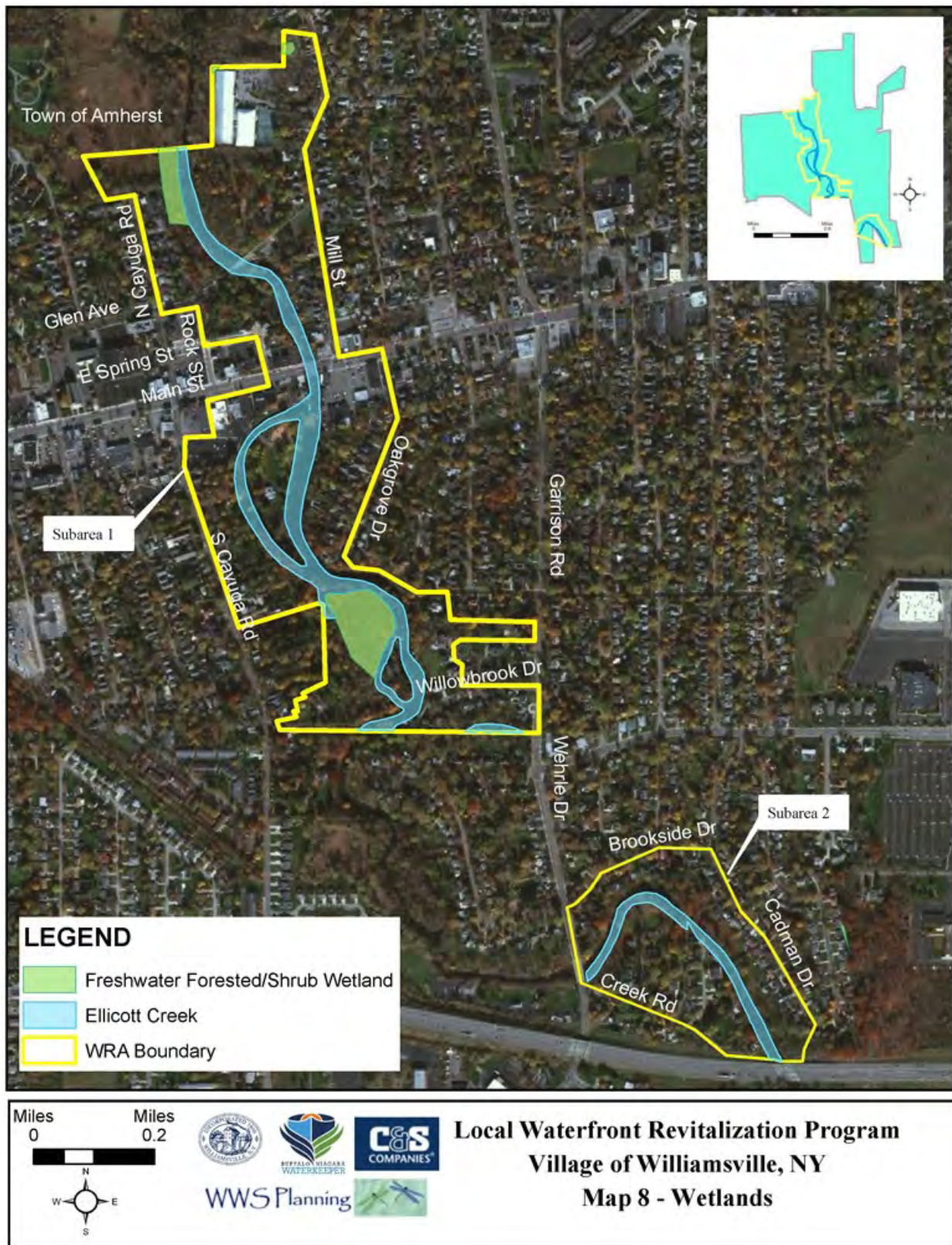


Figure 22: Topography and View of the Glen Falls

variable (1-50 meters).” The maps also show that the northernmost point of the WRA is comprised of Recent Alluvium, which is defined as permeable oxidized fine sand to gravel that is typically 1 to 10 meters thick, generally confined to flood plains, may be overlain by silt and is subject to flooding. Till and alluvial geologic features are commonplace on developed lands adjacent to waterbodies and are prevalent along the Onondaga Escarpment and Niagara Escarpment to the North.

2.13 WETLANDS, WILDLIFE, AND HABITATS

Wetlands (swamps, marshes, and similar areas) are areas saturated by surface or ground water sufficient to support distinctive vegetation adapted for life in saturated soil conditions. Wetlands serve as natural habitat for many species of plants and animals and absorb the forces of flood and tidal erosion to prevent loss of upland soils. According to NYS DEC mapping, there are no significant areas of State-regulated freshwater wetlands in the WRA.



As shown on [Map 8 - Wetlands](#), there are two wetland areas mapped on the National Wetland Inventory (NWI) in Subarea 1. The first is located along the western shoreline of Ellicott Creek (2.8 acres) in Amherst State Park. The second wetland area is located at the southern extent of Subarea 1, encompassing the entire area of Dream Island (3.4 acres). Both NWI wetlands, which are situated in areas subject to flooding during certain times of the year, are classified as “Freshwater Forested/Shrub Wetland.” Additionally, several very small (<1 acre) wetlands classified as “Riverine” by the NWI are mapped in the creek corridor. There are no identified areas of wetlands in Subarea 2.

Review of the Natural Heritage Program databases and other information available through the NYS DEC Division of Fish, Wildlife and Marine Resources indicated no records of endangered, threatened or species of special concern in the WRA. Additionally, the WRA contains no significant natural communities as shown by the NYS DEC Environmental Resource Mapper.

Ellicott Creek is a diverse ecosystem and popular location for migratory birds. Providing a variety of habitat, the creek corridor attracts numerous species of songbirds and other wildlife. A portion of Amherst State Park (outside the WRA), known as the Williamsville Glen (Rising, 1994), is a locally important birding area that has been described as a “spring migrant trap” (an area that attracts numerous songbirds during spring migration). Spring migration typically extends from March through June. The Williamsville Glen area extends north from Glen Avenue (in the WRA) for approximately one mile and includes all the property in Glen Park and Amherst State Park that borders Ellicott Creek. Between 1989 and 1992, 133 different bird species were identified, including over 30 species of warbler (Rising, 1994). The deciduous forest and scrub-shrub areas along the creek provide nesting areas for many songbirds, as well as woodpeckers, nuthatch, brown creeper, and certain warblers. The large parcel of open land located at the end of North Cayuga Road, which is owned by the Town of Amherst, is known to be extensively used as nesting area. Ellicott Creek and Amherst State Park, as well as Glen Park and Island Park, are actively visited by birding enthusiasts during migration season because of the wide array of songbirds and other species found throughout the area. The current birding conditions do not necessitate any Village actions.

The creation of pollinator gardens along the creek corridor and in the parks, and the targeted removal of pervasive areas of invasive species will help improve habitat in the WRA. Related proposed projects are included in Section IV of the LWRP.

Invasive Species

The Western New York PRISM⁶ is proactively working to identify, evaluate, and address invasive species priorities in western New York using a coordinated partnership of local professionals, organizations, and private citizens to improve, restore, and protect local aquatic and terrestrial resources. The organization identified several invasive plant species in the region, such as Canada thistle, phragmites, black and pale swallowwort, and knotweeds.

The Village is interested in assessing which of these invasive plants exist within the WRA, find means to control them, and educate the public on how to avoid spreading them. A project that addresses this issue is proposed in Section IV of the LWRP.

⁶ WNY PRISM Partnering to Protect Western New York from Invasive Species - <https://www.wnyprism.org/town-of-amherst-working-to-stop-the-spread/>

Light pollution

Habitat loss and fragmentation have historically caused declines in wildlife populations. Additional threats to wildlife include invasive plants, off-road vehicles, and light pollution. To decrease the impact on wildlife habitats the lighting systems utilized in the public parks and along public roads should have a dark sky design and be energy efficient. To address the impact of light pollution on wildlife, the Village is proposing a related project in Section IV of the LWRP.

2.14 SURFACE WATER QUALITY

The Village of Williamsville is located within the Niagara River Watershed, which encompasses 1,411 square miles in Western New York. Ellicott Creek is contained within the Ellicott Creek Sub-watershed, the largest tributary to Tonawanda Creek. It is 47 miles long and flows northwest from its headwater wetlands in Genesee County to join Tonawanda Creek about a half mile above its mouth at the Niagara River, in the Town of Tonawanda. Many of the natural tributaries of Ellicott Creek have been channelized into stormwater conveyance systems in the urban and suburban areas of the Ellicott Creek. Sub-watershed that lacks the significant natural hydrological and habitat features that are associated with natural stream corridors.

In accordance with 6 NYCRR Part 701 Classifications - Waters and Groundwaters, the New York State Department of Environmental Conservation (NYS DEC) has assigned water quality stream classifications to surface waters in New York State. These classifications identify the best usage for each stream. Ellicott Creek, within the Village is classified as follows:

Waterbody Segment	Index No.	Classification
Ellicott Creek, Lower, and tributaries	Ont 15812-1	B

In accordance with the best usage for Class B streams as fishing and primary and secondary contact recreation, these waters are suitable for fish, shellfish and wildlife propagation and survival.

Stormwater within the Village is directly discharged into Ellicott Creek through stormwater discharge pipes at various places, in the WRA and is a major contributor to the impairments classified by NYS DEC. Additionally, non-point source pollution from stormwater runoff is the primary impediment to water quality improvement within the Village.

There are many types of pollutants that find their way into local surface waters, and some common pollutants found in storm sewers and creeks/streams include animal waste, litter, motor oil and other petroleum products from motor vehicles, yard clippings, fertilizers and pesticides, soapy car wash water, and eroded sediments. These contaminants are transported through storm drains and overland flow to local waterbodies in rainfall, snowfall melt and irrigation runoff.

Overuse of pesticides, herbicides, and fertilizers can lead to water quality impairments and adverse impacts to plants, insects, and animals in and around the affected waters. It can also cause eutrophication, a condition where high levels of nutrients cause algae blooms and overgrowth of vegetation, which in turn reduces the level of dissolved oxygen available in the water that can adversely impact wildlife.



Figure 23: View of drainage pipes, missing vegetative buffers, and stormwater outfalls for the municipal parking lot along Ellicott Creek

Properties that abut the creek that lack vegetative buffers along the shoreline convey stormwater containing pollutants. These unprotected shorelines also contribute to silt and sedimentation pollution to the waterway through eroding streambanks. While some progress has been made in the WRA, such as the construction of a major green infrastructure project on Spring Street, a large extent of the waterfront lands in the Village are in private ownership and lack sufficient green and living infrastructure to properly manage stormwater runoff. Some properties also discharge drainage directly to the creek. Additionally, the municipal parking lot that is owned by the Town of Amherst discharges stormwater directly to Ellicott Creek at Island Park. This includes direct runoff from rain events and the release of pollutants from snow melt. The Village will encourage the Town to consider installing green infrastructure on this lot, to filter stormwater before being discharged into the creek.

Increased public education and other measures are needed to help reduce water quality impairments.

The Village incorporated stormwater management regulations into the Zoning Law to mitigate discharges to local waterways. Some storm drains have also been stenciled to prohibit dumping directly to Ellicott Creek. As a member of the Western New York Stormwater Coalition, the Village makes educational literature available to the public to help prevent stormwater pollution, but this effort needs to be strengthened to achieve the implementation goals for the Village's Stormwater Management Plan.

The stormwater runoff from an over-fertilized lawn carries phosphorus into the nearby waterbodies, which could cause algae overgrowth, including harmful algal blooms. Such outcome may have serious impacts to the environment and public health⁷. The Village will use the fertilizer supported by the Nutrient Runoff Law and educate homeowners about the environmental impact of the fertilizer used on private lawns and the restrictions imposed by the NYS Nutrient Runoff Law.

Priority Waterbodies List

The water quality classifications assigned to waterbodies by the NYS DEC do not necessarily reflect all water quality issues. The Federal Clean Water Act requires states to periodically assess and report on the quality of waters in their state. Therefore, the NYS DEC has developed a State-wide inventory of specific

⁷ [NYS DEC - Lawn Fertilizer](#) (NYS Nutrient Runoff Law)

waterbodies, based on monitoring and information drawn from other programs and sources that characterizes general water quality, the degree to which water uses are supported, and progress toward the identification of quality problems and improvements. The NYS DEC Division of Water periodically publishes a list of the surface waters that cannot be fully used as a resource or have problems that can damage their environmental integrity. The “Waterbody Inventory/Priority Waterbodies List” is used as a base resource for NYS DEC Division of Water program management. Separate Waterbody Inventory/Priority Waterbodies List Reports are prepared and maintained for each of the major drainage basins in the State.

The list includes an assessment of water quality for waterbodies under six categories, which include:

Waters with No Known Impacts – waterbody segments where monitoring data and information indicate no use restrictions or other water quality impacts or issues.

Threatened Waterbody Segments – waterbody segments for which uses are not restricted and no water quality problems exist, but where specific land use or other changes in the surrounding watershed are known or strongly suspected of threatening water quality; or waterbodies where the support of a specific and/or distinctive use makes the waterbody susceptible to water quality threats.

Waters with Minor Impacts – waterbody segments where less severe water quality impacts are apparent but uses are still considered fully supported (these waters correspond with waters that are listed as having “stressed” uses).

Waterbodies with Impacts Needing Verification – these are segments that are thought to have water quality problems or impacts, but where there is insufficient or indeterminate documentation. These segments require additional monitoring to determine whether uses should be restricted.

Impaired Segments – these are waterbodies with well documented water quality problems that result in precluded or impaired uses.

Unassessed Waterbodies – waterbody segments where there is insufficient water quality information available to assess the support of designated uses.

The NYS DEC’s Waterbody Inventory/Priority Waterbodies List includes the following information for Ellicott Creek.

Table 2 – NYS DEC Water Quality Assessment

Water Body	Impaired Use	Severity	Type of Pollutant	Causes/Source	Category
Ellicott Creek, Lower and Tributaries	Public Bathing	Suspected to be Stressed	<i>Suspected:</i> Nutrients,	Non-permitted sanitary discharge	Impaired Segment
	Recreation	Suspected to be Stressed	Pathogens, Pesticides,	Urban/Stormwater Runoff	
	Aquatic Life	Known to be Impaired	Silt/Sediment	Toxic/Contaminated Sediment	

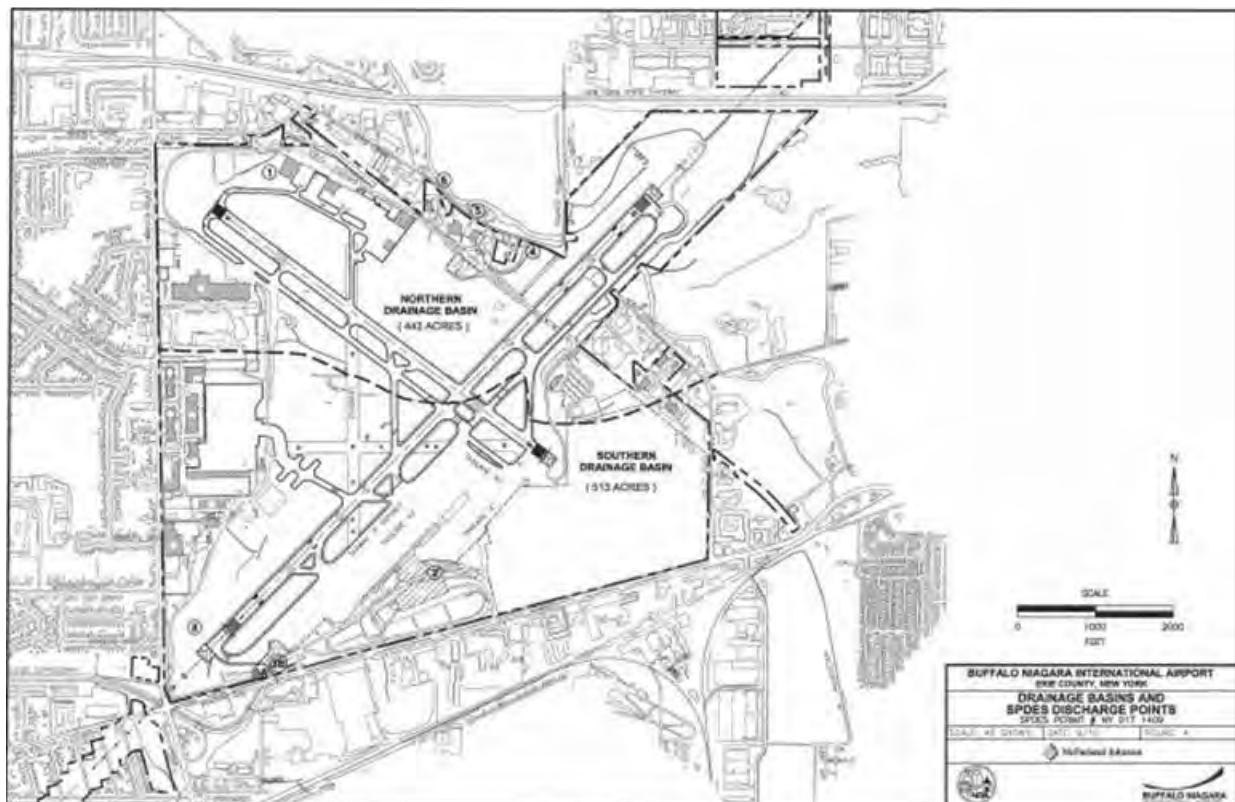
The lower Ellicott Creek segment extends from the mouth of the creek to the Town of Alden and is identified as impaired due to nonpoint source pollutants. This creek segment is impacted by point and non-point source discharges from the Towns of Alden, Lancaster, Cheektowaga, Amherst, and Tonawanda, and the Villages of Lancaster and Williamsville.

Impaired segments, waters with Minor Impacts, and Threatened Waterbody segments are the focus of remedial/corrective and resource protection activities by the NYS DEC. Ellicott Creek within the Village WRA was assessed by NYS DEC as part of the Rotating Intensive Basin Studies (RIBS) in 1993-94, 2001, and 2005. The 1993-94 sampling indicated that the sampling site on Sheridan Drive, between Williamsville and Amherst (outside the WRA), was “clearly moderately impacted” and remained so in 2001.

The 2005 biological assessment (macroinvertebrate) of Ellicott Creek in Williamsville (at Route 324 and Sheridan Drive, in the Town of Amherst outside the WRA) indicated poor water quality, and significant impairment of aquatic life. This is likely be due to the presence of a large golf course in that area that drains to the creek. The Buffalo Niagara Waterkeeper also conducts water quality monitoring at two locations in the WRA – the large pond in Glen Park and along the Ellicott Creek corridor. Monitoring between April of 2014 and October 2019 indicated stress findings for several constituents. Further study, that is driven by the NYS DEC and Buffalo Niagara Waterkeeper, is needed to investigate these issues, more closely examine their causes, and develop recommendations to be implemented by the towns and villages in the Ellicott Creek watershed.

Buffalo International Airport Stormwater Management

The Buffalo Niagara International Airport (BNIA) covers almost 1,000 acres located in the towns of Amherst and Cheektowaga, south of the Village of Williamsville WRA, and ranks as one of the biggest users of deicing fluid each year and is required to treat stormwater prior to discharge to the environment and the waters of the Ellicott Creek.



The BNIA stormwater collection system is designed to capture runoff including flows of spent deicing fluids from every gate and runway areas and direct them to a system of “engineered wetlands” that was

constructed in 2009 (Buffalo Niagara International Airport Sustainable Master Plan⁸ Update-Final Report, McFarland Johnson, May 2013).

The system can effectively treat the average daily volume of deicing fluids collected during high use months and can handle variable conditions (high concentrations of deicing fluids with low flow during hard freeze in winter, and low concentrations with high flow during spring melt). It consists of four discrete subsurface wetland cells that were created as part of an open area that was excavated just east of the BNIA's operations area on Cayuga Road. Each cell measures about 300 feet long by 167 feet wide (roughly the size of a football field), with a depth of about 5.5 feet, and is filled with crushed stone. Bacteria grow in the cells and consume deicing fluids (glycol and other contaminants) within a few days' time. Treated effluent flows by gravity into a 24-inch concrete pipe that discharges into the Genesee Street drainage network near Cayuga Road.

In summer, the system bolsters the BNIA's flood prevention measures; the beds can be emptied and used for stormwater detention. Online monitoring over the 2010-2011 deicing season indicated consistent treatment effectiveness of 90 percent or higher.

2.15 FLOODING AND EROSION

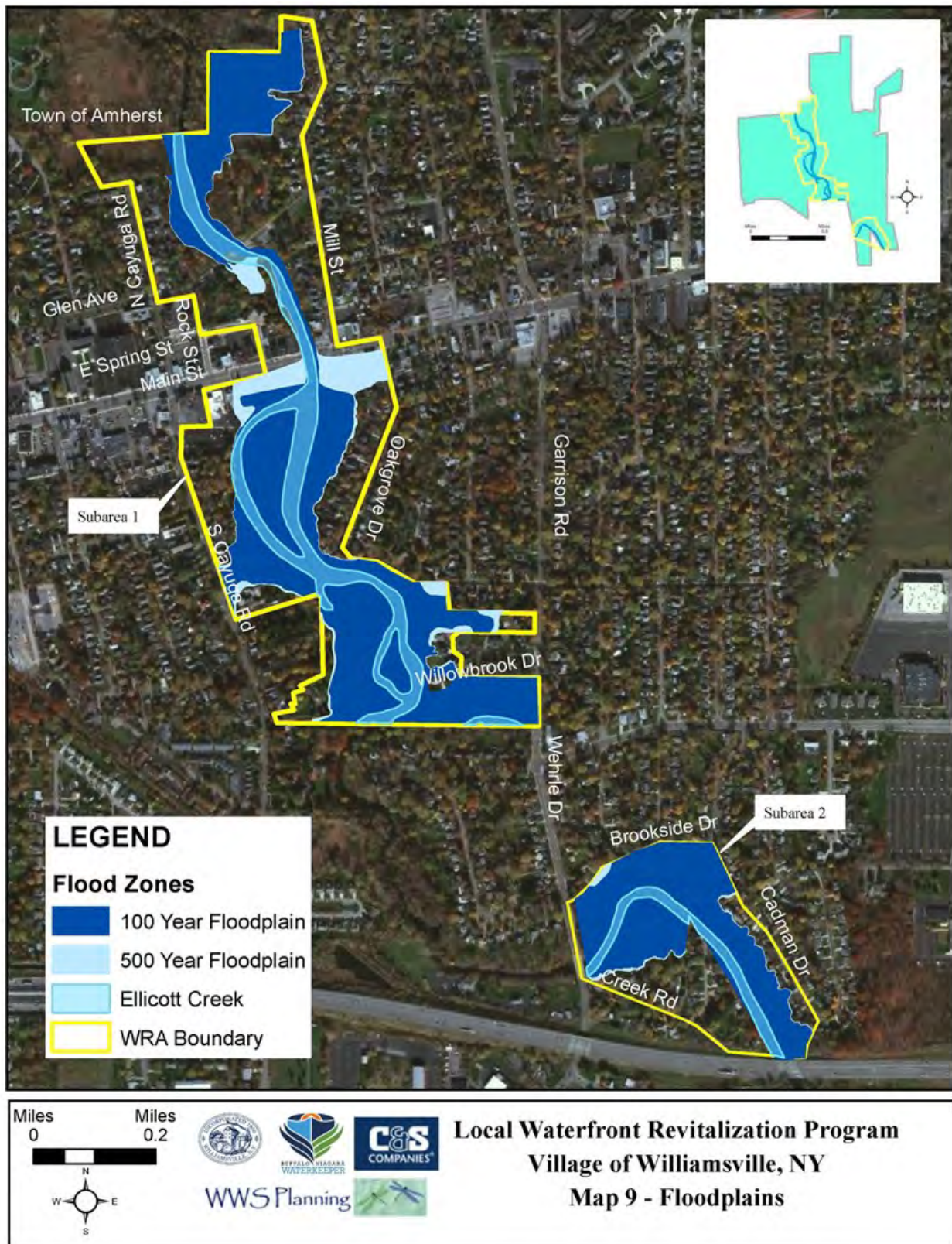
Development in the floodplain in the Village of Williamsville is regulated under Chapter 31 – Flood Damage Prevention of the Village Code, which is included in Appendix B of the LWRP. This law is designed to “promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas”, as designated on the Flood Insurance Rate Maps.

The Village of Williamsville established an updated special flood hazard area through the adoption of FEMA Flood Insurance Rate Maps 36029C0209H, 36029C0226H, 36029C0228H, effective June 7, 2019. The FIRM maps delineate the final flood hazard boundaries that provide the basis for the implementation of the regular program phase of the National Flood Insurance Program within the Town. As shown on [Map 9 – Floodplains](#), special flood hazard areas cover a significant portion of the WRA. The corresponding FIRM map within the WRA is Community Map number 36029C0228H. Within the regulatory floodplain, Floodplain Development Permits are required for certain construction activities within the Regulated Floodway and Special Flood Hazard Area (Zones Zone A, AE, AH, AO, A1- A30, A99, V, VO, VE, and V1-V30).

As discussed above, the Village utilizes flood gates in a dam structure at Island Park to control the flow and water level in the upper reaches of Ellicott Creek and around this island. The dam, which is part of the NYS DEC inventory of dams in the region, was reclassified as “low hazard” based on a determination that if it collapsed, there would be no downstream hazard (Ted Meyers, NYS DEC, February 20, 2020). Based on this classification, the Village is not required to submit inspection reports or prepare an Emergency Action Plan for the dam. The Village must ensure that the dam meets the safety hazard requirements outlined in 6 NYCRR Part 673.

In late spring, the Village Department of Public Works installs the flood gates to hold back water in the creek, allowing the water level to rise and fully circulate around Island Park.

⁸ <https://www.buffaloairport.com/about-the-airport/master-plan>



This is consistent with a 1932 New York Supreme Court decision (discussed below) and provides property owners on the southern and western shoreline of the creek the ability to enjoy Ellicott creek during the summer season. In the fall, the flood gates are removed, reducing the water level in the western branch of the creek, which deviates from the 1932 court order. Unless there is a significant rainfall and/or snowmelt event that increases the volume of flow down Ellicott Creek, the water level in the west branch of the creek along the south and west side of Island Park is typically very shallow to dry during the winter season.



Figure 24: Island Park dam without the floodgates installed and the dry western creek bed

The 1932 Supreme Court decision, filed in the Erie County Clerk's Office in 1946, was issued in favor of the then-owners of the Williamsville Water Mill (Edward L. Jacobi and Phillip F. Klein), presumably to ensure sufficient water remained in the west branch of the Creek to flow into the Water Mill raceway. The Order on its face, requires the Village to "maintain its system for flood control in good state of repair so that the diversion, by reason of the operation of the system, shall not exceed 267,000 gallons per day, except when the [dam] and its flood gates are in operation to relieve actual flood conditions." The Order further provided that the "Village shall have the right to open the flood gates ... for purpose, only, of relieving actual flood conditions, and the gates shall be closed and made reasonably watertight as soon as the flood subsides."

As described above, this is not the current state of dam operation, nor is the actual volume of water that flows through the dam structure gauged on a daily basis to ensure compliance with the flow requirements outlined in the court decision. The Village is researching court filings to better understand the specifics of the Supreme Court decision and to determine the scope and continuing applicability of the original order that may inform any decision as to continued operation of the dam, or any possible replacement structure(s).

When the dam floodgates are in use and water flow in the creek is restricted, it can result in the upstream flooding of shoreline properties during heavy rainfall events that effect the Ellicott Creek watershed. This can make the timing for gate removal harder to judge, as heavy rains can linger beyond early spring. Furthermore, when the floodgates are in use to restrict flow in Ellicott Creek, shoreline erosion occurs along the creek bank, particularly along the east side of Island Park. The long period of inundation in this area of the creek when the gates are in place prevents the establishment of vegetation along the creek banks. Therefore, when the gates are removed in the winter water flows unabated through the dam

structure and along this stretch of the creek, and sudden increases in flow volume and velocity scour the unprotected creek bank.

At present, the Island Park dam structure is old and deteriorating, and the flood gates are not working properly. They can be difficult to remove and tend to freeze in place during the winter, which prohibits their removal. The dam needs significant rehabilitation or full removal to address potential flooding along the creek corridor, improve flow conditions around Island Park and to address existing erosion issues along the creek banks. Determination of such action requires a greater level of study of hydrologic conditions in Ellicott Creek due to the many factors that are involved.



Figure 25: Erosion and lack of vegetation along the eastern shoreline of Island Park along Ellicott Creek

Considering the ambiguity regarding the intent, scope and continued viability of the 1932 Court order (and its implications on dam operation and control of spring flooding), the lack of clarity regarding ownership of upstream portions of the bed of Ellicott Creek and any associated riparian rights along the Creek (and particularly its west branch), and the fact that the dam is not in proper working order, the Village will evaluate potential solutions to address the various elements of the existing situation. A determination needs to be made as to how to remedy flood control; should the dam be restored at its current location or completely rebuilt in another location. The possibility of removing the dam and installing an effective weir system further upstream, south of Island Park, is considered a feasible and potentially more cost-effective approach for controlling flow and flooding in Ellicott Creek. This warrants consideration as the Village does not have funding to rebuild the dam. The two stone weirs that control flow around Island Park also need to be reconstructed and made fully functional again as part of any dam project. As previously noted, before the dam can be removed or rehabilitated, a comprehensive hydrologic study needs to be undertaken to fully understand all the issues (existing flow, seasonal flooding, shoreline erosion, riparian water rights, recreational use of the upper portion of the creek, etc.) and what is needed to properly manage creek flooding and satisfy the requirements of the Supreme Court order⁹. This would include completion of the document research as a part of this action.

To date, the Village of Williamsville has completed a property survey of both shorelines of Ellicott Creek around Island Park to determine actual property boundaries and elevations to help with overall water management in this area. Additionally, the NYS DEC authorized studies funded through the Resilient New

⁹ State of New York Supreme Court-Erie County, Edward L. Jacobi, and Philip F. Klein vs. Village of Williamsville Board of Trustees; filed April 3, 1946, Liber 504, Page 182

York Flood Mitigation Initiative to evaluate the flood resiliency of several creeks in the Western New York area, including Ellicott Creek. This Ellicott Creek study was completed by Ramboll Group, in 2021.

While this study provides more information about the current conditions along the creek and recommends potential mitigation alternatives, more in-depth engineering design studies would be required to identify and examine the details and impact of any mitigation alternative¹⁰.

2.16 ENVIRONMENTAL HAZARDS AND CONSTRAINTS

There are no known inactive hazardous waste sites within the WRA. The waterfront's history of industrial use consists of water-powered mills in the 1800's, and commercial use today is limited to the Main Street portion of the Village. Much of the area has traditionally been used for recreational and residential development, with a large portion remaining undeveloped forested land, and open space (Glen Park).

A significant environmental constraint is the Ellicott Creek Dam, located at the northern tip of Island Park, and the associated raceway. The dam was initially constructed in the 1930's as a flood control structure to mitigate downstream flooding in Ellicott Creek. The Village maintains operation of the dam, inserting barriers in the spring that diverts water around Island Park, effectively creating a separate channel. The flood control and dam construction project included the widening of the raceway that was originally constructed by Joseph Williams in 1814 to power his downstream mills. Today, the dam serves to surround Island Park with water and provide water access to property owners on the western side of the island.

2.17 HISTORIC AND CULTURAL RESOURCES

Information contained in the Village of Williamsville Reconnaissance Level Survey of Historic Resources (Bero Associates, June 1997) indicates that early archaeological literature records an Iroquois Indian village of unknown date and tribal affiliation, one-half mile northwest of Williamsville on Ellicott Creek. From their homeland in the Genesee Valley to the east, the Seneca Iroquois periodically ranged within the territory to the west for purposes of hunting, resource procurement, trade, or warfare. The area known today as the Village of Williamsville was situated along a major route in a system of footpaths maintained throughout Western New York. Following the route approximated by the location of the present-day Main Street, the trail started at the Genesee River near Avon, New York, passing through the Town of Amherst on the way west to Buffalo Creek. By the time of European contact, a second trail had been established following the route of Ellicott Creek as it flowed northward. The historic alignment of Main Street followed the route of this trail.

Early settlement arose because of, and around, the crossing of the north-south creek (which would become known as Ellicott Creek) and an east-west road. A collection of early industrial buildings was erected in this area that formed the nucleus for the settlement of Williams Mills, which became known as Williamsville, many of which survive in some form today, over 200 years later.

Critical to the development of the Town of Amherst and for the Village of Williamsville was the improvement of transportation in the area. Using the Native American east-west foot path called the Great Central Trail, or the Great Iroquois Trail, Joseph Ellicott from the Holland Land Company created the Buffalo Road, which connected Buffalo to the west and the Land Company office in Batavia to the east.

¹⁰ https://www.dec.ny.gov/docs/water_pdf/ellicottcreekfinal.pdf

The present-day Town of Amherst was one of the earliest areas in Erie County that was occupied soon after the Holland Land Company opened land sales in the region. Many of the earliest purchasers of land were men who had accompanied Ellicott during his survey expedition of the area, noting the ample natural resources, the abundance of quickly moving streams to power mills, and the fertile soil useful for agriculture. In 1799, Benjamin Ellicott (who Ellicott Creek was named after), and John Thompson purchased 300 acres of land that included mill privileges along Ellicott Creek expanding use of the area.



Figure 26: Historic mills in the vicinity of the Williamsville waterfall

In 1811, Jonas Williams constructed a crude grist mill on the east side of Ellicott Creek, just north of where the Buffalo Road crossed over the creek. It was powered by water drawn from the adjacent Ellicott Creek waterfall. He built a tannery on the same site, and both businesses enticed settlement in the area. That same year he abandoned these facilities and built a permanent grist mill, the Williamsville Water Mill, and a sawmill near the grist mill, on the west side of Ellicott Creek. In addition to his mills and the tannery, Williams owned a distillery, as well as dams and raceways around Ellicott Creek to power the various mills. It is this collection of Jonas William's early industrial buildings that formed the nucleus for the pioneer settlement of Williams Mills, which became known as Williamsville.

The island in Ellicott Creek (now known as Island Park) was created in 1814 when Jonas Williams excavated a raceway from the bend in the creek (at the south end of the island) that diverted water flow to power his mill operations on the east side of the creek, north of Buffalo Road and proximate Williamsville waterfall (Glen Falls). He also built a stone dam and stone lined raceway that carried water from the creek north of the island to the Williamsville Water Mill (north of Buffalo Road, on the west side of Ellicott Creek), which years later was covered over to extend beneath Main Street. In the 1930's, as part of a WPA flood control project, the eastern raceway was dredged and widened, and the spoils used to formally create Island Park as it is known today.

A dam was built at the north end to control water levels around the island and flooding in the creek. Thereafter, more widespread settlement at Williams Mills was made possible by key improvements in the transportation network in the region. Buffalo Road was improved, cleared to a width of eight feet which did much to encourage continued settlement in the area as Williams Mills was an ideal location with easy access to the swiftly moving waters of the Ellicott Creek, which was a valuable power source for industrial use. The road also provided area residents easier access to neighboring markets and mills in nearby communities.

In the 1814, Jonas Williams' property was sold to and improved by Juba Storrs & Company as an active milling operation, which included a blacksmith shop, distillery, ashery, and other stores. Many new houses and businesses were erected in the village in the 1820s and '30s, including several wood frame buildings along Main Street. A regular stagecoach route was established on the Buffalo Road by 1830, between Batavia and Buffalo, making frequent stops in the taverns at Williamsville. Buffalo Road was also improved from dirt to an early paved road, and the raceway to the Williamsville Water Mill was permanently situated underground. This raceway still exists but is non-operational and the condition of the section beneath Main Street is deteriorated and in need of repair to reinstate its use.

In 1847, the New York State Legislature passed an act for the incorporation of villages; the village of Williamsville was officially incorporated on June 26, 1850. The 1850s saw a period of significant industrial growth and prosperity in the Village of Williamsville. Milling continued to be a primary industry for the community, including the continued operation of the water mill. Other operations on the creek included forges, and a flour mill and papermill, among several other mills. Limestone quarrying and cement production were also active enterprises in Williamsville during the mid-1800s. Agriculture, in the form of many large and prosperous farms located to the north of the village, also played a key role in growing and diversifying the area economy.

By the 1850s, the Buffalo Road had become known as Main Street. Lots on Main Street were long and narrow, maximizing the number of properties that could be built along the street, and providing ample land behind for service buildings, barns, and other structures. The industrial center for Williamsville was located around Main Street where it crossed Ellicott Creek, with the namesake mills, forges, and other industrial buildings concentrated along the creek and raceways. The Dodge Mill was founded in 1864, located on the east bank of the Ellicott Creek, near Main Street. Crossing the creek was not an easy feat in the 1850s, as the bridge was constructed of logs and was often swept away in spring floods. The log bridge was replaced in 1882 with a with a solid, double-arched stone bridge, which still stands today.

By the end of the nineteenth century, Williamsville boasted an impressive variety of commercial and business operations. The Village was positioned as a thriving center in the Town of Amherst. Its small but prominent industries, coupled with strong agricultural resources, helped sustain the economy of the community. Continued transportation improvements would help to make Williamsville and its surrounding rural areas a desirable residential community.

By the twentieth century, new changes were on the horizon for the Village of Williamsville. Once characterized as a rather self-contained and self-sufficient and walkable community, Williamsville's location on Main Street near the growing City of Buffalo would prove to play a significant role in defining its character as a residential community during the automobile age. Electric lights installed on Main Street in 1901 seem to indicate the bright future of Williamsville in the twentieth century.

In the 1890s, improvements to transportation along Main Street helped to encourage the growth of residential, suburban neighborhoods as the population of the City of Buffalo grew rapidly. The Village's location on Main Street near the growing City of Buffalo defined its character as a residential community during the automobile age. The Buffalo and Williamsville Electric Railway, a streetcar or trolley system, was built along Main Street in 1893, providing a faster, more reliable, and affordable transportation alternative. Electric lights were installed on Main Street in 1901. The conversion of agricultural land and ensuing residential development transformed the once generally linear village plan into a more rectangular community that stretched beyond the rigid line of Main Street, changing its character significantly. The 1900s saw the emergence of residential land use as the predominate use in the village.

The Williamsville Glen area, once the center of industrial activity in the Village, was transformed to an entertainment district when electricity allowed factories and mills to operate without waterpower. With the shift in land use in the area, the Harry Altman Glen Park Casino complex was built at the current site of Glen Park. In addition to a casino and dance hall, the area featured a children's amusement park and small zoo. In the 1940's, a theater and restaurant were added. In 1968, the dance club, which was known then as the "inferno", burned to the ground in a massive fire. Four years later, the Glen Casino theater and restaurant also burned. Shortly thereafter, numerous structures were leveled, and the property was sold to the Town of Amherst in 1973. Through a joint venture with the Village of Williamsville, the property was developed as a public park in 1977.

In Williamsville, the 1960s and '70s saw a new era of construction occur. Main Street in the Village had always served as the key transportation corridor for the community, and a center for commerce and trade. In 1960, Main Street was widened to accommodate additional automobile traffic and all the trees and landscaping that once lined the street were removed, dramatically transforming the character of Main Street and the context of its nineteenth century buildings. As the era of the automobile progressed in the late twentieth century, and the need for shops and office spaces increased, many of the residential properties on Main Street were converted to commercial functions. Multi-unit apartment buildings, including the modern-styled Williamsville Towers, were built in the area, reflecting new trends in residential construction.

This era, however, also saw the loss of many of the Village's early buildings. The old Evans House, the earliest house built in Erie County, was demolished in 1955, after years of neglect. By 1964, the Town of Amherst had grown to such a size that it decided to create a Civic Center on the south side of Main Street. Containing Village Hall, a separate police station, the new Williamsville branch of the Buffalo and Erie County Public Library, and a new Town Hall, this Civic Center required the demolition of the old Village and Town Hall, several stores, and houses in 1965. Many other individual houses and historic buildings also were removed in the 1960s and '70s along Main Street.

Today, Main Street and the Village of Williamsville reflect many trends and changes that have occurred since the Iroquois once traveled the Great Iroquois Trail. The early rural character of the Village is a distant memory, and the forces of suburban sprawl and rapid growth have shaped the Village as it exists today. The location of the Village on the primary transportation corridor of Main Street has proven to be a double-edged sword. While Main Street helped to spur Williamsville's early growth, giving the Village the advantage of easy access to goods and travel, over the years Main Street has become a crowded automobile dominated thoroughfare that diminishes the tranquility and walkability of the community for the people who live, work, and visit there. Now a busy State highway, Main Street supports a significant auto-centric commercial area that has lost its original, pedestrian-oriented character. However, the Village has strived to protect the remaining historic structures and historic community character that is part of the heritage of this area.

Historic Preservation

Despite the changes that have occurred over the years, the Village of Williamsville retains an impressive collection of historic buildings and retains many significant resources that link its past to the present time. The Village is fortunate to have retained one of the historic mills, the Williamsville Water Mill, that helped to shape its early industrial character and its future as a Village. While Main Street has faced the demolition of buildings and loss of historic fabric, many historic houses along Main Street were sensitively

transformed for commercial and office use, rather than demolished. Stone walls, garden houses, and other resources (many the remnants of deep lots along Main Street) help tell the story of the growth and development of the Village in the early twentieth century. Today, Williamsville reflects its historic, rural past and the modern suburban growth that continues to shape its character.

Recognizing the need to protect the community's cultural significance, the Village of Williamsville Board of Trustees adopted Chapter 47 Historic Preservation Law in May 1983. This law was updated in June 1996 and is included in Appendix B of the LWRP. The purpose of this Code is to:

- ◆ protect and enhance the landmarks and districts that represent distinctive elements of the Village's history;
- ◆ foster civic pride in the accomplishments of the past;
- ◆ protect and enhance Williamsville's attractiveness to visitors and support and stimulate the local economy; and
- ◆ ensure harmonious, orderly, and efficient growth in the Village to protect the character and quality of life unique to the community.

The Historic Preservation Law established an Historic Preservation Commission. The primary duties of this Commission include:

- ◆ To recommend designation of historic landmarks, site, and districts;
- ◆ To adopt criteria for the identification of significant historic, architectural, and cultural landmarks and/or the delineation of historic districts;
- ◆ To conduct surveys of significant historic, architectural, and cultural landmarks within the Village;
- ◆ To promote an awareness of the landmarks of historic, cultural, social, and architectural significance in the Village;
- ◆ To make recommendations to the Village Board concerning the utilization of State, federal or private funds to promote the preservation of landmarks and historic districts within the Village;
- ◆ To approve or disapprove applications for Certificates of Appropriateness for any exterior alteration, restoration, reconstruction, excavation, grading, demolition, new construction or moving of a designated landmark or property, or any other material changes to any property within an historic district.

To implement Chapter 47, in 1997, the Historic Preservation Committee commissioned a Reconnaissance Level Survey of Historic Assets. Continuing this commitment, this study was followed by an Intensive Level Historic Resource Survey of the Village in 2014, which built off the prior study. These studies identified several local landmarks that have been recognized by the Village.

Since the adoption of the Historic Preservation Law, the Village of Williamsville has also strengthened its commitment to the protection of significant historic and architectural resources through the adoption of the 2010 Community Plan and the 2011 Mixed Use Design Standards. In 2014, the Village adopted Historic Landmark Design Standards, which are included in Appendix B of the LWRP, to supplement these plans and existing ordinances to further educate the community on the value of its historic landmarks and prevent the erosion of the historic fabric in the community.

Historic Sites and Structures

The Williamsville Historic Preservation Commission has designated several individual buildings as local landmarks of significance, which has proven to be a valuable tool for protecting historic resources. State and National Register listings have also been useful.

There are two sites in the WRA that are listed on the National and State Registers of Historic Places. These include the Williamsville Water Mill and the adjacent Red Mill House (90NR01253). These sites were listed on the National Register in June 1983 and the State Register in August 1983.

The Water Mill structure was built in 1811, which included a grist mill and sawmill; the Red Mill House was built in around 1840. Both buildings are central to the history of the Village and their preservation is key to protecting the heritage of this area, where numerous other mills and associated structures were once located.

The Water Mill, Red House and associated buildings stood vacant and deteriorated for many years until purchased by the Village in 2005. They have since been restored and are now under private ownership. The Water Mill currently houses Sweet Jenny's ice cream and confectionary store.

Other historic sites officially designated as local historic landmarks are listed in Table 4.



Figure 27: Williamsville Water Mill and Red House

Table 4: Local Historic Landmarks

Name	Address	Year Built	Designation Date
Hopkins Schoolhouse	72 South Cayuga Road	1840	September 1990
Glen Park	287 Glen Avenue	1977	June 1989
Cambria Castle (Dream Island)	175 Oakgrove Drive	1917	August 1985
Williamsville Water Mill	56 East Spring Street	1827	June 1984
Mill Red House	60 East Spring Street	c. 1840	December 2005
Moor Pat	78 East Spring Street	c. 1800-1900	November 2014
Main Street Bridge	Main Street over Ellicott Creek	1882	November 2014
Share Kitchen and Bar Room	5590 Main Street	1893	November 2014
Jeweler and Hair Salon	5596 Main Street	1893	November 2014

The Historic Preservation Commission also recommended designation of a section of South Cayuga Road as an Historic District. Figure 27 shows the South Cayuga Road Corridor Intensive Level Survey accessible to the public in the NYS OPRHP's Cultural Resources Information System. This district, which was recognized by the State Office of Parks, Recreation and Historic Preservation (NYS OPRHP), includes a total of 43 structures, 26 of which fall within the WRA (east side of South Cayuga Road). This designation,

however, was rejected by the property owners along South Cayuga Road and never formally approved by the Village.



Figure 28: South Cayuga Road Historic District

Considering the extent of historic resources that exist in the WRA, and the extensive history of land use and development along Ellicott Creek and in the Glen Park area, historic interpretation is needed. The installation of interpretive features throughout the area would help educate residents and visitors on the significance of the remaining resources, Glen Park, and Ellicott Creek as a source of power for historic mill operations.



Figure 29: Photographs of structural deterioration of stone walls above Glen Falls

The Main Street bridge that spans Ellicott Creek was installed in 1882 to replace the original wooden structure that was subject to creek flooding. This bridge is a locally designated resource. This local designation should be extended to the stone walls along the east side of the creek, above Glen Falls. These walls were installed at the time mill operations were constructed in this area. While they have provided structural support for the land uses along the banks of Ellicott Creek north and south of Main Street (up to the dam), they are deteriorating and in need of repair. Repair of the wall will be costly, and many are under private ownership, making their repair more difficult. The Village will discuss with property owners the local designation of the stone walls and the potential benefits of granting access easements to the Village, which would allow the Village to seek funding to undertake necessary improvements.

Archaeological Resources

The earliest inhabitants of western New York arrived in the region about 12,000 years ago, shortly after the last glacial retreat. Small, highly mobile bands of Paleo-Indians hunted big game like mastodon and caribou and utilized the chert found in on the Onondaga Escarpment. Archaeological excavations at and near the escarpment have uncovered stone tools and projectile objects. Typical archaeological sites associated with Paleo-Indians include short-term hunting camps and workshop, sites where the prehistoric stone tools were manufactured.

Little is known about the Archaic people who inhabited the region between 10,000 and 3,500 years ago, who likely consisted of small semi-nomadic bands of hunters and gatherers. Archaeological evidence suggests that the population density was higher than in the Paleo-Indian phase. The inhabitants of the area became more sedentary and began occupying year-round camps and many have developed some agricultural practices.

In the Early Woodland Period, from 3,500 years to 2,000 years ago, archaeological evidence points to continued hunter-gatherer activity. Settlement size increased and pottery and burial ceremonialism became more elaborate. The Late Woodland Period, which began about 1,000 years ago, shows evidence of cultivation of corn, beans, and squash. Larger populations resided in semi-permanent villages and the political and social development of the region's Iroquoian tribes occurred during this period. The Contact Period began when the first European explorers arrived in western New York, around 500 years ago.

Numerous pre-contact sites have been recorded in Amherst. The known sites provide evidence of archaeological sensitivity, especially along the elevated areas that include the Onondaga Escarpment, and in well-drained areas adjacent to Ellicott Creek and other local creeks. Most of the sites have been documented by cultural resource investigations, while a few were documented by early investigators of the region, local informants like farmers, or as incidental finds during construction projects. Evidence reflects intensive and continuous use of the Onondaga Escarpment and the high-quality chert outcrops along its face.

There is moderate sensitivity for habitation sites, such as short-term camps and quarries and low sensitivity for long-term occupations such as villages. Most known examples of these types of sites are located along Ellicott Creek and other drainageways below the escarpment, generally north of Main Street.

The State recognizes the sensitivity of the Ellicott Creek corridor and Onondaga Escarpment and has identified Archaeologically Sensitive Areas (ASA) in the Village of Williamsville. The State has also coordinated several archaeological surveys in Subarea 1, the location of which can be seen in Figure 28,

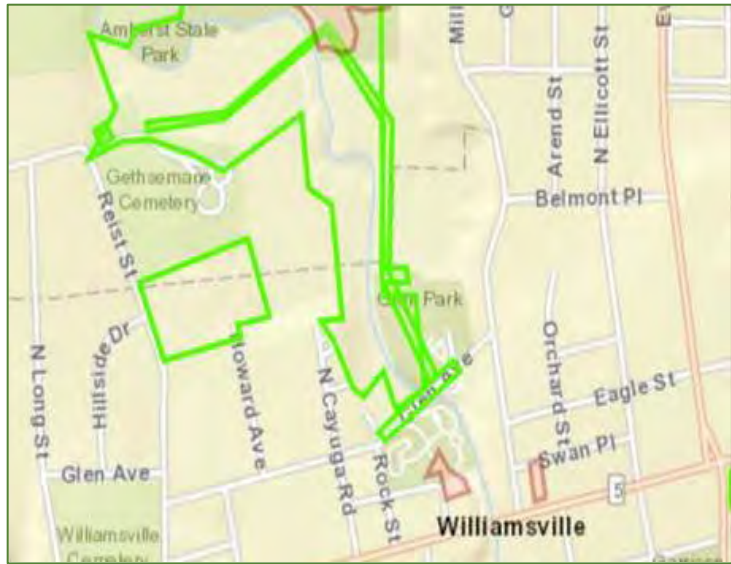


Figure 30 - Archaeological Survey Sites

outlined in green. Many of these surveyed areas are located within the boundaries of Amherst State Park, which is located immediately north of the WRA.

Because of the archaeological sensitivity of the area, proposed projects occurring within the Williamsville WRA will most likely need to be reviewed by the State Historic Preservation Office and further archaeological investigation, in the form of Phase 1 and/or Phase 2 surveys.

2.18 SCENIC RESOURCES

The scenic resources of local importance within the WRA consist primarily of the impressive vistas of the creek, from both banks. The two public parks that are entirely located in the WRA are ecologically diverse and offer pleasant natural settings for visitors to enjoy. The viewsheds identified during the development of the LWRP to have local significance are identified on [Map 5-Surface Water Uses](#).



Figure 31: Ellicott Creek in Amherst State Park; Glen Falls in Glen Park, and the glen chasm below the historic Water Mill

Glen Park

Glen Falls provides viewing pleasure year-round, which is enjoyed by residents and visitors. At this location, within the backdrop of the park, Ellicott Creek cascades over the Onondaga Escarpment. In addition, the interconnected system of small ponds and landscaping in Glen Park attract wildlife and further enhance scenic views within Glen Park.

Island Park

Island Park is situated on an island in the middle of Ellicott Creek, on the south side of Main Street, and provides vistas of the creek and surrounding area from around the island, throughout the year. Creek views enhance the use of the park for passive recreation. Private residences located on the east and west sides of Ellicott Creek in this area also benefit from the scenic quality of the Creek and Island Park.

2.19 PUBLIC INFRASTRUCTURE

The Department of Public Works for the Village of Williamsville is responsible for maintenance of all Village property and infrastructure, which includes street paving and plowing, storm and sanitary sewers, garbage and recycling of waste, and Village-owned tree maintenance. The department consists of a General Crew Chief, Working Crew Chief, and eight Motor Equipment Operators total. The General Crew Chief oversees the Public Works department.

Water Supply

The Erie County Water Authority (ECWA) utilizes Lake Erie and the Niagara River as a source of potable water supply for a large portion of Erie County, including the Village of Williamsville. The ECWA processes water at the Sturgeon Point Water and Van de Water Treatment Plants. The ECWA owns and operates the public water supply system and is responsible for all customer service, billing, maintenance, and capital improvements. The Village distributes water through its municipal system, which is maintained by the Town of Amherst Water Department. The entire waterfront area is located within a water district. Other water facilities in the Village include pumping stations and meter pits.

Wastewater Management

Except for the single structure on Dream Island in Subarea 1 and nine residential properties on Creek Road and Danbern Lane in Subarea 2, all the WRA is serviced by public sanitary sewers. It is not geographically or economically feasible to bring public sewer to these unsewered areas in the WRA. As these existing septic systems were likely installed several years ago, public education on septic system maintenance would be helpful to enable residents to extend the life of their systems.

Sanitary wastewater generated within the Village of Williamsville WRA is treated at the Town of Amherst Water Pollution Control Center (WPCC) and is overseen by the Water Pollution Control Division of the Town's Engineering Department. The Village is included in Amherst Sewer District No.16. Infrastructure within this district includes a network of pumping stations and sanitary sewer lines that transport wastewater to the WPCC. This facility treats an average of 24.5 million gallons of wastewater per day, including flow from the Village. During heavy rainfall events, the treatment capacity of the plant can be exceeded due to inflow and infiltration (I&I) problems in the system. Although sanitary wastewater from the Village is treated at the WPCC, the sewer collection and conveyance infrastructure are owned, maintained, and operated by the Village as a separate system.

Sanitary sewer overflows (SSOs) from storm sewers cause the discharge of untreated wastewater into Ellicott Creek, which resulted in an Order on Consent due to violations of the Villages SPDES Permit and Capacity, Management, Operation, and Maintenance (CMOM) program. While the consent order was satisfied through extensive remediation of I&I by the Village in 2013, I&I problems remain that must be addressed under CMOM obligations. Remediation of existing I&I is a condition of a Sanitary Sewer Memorandum of Understanding agreement with the Town of Amherst for proposed system consolidation. A project addressing this issue is proposed in Section IV of the LWRP.

Sanitary sewer effluent continues to infiltrate stormwater runoff through leaking sanitary sewer laterals, finding its way into the Village's stormwater collection system through catch basins, manhole covers, and overland flow, and ultimately into Ellicott Creek. Ellicott Creek is identified as an impaired waterbody on the DEC Priority Waterbodies List and included on the DEC Section 303(d) listing of Impaired/TMDL waters. Therefore, the Village secured initial funding from the Environmental Facilities Corporation and is pursuing additional funds to undertake sewer rehabilitation and I&I remediation in four areas of the community where these efforts are required. This work involves a series of remedies, including manhole relining, pipe spot repairs and pipe rehabilitation through cured in-place lining to address the ongoing problems. Upon completion of these efforts, the Village will continue to work with the Town to finalize the Sanitary Sewer MOU agreement. Section IV of the LWRP includes a project that will examine the benefits of consolidating the Village sewer system with the Town's system.

Wastewater Surveillance

New York State started analyzing wastewater for SARS-CoV-2 in select areas in early March of 2020, shortly after scientists documented the feasibility of tracking coronavirus transmission through wastewater. Research has shown that the use of biomarkers may be effective in quantifying SARS-CoV-2 in wastewater and understanding disease dynamics within a community. Wastewater treatment plants participating to the New York State Wastewater Surveillance Network provide wastewater samples, lab analyses are conducted at contracted laboratories, and trends and maps are provided back to the county to guide response to the coronavirus pandemic.

The Town of Amherst Water Pollution Control Facility (WPCF), where wastewater generated in the Village of Williamsville is treated, has been working in partnership with the Erie County Department of Health, the Erie County Division of Sewerage Management, the University of Buffalo (UB), the Town of Tonawanda and the Buffalo Sewer Authority to track SARS-CoV-2 in wastewater in the most populated areas of Erie County, and participates in the State's surveillance network. Since Fall 2020, wastewater samples have been collected twice weekly under the Erie County Covid-19 / Wastewater Project and tested to identify various strains of the SARS-CoV-2 virus; including variants of concern. One benefit of variant detection using wastewater samples is that the procedure captures health information from a significantly higher number of people than analysis using nasal swabs from individuals.

The wastewater samples are collected at several locations in Erie County, including the Amherst WPCF on Tonawanda Creek Road in the Town of Amherst, and sent to a laboratory managed by the UB School of Engineering and Applied Sciences for analysis. The UB laboratory is a participating member of the New York State surveillance network, as they also undertake testing for other counties in Western New York. This laboratory testing assists the Erie County Department of Health with understanding the prevalence of Covid-19 in the community. The number of virus fragments found in a sample can be used to determine the relative prevalence of the Covid-19 virus in the sewershed where the sample was taken. The higher the concentration of the virus found in the sample, the higher the rate of Covid-19 infection in the area served by that sewer system.

Erie County set up a custom dashboard to present the results of the sampling and testing performed as a part of this project. The estimated number of new cases per day are calculated values based on the number of positive Covid-19 infection cases reported within the zip codes serviced by the various sewersheds, as illustrated on the dashboard. The dashboard may be accessed at erie.gov/covid19-wastewater/.

It is important to note that this data does not and should not be interpreted as a replacement for information on positive cases supplied by State and County Health Departments. Decisions cannot be made, and definitive conclusions cannot be formed using the wastewater data alone. The Covid-19 / Wastewater Project offers another source of data to be used in conjunction with other available information and metrics to assist in understanding Covid-19 impacts in the community.

Stormwater Management

Most of the stormwater runoff generated within the Village flows to Ellicott Creek through the municipal stormwater collection system, as well as through overland flow. The Village of Williamsville implements a closed drainage system utilizing pipes, culverts, and manholes, as well as the new green infrastructure features along Spring Street in the WRA. Stormwater from some private homes that have frontage along Ellicott Creek is discharged into the creek. When the water is low during winter and early spring months,

drainage pipes are visible along the shoreline. Some homes have corrected problems with illegal connections or direct discharges to stop the flow of stormwater containing illicit discharges into Ellicott Creek.

The Village is responsible for monitoring drainage within the community, the repair of existing infrastructure, installation of new drains, preparing the annual stormwater report for the New York State Department of Environmental Conservation, and inspection of both commercial and residential connections to the system per the Village Code.

The Village of Williamsville is a member of the Western New York Stormwater Coalition, a partnership to protect waterways and enhance quality of life within communities. The WNY Stormwater Coalition provides a Stormwater Management Plan (SWMP) including general permit requirements, best management practices, public education and participation, and pollution prevention. Chapter 112-28 of the Village Code establishes stormwater management requirements and controls to protect the general health and safety of the public within the Village to meet the requirements on the NYS DEC State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (see Appendix B). The Code includes requirements for the preparation of Stormwater Pollutant Prevention Plans, construction performance and design criteria, and maintenance and inspection of facilities.

Solid Waste Management

Solid waste management is regulated under Chapter 39 of the Village Code. It is the goal of the Village to facilitate the disposal of solid waste in an economic and environmental manner to reduce the total amount of solid waste generated by residents and businesses. The Village complies with the mandates of the New York State Solid Waste Management Act of 1988.

The Village contracts with Modern Disposal Services, who is responsible for collecting municipal waste generated by residents and other establishments within Village boundaries. Modern collects solid waste and recyclable materials including paper, cardboard, plastic, glass, and metal; white goods/bulk items; tree branches, trimmings, brush, and other yard waste; and latex paint. There are no public or private dumps or landfills for the disposal of solid or hazardous waste in the waterfront area.

Other Utilities

Other utility services available in the waterfront area include electric, telephone (land line and cellular) and natural gas. Cable television and internet services and satellite television services are also provided by private carriers.

The Village Square Focus Area, as well as Glen and Island Parks are zoned for mixed use. This zoning district has strict requirements for site lighting to ensure that it provides safety, visual cues, and aesthetic appeal. Lighting in the public spaces in the WRA should be assessed for compliance with these restrictions.

2.20 ENERGY GENERATION

There are no land uses in the Village of Williamsville WRA that generate energy through the burning of oil, gas, or coal. Furthermore, there are no lands in the WRA that can be used or are proposed to be used for these purposes.

The Village of Williamsville supports the conservation of energy resources and promotes the use of alternative sources of energy that are self-sustaining for small-scale use in the community.

The Village also recognizes the need to develop new renewable sources of energy.

Energy conservation and the use of small-scale sources for generating alternative energy is encouraged in upland areas of the WRA. The conservation of energy should be an important part of prudent future land use planning for the waterfront. Energy efficiency can be achieved through several means that fall under the jurisdiction of the Village, including:

- ◆ Promoting energy efficient design in new development, particularly LEED certification
- ◆ Promoting greater energy generating efficiency through upgrades to existing public and private facilities
- ◆ Allowing the use of small-scale solar, geothermal or wind energy generating systems

2.21 TRANSPORTATION SYSTEMS

Regional access for vehicular traffic is provided to the Village of Williamsville by either New York State Route 5 (Main Street), which extends southeast to northeast through the area, or the New York State Thruway (Interstate 90), which is located east of the waterfront area. There are no air, rail, or water transport services in the Village's WRA.

Located within the predominantly suburban Town of Amherst, the Village of Williamsville is serviced by a complex roadway system of arterial, collector and local roads. Several small side roads extend from Main Street in Subarea 1 including: Mill Street, Oakgrove Drive, South Cayuga Road; and Garrison Road/Wehrle Drive and in Subarea 2: Lehn Springs Drive, Brookside Drive, Cadman Drive, Creek Heights and Danbern Lane. These roads follow or surround Ellicott Creek, and in certain places delineate the WRA boundary. The roads listed above support a mix of land uses including both commercial, recreational, and residential properties that front Ellicott Creek on either side. Parking along these roads is limited, restricted or non-existent, impacting access to the creek.

According to the 2015 Greater Buffalo Niagara Regional Transportation Council (GBNRTC) traffic data report, the average annual daily (AADT) traffic count for Main Street is 16,608 vehicles. This is an annual average; roadway volumes fluctuate during different seasons. There is no available traffic data for Glen Avenue.

The primary route through the Village is New York State Route 5 (Main Street), a state highway that extends for 370.80 miles across the state. It begins at the Pennsylvania state line in the west and travels east through Buffalo, Genesee County, the Syracuse area, and to Albany where it terminates.

In the Village, Route 5 is a four-lane principal arterial with a central turning lane and a posted speed limit of 35 miles per hour (speeds alternate once outside of the Village and throughout other municipalities). According to 2015 GBNRTC data, this major arterial carries most of the traffic through the Village as well as the Town of Amherst. Except for Route 5, all other roadways in the WRA are under local or county jurisdiction.

According to the most recent GBNRTC Online Bicycle Map of the Regional Bikeway Network, which was prepared by the Greater Buffalo Niagara Regional Transportation Council (GBNRTC), there is one designated bike route on Main Street in the Village of Williamsville, which extends east to Transit Road in the Town of Amherst. Lehigh Memory Trail (multi-use trail located outside the WRA) is available for use

starting in the northwest corner of the Village Park on Long Street and extending out of the Village and into the Town of Cheektowaga.

While there is a designated bike route on Main Street, the provision of actual bike lanes on Main Street is not possible due to recently installed streetscaping features, on street parking, and the heavy volume of traffic. There are currently no bike lanes or other accommodations for bicyclists within the WRA. The GBNRTC 2008 Bicycle and Pedestrian Master Plan recommends establishing an interconnected, regional network of on and off-road bike routes that consider bicyclists' and pedestrians' needs. The 2008 GBNRTC Master Plan proposed on-road lanes within the Village boundaries, as well as the Town of Amherst to increase connectivity and multi-modal transportation. Adding bike lanes or improved shoulders along Oakgrove Drive, Mill Street, and Glen Avenue in the WRA would improve conditions for bicyclists. There are currently no off-road lanes recommended for the area or near the LWRP boundaries.

Public Transportation

Public transportation is provided by the Niagara Frontier Transportation Authority (NFTA), which offers three bus lines that service the Village and Town of Amherst. These include:

Route #47 - Youngs Road – this line runs between the State University at Buffalo south campus and the Buffalo Niagara International Airport. This line extends east along Main Street to the Village of Williamsville, with a stop at Main Street and Union Road, east of the WRA boundary. It continues south on Union Road to Wehrle Drive with a stop at the Erie Community College North Campus, before reaching its terminus at the airport.

Route #48 – Williamsville – this line runs between the State University at Buffalo south campus and Eastern Hills Mall in the Town of Clarence, servicing the Erie Community College North Campus along the way. This line extends along Main Street through the Village of Williamsville, with a stop at Main Street and Union Road, east of the WRA boundary.

Route #66 – Williamsville – this line is an express bus route that travels from downtown Buffalo along the Kensington Expressway and the I-90 Thruway to Main Street, terminating at the Eastern Hills Mall in the Town of Clarence (with a line extension that runs north along Transit Road to the Erie County municipal boundary). This line extends along Main Street through the Village of Williamsville, with a stop at Main Street and Union Road, east of the WRA boundary.

Route 47 and 48 both initiate service at the State University at Buffalo south campus, with access to the southern terminus of the NFTA Metro Rail line. The Metro Rail provides access to the Erie Canalside Harbor area in downtown Buffalo.

An *NFTA Park & Ride* is also located on the corner of Main Street and Union Road in the Village of Williamsville. This lot services bus routes 47, 48 and 66 for those commuting longer distances or carpooling from the Village of Williamsville or Town of Amherst.

2.22 EMERGENCY SERVICES

The Town of Amherst Police Department patrols the Village of Williamsville waterfront and responds to emergencies, as required. Back up support is provided by Erie County Sheriffs, and in some instances, New York State Police.

The Fire Department is a 100 percent volunteer-based fire department operated by the Village of Williamsville. It operates with fire and emergency apparatus, three first response vehicles, two light

rescue units, two 1500 GPM service pumps, 1 heavy rescue, 1,100- foot platform, one six by six ATV, 100-gallon miniature firefighting unit, and a technical rescue trailer/command post. The Department also provides EMS services for Village events and is active with fire prevention public education.

Fire protection along the waterfront is also provided by the Amherst Central Fire Alarm. The Amherst Central Fire Alarm consists of 16 volunteer fire departments that cover 158 square miles of territory. This accounts for not only the Village of Williamsville, but also the Towns of Amherst, Clarence, Newstead, and Village of Akron. The Central Fire Alarm provides both fire protection and emergency medical services to the respective service areas throughout the northern portion of Erie County.

SECTION III – VILLAGE OF WILLIAMSVILLE LWRP POLICIES

This section includes the LWRP Policies, and an indication of which policies are applicable within the Village of Williamsville Waterfront Revitalization Area, described in Section I of this LWRP. Following each policy statement is an explanation of the policy, including any local refinement necessary to relate to the Williamsville WRA.

These policies are organized and grouped under eleven headings:

- Development Policies (1-6)
- Fish and Wildlife Policies (7-10)
- Flooding and Erosion Hazards Policies (11-17)
- General Policy (18)
- Public Access Policies (19 and 20)
- Recreation Policies (21 and 22)
- Historic and Scenic Resources Policies (23-25)
- Agricultural Lands Policy (26)
- Energy and Ice Management Policies (27-29)
- Water and Air Resources Policies (30-43)
- Wetlands Policy (44)

DEVELOPMENT POLICIES

Policy 1

Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Explanation of Policy

State and local agencies must ensure that their actions further the revitalization of urban waterfront areas. The transfer and purchase of property; the construction of a new office building, highway, or park; the provision of tax incentives to businesses; and establishment of enterprise zones, are all examples of governmental means for spurring economic growth. When any such action or similar action is proposed, it must be analyzed to determine if the action would contribute to or adversely affect a waterfront revitalization effort.

It must be recognized that revitalization of once dynamic waterfront areas is one of the most effective means of encouraging economic growth in the State, without consuming valuable open space outside of these waterfront areas. Waterfront redevelopment is also one of the most effective means of rejuvenating or at least stabilizing residential and commercial districts adjacent to the redevelopment area.

In the Village of Williamsville Waterfront Revitalization Area (WRA), reconstruction or replacement of the deteriorated dam flood gates and the two weir structures at Island Park is a major local priority.

Improvements to these structures are required to improve water retention in the west branch of Ellicott Creek to prevent or reduce flooding and destruction of existing structures, satisfy historic riparian rights, better manage water flow, and enhance use of Island Park and Ellicott Creek. Addressing flooding and issues with the dam, and effectively managing waterflow around Island Park, is essential in consideration of prior court decisions¹¹.

In responding to this policy, several other guidelines must be considered: (1) Uses requiring a location abutting the waterfront must be given priority in any redevelopment effort (refer to Policy 2 for the means to effectuate this priority); (2) As explained in Policy 5, one reason for revitalizing previously dynamic waterfront areas is that the costs for providing basic services to such areas is frequently less than providing new services to areas not previously developed; (3) The likelihood for successfully simplifying permit procedures and easing certain requirements (see Policy 6) will be increased if a discrete area and not the entire waterfront is the focus for this effort. In turn, ease in obtaining permits should increase developers' interest to invest in these areas. Further, once this concentrated effort has succeeded, stabilization and revitalization of surrounding areas is more likely to occur.

Local governments through waterfront revitalization programs have the primary responsibility for implementing this policy. Though local waterfront revitalization programs need not be limited to redevelopment, local governments are urged to identify areas as suitable for redevelopment and establish and enforce redevelopment programs.

1. When a State or local action is proposed to take place in an urban waterfront area regarded as suitable for redevelopment, the following guidelines will be used:
 - a. Priority should be given to uses that are dependent on a location adjacent to the water (see Policy 2);
 - b. The action should enhance existing and anticipated uses. For example, a new highway should be designed and constructed so as to serve the potential access needs for desirable industrial development;
 - c. The action should serve as a catalyst to private investment in the area;
 - d. The action should improve the deteriorated condition of a site and, at a minimum, must not cause further deterioration. For example, a building could not be abandoned without protecting it against vandalism and/or structural decline;
 - e. The action must lead to development that is compatible with the character of the area, with consideration given to scale, architectural style, density, and intensity of use;
 - f. The action should have the potential to improve the existing economic base of the community and, at a minimum, must not jeopardize this base. For example, waterfront development meant to serve consumer needs would be inappropriate in an area where no increased consumer demands were expected, and existing development was already meeting demand;
 - g. The action should improve adjacent and upland views of the water, and, at a minimum, must not affect these views in an insensitive manner;
 - h. The action should have the potential to improve the potential for multiple uses of the site.

¹¹ State of New York Supreme Court-Erie County, Edward L. Jacobi, and Philip F. Kleinn vs. Village of Williamsville Board of Trustees; filed April 3, 1946, Liber 504, Page 182

2. If a State action is proposed to take place outside of a given deteriorated, underutilized urban waterfront area suitable for redevelopment, and is either within the relevant community or adjacent waterfront community, the agency proposing the action must first determine if it is feasible to take the action within the deteriorated, underutilized urban waterfront area in question. If such an action is feasible, the agency should give strong consideration to taking the action in that area. If not feasible, the agency must take the appropriate steps to ensure that the action does not cause further deterioration of that area.

Policy 2

Facilitate the siting of water dependent uses and facilities on or adjacent to inland waterways.

Explanation of Policy

Water-dependent uses within the Williamsville WRA are limited to swimming, kayaking, and recreational fishing, and occur along Ellicott Creek as reflected on [Map 5 - Surface Water Uses](#).

There is a finite amount of waterfront space suitable for development purposes. Consequently, while the demand for any given piece of property will fluctuate in response to varying economic and social conditions, on a statewide basis, the only reasonable expectation is that long-term demand for waterfront space will intensify.

The traditional method of land allocation, i.e., the real estate market, with or without local land use controls, offers little assurance that uses which require waterfront sites will, in fact, have access to the State's inland waterway. To ensure that such "water-dependent" uses can continue to be accommodated within the State, State agencies will avoid undertaking, funding, or approving non water dependent uses when such uses would preempt the reasonably foreseeable development of water dependent uses; furthermore, agencies will utilize appropriate existing programs to encourage water dependent activities.

Water dependent activities shall not be considered a private nuisance, provided such activities were commenced prior to the surrounding activities and have not been determined to be the cause of conditions dangerous to life or health and any disturbance to enjoyment of land and water has not materially increased.

A water dependent use is an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

The following uses and facilities are considered as water-dependent:

1. Uses which depend on the utilization of resources found in inland waterways (for example: fishing, mining of sand and gravel, mariculture activities)
2. Recreational activities which depend on access to inland waterway (for example: swimming, fishing, boating, wildlife viewing)
3. Uses involved in the sea/land transfer of goods (for example: docks, loading areas, pipelines, short-term storage facilities)
4. Structures needed for navigational purposes (for example: dams, locks, lighthouses)
5. Flood and erosion protection structures (for example: breakwaters, bulkheads)
6. Facilities needed to store and service boats and ships (for example: marinas, boat repair, boat construction yards)

7. Uses requiring large quantities of water for processing and cooling purposes (for example: hydroelectric power plants, fish processing plants, pumped storage power plants)
8. Uses that rely heavily on the waterborne transportation of raw materials or products which are difficult to transport on land, thereby making it critical that a site near to shipping facilities be obtained (for example: coal export facilities, cement plants, quarries)
9. Uses which operate under such severe time constraints that proximity to shipping facilities become critical (for example: firms processing perishable foods)
10. Scientific/educational activities which, by their nature, require access to inland waterway (for example: certain meteorological and oceanographic activities)
11. Support facilities which are necessary for the successful functioning of permitted water-dependent uses (for example: parking lots, snack bars, first aid stations, short-term storage facilities). Though these uses must be near the given water dependent use they should, as much as possible, be sited inland from the water dependent use rather than on the shore.

In addition to water dependent uses, those uses that are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water dependent uses. A water-enhanced use is defined as a use or activity that does not require a location adjacent to or over inland waterways, but whose location on land adjacent to the shore adds to the public use and enjoyment of the water's edge. Water enhanced uses are primarily recreational, cultural, retail, or entertainment uses. A restaurant that uses good site design to take advantage of a waterfront view is an example of a water-enhanced use.

If there is no immediate demand for a water dependent use in a given area, but a future demand is reasonably foreseeable, temporary non-water dependent uses should be considered preferable to a non-water dependent or enhanced use that involves an irreversible or nearly irreversible commitment of land. Parking lots, passive recreational facilities, outdoor storage areas, and non-permanent structures are uses or facilities that would likely be considered as "temporary" non-water-dependent uses.

In the actual choice of sites where water-dependent uses will be encouraged and facilitated, the following guidelines should be used:

1. Competition for space - competition for space, or the potential for it, should be indicated before any given site is promoted for water dependent uses. The intent is to match water dependent uses with suitable locations and thereby reduce any conflicts between competing uses that might arise. Not just any site suitable for development should be chosen as a water dependent use area. The choice of a site should be made with some meaningful impact on the real estate market anticipated. The anticipated impact could either be one of increased protection to existing water dependent activities or else the encouragement of water dependent development.
2. In-place facilities and services - most water dependent uses, if they are to function effectively, will require basic public facilities and services. In selecting appropriate areas for water-dependent uses, consideration should be given to the following factors:
 - a. The availability of public sewers, public water lines and adequate power supply;
 - b. Access to the area for trucks and rail if heavy industry is to be accommodated; and
 - c. Access to public transportation if a high number of person trips are to be generated.

3. Access to navigational channels – if commercial shipping, commercial fishing, or recreational boating are planned, the locality should consider setting aside a site, within a sheltered harbor, from which access to adequately sized navigation channels would be assured.
4. Compatibility with adjacent uses and the protection of other inland waterway resources – water dependent uses should be located so that they enhance, or at least do not detract from, the surrounding community. Consideration should also be given to such factors as the protection of nearby residential areas from odors, noise, and traffic. Affirmative approaches should also be employed so that water dependent uses, and adjacent uses can serve to complement one another. For example, a recreation-oriented water dependent use area could be sited in an area already oriented towards tourism. Clearly, a marina, fishing pier or swimming area would enhance, and in turn be enhanced by, nearby restaurants, motels, and other non-water-oriented tourist activities. Water dependent uses must also be sited so as to avoid adverse impacts on the significant inland waterway resources.
5. Preference to underutilized sites: The promotion of water-dependent uses should serve to foster development as a result of the capital programming, permit expediting and other State and local actions that will be used to promote the site. Nowhere is such a stimulus needed more than in those portions of the State's waterfront areas which are currently underutilized.
6. Providing for expansion - a primary objective of the policy is to create a process by which water dependent uses can be accommodated well into the future. State agencies and localities should therefore give consideration to long-term space needs and, where practicable, accommodate future demand by identifying more land than is needed in the near future.

In promoting water dependent uses, the following kinds of actions will be considered:

1. Favored treatment to water dependent use areas with respect to capital programming. Priority should be given to the construction and maintenance of port facilities, roads, railroad facilities, and public transportation within areas suitable for water dependent uses.
2. When areas suitable for water dependent uses are publicly owned, favored leasing arrangements should be given to water dependent uses.
3. Where possible, consideration should be given to providing water dependent uses with property tax abatements, loan guarantees, or loans at below market rates.
4. State and local planning and economic development agencies should actively promote water dependent uses. In addition, a list of sites available for non-water dependent uses should be maintained in order to assist developers seeking alternative sites for their proposed projects.
5. Local and State agencies should work together to streamline permitting procedures that may be burdensome to water dependent uses. This effort should begin for specific uses in a particular area.
6. Local land use controls, especially the use of zoning districts exclusively for waterfront uses, can be an effective tool of local government in assuring adequate space for the development of water dependent uses.

Policy 3

Further develop the State's major ports of Albany, Buffalo, New York, Ogdensburg, and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities, of land use and development that is essential to, or in support of, the waterborne transportation of cargo and people.

Explanation of Policy

The Village of Williamsville WRA is not a port. The aim of this policy is to support port development in New York, Albany, Buffalo, Ogdensburg, and Oswego. Therefore, this policy is not applicable to the Williamsville WRA.

Policy 4

Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.

Explanation of Policy

The topography, geology, and hydrology of the segments of Ellicott Creek within the Williamsville WRA are not suitable for vessels larger than a kayak or canoe, or the development of marinas and harbors of refuge. These conditions barred the village from becoming a traditional maritime community. However, the creek's waters support seasonal fishing, swimming, and kayaking. The public Island Park, Glen Park and the portion of Amherst Park within the Williamsville WRA provide public access to these activities.

This policy recognizes that the traditional activities occurring in and around numerous smaller harbors throughout the State's inland waterways contribute much to the economic strength and attractiveness of these harbor communities. Thus, efforts of state agencies shall center on promoting such desirable activities as recreational and commercial fishing, ferry services, marinas, historic preservation, cultural pursuits, and other compatible activities which have made smaller harbor areas appealing as tourist destinations and as commercial and residential areas. Particular consideration will be given to the visual appeal and social benefits of smaller harbors which, in turn, can make significant contributions to the State's tourism industry.

The following guidelines shall be used in determining consistency:

1. The action shall give priority to those traditional and/or desired uses which are dependent on or enhanced by a location adjacent to the water.
2. The action will enhance or not detract from or adversely affect existing traditional and/or desired anticipated uses.
3. The action shall not be out of character with, nor lead to development which would be out of the character with, existing development in terms of the area's scale, intensity of use, and architectural style.
4. The action must not cause a site to deteriorate, e.g., a structure shall not be abandoned without protecting it against vandalism and/or structural decline.
5. The action will not adversely affect the existing economic base of the community e.g., waterfront development designed to promote residential development might be inappropriate in a harbor area where the economy is dependent upon tourism and commercial fishing.

6. The action will not detract from views of the water and smaller harbor area, particularly where the visual quality of the area is an important component of the area's appeal and identity.
7. In applying the above guidelines, the information in harbor management plans being developed by local governments pursuant to Article 42 of the Executive Law and local laws that would implement them shall be considered.

Policy 5

Encourage the location of development in areas where public services and facilities essential to such development are adequate.

Explanation of Policy

By its construction, taxing, funding and regulatory powers, government has become a dominant force in shaping the course of development. Through these government actions, development, particularly large-scale development, in the shorefront area will be encouraged to locate within, contiguous to, or in close proximity to, existing areas of concentrated development where infrastructure and public services are adequate, where topography, geology, and other environmental conditions are suitable for and able to accommodate development.

The above policy is intended to accomplish the following:

- strengthen existing residential, industrial, and commercial centers;
- foster an orderly pattern of growth where outward expansion is occurring;
- increase the productivity of existing public services and moderate the need to provide new public services in outlying areas;
- preserve open space in sufficient amounts and where desirable
- foster energy conservation by encouraging proximity between home, work, and leisure activities.

For any action that would result in large scale development or an action that would facilitate or serve future development, a determination shall be made as to whether the action is within, contiguous to, or in close proximity to an area of concentrated development where infrastructure and public services are adequate. The following guidelines shall be used in making that determination:

1. Cities, built-up suburban towns and villages, and rural villages in the shorefront area are generally areas of concentrated development where infrastructure and public services are adequate.
2. Other locations in the shorefront area may also be suitable for development, if three or more of the following conditions prevail:
 - a. Population density of the area surrounding or adjacent to the proposed site exceeds 1,000 persons per square mile;
 - b. Fewer than 50% of the buildable sites (i.e., sites meeting lot area requirements under existing local zoning regulations) within one-mile radius of the proposed site are vacant;
 - c. Proposed site is served by or is near to public or private sewer and water lines;
 - d. Public transportation service is available within one mile of the proposed site; and
 - e. A significant concentration of commercial and/or industrial activity is within one-half mile of the proposed site.

3. The following points shall be considered in assessing the adequacy of an area's infrastructure and public services:
 - a. Streets and highways serving the proposed site can safely accommodate the peak traffic generated by the proposed land development;
 - b. Development's water needs (consumptive and firefighting) can be met by the existing water supply system;
 - c. Sewage disposal system can accommodate the wastes generated by the development;
 - d. Energy needs of the proposed land development can be accommodated by existing utility systems;
 - e. Stormwater runoff from the proposed site can be accommodated by on-site and/or off-site facilities; and
 - f. Schools, police and fire protection, and health and social services are adequate to meet the needs of the population expected to live, work, shop, or conduct business in the area as a result of the development.

It is recognized that certain forms of development may and/or should occur at locations that are not within or near areas of concentrated development. Thus, this development policy does not apply to the following types of development projects and activities.

1. Economic activities that depend upon sites at or near locations where natural resources are present, e.g., lumber industry, quarries.
2. Development that, by its nature, is enhanced by a non-urbanized setting, e.g., a resort complex, campgrounds, second home developments.
3. Development, that is designed to be a self-contained activity, e.g., a small college, an academic or religious retreat.
4. Water dependent uses with site requirements not compatible with this policy or when alternative sites are not available.
5. Development that because of its isolated location and small scale has little or no potential to generate and/or encourage further land development.
6. Uses and/or activities that because of public safety consideration should be located away from populous areas.
7. Rehabilitation or restoration of existing structures and facilities.
8. Development projects that are essential to the construction and/or operation of the above uses and activities.

In certain urban areas where development is encouraged by this policy, the condition of existing public water and sewage infrastructure may necessitate improvements. Those State and local agencies charged with allocating funds for investments in water and sewer facilities should give high priority to the needs of such areas so that full advantage may be taken of the rich array of their other infrastructure components in promoting waterfront revitalization.

Policy 6

Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

Explanation of Policy

For specific types of development activities, and in areas suitable for such development, State agencies and local governments participating in the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will make every effort to coordinate and synchronize existing permit procedures and regulatory programs, as long as the integrity of the regulations' objectives is not jeopardized. These procedures and programs will be coordinated within each agency. Also, efforts will be made to ensure that each agency's procedures are synchronized with other agencies' procedures at each level of government. Finally, regulatory programs and procedures will be coordinated and synchronized between levels of government, and if necessary, legislative and/or programmatic changes will be recommended.

When proposing new regulations, an agency will determine the feasibility of incorporating the regulations within existing procedures, if this reduces the burden on a particular type of development and does not jeopardize the integrity of the regulations' objectives.

FISH AND WILDLIFE POLICIES

Policy 7

Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

Explanation of Policy

The Williamsville WRA is not located in the coastal area and has no significant coastal fish and wildlife habitats designated by the State. This policy does not apply to the Village of Williamsville.

Policy 8

Protect fish and wildlife resources in the waterfront revitalization area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.

Explanation of Policy

Hazardous wastes are unwanted by-products of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law [§27-0901(3)] as "waste or combination of wastes that because of its quantity, concentration, or physical, chemical or infectious characteristics may: (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or otherwise managed." A list of hazardous wastes (NYCRR Part 371) is provided by DEC.

The handling (storage, transport, treatment, and disposal) of the materials included on this list is being strictly regulated in New York State to prevent their entry or introduction into the environment, particularly into the State's air, land, and waters. Such controls should effectively minimize possible

contamination of and bioaccumulation in the State's fish and wildlife resources at levels that cause mortality or create physiological and behavioral disorders.

Other pollutants are those conventional wastes generated from point and non-point sources and not identified as hazardous wastes but controlled through other State laws.

Policy 9

Expand recreational use of fish and wildlife resources in the waterfront revitalization area by increasing access to existing resources, supplementing existing stocks, and developing new resources.

Explanation of Policy

Recreational uses of fish and wildlife resources include consumptive uses, such as fishing and hunting, and non-consumptive uses, such as wildlife photography, bird watching, and nature study.

To support recreational fishing and supplement the limited fish stock in Ellicott Creek, Erie County releases rainbow trout immediately upstream and downstream of Glen Falls. Within the Williamsville WRA, public access for recreational fishing exists at different locations along Ellicott Creek, as marked on [Map 5-Surface Water Uses](#). There are no public hunting sites within the WRA.

Any efforts to increase recreational use of these resources will be made in a manner that ensures the protection of fish and wildlife resources in the waterfront revitalization area and that takes into consideration other activities dependent on these resources. Also, such efforts must be done in accordance with existing State law and in keeping with sound management considerations. Such considerations include biology of the species, carrying capacity of the resources, public demand, costs, and available technology.

The following additional guidelines should be considered by State and local agencies as they determine the consistency of their proposed action with the above policy:

1. Consideration should be made by local and State agencies as to whether an action will impede existing or future utilization of the State's recreational fish and wildlife resources.
2. Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause impairment of the habitat. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the habitat area.
3. The impacts of increasing access to recreational fish and wildlife resources should be determined on a case-by-case basis, consulting the significant habitat narrative (see Policy 7) and/or conferring with a trained fish and wildlife biologist.
4. Any public or private sector initiatives to supplement existing stocks (e.g., stocking a stream with fish reared in a hatchery) or develop new resources (e.g., creating private fee-hunting or fee-fishing facilities) must be done in accord with existing State law.

Policy 10

Further develop commercial finfish, shellfish, and crustacean resources in the inland waterway area by encouraging the construction of new, or improvement of existing onshore commercial fishing facilities, increasing marketing of the State's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.

Explanation of Policy

There are no hatcheries within the Williamsville WRA and the natural fish resources of Ellicott Creek don't support commercial fishing. Consequently, there are no onshore commercial fishing activities or facilities within the Williamsville WRA.

Commercial fishery development activities must occur within the context of sound fishery management principals developed and enforced within the State's waters by the New York State Department of Environmental Conservation and the management plans developed by the Regional Fisheries Management Councils (Mid-Atlantic and New England) and enforced by the U.S. National Marine Fisheries Service within the Fishery Conservation Zone. (The Fishery Conservation Zone is the area of coastal waters extending from the three-mile State waters boundary to the 200-mile offshore boundary of the U.S. waters. The Conservation Zone is authorized by the U.S. Fishery Conservation and Management Act of 1976.) Sound resource management considerations include optimum sustained yield levels developed for specific commercial fish species, harvest restrictions imposed by State governments, and the economic, political (uses conflicts), and technological constraints to utilizing these resources.

The following additional guidelines should be considered by State agencies as they determine the consistency of their proposed action with the above policy:

1. A public agency's commercial fishing development initiative should not preempt or displace private sector initiative.
2. A public agency's efforts to expand existing or create new onshore commercial fishing support facilities should be directed towards unmet development needs rather than merely displacing existing commercial fishing activities from a nearby port. This may be accomplished by taking into consideration existing State or regional commercial fishing development plans.
3. Consideration should be made by State agencies whether an action will impede existing utilization or future development of the state's commercial fishing resources.
4. Commercial fishing development efforts should be made in a manner which ensures the maintenance and protection of the renewable fishery resources.

FLOODING AND EROSION HAZARDS POLICIES

Policy 11

Buildings and other structures will be sited in the waterfront revitalization area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

Explanation of Policy

On waterfront lands identified as coastal erosion hazard areas, buildings and similar structures shall be set back from the shoreline a distance sufficient to minimize damage from erosion unless no reasonable prudent alternative site is available as in the case of piers, docks, and other structures necessary to gain access to surface waters to be able to function. The extent of the setback will be calculated, considering the rate at which land is receding due to erosion and the protection provided by existing erosion protection structures, as well as by natural protective features such as beaches, sandbars, spits, shoals, barrier islands, bay barriers, nearshore areas, bluffs, and wetlands. The only new structure allowed in coastal erosion hazard areas is a moveable structure as defined in 6 NYCRR Part 505.2(x). Prior to its

construction, an erosion hazard areas permit must be approved for the structure. Existing non-conforming structures located in coastal erosion hazard areas may be only minimally enlarged.

In high-risk areas, identified as being subject to high velocity waters caused by hurricanes or other storm events, walled and roofed buildings or fuel storage tanks shall be sited landward, and no mobile home shall be sited in such area. In areas identified as floodways, no mobile homes shall be sited other than in existing mobile home parks.

Where human lives may be endangered by major storms, all necessary emergency preparedness measures should be taken, including disaster preparedness planning.

The following additional guidelines should be considered by local agencies as they determine the consistency of proposed local actions with the above policy:

- Development proposed within regulated areas of special flood hazards (100-year floodplains) requires a Flood Development Permit from the local Floodplain Administrator (Village of Williamsville Code Enforcement Officer)
- No structure in an area of special flood hazard shall be constructed, located, extended, converted, or altered, and no land shall be excavated or filled unless such actions are in full compliance with village laws and regulations
- State and local construction standards shall apply to all forms of development

Policy 12

Activities or development in the waterfront revitalization area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

Explanation of Policy

Beaches, dunes, barrier islands, bluffs, and other natural protective features help safeguard shorefront lands and property from damage, as well as reduce the danger to human life, resulting from flooding and erosion. Excavation of shorefront features, improperly designed structures, inadequate site planning, or other similar actions which fail to recognize their fragile nature and high protective values, lead to the weakening or destruction of those landforms. Activities or development in, or in proximity to, natural protective features must ensure that all such adverse actions are minimized. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

Policy 13

The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs

Explanation of Policy

Erosion protection structures are widely used throughout the State's waterfront areas. However, because of improper design, construction, and maintenance standards, many fail to give the protection that they are presumed to provide. As a result, development is sited in areas where it is subject to damage or loss due to erosion. This policy will help ensure the reduction of such damage or loss.

Policy 14

Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations

Explanation of Policy

Erosion and flooding are processes that occur naturally. However, by our actions, humans can increase the severity and adverse effects of those processes, causing damage to, or loss of property, and endangering human lives. Those actions include: the use of erosion protection structures such as groins, or the use of impermeable docks that block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; the failure to observe proper drainage or land restoration practices, thereby causing runoff and the erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased causing damage to otherwise hazard-free areas.

Policy 15

Mining, excavation, or dredging in inland waterways shall not significantly interfere with the natural inland waterway processes that supply beach materials to land adjacent to such waters and shall be undertaken in a manner that will not cause an increase in erosion of such land.

Explanation of Policy

Natural processes, including the movement of beach materials by water, and any mining, excavation, or dredging in nearshore or offshore waters which changes the supply and net flow of such materials can deprive shorelands of their natural regenerative powers. Such mining, excavation and dredging should be accomplished in a manner so as not to cause a reduction of supply, and thus an increase of erosion, to such shorelands. Offshore mining is a future alternative option to land mining for sand and gravel deposits which are needed to support building and other industries.

Policy 16

Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development that requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.

Explanation of Policy

Public funds are used for a variety of purposes on the State's shorelines. This policy recognizes the public need for the protection of human life and existing investment in development or new development that requires a location in proximity to the shorefront area or in adjacent waters to be able to function. However, it also recognizes the adverse impacts of such activities and development on the rate of erosion and on natural protective features and requires that careful analysis be made of such benefits and long-term costs prior to expending public funds.

Policy 17

Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

Explanation of Policy

This policy recognizes both the potential adverse impacts of flooding and erosion upon development and upon natural protective features in the inland waterway or coastal area, as well as the costs of protection against those hazards that structural measures entail. Any activity that would alter or impact the Ellicott Creek shoreline requires review by the Village and, where applicable, a permit and approval from the NYS DEC.

"Non-structural measures" shall include, but not be limited to: (1) within coastal erosion hazard areas identified under Section 0104 of Coastal Erosion Hazard Areas law, (Environmental Conservation Law Article 34), and subject to the permit requirements on all regulated activities and development established under that Law, (a) the use of minimum setbacks as provided for in Section 0108 of Environmental Conservation Law Article 34, and (b) the strengthening of coastal landforms by the planting of appropriate vegetation on dunes and bluffs, the installation of sand fencing on dunes, the reshaping of bluffs to achieve an appropriate angle of repose so as to reduce the potential for slumping and to permit the planting of stabilizing vegetation, and the installation of drainage systems on bluffs to reduce runoff and internal seepage of waters that erode or weaken the landforms; and (2) within identified flood hazard areas, (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, and (b) the flood-proofing of buildings or their elevation above the base flood level.

This policy shall apply to the planning, siting, and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined if any one, or a combination of, non-structural measures would afford the degree of protection appropriate both to the character and purpose of the activity or development, and to the hazard. If non-structural measures are determined to offer sufficient protection, then consistency with the policy would require the use of such measures, whenever possible.

In determining whether non-structural measures to protect against erosion or flooding will afford the degree of protection appropriate, an analysis, and if necessary, other materials such as plans or sketches of the activity or development, of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

GENERAL POLICY

Policy 18

To safeguard the vital economic, social, and environmental interests of the State and of its citizens, proposed major actions in the waterfront revitalization area must give full consideration to those interests and to the safeguards that the State has established to protect valuable inland waterway resource areas.

Explanation of Policy

Proposed major actions may be undertaken in the waterfront revitalization area if they will not significantly impair valuable inland waterway resources, thus frustrating the achievement of the purposes

of the safeguards that the State has established to protect those waters and resources. Proposed actions must consider the social, cultural, economic, and environmental interests of the State and its citizens in such matters that would affect natural resources, water levels and flows, shoreline damage, hydro-electric power generation, and recreation.

PUBLIC ACCESS POLICIES

Policy 19

Protect, maintain, and increase the level and types of access to public water related recreation resources and facilities.

Explanation of Policy

Due to the natural features of Ellicott Creek that allow just paddle crafts to navigate just certain portions of the creek, the existing density of residential properties, and the existing public parks along the creek, the village will implement this policy by focusing its efforts on maintaining and improving the existing public sites that provide public access to the creek's waters, and their connectivity.

This policy calls for achieving balance among the following factors: the level of access to a resource or facility, the capacity of a resource or facility, and the protection of natural resources. The imbalance among these factors is the most significant in the State's urban areas. Because this is often due to access-related problems, priority will be given to improving physical access to existing and potential shorefront recreation sites within the heavily populated urban shorefront areas of the State and to increasing the ability of urban residents to get to shorefront recreation areas by improved public transportation. The particular water-related recreation resources and facilities that will receive priority for improved access are public boating facilities (such as paddle craft launches), fishing areas and waterfront parks. In addition, because of the greater competition for waterfront locations within urban areas, the Waterfront Revitalization of Coastal Areas and Inland Waterways Program will encourage mixed use areas and multiple use of facilities to improve access. Specific sites requiring access improvements and the relative priority the program will accord to each will be identified in the Public Access Planning Process.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. The existing access from adjacent or proximate public lands or facilities to public water related recreation resources and facilities along the portion of the Ellicott Creek within the WRA shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate public lands or facilities to public water related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access, or unless such actions are found to be necessary by the Village of Williamsville as the result of a reasonable justification of the need to meet system-wide objectives.

The following is an explanation of the terms used in the above guidelines:

- a. Access - the ability and right of the public to reach and use public inland waterway lands and waters.
- b. Public water related recreation resources of facilities - all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.

- c. Public lands or facilities - lands or facilities held by State or local government in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.
- d. A reduction in the existing level of public access - includes, but is not limited to, the following:
 - (1) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced, and/or there is a lack of facilities for bicycle parking, where public transportation does not exist.
 - (2) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting system-wide objectives.
 - (3) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (4) There are substantial increases in the following: already existing special fares (not to include regular fares in any instance) of public transportation to a public water-related recreation resource or facility; and/or admission fees to such a resource or facility except where the public body having jurisdiction over such fares determines that such substantial fare increases are necessary and an analysis shows that such increases will significantly reduce usage by individuals or families and incomes below the State government established poverty level.
- e. An elimination of the possibility of increasing public access in the future includes, but is not limited to, the following:
 - (1) Construction of public facilities that physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities
 - (2) Sale, lease, or other transfer of public lands that could provide public access to a public water-related recreation resource or facility
 - (3) Construction of private facilities that physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities
- 2. Any proposed project to increase public access to public water-related recreation resources and facilities along the portion of Ellicott Creek within the Williamsville WRA shall be analyzed according to the following factors:
 - a. The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy
 - b. The level of access to be provided shall not cause a degree of use that would exceed the physical capability of the resource or facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
- 3. The State will not undertake or fund any project that increases access to a water-related resource or facility that is not open to all members of the public.

4. In their plans and programs for increasing public access to public water-related resources and facilities, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation, within the boundaries of the Federal-Aid Metropolitan urban area, but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary, but not served by public transportation.

Policy 20

Access to the publicly owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided and it shall be provided in a manner compatible with adjoining uses.

Explanation of Policy

The Village of Williamsville WRA includes a significant amount of public parkland along Ellicott Creek, which provides access for recreational enjoyment by the public, including for birdwatching, hiking, nature study and shoreline fishing. These lands will continue to be held in public ownership.

In inland waterway areas where there are little or no recreation facilities providing specific water-related recreational activities, access to the publicly-owned lands along the inland waterway at large should be provided for numerous activities and pursuits which require only minimal facilities for their enjoyment. Such access would provide for walking along a beach or a city waterfront or to a vantage point from which to view the seashore. Similar activities requiring access would include bicycling, bird watching, photography, nature study, beachcombing, fishing, and hunting.

For those activities, there are several methods of providing access which will receive priority attention from the Waterfront Revitalization of Coastal Areas and Inland Waterways Program. These include: the development of a waterfront trails system; the provision of access across transportation facilities to the waterfront; the improvement of access to waterfronts in urban areas; and the promotion of mixed and multiuse development.

While such publicly owned lands referenced in the policy shall be retained in public ownership, traditional sales of easements on lands underwater to adjacent onshore property owners are consistent with this policy, provided such easements do not substantially interfere with continued public use of the public lands on which the easement is granted. Also, public use of such publicly owned underwater lands and lands immediately adjacent to the shore shall be discouraged where such use would be inappropriate for reasons of public safety, military security, or the protection of fragile inland waterway resources.

The regulation of projects and structures, proposed to be constructed in or over lands underwater, is necessary to responsibly manage such lands, to protect vital assets held in the name of the people of the State, to guarantee common law and sovereign rights, and to ensure that waterfront owners' reasonable exercise of riparian rights and access to navigable waters shall be consistent with the public interest in reasonable use and responsible management of waterways and such public lands for the purposes of navigation, commerce, fishing, bathing, recreation, environmental and aesthetic protection, and access to the navigable waters and lands underwater of the State.

The following guidelines will be used in determining the consistency of a proposed action with this policy:

1. Existing access from adjacent or proximate public lands or facilities to existing lands surrounding Ellicott Creek in the WRA and/or its waters shall not be reduced, nor shall the possibility of

increasing access in the future from adjacent or nearby public lands or facilities to public lands surrounding Ellicott Creek in the WRA and/or its waters be eliminated, unless such actions are demonstrated to be of overriding regional or Statewide public benefit or, in the latter case, estimates of future use of these lands and waters are too low to justify maintaining or providing increased access.

The following is an explanation of the terms used in the above guidelines:

- a. (See definitions under first policy of "access" and "public lands or facilities").
 - b. A reduction in the existing or anticipated level of public access - includes, but is not limited, to the following:
 - (1) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (2) Pedestrian access is diminished or blocked completely by public or private development.
 - c. An elimination of the possibility of increasing public access in the future - includes, but is not limited to, the following:
 - (1) Construction of public facilities that physically prevent the provision, except at great expense, of convenient public access to public inland waterway lands and /or waters
 - (2) Sale, lease, or other conveyance of public lands that could provide public access to public inland waterway lands and/or waters
 - (3) Construction of private facilities that physically prevent the provision of convenient public access to public inland waterway lands and/or waters from public lands and facilities
2. The existing level of public access within public lands surrounding Ellicott Creek in the WRA and/or its waters shall not be reduced or eliminated.
 - a. A reduction or elimination in the existing level of public access - includes, but is not limited to, the following:
 - (1) Access is reduced or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities
 - (2) Access is reduced or blocked completely by any public developments
 3. Public access from the nearest public roadway to the shoreline of Ellicott Creek in the WRA shall be provided by new land use or development, except where:
 - a. it is inconsistent with public safety, military security, or the protection of identified fragile resources along the creek;
 - b. adequate access exists within one-half mile; or
 - c. agriculture would be adversely affected. Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access way.
 4. The State will not undertake or directly fund any project that increases access to a water-related resource or facility that is not open to all members of the public.

5. In their plans and programs for increasing public access, State agencies shall give priority in the following order to projects located: within the boundaries of the Federal-Aid Metropolitan Urban Area and served by public transportation; within the Federal-Aid Metropolitan Urban Area, but not served by public transportation; outside the defined Urban Area boundary and served by public transportation; and outside the defined Urban Area boundary, but not served by public transportation.
6. Proposals for increased public access to public lands surrounding Ellicott Creek in the WRA and/or its waters shall be analyzed according to the following factors:
 - a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
 - b. The level of access to be provided shall not cause a degree of use that would exceed the physical capability of the inland waterway lands or waters. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
7. In making any grant, lease, permit, or other conveyance of land now or formerly underwater, there shall be reserved such interests or attached such conditions to preserve the public interest in the use of state-owned lands underwater and waterways for navigation, commerce, fishing, bathing, recreation, environmental protection, and access to the navigable waters of the state. In particular, the granting of publicly owned underwater or formerly underwater lands to private entities will be limited to exceptional circumstances only.

RECREATION POLICIES

Policy 21

Water dependent and water enhanced recreation will be encouraged and facilitated and will be given priority over non-water-related uses along the shorefront.

Explanation of Policy

This policy is particularly relevant in Island Park, Glen Park, and the portion of Amherst Park within the WRA, where suitable improvements would increase the public's experience.

Water-related recreation includes such obviously water dependent activities as boating, swimming, and fishing, as well as certain activities that are enhanced by a shorefront location and increase the general public's access to the shorefront, such as pedestrian and bicycle trails, picnic areas, scenic overlooks and passive recreation areas that take advantage of shorefront scenery.

Provided the development of water-related recreation is consistent with the preservation and enhancement of important resources in the WRA, such as fish and wildlife habitats, aesthetically significant areas, historic and cultural resources, significant mineral and fossil deposits, and provided demand exists, development of water-related recreational amenities is to be increased and such uses shall have a higher priority than any non-water-dependent uses, including non-water-related recreation uses. In addition, water dependent recreation uses shall have a higher priority over water-enhanced recreation use. Determining a priority among water-dependent uses will require a case-by-case analysis.

Among priority areas for increasing water-related recreation opportunities are those areas where access to the recreation opportunities of the shorefront can be provided by new or existing public transportation

services and those areas where the use of the shore is severely restricted by highways, railroads, industry, or other forms of existing intensive land use or development. The Department of State, working with the Office of Parks, Recreation, and Historic Preservation and with local governments, will identify communities whose use of the shore has been so restricted and those sites shoreward of such developments which are suitable for recreation and can be made accessible. Priority shall be given to recreational development of such lands.

The siting or design of new public development in a manner which would result in a barrier to the recreational use of a major portion of a community's shore should be avoided as much as practicable.

Among the types of water dependent recreation, provision of adequate boating services to meet future demand is to be encouraged by this Program. The siting of boating facilities must be consistent with preservation and enhancement of other inland waterway resources and with their capacity to accommodate demand. The provision of new public boating facilities is essential in meeting this demand, but such public actions should avoid competition with private boating development. Boating facilities will, as appropriate, include parking, park-like surroundings, toilet facilities, and pump-out facilities. Harbors of Refuge are particularly needed along Lake Erie and Lake Ontario. There is a need for a better positional pattern of boating facilities to correct problems of overused, insufficient, or improperly sited facilities.

Water-related off-road recreational vehicle use is an acceptable activity; provided no adverse environmental impacts occur. Where adverse environmental impact will occur, mitigating measures will be implemented, where practicable to minimize such adverse impacts. If acceptable mitigation is not practicable, prohibition of the use by off-road recreational vehicles will be posted and enforced. Ground water contamination presents a threat to Fire Island National Seashore water resources.

Policy 22

Development when located adjacent to the shore will provide for water-related recreation whenever such use is compatible with reasonably anticipated demand for such activities and is compatible with the primary purpose of the development.

Explanation of Policy

Many developments present practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever developments are located adjacent to the shore, they should to the fullest extent permitted by existing law provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen.

The types of development that can generally provide water-related recreation as a multiple-use include, but are not limited to:

- parks
- highways
- power plants
- utility transmission rights of way
- sewage treatment facilities
- mental health facilities*
- hospitals*
- prisons*

- schools, universities*
- military facilities*
- nature preserves*
- large residential subdivisions (50 units)
- shopping centers
- office buildings

* *The types of recreation uses likely to be compatible with these facilities are limited to the more passive forms, such as trails or fishing access. In some cases, land areas not directly or immediately needed by the facility could be used for recreation.*

Prior to taking action on any development, State agencies should consult with the State Office of Parks, Recreation, and Historic Preservation, and if there is an approved local waterfront program, with the municipality in which the development is to locate, to determine appropriate recreation uses. The agency should provide OPRHP and the municipality with the opportunity to participate in project planning.

Appropriate recreational uses that do not require any substantial additional construction shall be provided at the expense of the project sponsor provided the cost does not exceed 2% of total project cost.

In determining whether compelling reasons exist that would make inadvisable recreation as a multiple use, safety considerations should reflect a recognition that some risk is acceptable in the use of recreation facilities.

Whenever a proposed development would be consistent with LWRP policies and the development could, through the provision of recreation and other multiple uses, significantly increase public use of the shore, then such development should be encouraged to locate adjacent to the shore (this situation would generally only apply within the more developed portions of urban areas).

HISTORIC AND SCENIC RESOURCES POLICIES

Policy 23

Protect, enhance, and restore structures, districts, areas, or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation.

Explanation of Policy

The historic and cultural resources of the Village of Williamsville are a reminder of the community's early development and its rich waterfront tradition. These resources are tangible links to the past development of the Village's waterfront area.

Among the most valuable of the State's man-made resources are those structures or areas that are of historic, archaeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites. The policy is not to be construed as a passive mandate but must include active efforts, when appropriate, to restore or revitalize through adaptive reuse. While the program is concerned with the preservation of all such resources within the waterfront revitalization area it will actively promote the preservation of historic and cultural resources that have a waterfront relationship.

The structures, districts, areas, or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the Nation comprise the following resources:

1. A resource that is in a State park established, among other reasons, to protect and preserve the resource.
2. A resource on, nominated to be on, or determined eligible to be on the National or State Registers of Historic Places.
3. A resource on or nominated to be on the State Nature and Historic Preserve Trust.
4. An archaeological resource that is on the State Department of Education's inventory of archaeological sites.
5. A local landmark, park, or locally designated historic district that is located within the boundary of an approved local waterfront revitalization program.
6. A resource that is a significant component of an Urban Cultural Park.

All practicable means to protect structures, districts, areas, or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities or the Nation shall be deemed to include the consideration and adoption of any techniques, measures, or controls to prevent a significant adverse change to such significant structures, districts, areas, or sites. A significant adverse change includes but is not limited to:

1. Alteration of or addition to one or more of the architectural, structural, ornamental, or functional features of a building, structure, or site that is a recognized historic, cultural, or archaeological resource, or component thereof. Such features are defined as encompassing the style and general arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials, entry ways and doors, fenestration, lighting fixtures, roofing, sculpture and carving, steps, rails, fencing, windows, vents and other openings, grillwork, signs, canopies, and other appurtenant fixtures and, in addition, all buildings, structures, outbuildings, walks, fences, steps, topographical features, earthworks, paving and signs located on the designated resource property. (To the extent they are relevant, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be adhered to.)
2. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural, or archaeological resource or component thereof, to include all those features described in (a) above plus any other appurtenant fixtures associated with a building, structure, or earthwork.
3. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archaeological resource and all actions within an historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgment about compatibility should focus on the visual and location relationship between the proposed action and the special character of the historic, cultural, or archaeological resource. Compatibility between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design material, scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping, and related items of the proposed actions. With historic districts, this

would include infrastructure improvements or changes, such as street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration, or demolition of any building, structure, earthworks, or component thereof of a recognized historic, cultural, or archaeological resource that has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair, or proper restoration according to the U.S. Department of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" of any building, structure, site or earthwork, or component thereof of a recognized historic, cultural, or archaeological resource that does not involve a significant adverse change to the resource, as defined above.

Policy 24

Prevent impairment of scenic resources of statewide significance.

Explanation of Policy

Within the Williamsville WRA there are no designated scenic areas of statewide significance designated by the State. This policy does not apply to the current conditions within the Village of Williamsville.

Policy 25

Protect, restore, or enhance natural and man-made resources that are not identified as being of statewide significance, but which contribute to the overall scenic quality of the waterfront revitalization area.

Explanation of Policy

As identified during the development of the LWRP and shown on Map 5 – Surface Water Uses, locations along Ellicott Creek and in Island Park, together with the Glen Falls and the interconnected small ponds and adjacent landscape in Glen Park, comprise the scenic resources of local significance accessible to and appreciated by village residents and visitors.

When considering a proposed action that would not affect scenic resources of statewide significance, agencies shall ensure that the action would be undertaken so as to protect, restore or enhance the overall scenic quality of the Village of Williamsville WRA. Activities that could impair or further degrade scenic quality are listed below and may consist of modification of natural landforms, removal of vegetation, etc. However, the effects of these activities would not be considered as serious for the general waterfront revitalization area as for significant scenic areas.

The following general criteria used to determine scenic resources of statewide significance were also used to identify locally significant scenic resources in the Williamsville WRA:

Quality:	Using the basic elements of design for manmade structures or landscapes (i.e., two-dimensional line, three-dimensional form, texture, and color) or natural habitat restoration to recreate or maintain living shorelines can combine to create high-quality landscapes. Often, high quality landscapes contain striking contrasts between lines, forms, textures, and colors. Example: A waterfall where horizontal and vertical lines and smooth and turbulent textures meet in dramatic juxtaposition.
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Finally, high quality landscapes and restored natural areas are generally free of discordant features, such as structures or other elements that are inappropriate in terms of siting, form, scale, and/or materials.

- Uniqueness: The uniqueness of high-quality landscapes is determined by the frequency of occurrence of similar resources in Williamsville and in the region.
- Public Accessibility: A scenic resource of significance must be visually and, where appropriate, physically accessible to the public.
- Public Recognition: Widespread recognition of a scenic resource is not a characteristic intrinsic to the resource. It does, however, demonstrate people's appreciation of the resource for its visual, as well as evocative, qualities. Public recognition serves to reinforce analytic conclusions about the significance of a resource.

The siting and design guidelines listed below should be considered for proposed actions within the Williamsville WRA that may affect scenic quality or resources. More emphasis may need to be placed on the removal of existing elements, especially those that degrade, and on addition of new elements or other changes that enhance existing conditions. Removal of vegetation at key points to improve visual access to inland waterways is one such change that might be expected to enhance scenic quality, but such action should only be undertaken after thorough evaluation of potential adverse impacts.

When considering a proposed action, agencies shall first determine whether the action could affect a scenic resource. This determination would involve:

- 1) a review of the waterfront revitalization area to ascertain if it shows an identified scenic resource which could be affected by the proposed action, and
- 2) a review of the types of activities proposed to determine if they would be likely to impair the scenic beauty of an identified resource. Impairment will include:
 - (i) the irreversible modification of geologic forms; the destruction or removal of vegetation; the modification, destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and
 - (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.

The following siting and facility-related guidelines are to be used to achieve this policy, recognizing that each development situation is unique and that the guidelines will have to be applied accordingly. These guidelines include:

1. Siting structures and other development such as highways, power lines, and signs, back from shorelines or in other inconspicuous locations to maintain the attractive quality of the shoreline and to retain views to and from the shore;
2. Clustering or orienting structures to retain views, save open space and provide visual organization to a development;
3. Incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
4. Removing deteriorated and/or degrading elements;

5. Maintaining or restoring the original landform, except when changes screen unattractive elements and/or add appropriate interest;
6. Maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site, and obscure unattractive elements, except when selective clearing removes unsightly, diseased, or hazardous vegetation and when selective clearing creates views of inland waterways;
7. Using appropriate materials, in addition to vegetation, to screen unattractive elements; and
8. Using appropriate scales, forms, and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.

AGRICULTURAL LANDS POLICY

Policy 26

Conserve and protect agricultural lands in the waterfront revitalization area.

Explanation of Policy

There are no agricultural lands within the Village of Williamsville WRA. This policy applies to communities that have identified farmland and agricultural resources within the waterfront revitalization area.

ENERGY AND ICE MANAGEMENT POLICIES

Policy 27

Decisions on the siting and construction of major energy facilities in the shorefront area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.

Explanation of Policy

The natural features of Ellicott Creek are not favorable to the location of major energy facilities in the shorefront area of the Village of Williamsville WRA. The current conditions within the WRA do not include any major energy facilities in its shorefront area.

New York's overall annual energy demand has begun to flatten over time, in part due to the success of State and utility energy efficiency programs. However, peak load (the highest amount of energy consumption in a given year) has continued to increase at a more rapid pace. Renewable power sources—hydro, solar, wind, and other carbon-free solutions—also continue to grow as a share of the total energy produced in the State. Significant investments in the billions of dollars are needed to replace New York's aging electric transmission and distribution infrastructure just to meet currently projected energy demand. To respond to these significant shifts in the State's energy infrastructure, State energy policies are being designed to maintain energy system reliability during peak load in ways that improve the grid's overall system efficiency, from both energy transmission and capital investment perspectives.

The New York State energy planning process provides a comprehensive framework for improving the State's energy system, addressing issues such as environmental impacts, resiliency, and affordability. Key areas of focus for New York's energy planning and implementation policies include integration of renewable energy generation; local energy generation that can foster both economic prosperity and

environmental stewardship; seeking innovative energy solutions across the State's public facilities and operations; increasing energy efficiency; and decreasing greenhouse gas emissions. New York's energy policy is also central to how the State responds to the challenges presented by a changing climate.

New York State's energy planning recognizes that extreme weather events demand more resilient energy infrastructure, and that climate change presents both challenges and opportunities to lead and innovate.

A determination of public need for energy is the first step in the process for siting new facilities. The directives for determining this need are contained primarily in Article 6 of the New York State Energy Law. That Article requires the preparation of a State Energy Plan. With respect to transmission lines and the siting of major electric generating facilities, Articles 7 and 10 of the State's Public Service Law require additional forecasts and establish the basis for determining the compatibility of these facilities with the environment and the necessity for providing additional electric capacity. The policies derived from the siting regulations under these Articles are entirely consistent with the general coastal zone policies derived from other laws, particularly the regulations promulgated pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Law. That law is used for the purposes of ensuring consistency with the Coastal Management Program.

The Department of State will present testimony for the record during relevant certification proceedings under Articles 7 and 10 of the Public Service Law when appropriate; and use the State SEQRA and DOS regulations to ensure that decisions regarding other proposed energy facilities (not subject to Articles 7 and 10 of the Public Service Law) that would affect the shorefront area are consistent with LWRP policies.

Policy 28

Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats or increase shoreline erosion or flooding.

Explanation of Policy

Prior to undertaking actions required for ice management, an assessment must be made of the potential effects of such actions upon the production of hydro-electric power, fish and wildlife and their habitats identified in Coastal Area Maps, flood levels and damage, rates of shoreline erosion damage, and upon natural protective features.

Following such an examination, adequate methods of avoidance or mitigation of such potential effects must be utilized if the proposed action is to be implemented.

Policy 29

The development of offshore uses and resources, including renewable energy resources, shall accommodate New York's long-standing ocean and Great Lakes industries, such as commercial and recreational fishing and maritime commerce, and the ecological functions of habitats important to New York.

Explanation of Policy

The Williamsville WRA is not located along the Atlantic Ocean, Long Island Sound or Great Lakes. However, actions proposed in the creek will accommodate the ecological functions of local habitats.

WATER AND AIR RESOURCES POLICIES

Policy 30

Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into inland waterways will conform to State and National water quality standards.

Explanation of Policy

Municipal, industrial, and commercial discharges include not only "end-of-the pipe" discharges into surface and groundwater but also plant site runoff, leaching, spillages, sludge and other waste disposal, and drainage from raw material storage sites. Also, the regulated industrial discharges are both those that directly empty into receiving inland waterways and those that pass through the municipal treatment systems before reaching the State's waterways.

Policy 31

State policies and management objectives of approved local Waterfront Revitalization Programs will be considered while reviewing inland waterway water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.

Explanation of Policy

Pursuant to the Federal Clean Water Act of 1977 (PL 95-217) the State has classified its coastal and other waters in accordance with considerations of best usage in the interest of the public and has adopted water quality standards for each class of waters. These classifications and standards are reviewable at least every three years for possible revision or amendment. The policies of the approved Local Waterfront Revitalization Programs shall be factored into the review process for inland waterways. However, such consideration shall not affect any water pollution control requirement established by the State pursuant to the federal Clean Water Act.

The State has identified certain stream segments as being either "water quality limiting" or "effluent limiting." Waters not meeting State standards, and that would not be expected to meet these standards even after applying "best practicable treatment" to effluent discharges are classified as "water quality limiting". Those segments meeting standards or those expected to meet them after application of "best practicable treatment" are classified as "effluent limiting," and all new waste discharges must receive "best practicable treatment." However, along stream segments classified as "water quality limiting", waste treatment beyond "best practicable treatment" would be required, and costs of applying such additional treatment may be prohibitive for new development.

Policy 32

Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.

Explanation of Policy

Alternative systems include individual septic tanks and other subsurface disposal systems, dual systems, small systems serving clusters of households or commercial users, and pressure or vacuum sewers. These

types of systems are often more cost effective in smaller, less densely populated communities and for which conventional facilities are too expensive.

Policy 33

Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.

Explanation of Policy

Best management practices include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff and combined sewer overflows. At present, structural approaches to controlling stormwater runoff (e.g., construction of retention basins) and combined sewer overflows (e.g., replacement of combined system with separate sanitary and stormwater collection systems) are not economically feasible. Proposed amendments to the Clean Water Act, however, will authorize funding to address combined sewer overflows in areas where they create severe water quality impacts. Until funding for such projects becomes available, non-structural approaches (e.g., improved street cleaning, reduced use of road salt) will be encouraged.

Policy 34

Discharge of waste materials into inland waterways from vessels subject to State jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas, and water supply areas.

Explanation of Policy

Due to the water levels of Ellicott Creek just small areas of the creek are suitable for navigation of small vessels that don't have the capacity to collect, carry, and discharge waste materials.

All untreated sanitary waste from vessels is prohibited from being discharged into the State's inland waterways. Where inland waterway resources or activities require greater protection than afforded by this requirement the State may designate vessel waste no discharge zones. Within these no discharge zones the discharge of all vessel waste whether treated or not is prohibited. A determination from EPA that an adequate number of vessel waste pump-out stations exists is necessary before the State can designate a no discharge zone. The State prepared a Clean Vessel Act Plan which identifies the State's waters for which no discharge zones are needed, and the number of vessel waste pump outs required to obtain the determination from EPA. The discharge of other wastes from vessels is limited by State law.

Policy 35

Dredging and filling in inland waterways and disposal of dredged material will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.

Explanation of Policy

Dredging, filling, and dredge material disposal are activities that are needed for waterfront revitalization and development, such as maintaining navigation channels at sufficient depths, pollutant removal, improved flow management and other management needs. Such projects, however, may adversely affect water quality, fish and wildlife habitats, wetlands, and other important inland waterway resources. Often these adverse effects can be minimized through careful design and timing of the dredging or filling

activities, proper siting of dredged material disposal sites, and the beneficial use of dredged material. Such projects shall only be permitted if they satisfactorily demonstrate that these anticipated adverse effects have been reduced to levels that satisfy State permit standards set forth in regulations developed pursuant to Environmental Conservation Law, (Articles 15, 24, 25, and 34), and are consistent with policies pertaining to the protection and use of inland waterway resources (LWRP policies 7, 15, 19, 20, 24, 26, and 44).

Policy 36

Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into inland waterways; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.

Explanation of Policy

See Policy 39 for definition of hazardous materials.

Policy 37

Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics, and eroded soils into inland waterways.

Explanation of Policy

Best management practices used to reduce these sources of pollution could include, but are not limited to, encouraging organic farming and pest management principles, soil erosion control practices, and surface drainage control techniques.

The following guidance shall be used in the evaluation of activities proposed in the Williamsville WRA:

1. Control non-point source pollution by:
 - a. Reducing or eliminating the introduction of constituents that may contribute to nonpoint pollution;
 - b. Minimizing the disturbance of Ellicott Creek and tributary streams, including their bed and banks, in order to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and water level;
 - c. Limiting activities that would increase off-site stormwater runoff and transport of pollutants;
 - d. Managing stormwater runoff to minimize transport of and filter pollutants, restore degraded conditions and achieve no-net increase of runoff where unimpaired stormwater runoff conditions exist;
 - e. Retaining or establishing vegetation to maintain and provide soil stabilization, and filtering capacity;
 - f. Preserving natural hydrologic conditions to maintain natural surface water flow characteristics and retaining natural watercourses and drainage systems where present; and
 - g. Where natural drainage systems are absent or incapable of handling the anticipated runoff demands, using low impact measures or green infrastructure, where applicable, to address drainage flow.

- h. Implement pollution prevention and education programs to reduce the discharge of pesticides and herbicides into the Ellicott creek corridor and other local surface waters.
- 2. Reduce pollutant loads to surface waters by managing unavoidable nonpoint sources and use appropriate best management practices as determined by site characteristics, design standards, operational conditions, and maintenance programs.
- 3. Reduce nonpoint source pollution using specific management measures appropriate to specific land use or pollution source categories.

This policy presents summary management measures to apply to specific land use or pollution sources. These management measures are to be applied within the context of the prioritized approach of avoidance, reduction, and management presented in the previous policy section. Further information on specific management measures is contained in Guidance Specifying Management Measures for Sources of Non-Point Pollution in Coastal Waters (U.S. EPA, 840-B-92-002). Recommendations from this Environmental Protection Agency publication that are applicable for addressing non-point source discharges are outlined as follows.

- 1. Urban development
 - a. For new development, manage total suspended solids in runoff to remain at pre-development loadings.
 - b. For site development, limit activities that increase erosion or the amount or velocity of stormwater runoff.
 - c. For construction sites, reduce erosion and retain sediment on site, and limit and control use of chemicals and nutrients.
 - d. For new or refurbished on-site sewage disposal systems, ensure that siting, design, maintenance, and operation prevent discharge of pollutants.
 - e. Plan, site, and design roads and highways and roadway improvements to manage erosion and sediment loss, and limit disturbance of land and vegetation.
 - f. Plan, site, and design bridges (including replacement structures) to protect ecosystems.
 - g. For roads, highways, and bridges, minimize runoff of contaminants to surface waters to the greatest extent practical.
- 2. Hydro-modifications
 - a. Maintain the physical and chemical characteristics of surface waters, reduce adverse impacts, and, where possible improve the physical and chemical characteristics of surface waters in the Ellicott Creek and tributary streams.
 - b. Use vegetative means, wherever possible, to protect stream banks and shorelines from erosion.
- 3. Floatables and litter
 - a. Prohibit all direct or indirect discharges of refuse or litter into surface waters of Ellicott Creek, or upon public lands contiguous to and within 100 feet of these surface waters.
 - b. Limit entry of floatables to surface waters through containment and prevention of litter.
 - c. Remove and dispose of floatables and litter from Ellicott Creek surface waters and along shorelines of creek waters.

- d. Implement pollution prevention and education programs to reduce the discharge of floatables and litter into the Ellicott creek corridor and other local surface waters.
- e. Installing signage that requires the cleaning of kayaks.

Green infrastructure is a sustainable means of preventing pollution while simultaneously bringing nature back to urban environments. Green infrastructure best practices will be followed and include techniques such as green roofs, roadside plantings, bioswales and enhanced tree pits, rain gardens, permeable pavement and the minimization of impervious surfaces, downspout disconnections and rainwater harvesting. These techniques improve water quality and transform rainwater from a source of pollution into a valuable community resource.

Policy 38

The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

Explanation of Policy

Surface and groundwater are the principal sources of drinking water in the State and, therefore, must be protected.

Policy 39

The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within the waterfront revitalization area will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land, and scenic resources.

Explanation of Policy

The definitions of terms “solid wastes” and “solid waste management facilities” are taken from New York's Solid Waste Management Act (Environmental Conservation Law, Article 27). Solid wastes include sludge from air or water pollution control facilities, demolition and construction debris and industrial and commercial wastes.

Hazardous wastes are unwanted byproducts of manufacturing processes and are generally characterized as being flammable, corrosive, reactive, or toxic. More specifically, hazardous waste is defined in Environmental Conservation Law (Section 27-0901[3]), as “waste or combination of wastes that because of its quantity, concentration, or physical, chemical or infectious characteristics may:

1. Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or
2. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed, transported or otherwise managed.”

A list of hazardous wastes (NYCRR Part 366) will be adopted by DEC within 6 months after EPA formally adopts this list (currently contained in 6 NYCRR Part 371). Examples of solid waste management facilities include resource recovery facilities, sanitary landfills, and solid waste reduction facilities. Although a fundamental problem associated with the disposal and treatment of solid wastes is the contamination of water resources, other related problems may include filling of wetlands, atmospheric loading, and degradation of scenic resources.

Policy 40

Effluent discharged from major steam electric generating and industrial facilities into inland waterways will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.

Explanation of Policy

There are no steam electric generating and industrial facilities within the Williamsville WRA.

The State Board on Electric Generation Siting and the Environment must consider several factors when reviewing a proposed site for facility construction. One of these factors is that the facility shall “not discharge any effluent that will be unduly injurious to the propagation and protection of fish and wildlife, the industrial development of the State, the public health, and public enjoyment of the receiving waters.” The effect of thermal discharges on water quality and aquatic organisms is considered by the siting board when evaluating any applicant's request to construct a new steam electric generating facility.

Policy 41

Land use or development in the waterfront revitalization area will not cause national or State air quality standards to be violated.

Explanation of Policy

New York's Waterfront Revitalization of Coastal Areas and Inland Waterways Program incorporates the air quality policies and programs developed for the State by the Department of Environmental Conservation pursuant to the Clean Air Act and State laws on air quality. The requirements of the Clean Air Act are the minimum air quality control requirements applicable within the waterfront revitalization area.

To the extent possible, the State Implementation Plan will be consistent with waterfront revitalization area lands and water use policies. Conversely, waterfront management guidelines and program decisions regarding land and water use and any recommendations regarding specific sites for major new or expanded industrial, energy, transportation, or commercial facilities will reflect an assessment of their compliance with the air quality requirements of the State Implementation Plan.

The Department of Environmental Conservation will allocate substantial resources to develop a regulatory and management program to identify and eliminate toxic discharges into the atmosphere. The State's Waterfront Revitalization of Coastal Areas and Inland Waterways Program will assist in coordinating major toxic control programming efforts in the inland waterway regions and in supporting research on the multimedia nature of toxics and their economic and environmental effects on inland waterway resources.

Policy 42

Waterfront revitalization program policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.

Explanation of Policy

The policies of the State and local coastal and inland waterway management programs concerning proposed land and water uses and the protection and preservation of special management areas will be considered prior to any action to change prevention of significant deterioration land classifications along inland waterways or adjacent areas. In addition, the Department of State will provide the Department of Environmental Conservation with recommendations for proposed prevention of significant deterioration

land classification designations based upon the Waterfront Revitalization of Coastal Areas and Inland Waterways Program and LWRP policies.

Policy 43

Land use or development in the waterfront revitalization area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.

Explanation of Policy

This policy reflects the State's policies on acid rain. As such, the Department of State will assist in the State's efforts to control acid rain. These efforts to control acid rain will enhance the continued viability of inland waterway fisheries, wildlife, agricultural, scenic and water resources.

WETLANDS POLICY

Policy 44

Preserve and protect freshwater wetlands and preserve the benefits derived from these areas.

Explanation of Policy

Freshwater wetlands include marshes, swamps, bogs, and flats supporting aquatic and semiaquatic vegetation and other wetlands so defined in the NYS Freshwater Wetlands Act and the NYS Protection of Waters Act (Water Resources Law, Environmental Conservation Law Article 15).

The benefits derived from the preservation of freshwater wetlands include but are not limited to:

- habitat for wildlife and fish, and contribution to associated aquatic food chains;
- erosion, flood, and storm control;
- natural pollution treatment;
- groundwater protection;
- recreational opportunities;
- educational and scientific opportunities; and
- aesthetic open space in many otherwise densely developed areas.

SECTION IV - PROPOSED LAND AND WATER USES, AND PROPOSED PROJECTS

This section of the LWRP describes the proposed land and water uses for the Village of Williamsville waterfront revitalization area, which are represented on [Map 10 - Proposed Land Use](#) and [Map 5 – Surface Water Uses](#). Proposed projects are also briefly described in this section. [Map 12 – Proposed Projects](#) identifies the general location of proposed projects within the WRA.

4.1 PROPOSED LAND USES

Land uses in the Village of Williamsville WRA are proposed in a manner that will continue the general patterns of existing development in each subarea of the WRA, which is supported by the current Zoning. [Map 10 – Proposed Land Use](#) illustrates future land use proposed within the WRA, which will continue the existing land use illustrated on [Maps 4 – Existing Land Use](#), and reflects the vision set forth in the LWRP and the Village’s Community Plan. Because the current Zoning supports the proposed land uses [Map 12 - Proposed Zoning](#) is a reiteration of [Map 6 – Existing Zoning](#).

Recommendations have been included to improve opportunities for future public access to the banks of Ellicott Creek, wherever possible. The Village’s long-range goal for the waterfront is to make necessary improvements for residents and visitors to maintain the quality of life, enhance public access in appropriate places, and to maintain and enhance opportunities for continued public recreation and enjoyment of local parks and Ellicott Creek resources.

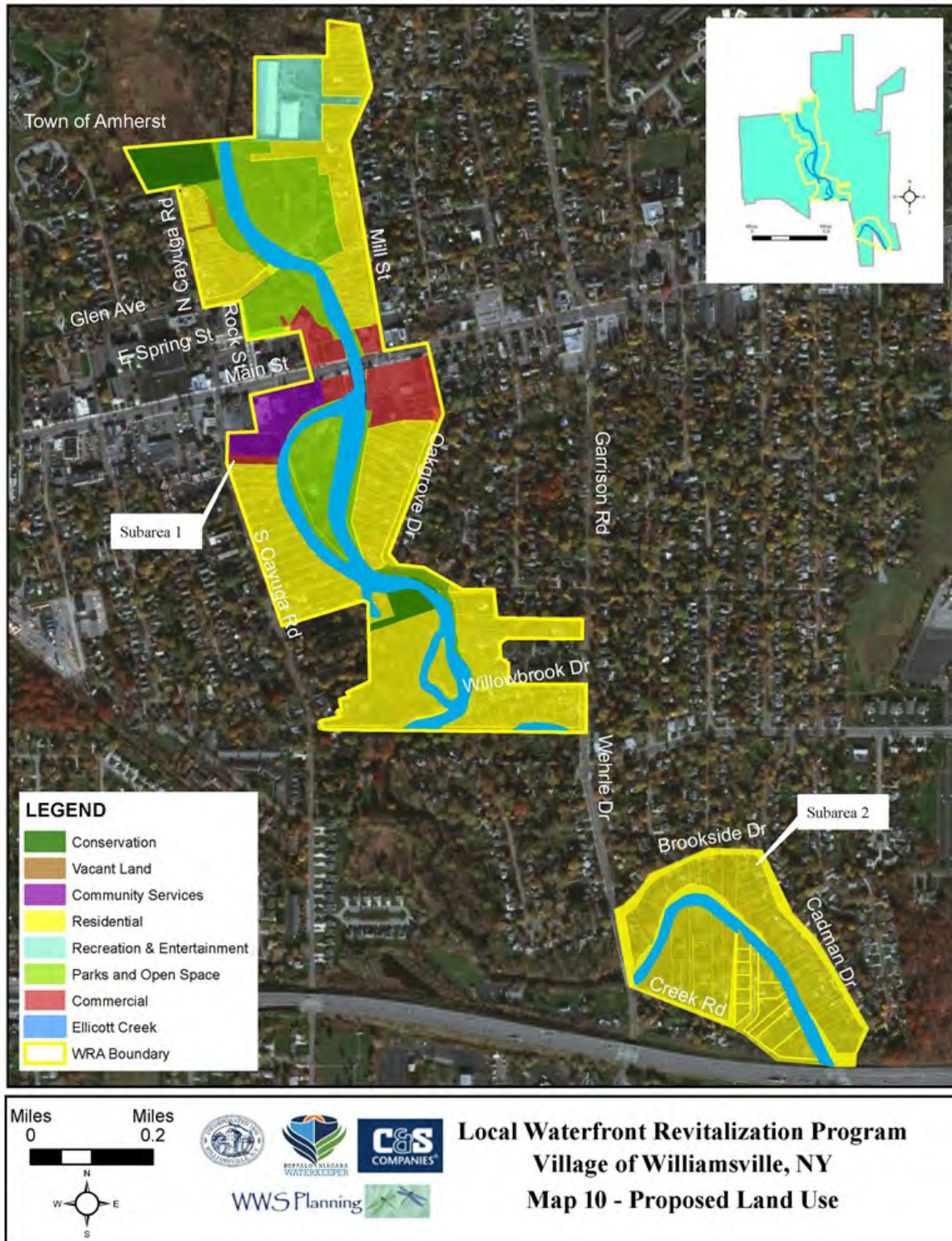
Subarea 1 of the Williamsville WRA

The primary land use in Subarea 1 is single-family residential, followed by public parkland. There is little opportunity for land use transition in Subarea 1, as this area is almost fully developed with land uses that are not planned to change. A few vacant properties will transition to additional residential uses or remain as vacant residential land as part of adjoining parcels that contain private residences.

The large parcel of vacant open space along the northern boundary of Subarea 1 is part of Amherst State Park and will have to remain open space used for passive recreational use. While the specific land uses on individual commercial properties may change, these lands will continue to be used for commercial activities, whether office, retail, or other similar purposes. Occasional vacancies in commercial space along Main Street and Spring Street are expected to convert to active use as the area transitions and economic activity and tourism increase.

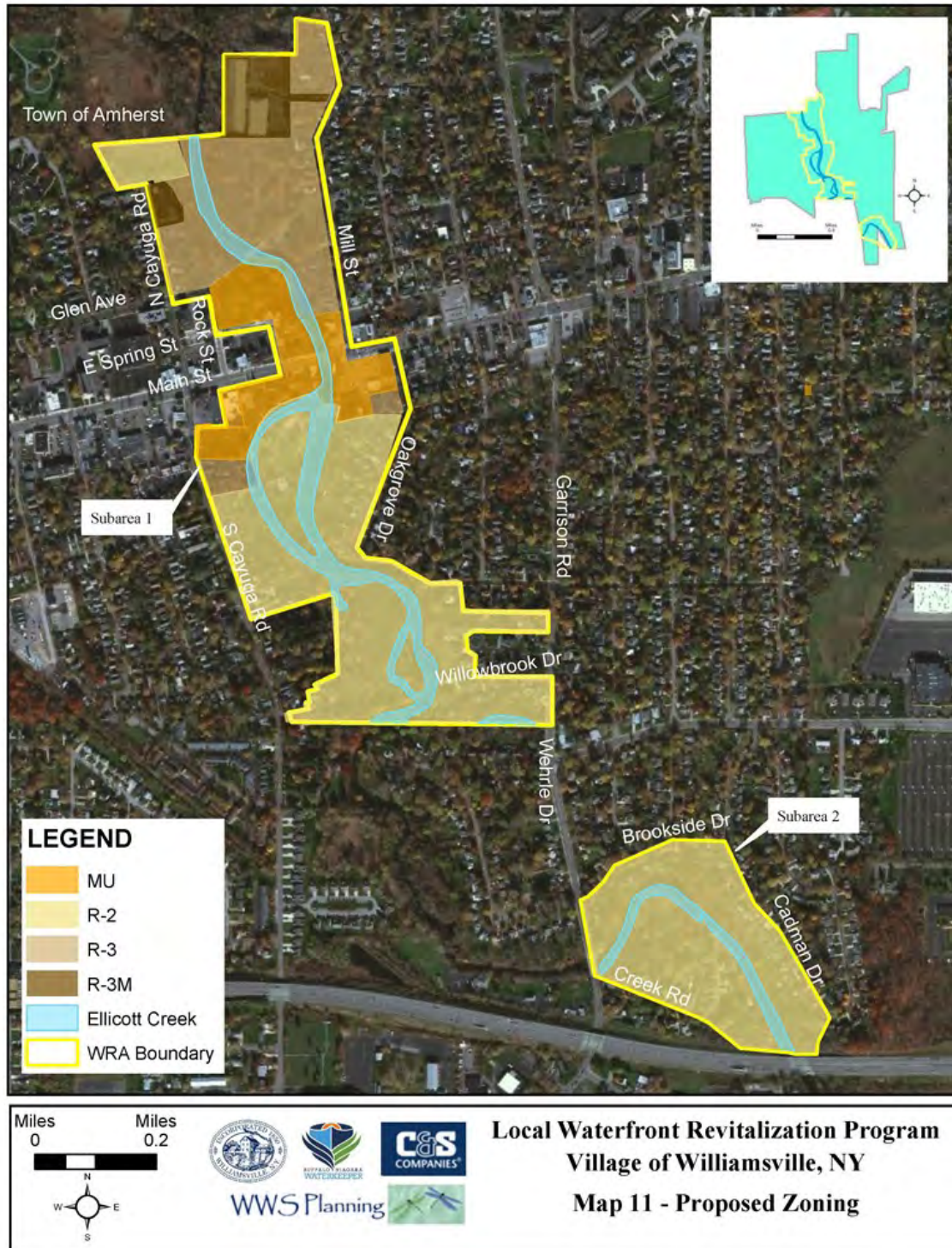
There are no opportunities for the expansion of commercial use on vacant land in this Subarea. However, there are opportunities for the redevelopment of a few existing commercial properties, in particular the Ed Youngs Plaza site, which is located on the north side of Main Street, immediately east of Ellicott Creek. Although there are no current plans for change, future redevelopment of this property could provide opportunities for a greater mix of uses and increased development density, in accordance with the Mixed-

Use zoning for this site. Such redevelopment would provide the ability to locate structures closer to Main Street, with the relocation of parking to the rear, offering greater potential for a future multi-use connection to Island Park from the east.



Subarea 2 of the Williamsville WRA

The waterfront in Subarea 2 solely contains single-family residences that extend along the Ellicott Creek shoreline. Current land use will be continued with no recommended changes as all parcels are zoned for residential use and developed with private residences. There are currently no places for the public to access the waterfront in this area and no available locations that offer suitable opportunities for future access.



4.2 PROPOSED WATER USES WITHIN THE HARBOR MANAGEMENT AREA

The inventory of existing resources and conditions within the WRA, as discussed in Section II of the LWRP, identifies current use of the waters in Ellicott Creek and related controls. The analysis of existing conditions reveals that there is no commercial vessel use along Ellicott Creek as this waterway is not navigable for commercial or recreational vessels larger than a kayak or canoe. There are no public docks, marinas, or boat launch facilities for recreational or commercial use along the creek. Due to the creek's fish resources and natural features, commercial fishing does not occur in the segments of Ellicott Creek within the Williamsville WRA, which does not favor the location of commercial fishing facilities along the banks of the creek. Recreational fishing will continue to occur from the banks of the creek. Also due to the natural features of the creek and water levels, the existing water-dependent uses cannot be diversified or expanded. However, some improvements to some of the current public access areas will be made.



Figure 32: Seasonal Kayaking and Canoeing

Vessel activity in the WRA includes paddlecraft usage above (south of Island Park in Subareas 1 and 2) and below Glen Falls. As there are also no formal kayak launch areas, launching occurs directly from the shoreline of the creek. Shoreline fishing, and limited fish stocking in Ellicott Creek to support such use, is the only form of fishing that occurs in the WRA; there is no shellfishing or aquaculture activity. There is no dredging, excavation, or other similar uses occurring along the creek's basin. As long as the shoreline is public parkland or held under private residential ownership, natural and scenic resources are not under threat from development or other similar adverse impacts. Significant historic resources in the WRA are recognized and protected. There are no points

of conflict, congestion, or competition for use of the shoreline, surface waters, or lands underwater of Ellicott Creek.

In the future, the Village foresees continuing the same type and level of water-dependent uses within the WRA, which includes shoreline fishing supported by releases of trout by Erie County in areas of the Glen Park, kayaking or canoeing when water levels allow it, seasonal wading or swimming where safe and practical, and scenic viewing and passive recreation in Glen and Island Parks and Amherst State Park, at locations indicated on [Map 5- Surface Water Uses](#).

Based on current level of use, projected village population, and the natural features of the creek, water-dependent activities are unlikely to increase to a point where use of the shoreline and creek waters would cause conflicts or become unmanageable. To improve the resident's experience, the Village will assess if and where to construct a dock at Island Park, for formalized shoreline fishing and launching of paddlecrafts. The village will continue to encourage scenic viewing of the waterfront and will make appropriate improvements to the public access sites.

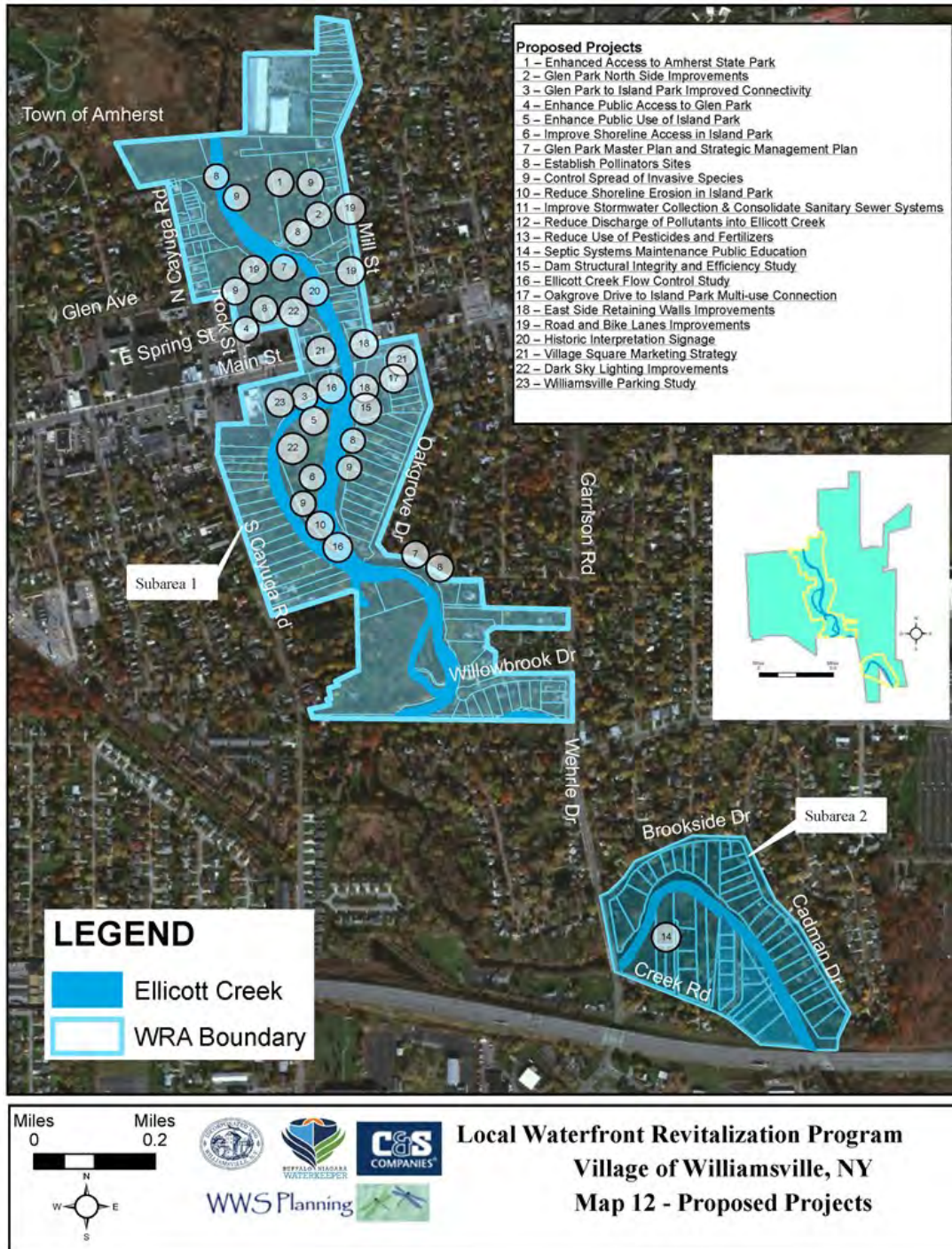


Figure 33: Fishing Along Ellicott Creek

The structural integrity and functionality of the existing water-dependent structures, the weirs and the dam at Island Park, will be examined to identify if future reconstruction or removal may be necessary.

4.3 PROPOSED PROJECTS

There are several projects proposed along the Village of Williamsville waterfront to improve opportunities for public access and recreation, and to address water quality, habitat protection and other local concerns.



As noted in Section II Inventory and Analysis of the LWRP, while a large portion of the Ellicott Creek shoreline is developed with private residential uses, there are two public parks that provide opportunities for the public to enjoy the waterfront. Projects proposed within the WRA are outlined below and include actions that would improve physical and visual public access and environmental conditions along and in the vicinity of the Ellicott Creek in the WRA. In general, projects for public access or other improvements at Island Park or along Oakgrove Drive will be undertaken in a manner that does not invite entry onto private lands on the south side of Ellicott Creek. Any action that is undertaken to implement the Williamsville LWRP will be consistent with the policies of the approved LWRP and the Village's zoning provisions and would be subject to review under the New York State Environmental Quality Review Act. The Village of Williamsville will make efforts to improve its communication and collaboration with the New York State Department of Transportation (NYSDOT), New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) and the New York State Department of Environmental Conservation (NYS DEC), as well as the Town of Amherst. Maintaining and strengthening these relationships is important for the achievement and coordination of proposed projects along the waterfront, for boosting tourism throughout the WRA and to protect natural resources.

➤ Public Access and Wayfinding

As discussed in Section II – Inventory and Analysis, there are three public parks in the WRA that provide access to Ellicott Creek. Connectivity is a common theme that comes to light through the discussion of the different parks in the area. Each of the three parks has walking paths and offers some public access to the creek. The improved connection of these pathways into a greenway system, with better wayfinding, is proposed as part of the Village's Community Plan update. This parks greenway would be of a larger Village-wide system of sidewalks, trails, and crosswalks that is envisioned for the community. Many of the projects noted below will enable the Village to complete or improve portions of the greenway system.

Project 1 – Enhanced Access to Amherst State Park

Amherst State Park is located immediately north of Subarea 1 in the WRA, with the Ellicott Creek corridor providing a direct connection between Glen Park and the State Park. There is an informal trail system that extends along the east side of the creek corridor, north of Glen Avenue, that enables pedestrians to travel between the two parks. In conformance with the Master Plan for Amherst State Park, this project proposes improvements to create a formal entrance to the State Park and the trail on the east side Ellicott Creek that would allow for enhanced use of and safer access to the area along the creek. To achieve this improvement, the trail entrance must originate through Glen Park, in the Village of Williamsville.

The eastern creek bank, near the Glen Avenue Bridge, is steep and rugged, but there is a location further north in the park where the grade is less steep, and access is gained more easily to the creek trail system in Amherst State Park. This entry point requires some improvement to ensure proper public safety and greater visibility, and appropriate entrance signage should be installed for wayfinding purposes.



Figure 34: Public trail

The project will identify alternative alignments and designs of the trail connectors, potential trail surface materials and amenities, necessary permits, and associated cost estimates. The project must be coordinated with the Town of Amherst and the New York Office of Parks, Recreation and Historic Preservation.

Estimated Project Cost:	Over \$50,000
Potential Funding Sources:	NYS DOS, NYS OPRHP
Potential Project Partners:	Town of Amherst, NYS OPRHP, NYS DEC, Village Parks Committee
Potential Approvals/Permits:	Necessary permits and approvals will be identified during the development of this project.

Project 2 – Glen Park North Side Improvements

The area of Glen Park, north of Glen Avenue in Subarea 1, was recently improved with a natural play area for children and the walls of the nature center were removed to create an open-air pavilion. This area will be further improved with the addition of public restrooms, as well as additional seating and picnic amenities to enhance how visitors use the space and experience the park. A more formalized entry point to the path that exists along the western boundary of this area of Glen Park will be provided to ensure safer pedestrian access to the banks of Ellicott Creek (see Project No. 1).



Figure 35: Open-air Pavilion

Estimated Project Cost:	Over \$150,000
Potential Funding Sources:	NYS DOS, NYS OPRHP, New York State Legislative Grant Program
Potential Project Partners:	Town of Amherst, Glen Park Joint Board
Potential Approvals/Permits:	None

Project 3 –Glen Park to Island Park Improved Connectivity

The Village of Williamsville WRA includes two significant public parks that offer waterfront access, scenic viewing, and opportunities for public recreation in Subarea 1. However, the parks are geographically separated from each other and access between these areas is disconnected and not identifiable. Glen



Figure 36: Potential Parks Connector

Park is situated north of Main Street and has a formal walkway/pocket park area that extends into the lower area of the park that is situated below Glen Falls. Island Park, which is located on the south side of Main Street, is more isolated behind the municipal buildings, being accessible by way of sidewalks and municipal parking lot that sits behind the buildings, and the bridge that extends across the west branch of Ellicott Creek. The Village's overall vision for this area, as set forth in the 2010 Community Plan, is to create a greenway that provides a "green highway" connection between the two parks, as well as a connection with Amherst State Park (see Project No. 1), that would function as a regional park system. This would advance the goal to integrate community resources in the Village Square Focus Area.

This project involves the establishment of an improved connection to Island Park from Main Street, identifiable gateway signage for Island Park (similar to what was created for Glen Park on the north side of Main Street), and

installation of wayfinding signage to improve the overall connection between the two park facilities. As Main Street handles a high volume of traffic, the Village worked with the NYSDOT to install a hawk signal in the vicinity of the library and Village Hall to enable safe crossing for pedestrians and bicyclists. However, without wayfinding signage, a parks connection is not identifiable for pedestrians who use this crosswalk. The village will develop this project in collaboration with the Town of Amherst to establish a connection between Glen Park and Island Park that extends across the municipal parking lot that is owned by the Town. This project will also include access to Amherst State Park (see Project No. 1).

Estimated Project Cost:	Over \$150,000
Potential Funding Sources:	NYSDOT, NYS OPRHP, New York State Legislative Grant Program
Potential Project Partners:	Town of Amherst, Village Parks Committee
Potential Approvals/Permits:	None

Project 4 –Enhance Public Access to Glen Park

Currently, the only access to Glen Park from the south is from the narrow entry walkway plaza from Main Street that connects with the pathways in the park area below Glen Falls and with Glen Avenue. This project proposes a second point of entry, following a theme set forth in the Williamsville Community Plan to construct a "grand staircase" from Spring Street into the park.

The Community Plan envisioned this stairway to be located between the historic Williamsville Mill and the existing apartment building on Spring Street, but that area is a part of the privately-owned Mill property. Therefore, an access easement or agreement would be required for this project. Additionally, the area identified in the Community Plan is steep and was included in the green infrastructure project on Spring Street. This embankment was developed as a green wall as part of that project and the construction of a stairway at this location would certainly impact the integrity of the wall.



Figure 37: Excerpt from Williamsville Community Plan (Figure 24: Village Square and Park Corridor)

An alternative location for a new entrance into the park could be established from Rock Street or from the corner of Spring and Rock Streets, which is an area where people are currently going over the guard rail and down the slope into the park. This is an area where the grade is less steep and would be more suitable for the development of stairway access. It would allow for development of a terraced structure that could be more easily navigated by persons who are physically challenged. Lighting, landscaping, wayfinding signage, and other amenities would be included at the top and bottom of the stairs to enhance public use and enjoyment. The provision of a second entrance to the park from the south would benefit park users as well as the businesses in the Village Square Focus Area along Spring Street.



Figure 38: Glen Park, below Rock Street

Estimated Project Costs	Over \$250,000
Potential Funding Sources	NYS DOS, NYS OPRHP, New York State Legislative Grant Program
Potential Project Partners	NYS DOS, NYS OPRHP, Village Parks Committee, Town of Amherst
Potential Approvals/Permits	None

Project 5 – Enhance Public Use of Island Park

Island Park is a significant public resource for the Village of Williamsville and offers opportunities for public use and enjoyment. The Village created a Park's Guidance Document and Master Plan that includes recommendations for the future redevelopment of Island Park. In addition to the project recommendations for improving the connection to Glen Park (Project No. 3), this Master Plan includes recommendations for a variety of improvements that will widen and enhance public use of the park, such as a flagstone trail/walkway system, a multi-use amphitheater, a kayak launch area and fishing dock (see Project No. 6 below), water feature/splash pad area, pavilion improvements, and enhanced picnic amenities. This project will design and construct those recommendations not covered in Project No 3 & 6.



Figure 39: Master Plan

Estimated Project Costs	\$879,000 to 1,358,000
Potential Funding Sources	NYS DOS, NYS OPRHP, New York State Legislative Grant Program
Potential Project Partners	NYS DOS, NYS OPRHP, Village Parks Committee
Potential Approvals/Permits	NYS DEC, NYS OPRHP

Project 6 – Improve Shoreline Access in Island Park

As part of the master planning process for Island Park in Subarea 1 (see Project No. 1 and 4 above), public sentiment supports establishing a location for shoreline fishing and the launching of kayaks and other paddlecraft on Ellicott Creek. The east side of the park contains remnants of an historic docking area that offers a good foundation for the creation of an area for these surface water uses. The Village will examine the feasibility of a dock that could be fully utilized for shoreline fishing and used as an extension of the walkway area. The feasibility, design, and construction of additional amenities, such as vessel storage racks and walkway access, will also be assessed in this project. This project would also assess if vegetation should be thinned and diversified as a part of this effort.

Estimated Project Cost	Over \$500,000
Potential Funding Sources	NYS DOS, New York State Legislative Grant Program
Potential Project Partners	NYS DEC, Village Parks Committee
Potential Approvals/Permits	NYS DEC, US Army Corps. of Engineers

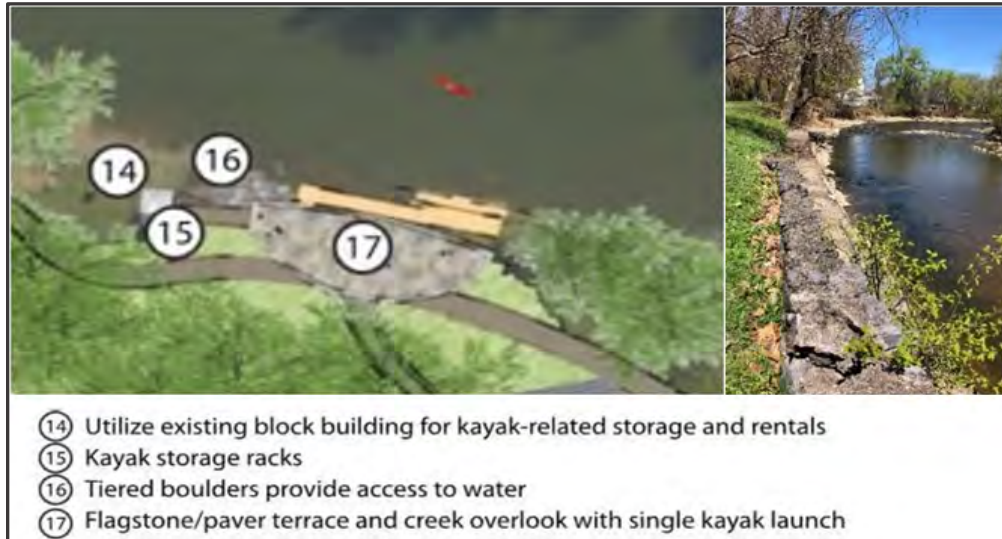


Figure 40: Water Dependent Elements

➤ Environmental Protection and Restoration

Project 7 – Glen Park Master Plan and Strategic Management Plan

Since it was opened in 1977, Glen Park has become an inviting natural asset for the community, with Glen Falls as a backdrop. Glen Park includes a diverse ecology that offers a variety of passive recreational opportunities in a scenic setting. The southern portion of Glen Park could be improved for resource protection and enhancement, as well as public enjoyment.

The main area of Glen Park, south of Glen Avenue, includes a diverse environment of flora and fauna, including a spring fed system of drainage ponds that need improvement. These interconnected ponds support a variety of wildlife and provide opportunities for passive recreation, including shoreline fishing. The ponds, which are very shallow and underlain by bedrock that prohibits the ability to deepen them, they are also laden with sediment due to plant decay and poor drainage and become overgrown with algae and aquatic vegetation in the summer. Access improvements to this area of the park would enhance public safety and ease of entry for all visitors. The existing pathway system near the



Figure 41: View of Glen Park Path

falls has varying grades and uneven pavement, requiring physical improvement. The opportunity to develop terraced stairway access from Spring and/or Rock Streets could also provide safer entry for physically challenged individuals. (see Project No. 4).



Figure 42: Drainage Ponds in Glen Park

A strategic master plan should be prepared for the entire park that includes an inventory and analysis of existing conditions to assess the biodiversity of the aquatic systems, landscape plantings and other vegetation; overall site drainage; pedestrian accessibility; and park amenities. This plan should include an examination of the pond system in the south area of the park and evaluate measures that would improve the water quality and existing habitat in this system



Figure 43: Potential new access to Glen Park



Figure 44: Aerial of existing access path extending down escarpment

The existing access points and pathway systems in the park should also be examined to identify areas for physical improvements. The existing flora should also be evaluated to determine the health and

variety/natural diversity of species in the park. Alternative designs should be proposed that reflect adequate techniques to improve features, including riparian vegetation to restore the ponds, pathway improvements to improve public safety and accessibility, and other measures to enhance ecological value and aesthetics in the park. As Glen Park is owned by the Village and the Town of Amherst, this would be a joint effort.

Estimated Project Cost:	Over \$150,000
Potential Funding Sources:	NYS DOS, NYS OPRHP, NYS DEC, Environmental Facilities Corporation
Potential Project Partners:	Glen Park Joint Board, Town of Amherst, Buffalo Niagara Waterkeeper, NYS DEC, Village Environmental Advisory Committee, Western New York Stormwater Coalition
Potential Approvals/Permits:	NYS OPRHP, NYS DEC

Project 8 – Establish Pollinators Sites

The goal of a pollinator garden is to provide sufficient food (pollen and nectar) to reverse the decline of pollinators (native bees in particular) and provide habitat (milkweed and other species) for monarch butterflies and other insects. Native bees are essential for the reproduction of flowering indigenous plants, and for pollinating agricultural crops.



Figure 45: Pollinator gardens

Pollinator decline is attributed primarily to loss of habitat and to the wide use of pesticides. Habitat loss is due to the conversion of natural areas to cropland and the use of herbicides that eradicate wildflowers in the landscape. Pollinator gardens are an important element for strengthening the local ecosystem and can be established using native plants to provide food sources and habitat that will help to keep pollinators in the locality. The Village will collaborate with the Village Beautification Committee and Garden Club, Buffalo Niagara Waterkeeper, and the Erie County Cornell Cooperative Extension to establish pollinator gardens in Island and Glen Parks, along the eastern shoreline of Ellicott Creek, opposite Island Park, and along the creek shoreline south of Oakgrove Drive. Landowners along the waterfront in Subareas 1 and 2 will also be encouraged to establish pollinator gardens or plant pollinator species on their properties.

Estimated Project Cost	Over \$100,000
Potential Funding Sources	NYS DOS, NYS OPRHP, New York State Legislative Grant Program
Potential Project Partners	NYS DEC, Town of Amherst, Cornell Cooperative Extension, Buffalo Niagara Waterkeeper, Village Environmental Advisory Committee, Village Beautification Committee and Garden Club
Potential Approvals/Permits	None

Project 9 – Control Spread of Invasive Species

Invasive plants, insects, and invertebrates eliminate and displace native plants and replace wildlife food sources with exotic plants. Many invasive plants and trees are aggressive and can take over a landscape rapidly. They are often inedible, harmful, or toxic to both wild and domestic life. They can also draw important pollinators away from beneficial native plants and cause an overall reduction in biodiversity, which damages vulnerable ecosystems. There are areas throughout the entire WRA where invasive species are taking hold and need to be managed. Invasive species also contribute to erosion as they can have shallower root systems. Village workers will be educated on how to identify and properly remove or kill invasive species and replace them with native plants on public properties along Ellicott Creek and other locations.



Figure 46: Invasive species / native plants

This project will identify areas with particularly aggressive and significant invasive species first and develop a plan for their removal. Village staff will be educated on how to identify and remove the invasives from public lands along Ellicott Creek and replace them with native plants. Planned maintenance is also required on an ongoing basis. Public education about living along a waterway and in a floodplain is also a part of this project. The eradication of invasive plants will follow a natural path of integrated pest management, as much as possible, with minimal use of herbicides that could be transported by runoff into Ellicott Creek and groundwater. This means mechanical controls will be used, such as: mulching weeding and improving drainage, choosing the best plant for the right location, and encouraging protection of beneficial insects who predate other more nuisance bugs.

Estimated Project Cost	Over \$100,000
Potential Funding Sources	NYS DOS, New York State Legislative Grant Program
Potential Project Partners	NYS DEC, Cornell Cooperative Extension, Buffalo Niagara Waterkeeper, Village Environmental Advisory Committee, WNY PRISM
Potential Approvals/Permits	NYS DEC

Project 10 – Control Shoreline Erosion in Island Park

Ellicott Creek experiences seasonal surges and subsequent shoreline erosion that is impacting the eastern shoreline of Island Park and the western shoreline across from the park in Subarea 1. The island has lost over 10 feet of shoreline over the past two decades. Using nature-based solutions, shorelines can be

remediated to reduce rates of erosion and limit the negative impacts of erosion on water quality. This includes reinforcing the shoreline area with vegetation and creating a natural, resilient, and self-repairing riparian area. A healthy shoreline encompasses the full expanse of the land-water interface: in-water, shoreline, and upland. This kind of functioning ecosystem will reduce shoreline erosion by absorbing and lessening erosive forces. Additionally, it provides benefits of improved water quality by stormwater runoff, habitat that supports the life cycles of many species, and enhanced public access.

A study regarding the feasibility of the replacement or reconstruction of the Island Park dam will need to be completed before this project can be implemented (see Project 16 below), as the dam is one of the primary causes of the erosion that is occurring in the vicinity of Island Park. When the dam gates are in place, the water level rises and could cause adverse inundation of planted species. When the dam gates are removed and there is a significant rainfall and/or snowmelt event, the volume and intensity of creek

flow increases, resulting in the scouring and bank erosion that is occurring. This could result in the removal of established living shoreline riparian areas. Ultimately, the solution that is decided upon for the dam will dictate the type of creative solution that needs to be implemented along the shoreline to remediate erosion and establish a healthy riparian environment. In the meantime, the Village may want to consider implementing a temporary solution to reduce the rate of shoreline loss on the east side of the island. It is important that if any fill is brought into the area as part of a future shoreline restoration project it does not contain any pollutants or invasive species.



Figure 47: View of Ellicott Creek

Estimated Project Cost	Over \$500,000
Potential Funding Sources	NYS DOS, NYS DEC
Potential Project Partners	NYS DEC, Buffalo Niagara Waterkeeper, Village DPW, US Army Corps. of Engineers
Potential Approvals/Permits	NYS DEC, US Army Corps. of Engineers

Project 11 – Improve Stormwater Collection & Consolidate Sanitary Sewer Systems

The Village of Williamsville sanitary sewer system is old and deteriorated and the cost of operating and maintaining this small system is a financial burden on residents and businesses. The Village system discharges to the Town of Amherst system for conveyance and treatment, and the Village desires to consolidate their sanitary sewer system with the Town's, in accordance with the Erie County Shared Services Plan. Sanitary sewer overflows (SSOs) from storm sewers cause the discharge of untreated wastewater into Ellicott Creek, which resulted in an Order on Consent due to violations of the Villages SPDES Permit and Capacity, Management, Operation, and Maintenance (CMOM) program. While the consent order was satisfied through extensive remediation of inflow and infiltration (I&I) by the Village in 2013, I&I problems remain that must be addressed under CMOM obligations. Remediation of existing I&I

is a condition of a Sanitary Sewer Memorandum of Understanding agreement with the Town of Amherst for proposed system consolidation.

Sanitary sewer effluent continues to infiltrate stormwater runoff through leaking sanitary sewer laterals, finding its way into the Village’s stormwater collection system through catch basins, manhole covers, and overland flow, and ultimately into Ellicott Creek. Ellicott Creek is identified as an impaired waterbody on the DEC Priority Waterbodies List and included on the DEC Section 303(d) listing of Impaired/TMDL waters. Therefore, the Village secured funding from the Environmental Facilities Corporation to undertake sewer rehabilitation and I&I remediation in four areas of the community where these efforts are required. This work involves a series of remedies, including manhole relining, pipe spot repairs and pipe rehabilitation through cured in-place lining to address the ongoing problems. Upon completion of these efforts, the Village should continue to work with the Town to finalize the Sanitary Sewer MOU agreement.

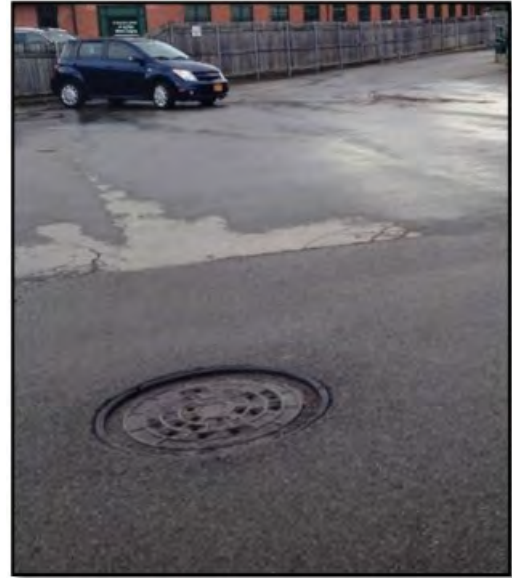


Figure 48: Manhole cover in parking lot

Estimated Project Cost	Over \$3.5 million
Potential Funding Sources	Environmental Facilities Corporation, NYS DEC
Potential Project Partners	NYS DEC, Town of Amherst, Village DPW, Western New York Stormwater Coalition
Potential Approvals/Permits	None

Project 12 – Reduce Discharge of Pollutants into Ellicott Creek

Stormwater runoff from point and non-point source pollution is a significant problem to the water quality of Ellicott Creek. Contaminants carried in roadway runoff including petroleum products, yard wastes, pet wastes, sediments and litter, all impact local waterways. The Village will assess which best management practices to use on public properties, such as installing green infrastructure measures to remediate problem areas. The Village will also identify means to educate the public about the benefits of these practices and how to implement them on private property.

Examples of best management practices include introducing rain gardens, bio swales, and/or increased tree cover and other appropriate vegetation into public rights of way, around Village owned buildings and parking lots, and other shoreline locations; mandating the removal of pet wastes from public properties and rights-of way; and introducing low or no mow areas and native plants into public parks. The use of these strategies must be paired with public engagement and education to encourage and incentivize homeowners to use the same strategies in their yards. Additionally, property owners should be encouraged to reduce the extent of lawn area, leaving areas natural or replacing lawn with planting beds and buffers along the shoreline that host native species that can supplement the pollinator gardens recommended under Project No. 8, above.



Figure 49: How stormwater runoff reaches the creek

Reducing or eliminating use of fertilizers and pesticides on public property and encouraging private property owners to do the same on their properties, can help improve water quality in Ellicott Creek. The Village will educate residents using guidance offered by the Erie County Environmental Management Council (which is a volunteer group that operates under the Department of Environment and Planning), the Cornell Cooperative Extension Healthy Lawn pledge program, or with materials produced by the Western NY Stormwater Coalition. Additionally, in compliance with the Village of Williamsville Stormwater Management Plan, the Village will prepare new or better utilize existing public educational materials for the public, targeting residents, businesses, and schools. This would include posters to be placed in municipal buildings, libraries, and schools, and updating the Village website to include additional information on the Stormwater webpage about stormwater pollution and water quality protection, which would supplement the existing brochure on yard waste management. The New York State Nutrient Runoff Law (ECL Article 17, Title 21) should also be promoted. These educational efforts will help to reduce the use of fertilizer and pesticide on private properties (see Project No. 13 below) and other sources of non-point contamination and encourage residents and others to implement healthier management strategies on their properties.

Estimated Project Cost	Over \$50,000
Potential Funding Sources	NYS DOS, Environmental Facilities Corporation, NYS DEC, New York State Legislative Grant Program
Potential Project Partners	Buffalo Niagara Waterkeeper, Cornell Cooperative Extension, Erie County Soil and Water Conservation District, Western New York Stormwater Coalition, NYS DEC, Village Environmental Advisory Committee
Potential Approvals/Permits	None

Project 13 –Reduce Use of Pesticides and Fertilizers

Water quality in Ellicott Creek is being impacted by stormwater runoff that enters the creek through storm drains and overland flow. This runoff carries a variety of contaminants that are adversely impacting creek waters and the environment. These include pesticides, herbicides, and fertilizer.

The Village will identify and initiate several measures and programs that can be utilized to help educate residents on proper ways to use of lawn care products and irrigate to mitigate water quality impacts. Educating residents and encouraging the reduction in the amount of lawn area and the replacement of

lawn with native plantings, as noted under Project No. 12 above, is another way to address water quality issues that affect Ellicott Creek.



Figure 50: Educational booklets

The Village Environmental Advisory Committee will evaluate the various programs and information available from other groups and organizations in the region to develop a local public education program to incentivize better yard care practices and evaluate and identify actions that currently are being implemented or could be undertaken by the Village to better address water quality impairments to the creek.

Estimated Project Cost	Over \$50,000
Potential Funding Sources	NYS DOS, New York State Legislative Grant Program
Potential Project Partners	Buffalo Niagara Waterkeeper, Cornell Cooperative Extension, Western New York Stormwater Coalition, NYS DEC, Village Environmental Advisory Committee
Potential Approvals/Permits	None

Project 14 –Septic System Maintenance Public Education

Dream Island in Subarea 1 and the properties on Creek Road, Danbern Lane and Creek Heights in Subarea 2 are not connected to the public sanitary sewer system. On-site septic systems are used for waste management. Many of the septic systems in these areas are old and their history of proper management is unknown. Septic effluent from poorly maintained or failing systems finds its way through groundwater into Ellicott Creek, contributing to water quality impairments in the creek. To protect the water quality of Ellicott Creek, residents should be educated on the proper care and maintenance of their on-site septic systems.

The Village will evaluate the various programs and information available from other groups and organizations in the region to develop a local public education program to incentivize better on-site septic system management and identify controls implemented by other municipalities that could be adopted by the Village to better address water quality impairments to the creek.

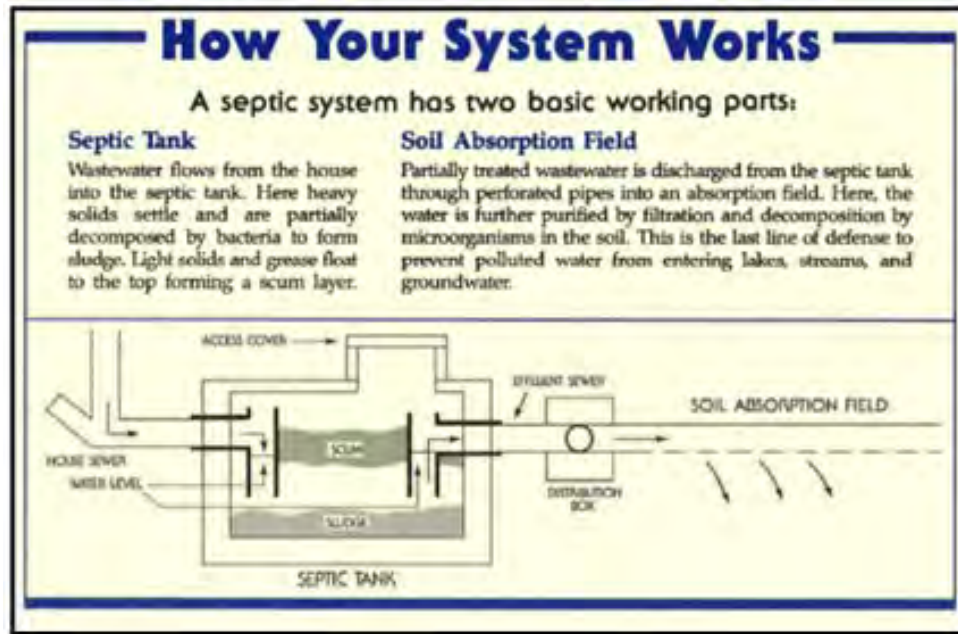


Figure 51: Septic system basic working parts

Estimated Project Cost	Over \$10,000
Potential Funding Sources	NYS DOS, New York State Legislative Grant Program
Potential Project Partners	Buffalo Niagara Waterkeeper, Cornell Cooperative Extension, Erie County Soil and Water Conservation District, Village Environmental Advisory Committee, Erie County Stormwater Coalition
Potential Approvals/Permits	None

➤ Public Access and Wayfinding

Project 15 – Dam Structural Integrity and Efficiency Study

The Island Park dam on Ellicott Creek is located just south of where the west branch the Creek joins the main branch at the north end of Island Park. The Island Park dam was constructed in 1930; the dam's concrete piers are deteriorating, and the flood gates that are installed each spring to control water flow in Ellicott Creek do not work properly. This project involves the reconstruction or replacement of this dam. To ensure the proper control and level of water flow around Island Park it is important that this dam structure is fully functional. The operation of this dam affects water levels and historic riparian rights that are protected through a 1932 Supreme Court order, shoreline erosion that is reducing the creek bank on the east side of Island Park, and flooding and erosion of property in the upper reaches of the creek. Therefore, prior to designing and installing a new dam structure, several factors need to be evaluated to make sure that the result addresses the various issues in the vicinity. First and foremost, a study will be undertaken to identify an appropriate solution that addresses all the elements noted above. This study should build off the Flood Resiliency Study for Ellicott Creek Interim Final Report that was completed by the Army Corps. of Engineers in the Spring of 2021. That report examined existing conditions in the creek and recommended alternative methods for controlling creek levels and upstream flooding on the creek.

As noted under Project No. 10, above, the selected solution for controlling water levels in Ellicott Creek will dictate the type of creative solution that should be implemented along the shoreline of Island Park and adjacent eastern shoreline to remediate erosion and establish a healthy riparian environment in those areas. Finally, the potential for public access by way of the dam or some other means should be examined as part of this study to determine the feasibility of establishing access to Island Park from the east.



Figure 52: Ellicott Creek pedestrian bridge

The Village will evaluate the history of the dam construction, the riparian rights issue, and if dam reconstruction in the current location is warranted as the best and most cost-effective solution, or if a similar or other type of water control structure installed further upstream of Island Park could properly address existing problems and ensure sufficient water flow around Island Park throughout the year. The study will also evaluate proper operation and management of the proposed structure to ensure compliance with the standing court order and the effective control of water levels to reduce flooding and erosion impacts.

Estimated Project Cost	Over \$750,000
Potential Funding Sources	NYS DOS, NYS DEC
Potential Project Partners	US Army Corps. of Engineers, NYS DEC, Village DPW
Potential Approvals/Permits	NYS DEC, US Army Corps. of Engineers

Project 16 –Ellicott Creek Flow Control Study

Two stone weirs were constructed at the mouth and terminus of the west branch of Ellicott Creek, which flows around Island Park, to control water flow in that area. The weirs were part of the Island Park dam construction project in 1930 to maintain flow and mitigate flooding in the lower reaches of Ellicott Creek. Over the years these structures have significantly deteriorated and no longer function as originally designed.

Depending on the solution recommended in Project No. 16, the Village will identify if the weirs need to be reconstructed/reestablished to ensure proper flow control and water levels for residential properties along the west branch of the creek. Therefore, this project will be integrated into the larger investigation for the replacement/reconstruction of the dam. If the design solution for the dam is to construct a new weir structure upstream of Island Park, it may be determined that the weirs for the west channel of the creek are no longer required.



Figure 53: Damaged water flow control features

Estimated Project Cost	Over \$300,000
Potential Funding Sources	NYS DOS, NYS DEC
Potential Partners	US Army Corps. of Engineers, Village DPW
Potential Approvals/Permits	NYS DEC

Project 17 –Oakgrove Drive to Island Park Multi-Use Connection



Figure 54: Proposed pedestrian crossing, Williamsville Community Plan

At present, the only means of access to Island Park is via the bridge from the municipal parking lot behind Village Hall. Providing a connection to the park from the east would enable easier access from businesses and residences on Oakgrove Drive, in the eastern portion of the WRA. This connection is part of the vision for the Village Square Focus area, that promotes the integration of community resources, including Island Park, Glen Park, the historic watermill property, etc., through linkages and connections to create a more cohesive Village center. Such a connection could currently be gained from Oakgrove Drive,

across the Ed Youngs parking lot/private property, to the Island Park dam, and would require an easement from the owner of these private lands. It is recognized that the parking lot is very congested and poorly designed, making public safety of utmost concern.

This project is viewed as a long-term effort that would be dictated by the current ownership and/or future ownership, future plans for site redevelopment, the value of the land, the lesser value of the structures

that currently occupy the property, the need for a connection from Oakgrove Drive to Island Park, and the future solutions for the Island Park dam, (Project No. 16) if it is determined that the dam would be reconstructed at its current location. At present, this access would require proper pavement markings and signage to ensure pedestrian/bicyclist safety and vehicular movement in the existing parking lot. It could also be achieved as part of the redevelopment of this property, with an improved layout for future parking at the rear of the site, which should be a consideration of any future redevelopment actions.

Estimated Project Cost	Over \$350,000
Potential Funding Sources	NYS DOS, New York State Legislative Grant Program
Potential Project Partners	Private Property Owners, Village Traffic and Safety Committee
Potential Approvals/Permits	None

Project 18 –Stone Walls Repair Feasibility Study

The retaining walls along the east side of Ellicott Creek, above Glen Falls, on both sides of Main Street were installed in the early to mid-1800's to support milling activity that occurred throughout the area at the time. These walls have held up over the years but are deteriorating in a few places few places requiring remediation. In particular, the wall that extends along the east side of Ellicott Creek from the top of Glen Falls to Main Street has developed areas where stone support is failing and needs repair. A large hole has developed in the wall near the top of Glen Falls that revealed the large grist stone from the former mill that was located at this location. The stone walls are of historic significance and efforts should be made to reconstruct or otherwise secure it. The four private properties located between Mill Street and the Creek in this area own the walls; the two closest to the falls also own the bottom lands in the creek. The wall extending along the east side of the creek south of Main Street is also in private ownership. Therefore, these property owners are responsible for repairing the walls.



Figure 55: Retaining stone walls

As failure of the walls would result in potential structural, property damage and loss of the creek bank, the Village desires to help identify possible means of addressing this problem. One remedy would be for the property owners to grant access easements to the Village of Williamsville, allowing them to assist with or directly undertake necessary mitigation. Another option would be to work with the NYS OPRHP to evaluate the potential to designate the walls as an historic resource which could open avenues for funding and/or technical assistance for remediation.

The Village will conduct a study to assess the best approach to repair these historic walls.

Estimated Project Cost	Over \$100,000
Potential Funding Sources	NYS DOS, New York State Legislative Grant Program
Potential Project Partners	Private Property Owners, Village DPW, Village Historic Preservation Committee, NYS OPRHP
Potential Approvals/Permits	NYS DEC, NYS OPRHP, US Army Corps of Engineers

Project 19 – Road and Bike Lanes Improvements

Biking is a popular recreational activity in the region, which offers numerous multi-use trails and pathways. Like many other places, access to these trails is inhibited by a lack of on-road facilities to safely accommodate bicyclists. There are locations in the WRA where designated bike lanes and improved roadway shoulders could be established to create a “Bike Boulevard” providing a safer means of travel for residents and visitors. Examples include Glen Avenue, Mill Street and Oakgrove Drive in Subarea 1. The Village will develop a plan for bike-lanes that will address current hazards for bike travel (e.g., the lack of an adequate creek crossing south of Main Street).



Figure 56: Street views within the WRA

Estimated Cost	Over \$200,000
Potential Funding Sources	NYS DOS, NYSDOT, New York State Legislative Grant Program
Potential Project Partners	Erie County Highway Dept., Village DPW, Village Traffic and Safety Committee
Potential Approvals/Permits	Erie County Highway Department, NYSDOT

➤ Other Projects

Project 20 –Historic Interpretation Signage

Ellicott Creek and Glen Falls were the source of water supply that powered several historic mills in the WRA. The history of milling activities is long and of interest to the public. The historic Williamsville Water Mill is the last remaining resource and a testament to the legacy in this area. As a way of sharing this historic information, interpretive signage and kiosks could be installed in certain locations in Glen Park to educate residents and visitors about what used to exist and how the park was used in the past. As noted in Section II of the LWRP, Ellicott Creek powered not just the Williamsville Water Mill, but sawmills, grist mills, tanneries, and distilleries, that were supported by dams and raceways. All of it was started by Jonas

Williams, whose collection of early industrial buildings formed the nucleus for the pioneer settlement of Williams Mills, which became known as Williamsville. The Village will develop a plan for the design and installation of historic signage and other forms of interpretation in Glen Park and other appropriate locations in the WRA.



Figure 57: Historic buildings

Estimated Project Cost	Over \$50,000
Potential Funding Sources	NYS DOS, NYS OPRHP, New York State Legislative Grant Program
Potential Project Partners	Town of Amherst, Village Arts and Culture Committee, Village Historic Preservation Committee
Potential Approvals/Permits	None

Project 21 – Village Square Marketing Strategy

The Village of Williamsville has a prosperous central business district, which includes portions of the WRA. Portions of Main Street and Spring Street were designated a part of the Village Square Focus Area in the Williamsville Community Plan.

Businesses along these roadways benefit from tourism activity associated with local parks, Glen Falls, and Ellicott Creek. The Williamsville Business Association strives to support local business activity and has contributed to the development of the LWRP.

The Village will work with the Williamsville Business Association to develop a marketing strategy for the Village Square Focus Area that links the promotion of local cultural events in parks, the historic value of the area, and the attraction of Glen Falls and the local parks as a significant draw for tourists, with business and economic development. Such a strategy could strengthen the vitality of this area and make the Main and West



Figure 58: Local businesses

Spring Streets area a focal point for activity, as recommended in the Village’s comprehensive planning documents.

Estimated Project Cost	Over \$75,000
Potential Funding Sources	New York State Legislative Grant Program
Potential Project Partners	Williamsville Business Association
Potential Approvals/Permits	None

Project 22 –Dark Sky Lighting Improvements

Public enjoyment of the parks and of the community at large is an important part of this project and controlling lighting in the parks is a significant part of this effort. The Village Department of Public Works will ensure that lighting that is installed in Glen Park, Island Park, and other public spaces in the WRA will be dark sky compliant to reduce the amount of light that is emitted from these areas that currently impacts the night sky. This is in keeping with the lighting restrictions outlined under the Mixed-Use Zoning Design Standards for these areas. It is also important that lighting fixtures in these areas are designed and shielded to not emit glare that could adversely impact local wildlife who frequent the area, as well as adjacent residential properties.



Figure 59: Existing light poles

Estimated Project Cost	Over \$50,000
Potential Funding Sources	National Grid; NYSEDA, New York State Legislative Grant Program
Potential Project Partners	Town of Amherst
Potential Approvals/Permits	None

Project 23 – Williamsville Parking Study

To support increased vitality in the Village WRA and Village center, sufficient parking is required. At present, the municipal parking lot behind Village Hall provides public parking and private parking lots behind Main Street frontage properties and in the Ed Young Plaza provide parking for private businesses in the WRA. A parking study that was prepared as part of the Picture Main Street project in 2013 determined that the greatest parking deficiency in the Village existed in the Village Square Focus Area and Village center. Additional parking must be convenient and sensitively designed to address needs without impacting the historic character of the areas. A detailed parking plan will be prepared to examine potential solutions for increasing the amount and availability of parking, including a complete review of existing parking and circulation, the potential for improving and/or consolidating existing lots, the potential for constructing structured or decked parking, feasible locations for employee parking, and seasonal impacts from accumulating snow, among other things.



Figure 60: Aerial view of existing surface parking lots within the WRA

Estimated Project Cost	Over \$50,000
Potential Funding Sources	NYS DOS, New York State Legislative Grant Program
Potential Project Partners	Town of Amherst
Potential Approvals/Permits	None

SECTION V - TECHNIQUES FOR LOCAL IMPLEMENTATION

This section of the LWRP sets forth the implementation strategies for the Village of Williamsville LWRP. Subsection 5.1 below identifies laws and sections of Williamsville Village Code necessary to support the implementation of LWRP Policies. A full listing of existing local laws that support implementation of the LWRP policies can be found in Appendix B of the LWRP. This section also outlines actions by other public and private agencies that are necessary to support implementation of LWRP policies and projects. A management structure for implementation and local consistency review is also presented in subsection 5.4, while Subsection 5.5 outlines the *Guidelines for Notification and Review of State Agency Actions Proposed Within the Village of Williamsville WRA*. An overview of the financial programs and resources that are available and may be necessary to implement the LWRP is outlined in Subsection 5.6.

5.1. LOCAL LAWS NECESSARY FOR THE IMPLEMENTATION OF THE LWRP

The following laws are necessary for the implementation of the Williamsville LWRP. A table indicating which local laws implement each of the LWRP policies is included in Appendix B of the LWRP.

Chapter 8, Animals

The purpose of Chapter 8 is to regulate the keeping and control of domesticated and undomesticated animals and wildlife in the Village of Williamsville.

Chapter 11, Brush, Grass and Weeds

Chapter 11 of the Village Code regulates the accumulation of weeds and the permitted height of grasses on private premises and parts of the public right-of-way, and the elimination of poisonous and/or deleterious plants on premises within the Village.

Chapter 15, Buildings, Unsafe and Unfinished

This chapter allows the removal or repair of a building, structure, or any part thereof that has been determined to be a hazard to health and/or safety and provides for a timely completion of construction and renovation projects. This law is enforced by the Village Code Enforcement Official.

Chapter 31, Flood Damage Prevention

The purpose of Chapter 31 of the Village Code is to protect public health, safety, and welfare and minimize public and private losses due to flood conditions in specific areas. In conformance with the requirements of the National Flood Insurance Program, and to qualify for participation in this program, this law regulates uses that are dangerous to health, safety, and property due to water and erosion hazards, or that could result in damaging increases in erosion or in flood heights or velocities. It requires that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damages at the time of initial construction. It controls the alteration of natural floodplains, stream channels, and natural protective

barriers that are involved in the accommodation of floodwaters. It also regulates filling, grading, dredging and other development that may increase flooding and erosion damages, as well as the construction of flood barriers that will unnaturally divert floodwaters or that may increase flood hazards to other lands.

Chapter 39, Garbage, Rubbish and Refuse

Chapter 39 regulates the disposal of solid waste generated within the Village of Williamsville in the most economical and environmentally acceptable manner. It is also designed to reduce the total amount of solid waste disposed of in the Village. This law establishes procedures for the proper disposal and collection of solid waste, yard waste, and seasonal and bulk items by the Village in accordance with State regulations. This law also establishes a source-separation and recyclables collection program to reach the goal of maximizing recycling of the Village waste stream, considering costs, marketability of materials, and public involvement (see Chapter 74 below).

Chapter 47, Historic Preservation

The purpose of Chapter 47 of the Village Code is to promote general welfare by providing for the identification, protection, enhancement, perpetuation, and use of buildings, structures, signs, features, improvements, sites, and areas within the Village of Williamsville that reflect special elements of the Village's historical, architectural, cultural, economic, or aesthetic heritage. The goal of this law is to: foster public knowledge and appreciation, to ensure harmonious growth and development, to enhance the visual character by encouraging new design to complement historic structures, to promote the economic benefits of historic preservation, to protect property values and encourage continued private ownership and stewardship of historic structures, to resolve conflicts between preservation and alternative use, and to conserve valuable resources by ongoing use and maintenance of the existing environment. Chapter 47 continues the actions of the Village of Williamsville Historic Preservation Commission, including, but not limited to: the review of local laws and regulations to ensure protection of historic elements, identification and maintenance of a catalogue of significant historic landmarks and locally-designated resources, recommendations for the designation of landmarks and historic districts, recommendations for the acquisition of preservation easements or other interests in real property as deemed appropriate, and evaluation of applications for structural modifications, economic hardship, and the demolition of designated landmarks or properties within historic districts.

Chapter 57, Landscaping

The purpose of Chapter 57 is to promote public health, safety, and welfare through the establishment of comprehensive minimum standards for landscaping in the MU, NMU, R-3M, and M-1 zoning districts.

Chapter 70, Parks and Public Areas

This law sets forth regulations for uses and activities in Glen Park and other public parks and recreation areas in the Village of Williamsville. This includes requirements or prohibitions for public gatherings, sales and displays, sports and games, the protection of trees/shrubs and property, pets, alcoholic beverages, swimming, refuse and littering, and the operation of vehicles, bicycles, and skateboards. This law recognizes the authority of the Glen Park Joint Board and a Village-Board appointed Parks and Playground Committee regarding permitted activities and conduct in the respective parks and public recreation areas.

Chapter 72, Property Maintenance

Chapter 72 requires that all premises in the Village of Williamsville, whether improved, unimproved, or vacant, be maintained in conformity with local and State regulations to protect the character of such property and the community, maintain property values, and promote the health, safety, and general welfare of the public. Every owner of property in the Village must keep every part of the premises clean, sanitary, safe, and free from litter, garbage, refuse and rubbish. This law regulates the maintenance and repair of exterior and physical conditions of buildings and other structures, outside storage of property and possessions, and maintenance of garbage and refuse facilities.

Chapter 74, Recycling

The purpose of Chapter 74 is to establish methods of collection, reduction, and separation of municipal solid waste to encourage the effective reuse of such wastes. This law identifies the materials that are to be recycled, including newspaper and cardboard, plastic, metal and glass containers, and the means for the collection of these materials. The Law also regulates the collection of yard waste and establishes procedures for recycling by multi-tenant residential complexes and private commercial, industrial, and institutional establishments.

Chapter 81, Sewer Use

This chapter of the Village Code sets forth the requirements for users of sanitary sewer facilities in the Village of Williamsville and enables the Village to comply with all applicable State and federal laws, including the Clean Water Act and the General Pretreatment Regulations. The purpose of the law is to prevent the introduction of pollutants into the sanitary sewer system that may interfere with its operation or that pass through the system without adequate treatment before entering receiving waters, to prevent the discharge of unpolluted waters into the sanitary sewer system, to prohibit illegal connections to the system, to meet the requirements of the SPDES General Permit for stormwater from an MS4 system, which is not designed to accept, process, or discharge non-stormwater wastes, and to promote public awareness of the hazards involved with the improper discharge of trash, yard waste, and runoff contaminated with lawn chemicals, pet wastes, petroleum products, hazardous substances, sediment and other pollutants.

Chapter 84, Signs

The purpose of Chapter 84 is to permit the use of signage within the Village in a manner that promotes and protects public health, safety, and welfare. This chapter is designed to ensure the right of free speech, establish a clear and impartial process for those who seek to install signs, protect property values, the physical appearance of the community, create a more attractive economic and business climate, ensure an effective means of identification which reducing visual clutter and confusion with sign displays, reduce traffic conflicts and distractions, and enforce and encourage the goals and objectives of the Village Community Plan.

Chapter 89, Streets and Sidewalks

Chapter 89 regulates the use of public streets and sidewalks and the construction, maintenance, repair, and replacement of these amenities. This law establishes procedures for laying out and periodic inspection of streets and sidewalks to provide secure transit for all persons and vehicles that use them.

Chapter 101, Trees

The Village Board recognizes the direct and important relationship between the existence of trees in the community and the health, safety, and welfare of the community. This law was adopted to preserve and protect trees in the Village to preserve air and water quality, provide natural habitat for wildlife, stabilize soil, provide shade to people and property, and enhance economic and aesthetic property values. It provides the Village with the right to plant and maintain trees in the public rights-of-way and on public grounds, as necessary, to enhance the beauty of such public places, and to protect mature street and park trees as a high priority during sidewalk repair, utility work and other such activities. The law designates the appointment of a Village Forester whose duty is to inspect all municipal trees for quality and hazardous conditions, maintain a tree inventory and schedule for planting and replanting each spring and fall, and recommend maintenance measures for pruning, tree fertilization and tree removal. Additionally, a Village Tree Board shall be established to develop and annually update a written Comprehensive Tree Risk Management Plan for the care and disposition, preservation, planting and removal of trees in parks, along streets and in other public areas, which must be approved by the Village Board. Additionally, this law requires the Village Board to establish a line in the annual budget for a Village Tree Planting and Maintenance Fund.

Chapter 107, Water

The purpose of Chapter 107 is to promote the general health, safety, and welfare of the inhabitants of the Village through the regulation, supervision and control of the water supply furnished by the Village. Receipt of water from or connection to the water supply requires approval from the Village Department of Public Works. Chapter 107 regulates such things as water meters, private service connections, tapping charges, and the installation and maintenance of water facilities, and backflow prevention. Private fire protection is also regulated under this chapter.

Chapter 112, Zoning

Chapter 112 regulates and restricts (by district) the location, construction, and use of buildings and structures, and the use of land, in the Village of Williamsville. The Zoning Law establishes zoning districts, as well as dimensional requirements and permitted uses for each district. Chapter 112 outlines procedures for the Planning/Architectural Board and for site plan review and architectural review, which are duties of this Board. It also outlines procedures for the Zoning Board of Appeals, and for the issuance of variances and special use permits, which is the responsibility of this Board. Chapter 112 outlines the duties and procedures of the Code Enforcement Officer and Zoning Board of Appeals. Section 112-27 of the Zoning Law regulates adult uses in the community. The following zoning districts found in the LWRA, and their corresponding allowable uses, are listed in more detail in Section II. There are no zoning district changes proposed within the Village of Williamsville WRA.

Section 112-13: R-2– Single Family Residential

The R-2 district allows higher-density residential development on lots with a minimum area of 6,250 square feet. Permitted uses include single-family dwellings (one per lot), boarding/rooming houses, religious facilities and private schools and fire stations without clubhouses.

Section 112-14: R-3 – Single Family/Two-Family Residential

The R-3 district allows higher-density residential development on lots with a minimum area of 6,250 square feet for single-family structures and 7,500 for two-family structures. Permitted uses include single-family and two-family dwellings (one per lot), boarding/rooming houses, religious facilities and private schools and fire stations without clubhouses.

Section 112-15: R-3M – Multiple Dwelling Residential

The R-3M district allows for the higher-density, multi-family development. Permitted uses include one and two-family dwellings, multi-family structures and townhouses. The R-3M regulations focus on the importance of well-designed, public open spaces for the creation of organized, high-quality residential neighborhoods. The R-3M regulations allow for a variety of housing types and flexibility in design. The regulations include provisions for site planning and design for buildings, entryways, sidewalks, pedestrian and vehicular circulation, shared access, parking, landscaping, and on-site infrastructure.

Additionally, the following details are controlled by this section of the municipal code.

- § 112-15 A - R-3M Multiple Dwelling Residential District Design Standards
- § 112-15B - Site Planning and Design
- § 112-15C - Site Infrastructure and Facilities
- § 112-15D - Parking
- § 112-15E - Landscaping
- § 112-15F - Architectural Consistency
- § 112-15G - Architectural Details
- § 112-15I – Lighting

Section 112-16: MU – Mixed-Use

The Mixed-Use district provides specific regulations and guidance for new development and rehabilitation projects within the Main Street corridor (including portions of the WRA). These regulations, which are set forth as an attachment to the Zoning Law, are designed to ensure that the Main Street commercial district remains viable and economically relevant through the preservation, enhancement, and leveraging of the Village’s historic and architecturally significant character. The regulations address pattern, form, massing, proportion, and composition of architecture to complement the historic character, with a focus on quality of design, materials, and a mix of uses to foster walkability and provide a pleasant, unique, and inviting atmosphere for residents and visitors.

Additionally, the following details are controlled by this section of the municipal code.

- § 112-16 A - Mixed Use District Design Standards
- § 112-16B - Site Planning and Design
- § 112-16C - Site Infrastructure and Facilities
- § 112-16D - Parking
- § 112-16E - Landscaping
- § 112-16F - Architectural Consistency
- § 112-16G - Architectural Details
- § 112-16H - Signage
- § 112-16I - Lighting

Section 112-21 Parking

This law establishes off-street parking requirements and minimum design standards for parking areas in designated zoning districts.

Section 112-23 Planning Board and Architectural Review Board

The purpose of this Board is to preserve and promote the character and appearances, and to conserve the value of properties in the Village, and to encourage a mix of uses in accordance with the land use vision established in the Williamsville Community Plan.

Section 112-28 Stormwater Management

This law establishes requirements and controls for managing stormwater runoff to protect and safeguard public health, safety, and welfare of the public residing in the Village. This section of the Law establishes standards for compliance with the NYS DEC State Pollution Discharge Elimination System (SPDES) requirements for land development and the control of stormwater discharges, and to minimize the volume and flow of stormwater runoff from specific sites and following development to reduce flooding and protect water quality in Ellicott Creek and its tributary streams. This section also promotes the use of stormwater management best practices to control soil erosion and nonpoint source pollution.

Draft LWRP Consistency Review Law

Actions to be directly undertaken, funded, or permitted within the Waterfront Revitalization Area must be consistent with the policies set forth in the Village of Williamsville LWRP. Through the adoption of a Consistency Review Law, the Village can establish the legal framework necessary to ensure that direct and indirect actions proposed within the waterfront revitalization area are in keeping with the intent of the LWRP. The LWRP Consistency Review Law and Waterfront Assessment Form are included in Appendix A.

5.3. OTHER PUBLIC AND PRIVATE ACTIONS NECESSARY TO IMPLEMENT THE LWRP

The Village of Williamsville will establish and maintain partnerships with public and private agencies and organizations to carry out the projects listed in this LWRP and implement the LWRP policies within the Williamsville WRA. Also, where they have jurisdiction, State and Federal agencies will propose and develop projects, and will be involved in the approval of proposed projects within the Williamsville WRA. The actions of federal agencies within the Williamsville WRA are not subject to federal consistency review, because the Village of Williamsville is an inland community located outside of the State's coastal management area, the only area where the review of federal actions for consistency with an approved LWRP applies.

Regional Actions and Programs

Erie County Department of Health

- ◆ Adequate inspections of on-site septic systems in Sub-Area 1 and enforcement of County requirements and regulations.
- ◆ Public education for proper septic system maintenance.
- ◆ Technical and permitting assistance for on-site septic system management.
- ◆ Erie County Department of Environment and Planning – Community Development Program Office
- ◆ Technical and funding assistance for the Community Development Block Grant Program.

Erie County Soil and Water Conservation Service

- ◆ Assistance with the establishment of water quality monitoring and streambank erosion programs in the WRA, particularly for Ellicott Creek.
- ◆ Assistance with the identification and eradication of invasive species in the WRA, including public education.
- ◆ Technical assistance and public educational guidance for water quality and other conservation-related issues.
- ◆ Assistance with water quality and stormwater management improvement projects, including public education.
- ◆ Public education for proper septic system maintenance and use of fertilizers and pesticides in upland areas (including in areas outside the WRA that affect local creeks and streams).

Town of Amherst

- ◆ Collaboration on a trail enhancement project to improve public access to Ellicott Creek and Amherst State Park.
- ◆ Undertake drainage improvements to the Town-owned municipal parking lot behind Town and Village Hall buildings and collaborate with the Village of Williamsville on a green infrastructure project to improve stormwater drainage to Ellicott Creek at Island Park.
- ◆ Continued coordination on uses and activities in Glen Park, as overseen by the Glen Park Joint Board, including cleanup of the pond system, including preparation of a Strategic Master Plan for the southern portion of the park.
- ◆ Coordination and collaboration to address drainage and flow issues in the Lehn Springs area of Ellicott Creek.
- ◆ Collaboration on trail connections and wayfinding efforts to improve link between Island Park and Glen Park through the municipal parking lot that is owned by the Town.
- ◆ Coordination on the establishment of a pollinator corridor on public lands along Ellicott Creek.
- ◆ Coordination on the management of invasive species along the Ellicott Creek corridor.
- ◆ Collaboration on the use of dark sky compliant lighting in Glen Park and other Town owned parks and public lands.
- ◆ Investigate the surface drainage patterns affecting Ellicott Creek in the Lehn Springs area and identify and implement appropriate mitigation measures to restore natural water flow back to the creek in that area.

Town of Amherst Water Pollution Control Center

- ◆ Coordination and collaboration with the Village of Williamsville to mitigate inflow and infiltration problems in areas of the Williamsville that have public sanitary sewer service.
- ◆ Future agreement on consolidation of the Village sanitary sewer district into the Town of Amherst system.

Greater Buffalo Niagara Regional Transportation Council

- ◆ Coordination and assistance for the development of bike lanes along public roadways in the WRA.

Buffalo Niagara Waterkeeper

- ◆ Collaboration to establish a Riverwatch water quality monitoring program for Ellicott Creek and its tributaries that are not monitored by NYS DEC.
- ◆ Assistance with the identification and eradication of invasive species in the WRA.

- ◆ Technical assistance and education guidance for implementing a series of environmental protection workshops on various topics of local concern in the Village of Williamsville WRA.

State Actions and Programs

Department of Environmental Conservation

- ◆ Technical assistance to investigate shoreline erosion and flooding protection along the Ellicott Creek corridor.
- ◆ Technical assistance for the monitoring of water quality in Ellicott Creek as part of the Priority Waterbodies inventory program.
- ◆ Technical assistance and education guidance regarding invasive species management and the identification and eradication of invasive species, and other environmental concerns within the Village of Williamsville WRA.

Environmental Facilities Corporation

- ◆ Funding assistance for the planning, design and construction of sewer extensions and other sanitary sewer improvement projects in the Village of Williamsville WRA.
- ◆ Assistance for water quality improvement projects that utilize green stormwater infrastructure.

New York State Energy Research and Development Authority

- ◆ Funding and technical assistance with potential energy efficiency studies and projects.

Department of State

- ◆ Funding and technical assistance for LWRP implementation of various planning, design, and construction projects, as outlined in Section IV of this Program.
- ◆ Funding and technical assistance through the Environmental Protection Fund for public access and waterfront recreation projects and trail improvements.

Department of Transportation

- ◆ Maintenance and repair of Main Street.
- ◆ Consultation with the Village before undertaking any improvements to bridges or State roads in the waterfront area to ensure identification and mitigation of local concerns in the WRA.
- ◆ Technical assistance and authorization to install wayfinding signage along State roadways to promote recreational and cultural tourists' attractions.

Office of Parks, Recreation, and Historic Preservation

- ◆ Technical assistance and potential funding to develop a trail connection between Amherst State Park and Glen Park.
- ◆ Review the historic stone walls above Glen Fall for consideration of an historic resource designation.

Department of Economic Development / Empire State Development Corporation

- ◆ Assistance and funding for the preparation of economic feasibility studies and the reuse of various deteriorated and unutilized structures, and with the siting or improvement of public facilities.

Federal Actions and Programs

U.S. Army Corps of Engineers, Buffalo District

- ◆ Funding for and preparation of a hydrologic study of the Ellicott Creek corridor between Lehn Springs and Glen Falls.
- ◆ Permit decisions and assistance with funding for the construction or reconstruction of the Island Park Dam, weirs, and erosion protection structures along the upper reach of Ellicott Creek.
- ◆ Assistance with repairs to the stone retaining walls above Glen Falls.
- ◆ Enforcement and permit approval pursuant to Sections 401 and 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act for projects that require water quality certification or other approval (dock installation, fill placement in offshore waters, wetland disturbance, etc.).
- ◆ Freshwater wetlands protection, delineation and permitting for allowable disturbances.

U.S. Federal Highway Administration

- ◆ Provision of funding for transportation improvements, including but not limited to improvements that increase pedestrian and bicycle access or improve safety.

Small Business Administration

- ◆ Funding and technical assistance for local businesses in the waterfront area to stimulate economic development.

Federal Emergency Management Agency

- ◆ Updates to flood insurance rate mapping for the Village of Williamsville using the best available data.

US Department of Interior, Fish and Wildlife Service

- ◆ Protect and enhance fish and wildlife habitat and populations in accordance with LWRP Policy 7.
- ◆ Issuance of permits for legitimate wildlife and conservation related activities (e.g., protection of endangered species, migratory birds).

5.4. MANAGEMENT STRUCTURE FOR IMPLEMENTING THE LWRP

The Waterfront Revitalization of Coastal Areas and Inland Waterways Act requires State agencies to determine whether a proposed action that they may directly undertake, fund, or approve within the boundaries of an approved LWRP is consistent with the policies and purposes of the LWRP. An action that is inconsistent with an approved LWRP may not be undertaken, except in extraordinary cases that meet the strict tests established for exceptions. To secure the significant benefits of an approved LWRP, a municipality must make a similar commitment to ensure consistency of local actions with the LWRP. Federal actions are not subject to an approved LWRP developed along a designated Inland waterway, such as the Williamsville LWRP.

State actions proposed within the Village of Williamsville WRA will be reviewed in accordance with the guidelines established by the New York State Department of State, which are outlined in Sections 5.5 Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs are in Effect.

Actions directly undertaken, funded, or approved by the Village of Williamsville that are located within the Williamsville WRA shall be reviewed pursuant to the LWRP Consistency Review Law and Waterfront

Assessment Form included in Appendix A. Village actions subject to the consistency review are described in the LWRP Consistency Review Law, together with the LWRP implementation and management structure and procedures.

Local Management and Coordination

Various local officials and boards are responsible for management and coordination of the LWRP and are directly involved in ensuring that the reviews of Village actions for consistency with the LWRP policies and purposes are completed for projects located within the WRA. These include:

Village Board of Trustees

The Williamsville Village Board of Trustees, or their designee, will prioritize and advance LWRP projects and direct the appropriate Village agency, or a grant writing consultant, to prepare applications for funding from State, Federal, and other sources to finance LWRP projects. The Village Board also has the authority to make zoning amendments necessary to implement the LWRP.

The Village Board will also be responsible for the overall management and coordination of the LWRP. This Board, in consultation with the Building Department as required, will focus on implementation priorities, work assignments, timetables, and budgetary requirements for the LWRP. The Planning Board may also act in the capacity of liaison between the Village Board and other Village agencies to further the implementation of the LWRP.

Code Enforcement Officer and the Building Department

The Building Department will be the designated Village agency to receive and process consistency review requests and documentation. The Building and Zoning Clerk will distribute copies of the Waterfront Assessment Form (WAF), to applicants proposing to undertake certain actions within the WRA and issue final consistency review determinations for these actions. All documentation generated for consistency review decisions will be kept on file in the Building Department, along with other appropriate approval documentation.

As a part of the consistency review and approval process, in accordance with the adopted LWRP Consistency Review Law, the Building and Zoning Clerk will forward all Waterfront Assessment Forms that are received with development applications, including building permits, to the Code Enforcement Officer who will be responsible for making final determinations of consistency for proposed action. The Code Enforcement Officer may delegate the review of applications for Village agency actions proposed within the WRA to other qualified individuals in the Building Department for completeness and adequacy, and receive consistency review recommendations from this designee, but the issuance of final consistency review recommendations and determination to the appropriate Village agencies for the consistency of actions with the LWRP policies, projects and purposes, must come from the Code Enforcement Officer.

The Code Enforcement Officer may refer consistency determination requests for actions other than site plan approval to the Planning Board for the review, consultation and recommendations for projects or permit applications proposed within the WRA that require more extensive review, prior to issuing a final determination for such actions. The Code Enforcement Officer will also provide the New York State Department of State and other State agencies with feedback regarding the consistency of State actions proposed within the WRA.

Planning / Architectural Review Board

The Village of Williamsville Planning Board has site plan and architectural review and approval authority for any project located within the WRA that requires such approval, and issues recommendations for the subdivision of four or more lots, rezoning requests, or actions involving changes to the comprehensive plan, zoning districts and zoning map, as referred by the Village Board of Trustees. Planning will be expected to review proposed projects in the WRA requiring site plan approval, and/or coordinate with the building Department, for consistency with LWRP recommendations. This board would also review potential projects for LWRP implementation at the request of the Village Board.

Zoning Board of Appeals

The Zoning Board of Appeals is the approval entity for variance and Special Use Permit applications subject to the Williamsville LWRP Consistency Review Law. The Code Enforcement Officer (or their designee) will be responsible for making recommendations to the ZBA after their review of the consistency review documentation for completeness. The Zoning Board of Appeals alone, however, will hear, and render final decisions on variance applications, special use permits, and appeals involving activities within the WRA.

Historic Preservation Commission

The function of the seven-member Historic Preservation Commission is to recommend properties and sites to the Village Board for historic designation and Village landmarking. The LWRP has policies that directly relate to historic preservation. The Commission will be required to coordinate their review of any properties that are proposed for preservation or landmarking within the WRA with the Code Enforcement Officer or their designee for compliance with consistency review requirements.

Village Clerk

The Village Clerk will maintain, and make available to the public, a copy of the LWRP for use during normal business hours.

Potential Local Regulatory Changes

Zoning and local law changes necessary to implement the LWRP will be the responsibility of the Village of Williamsville Board of Trustees, with the assistance of the Planning Board and other Village staff, as needed. Funding for these efforts would be included in the Village's annual budget. Aside from the adoption of a Waterfront Consistency Review Law, no legislative or regulatory changes are being undertaken.

5.5. GUIDELINES FOR NOTIFICATION AND REVIEW OF STATE AGENCY ACTIONS PROPOSED WITHIN THE VILLAGE OF WILLIAMSVILLE WRA

I. Purposes of Guidelines

- A. The Waterfront Revitalization of Coastal Areas and Inland Waterways Act (the Act) (Article 42 of the Executive Law) and the Department of State's regulations (19 NYCRR Part 600) require certain State agency actions identified by the Secretary of State to be consistent, to the maximum extent practicable, with the policies and purposes of the approved Village of Williamsville Local Waterfront Revitalization Program (LWRP). These guidelines are intended to assist State agencies in meeting that statutory consistency obligation.

- B. The Act also requires that State agencies provide timely notice to the Village of Williamsville whenever an identified action is proposed to occur within the waterfront revitalization area (WRA) covered by the approved Village of Williamsville LWRP. These guidelines describe a process for complying with this notification requirement. They also provide procedures to assist the Village of Williamsville government in carrying out their consistency review responsibilities in a timely manner.
- C. The New York State Secretary of State is required by the Act to confer with State agencies and the Village of Williamsville government when notified by the Village of Williamsville government that a proposed State agency action may conflict with the policies and purposes of the approved Williamsville LWRP. These guidelines also establish a procedure for resolving such conflicts.

II. Definitions

- A. Action means:
 - 1. A "Type I" or "Unlisted" action as defined by the State Environmental Quality Review Act (SEQRA);
 - 2. Occurring within the boundaries of the approved Village of Williamsville LWRP; and
 - 3. Being taken pursuant to a State agency program or activity which has been identified by the Secretary of State as likely to affect the policies and purposes of the approved Village of Williamsville LWRP.
- B. Consistent to the maximum extent practicable means that an action will not substantially hinder the achievement of any of the policies and purposes of the approved Williamsville LWRP and, whenever practicable, will advance one or more of such policies. If an action will substantially hinder any of the policies or purposes of the approved Williamsville LWRP, then the action must be one:
 - 1. For which no reasonable alternatives exist that would avoid or overcome any substantial hindrance;
 - 2. That will minimize all adverse effects on the policies or purposes of the LWRP to the maximum extent practicable; and
 - 3. That will result in an overriding regional or Statewide public benefit.
- C. Coastal/Waterfront Assessment Form is the form used by the State agency to assess the consistency of its actions proposed within the Village of Williamsville Waterfront Revitalization Area with the policies and purposes of the approved Williamsville LWRP.
- D. EIS or Environmental Impact Statement means a form used by an agency to assist it in determining the environmental significance or non-significance of actions, pursuant to 6 NYCRR 617 (SEQR).
- E. Local Waterfront Revitalization Program, or Williamsville LWRP, means the program prepared and adopted by the Village of Williamsville Village Board of Trustees and approved by the Secretary of State pursuant to Executive Law, Article 42, which program contains policies on the management of land, water, and man-made resources, proposed land uses and specific projects that are essential to program implementation.
- F. Municipal Chief Executive Officer, the Village of Williamsville Mayor or Mayor is the chief executive officer of the Village of Williamsville.

- G. Secretary of State or Secretary is the head of the New York State Department of State, which is the State agency responsible for administering and coordinating activities essential for the implementation of the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.
- H. Local Program Coordinator, Code Enforcement Officer of the Village of Williamsville will be responsible for providing appropriate state agency contacts with the Village findings on consistency of proposed State actions with the approved Williamsville LWRP.
- I. Village means the Village of Williamsville
- J. Village Board of Trustees is the governmental or legislative body of the Village of Williamsville that adopted the Williamsville LWRP.
- K. Waterfront Revitalization Area or WRA is the portion of the State's waterfront area covered by the approved Williamsville LWRP.

III. Notification Procedure

- A. When a State agency is considering an action as described in II. DEFINITIONS , the State agency shall notify the Village of Williamsville Code Enforcement Officer.
- B. Notification of a proposed State agency action:
 - 1. Shall fully describe the nature and location of the action;
 - 2. Shall be accomplished by use of other existing State agency notification procedures, or through any alternative procedure agreed upon by the State agency and the Village of Williamsville Code Enforcement Officer; and
 - 3. Should be provided to the Village of Williamsville Code Enforcement Officer as early in the planning stages of the action as possible, but in any event at least 30 days prior to the agency's decision on the proposed action. The timely filing of a copy of a completed Coastal/Waterfront Assessment Form with the Code Enforcement Officer should be considered adequate notification of a proposed action.
- C. If the proposed action will require the preparation of a draft environmental impact Statement (EIS), the filing of this draft document with the Code Enforcement Officer can serve as the State agency's notification to the Village.

IV. Local Government Review Procedure

- A. Upon receipt of notification from a State agency, the Code Enforcement Officer will be responsible for evaluating the proposed State agency action against the policies and purposes of the approved Williamsville LWRP. Upon request of the Code Enforcement Officer, the State agency should promptly provide whatever additional information is available that will assist with the evaluation of proposed action.
- B. If the Code Enforcement Officer cannot identify any conflicts between the proposed action and the applicable policies and purposes of the approved Williamsville LWRP, the Code Enforcement Officer should provide the State agency with written findings. Upon receipt of the written findings, the State agency may proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.

- C. If the Code Enforcement Officer does not notify the State agency in writing within the established review period, the State agency may then presume that the proposed action does not conflict with the policies and purposes of the approved Williamsville LWRP.
- D. If the Village of Williamsville notifies the State agency in writing that the proposed action conflicts with the policies and/or purposes of the approved Williamsville LWRP, the State agency shall not proceed with its consideration of, or decision on, the proposed action as long as the Resolution of Conflicts procedure established in V. Resolution of Conflicts, below, shall apply. The Village of Williamsville shall forward a copy of the identified conflicts to the Secretary of State at the time when the State agency is notified. In notifying the State agency, the Code Enforcement Officer shall identify the specific policies and purposes of the LWRP with which the proposed action conflicts.

V. Resolution of Conflicts

- A. The following procedure applies whenever the Village of Williamsville has notified the Secretary of State and State agency that a proposed action conflicts with the policies and purposes of its approved LWRP.
 - 1. Upon receipt of notification from the Village of Williamsville that a proposed action conflicts with its approved LWRP, the State agency should contact the Village of Williamsville Code Enforcement Officer to discuss the content of the identified conflicts and the means for resolving them. A meeting of State agency and Village of Williamsville representatives may be necessary to discuss and resolve the identified conflicts. This discussion should take place within 30 days of the receipt of a conflict notification from the Village.
 - 2. If the discussion between the Village of Williamsville and the State agency results in the resolution of the identified conflicts, then, within seven days of the discussion, the Village shall notify the State agency, in writing, with a copy forwarded to the Secretary of State, that all the identified conflicts have been resolved. The State agency can then proceed with its consideration of the proposed action in accordance with 19 NYCRR Part 600.
 - 3. If the consultation between the Village of Williamsville and the State agency does not lead to the resolution of the identified conflicts, either party may request, in writing, the assistance of the Secretary of State to resolve any or all of the identified conflicts. This request must be received by the Secretary of State within 15 days following the discussion between the Village of Williamsville and the State agency. The party requesting the assistance of the Secretary of State shall forward a copy of their request to the other party.
 - 4. Within 30 days following the receipt of a request for assistance, the Secretary, or a Department of State official or employee designated by the Secretary, will discuss the identified conflicts and circumstances preventing their resolution with appropriate representatives from the State agency and Village of Williamsville.
 - 5. If agreement among all parties cannot be reached during this discussion, the Secretary shall, within 15 days, notify both parties of his/her findings and recommendations.
 - 6. The State agency shall not proceed with its consideration of, or decision on, the proposed action as long as the foregoing Resolution of Conflicts procedures shall apply.

5.6. FINANCIAL RESOURCES NECESSARY TO IMPLEMENT THE LWRP

The Village of Williamsville recognizes that the implementation of the proposed projects identified under Section IV will require funding from both public and private sources. These costs may include administrative costs, capital outlays, maintenance costs and, in some cases, property acquisition. Funding for administrative costs, such as those associated with the Village's efforts to oversee conformance and enforcement of the LWRP, would come from general revenue sources and would be reflected in the Village's annual budget.

Capital costs reflect the costs incurred by the Village to complete specific projects. The costs for the projects identified in Sections IV are just estimative. A number of these projects, however, would require significant capital expenditures. The Village has successfully accomplished beneficial projects within the WRA, and will continue to pursue outside funding and, where appropriate, creative financing mechanisms for these and similar efforts. Where applicable, the Village will work diligently to secure funding through grants that are available under State and Federal programs to support the implementation of LWRP projects. Most of these programs require matching funds and/or in-kind service contributions. The Village may also consider bond issues and other similar revenue enhancements to facilitate LWRP implementation.

Potential Funding Sources:

- ◆ Clean Water Revolving Fund
- ◆ Empire State Development Corporation Strategic Community Investment Funds
- ◆ Empire State Development Corporation Market New York Grant Program
- ◆ Federal Moving Forward Act
- ◆ Land and Water Conservation Fund
- ◆ New York State Clean Water/Clean Air Bond Act of 1996
- ◆ New York State Community Development Block Grant Program
- ◆ New York State Council for the Arts
- ◆ NYSERDA Climate Smart Communities Program
- ◆ New York State Environmental Protection Fund
- ◆ New York State Environmental Facilities Corporation Green Innovation Grants
- ◆ New York State Legislative Grant Program
- ◆ New York State Local Government Efficiency Program
- ◆ New York State LWRP Program Implementation Grant Funds
- ◆ New York Main Street Program
- ◆ New York State Office of Parks, Recreation and Historic Preservation
- ◆ New York State Resiliency and Economic Development Initiative
- ◆ New York State Revolving Loan Fund
- ◆ New York State Wastewater Infrastructure Engineering Grant Program
- ◆ New York State Water Quality Improvement Program - Non-Agricultural Nonpoint Source Implementation Grants Program
- ◆ Parks and Trails New York

SECTION VI - STATE ACTIONS AND PROGRAMS THAT SHOULD BE UNDERTAKEN IN A MANNER CONSISTENT WITH THE APPROVED VILLAGE OF WILLIAMSVILLE LWRP

State actions will affect and be affected by the implementation of a Local Waterfront Revitalization Program (LWRP). Under State law, certain State actions within or affecting the local waterfront revitalization area must be consistent or consistent to the maximum extent practicable with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State agencies is also likely to be necessary to implement specific provisions of the LWRP.

Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. The following list of State actions and programs is that list. The State Waterfront Revitalization of Coastal Areas and Inland Waterways Act requires that an LWRP identify those elements of the program which can be implemented the local government, unaided, and those that can only be implemented with the aid of other levels of government or other agencies. Such statement shall include those permit, license, certification, or approval programs; grant, loan, subsidy, or other funding assistance programs; facilities construction; and planning programs which may affect the achievement of the LWRP.

OFFICE FOR THE AGING

- 1.0 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Program
- 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License

- 5.00 Farmland Protection Implementation Grant
- 6.00 Agricultural Nonpoint Source Abatement and Control Program

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/ STATE LIQUOR AUTHORITY

- 1.00 Permit and Approval Programs:
 - 1.01 Ball Park - Stadium License
 - 1.02 Bottle Club License
 - 1.03 Bottling Permits
 - 1.04 Brewer's Licenses and Permits
 - 1.05 Brewer's Retail Beer License
 - 1.06 Catering Establishment Liquor License
 - 1.07 Cider Producer's and Wholesaler's Licenses
 - 1.08 Club Beer, Liquor, and Wine Licenses
 - 1.09 Distiller's Licenses
 - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
 - 1.11 Farm Winery and Winery Licenses
 - 1.12 Hotel Beer, Wine, and Liquor Licenses
 - 1.13 Industrial Alcohol Manufacturer's Permits
 - 1.14 Liquor Store License
 - 1.15 On-Premises Liquor Licenses
 - 1.16 Plenary Permit (Miscellaneous-Annual)
 - 1.17 Summer Beer and Liquor Licenses
 - 1.18 Tavern/Restaurant and Restaurant Wine Licenses
 - 1.19 Vessel Beer and Liquor Licenses
 - 1.20 Warehouse Permit
 - 1.21 Wine Store License
 - 1.22 Winter Beer and Liquor Licenses
 - 1.23 Wholesale Beer, Wine, and Liquor Licenses

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of approval (Substance Abuse Services Program)

- 3.00 Permit and approval:
 - 3.01 Letter Approval for Certificate of Need
 - 3.02 Operating Certificate (Alcoholism Facility)
 - 3.03 Operating Certificate (Community Residence)
 - 3.04 Operating Certificate (Outpatient Facility)
 - 3.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

OFFICE OF CHILDREN AND FAMILY SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
 - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
 - 3.02 Operating Certificate (Children's Services)
 - 3.03 Operating Certificate (Enriched Housing Program)
 - 3.04 Operating Certificate (Home for Adults)
 - 3.05 Operating Certificate (Proprietary Home)
 - 3.06 Operating Certificate (Public Home)
 - 3.07 Operating Certificate (Special Care Home)
 - 3.08 Permit to Operate a Day Care Center

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.

- 2.00 Permit and approval programs:
 - 2.01 Certification of Incorporation (Regents Charter)
 - 2.02 Private Business School Registration
 - 2.03 Private School License
 - 2.04 Registered Manufacturer of Drugs and/or Devices
 - 2.05 Registered Pharmacy Certificate
 - 2.06 Registered Wholesale of Drugs and/or Devices
 - 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
 - 2.08 Storekeeper's Certificate
- 3.00 Administration of Article 5, Section 233 of the Educational Law regarding the removal of archaeological and paleontological objects under the waters of the State.

OFFICE OF EMERGENCY MANAGEMENT

- hazard identification,
- loss prevention, planning, training, operational response to emergencies,
- technical support, and disaster recovery assistance.

EMPIRE STATE DEVELOPMENT/ EMPIRE STATE DEVELOPMENT CORPORATION

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.
- 2.00 New Construction Program – provide assistance to incorporate energy-efficiency measures into the design, construction and operation of new and substantially renovated buildings.
- 3.00 Existing Facilities Program – offers incentives for a variety of energy projects

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement, and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:

- 4.01 Capital projects for limiting air pollution
- 4.02 Cleanup of toxic waste dumps
- 4.03 Flood control, beach erosion, and other water resource projects
- 4.04 Operating aid to municipal wastewater treatment facilities
- 4.05 Resource recovery and solid waste management capital projects
- 4.06 Wastewater treatment facilities
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
 - (a) Water Quality Improvement Projects
 - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects, and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs
- 9.00 Permit and approval programs
 - Air Resources
 - 9.01 Certificate of Approval for Air Pollution Episode Action Plan
 - 9.02 Certificate of Compliance for Tax Relief – Air Pollution Control Facility
 - 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; process, exhaust or Ventilation System
 - 9.04 Permit for Burial of Radioactive Material
 - 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
 - 9.06 Permit for Restricted Burning
 - 9.07 Permit to Construct; a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System
 - Construction Management
 - 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities
 - Fish and Wildlife
 - 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
 - 9.10 Commercial Inland Fisheries Licenses
 - 9.11 Fishing Preserve License
 - 9.12 Fur Breeder's License
 - 9.13 Game Dealer's License
 - 9.14 Licenses to breed Domestic Game Animals
 - 9.15 License to Possess and Sell Live Game
 - 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)

- 9.17 Permit to Raise and Sell trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Permit – Article 15, (Protection of Water) – Dredge and Deposit Material in a Waterway
- 9.22 Permit – Article 15, (Protection of Water) – Stream Bed or Bank Disturbances
- 9.23 Permit – Article 24, (Freshwater Wetlands)

Hazardous Substances

- 9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.26 Permit to Use Chemicals for the Control or Elimination of Undesirable Fish

Lands and Forest

- 9.27 Certificate of Environmental Safety (Liquid Natural Gas/Liquid Petroleum Gas)
- 9.28 Floating Object Permit
- 9.29 Marine Regatta Permit
- 9.30 Navigation Aid Permit

Marine Resources

- 9.31 Digger's Permit (Shellfish)
- 9.32 License of Menhaden Fishing Vessel
- 9.33 License for Non Resident Food Fishing Vessel
- 9.34 Non Resident Lobster Permit
- 9.35 Marine Hatchery and/or Off Bottom Culture Shellfish Permits
- 9.36 Permits to Take Blue Claw Crabs
- 9.37 Permit to Use Pond or Trap Net
- 9.38 Resident Commercial Lobster Permit
- 9.39 Shellfish Bed Permit
- 9.40 Shellfish Shipper's Permits
- 9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.42 Permit – Article 25, (Tidal Wetlands)

Mineral Resources

- 9.43 Mining Permit
- 9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.45 Underground Storage Permit (Gas)

9.46 Well Drilling Permit (Oil, Gas and Solution Salt Mining)

Solid Wastes

9.47 Permit to Construct and/or operate a Solid Waste Management Facility

9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

9.49 Approval of Plans for Wastewater Disposal Systems

9.50 Certificate of Approval of Realty Subdivision Plans

9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)

9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan

9.53 Permit Article 36, (Construction in Flood Hazard Areas)

9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas

9.55 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas

9.56 State Pollutant Discharge Elimination System (SPDES) Permit

9.57 Approval – Drainage Improvement District

9.58 Approval – Water (Diversion for Power)

9.59 Approval of Well System and Permit to Operate

9.60 Permit – Article 15, (Protection of Water) – Dam

9.61 Permit – Article 15, Title 15 (Water Supply)

9.62 River Improvement District Permits

9.63 River Regulatory District approvals

9.64 Well Drilling Certificate of Registration

9.65 401 Water Quality Certification

10.00 Preparation and revision of Air Pollution State Implementation Plan.

11.00 Preparation and revision of Continuous Executive Program Plan.

12.00 Preparation and revision of Statewide Environmental Plan.

13.00 Protection of Natural and Man-made Beauty Program.

14.00 Urban Fisheries Program.

15.00 Urban Forestry Program.

16.00 Urban Wildlife Program.

ENVIRONMENTAL FACILITIES CORPORATION

1.0 Financing program for pollution control facilities for industrial firms and small businesses.

DEPARTMENT OF FINANCIAL SERVICES (DEPARTMENT OF BANKING)

- 1.00 Permit and approval programs:
 - 1.01 Authorization Certificate (Bank Branch)
 - 1.02 Authorization Certificate (Bank Change of Location)
 - 1.03 Authorization Certificate (Bank Charter)
 - 1.04 Authorization Certificate (Credit Union Change of Location)
 - 1.05 Authorization Certificate (Credit Union Charter)
 - 1.06 Authorization Certificate (Credit Union Station)
 - 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
 - 1.08 Authorization Certificate (Foreign Banking Corp. Public Accommodations Office)
 - 1.09 Authorization Certificate (Investment Company Branch)
 - 1.10 Authorization Certificate (Investment Company Change of Location)
 - 1.11 Authorization Certificate (Investment Company Charter)
 - 1.12 Authorization Certificate (Licensed Lender Change of Location)
 - 1.13 Authorization Certificate (Mutual Trust Company Charter)
 - 1.14 Authorization Certificate (Private Banker Charter)
 - 1.15 Authorization Certificate (Public Accommodation Office – Banks)
 - 1.16 Authorization Certificate (Safe Deposit Company Branch)
 - 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
 - 1.18 Authorization Certificate (Safe Deposit Company Charter)
 - 1.19 Authorization Certificate (Savings Bank Charter)
 - 1.20 Authorization Certificate (Savings Bank DeNovo Branch Office)
 - 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
 - 1.22 Authorization Certificate (Savings and Loan Association Branch)
 - 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
 - 1.24 Authorization Certificate (Savings and Loan Association Charter)
 - 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
 - 1.26 Authorization Certificate (Trust Company Branch)
 - 1.27 Authorization Certificate (Trust Company – Change of Location)
 - 1.28 Authorization Certificate (Trust Company Charter)
 - 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
 - 1.30 Authorization to Establish a Life Insurance Agency
 - 1.31 License as a Licensed Lender

1.32 License for a Foreign Banking Corporation Branch

OFFICE OF GENERAL SERVICES

- 1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.
- 2.00 Administration of Article 4 B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.
- 4.00 Administration of Article 5, Section 233, Subsection 5 of the Education Law on removal of archaeological and paleontological objects under the waters of the State.
- 5.00 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.
- 6.00 Section 334 of the State Real Estate Law regarding subdivision of waterfront properties on navigable waters to include the location of riparian lines.

DEPARTMENT OF HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Approval of Completed Works for Public Water Supply Improvements
 - 2.02 Approval of Plans for Public Water Supply Improvements.
 - 2.03 Certificate of Need (Health Related Facility except Hospitals)
 - 2.04 Certificate of Need (Hospitals)
 - 2.05 Operating Certificate (Diagnostic and Treatment Center)
 - 2.06 Operating Certificate (Health Related Facility)
 - 2.07 Operating Certificate (Hospice)
 - 2.08 Operating Certificate (Hospital)
 - 2.09 Operating Certificate (Nursing Home)
 - 2.10 Shared Health Facility Registration Certificate

DIVISION OF HOMES AND COMMUNITY RENEWAL and its subsidiaries and affiliates

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Financial assistance/grant programs:
 - 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)

- 2.02 Housing Development Fund Programs
- 2.03 Neighborhood Preservation Companies Program
- 2.04 Public Housing Programs
- 2.05 Rural Initiatives Grant Program
- 2.06 Rural Preservation Companies Program
- 2.07 Rural Rental Assistance Program
- 2.08 Special Needs Demonstration Projects
- 2.09 Urban Initiatives Grant Program
- 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Operating Certificate (Community Residence)
 - 2.02 Operating Certificate (Family Care Homes)
 - 2.03 Operating Certificate (Inpatient Facility)
 - 2.04 Operating Certificate (Outpatient Facility)

DIVISION OF MILITARY AND NAVAL AFFAIRS

- 1.0 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

- 1.0 Funding program for natural heritage institutions.

OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION (including Regional State Park Commission)

- 1.00 Acquisition, disposition, lease, grant of easement, or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety, and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.

- 7.00 Permit and approval programs:
 - 7.01 Floating Objects Permit
 - 7.02 Marine Regatta Permit
 - 7.03 Navigation Aide Permit
 - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.
- 10.00 Urban Cultural Parks Program.
- 11.00 Planning, construction, rehabilitation, expansion, demolition or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Establishment and Construction Prior Approval
 - 2.02 Operating Certificate Community Residence
 - 2.03 Outpatient Facility Operating Certificate

POWER AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement, and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

DEPARTMENT OF STATE

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.

- 2.10 Planning, construction, rehabilitation, expansion, demolition or the funding of such activities and/or projects funded through the Environmental Protection Fund (Environmental Protection Act of 1993) or Clean Water/Clean Air Bond Act of 1996.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
 - 4.01 Billiard Room License
 - 4.02 Cemetery Operator
 - 4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement, and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DEPARTMENT OF TRANSPORTATION

- 1.00 Acquisition, disposition, lease, grant of easement, and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
 - (a) Highways and parkways
 - (b) Bridges on the State highways system
 - (c) Highway and parkway maintenance facilities
 - (d) Rail facilities
- 3.00 Financial assistance/grant programs:
 - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
 - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
 - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
 - 3.04 Subsidies program for marginal branch lines abandoned by Conrail
 - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:

- 4.01 Approval of applications for airport improvements (construction projects)
- 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
- 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
- 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
- 4.05 Certificate of Convenience and Necessity to Operate a Railroad
- 4.06 Highway Work Permits
- 4.07 License to Operate Major Petroleum Facilities
- 4.08 Outdoor Advertising Permit (for off premises advertising signs adjacent to interstate and primary highway)
- 4.09 Real Property Division Permit for Use of State Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program Activities related to the containment of petroleum spills and development of an emergency oil spill control network.

DIVISION OF YOUTH

- 1.0 Facilities construction, rehabilitation, expansion, or demolition or the funding for approval of such activities.

SECTION VII - LOCAL COMMITMENT AND CONSULTATION

7.1 LOCAL COMMITMENT

The Village of Williamsville initiated its efforts to prepare a Local Waterfront Revitalization Program (LWRP) in April of 2019, at which time the Village established the Waterfront Advisory Committee to oversee and assist with the preparation of the local program. The Waterfront Advisory Committee was comprised of representatives from the Village and local community, including liaisons from the Village of Williamsville Environmental Advisory Council, Glen Park Joint Board, Parks Committee, Traffic and Safety Board, Tree Board, Village Department of Public Works, and Village Board of Trustees. The efforts of this Committee were supported by the New York State Department of State and the Buffalo Niagara Waterkeeper. This Committee met 16 times during the development of the project to assist with the preparation of the LWRP to provide guidance and assist with finalizing draft project ideas.



Figure 61: Public event #1

To strengthen local commitment for the Village's planning efforts, the Waterfront Advisory Committee held two public events to provide local citizens an opportunity to comment on significant issues and opportunities in the Village's waterfront revitalization area. The first event, a Public Information meeting, was held at the Williamsville Village Hall on October 24, 2019. A luncheon meeting was also held with the Williamsville Business Association on February 19, 2020, to introduce the LWRP and gather input from business members in the community.

The first Public Information Meeting was held to introduce the LWRP project to the public and provide an opportunity for residents and stakeholders to view maps and offer input on the issues and opportunities they felt were important in the waterfront area. This meeting was well attended, and numerous comments were gathered from breakout table discussions.

Two Public Focus events were held as part of the Farmer's Market that was held on Saturday, July 10 and Saturday, September 11, 2021. These events were held in the municipal parking lot between Amherst Town Hall and Village Hall, and included display boards, maps, and a survey questionnaire. They provided

an opportunity to solicit public comments on the proposed projects and other actions proposed for implementing the LWRP. The information gathered at the public focus events was utilized to further shape



Figure 61: Public event #2

and finalize the listing of proposed projects and other implementation actions.

Prior to the adoption of the LWRP, the Williamsville Village Board of Trustees held a public hearing on the draft Village of Williamsville LWRP. This hearing provided the public with an opportunity to hear a presentation on the draft LWRP, as well as to provide the Town Board with final input on the proposed program.

7.2 LOCAL CONSULTATION

During the preparation of the Williamsville LWRP, the Waterfront Advisory Committee forwarded draft sections of the revised program to the Department of State for their review and comments. In addition, draft documents were distributed to several involved and interested agencies to gather their comments on program findings, policies, and recommendations. The local agencies that were contacted for their input included the Erie County Department of Planning and Development, the New York State Department of Environmental Conservation, and the surrounding Town of Amherst.

The Town of Amherst is currently preparing an LWRP for the portions of Ellicott Creek that flow through its jurisdiction and Tonawanda Creek. A meeting was held with Town representatives on March 2, 2021, to discuss cross-jurisdictional issues and opportunities. During this meeting, the list of proposed projects was discussed to identify areas where the Town and Village could work together to implement their respective LWRPs.

The draft Village of Williamsville LWRP was reviewed and accepted by the Village of Williamsville Board of Trustees and forwarded for review to the New York State Department of State. After finding the draft LWRP to be complete and ready for the review of other agencies, Department of State initiated a 60-day public review period for the draft LWRP, pursuant to the requirements of the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Article 42 of NYS Executive Law). In meantime, the Village completed the process of compliance with the State Environmental Quality Review Act. The complete and ready version of the draft LWRP was posted online and notifications announcing the initiation of the 60-day review were sent to all potentially affected State, regional, and local agencies, including Erie County

and the Town of Amherst. Comments received on the posted draft LWRP were reviewed by the Village and the Department of State, and changes were made, as required, to address substantive comments. The approval of the Village of Williamsville LWRP consists of three distinctive steps: the local adoption of the document by the Village Board of Trustees, the submission to and approval by the New York State Secretary of State, and the incorporation of the Williamsville LWRP into the State's program for Inland waterways.

APPENDIX A - VILLAGE OF WILLIAMSVILLE LWRP CONSISTENCY REVIEW LAW

LOCAL LAW NO. OF THE YEAR 2022

Be it enacted by the Village of Williamsville Village Board of Trustees as follows:

GENERAL PROVISIONS

I. Title.

This local law will be known as the Village of Williamsville Local Waterfront Revitalization Program (LWRP) Consistency Review Law.

II. Authority and Purpose.

- A. This local law is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).
- B. The purpose of this local law is to provide a framework for agencies of the Village of Williamsville to incorporate the policies and purposes contained in the Village of Williamsville Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct agency actions within the Waterfront Revitalization Area (WRA); and to assure that such actions and direct actions by Village agencies are consistent with the LWRP policies and purposes.
- C. It is the intention of the Village of Williamsville that the preservation, enhancement, and utilization of the unique waterfront in the Village take place in a coordinated and comprehensive manner to ensure a proper balance between protection of natural resources and the need to accommodate economic development. Accordingly, this local law is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing: loss and degradation of living waterfront resources and wildlife; diminution of open space areas or public access to the waterfront; adverse impacts to public recreation facilities and amenities; disruption of natural waterfront processes; impairment of scenic, cultural or historical resources; losses due to flooding, erosion and sedimentation; impairment of water quality; or permanent adverse changes to ecological systems.
- D. The substantive provisions of this local law shall only apply when there is in existence a Village of Williamsville Local Waterfront Revitalization Program that has been adopted in accordance with Article 42 of the Executive Law of the State of New York.

III. Definitions.

- A. "Actions" include all the following, except minor actions:

- (1) projects or physical activities, such as construction or any other activities that may affect natural, man-made or other resources in the WRA or the environment by changing the use, appearance or condition of any resource or structure, that:
 - i. are directly undertaken by an agency; or
 - ii. involve funding by an agency; or
 - iii. require one or more new or modified approvals, permits, or review from an agency or agencies;
 - (2) agency planning and policymaking activities that may affect the environment and commit the agency to a definite course of future decisions;
 - (3) adoption of agency rules, regulations, and procedures, including local laws, codes, ordinances, executive orders, and resolutions that may affect WRA resources or the environment; and
 - (4) any combination of the above.
- B. "Agency" means any board, agency, department, office, committee, other body, or officer of the Village of Williamsville.
 - C. "Waterfront revitalization area" or WRA is the portion of New York State designated waterway and adjacent shorelands as defined in Article 42 of the Executive Law, which is located within the municipal boundaries of the Village of Williamsville, as described, and mapped in the approved Williamsville LWRP.
 - D. "Waterfront Assessment Form" or WAF means the form appended to this local law, used by an agency or other entity to assist in determining the consistency of an action with the Village of Williamsville Local Waterfront Revitalization Program.
 - E. "Code Enforcement Officer" means the Code Enforcement Office of the Village of Williamsville.
 - F. "Consistent" means that the action will not be inconsistent with any of the LWRP policy standards, conditions, and objectives and, whenever practicable, will advance one or more of them.
 - G. "Direct Actions" mean actions planned and proposed for implementation by an agency, such as, but not limited to a capital project, rulemaking, procedure making and policy making.
 - H. "Environment" means all conditions, circumstances and influences surrounding and affecting the development of living organisms or other resources in the waterfront area.
 - I. "Local Waterfront Revitalization Program" or LWRP means the Local Waterfront Revitalization Program adopted by the Village of Williamsville and approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), a copy of which is on file in the Office of the Clerk of the Village of Williamsville.
 - J. "Minor actions" include the following actions, which are not subject to review under this local law:
 - (1) maintenance or repair involving no substantial changes to an existing structure or facility;

- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, except for structures located in areas designated by the Flood Damage Prevention Law (Chapter 31 of the Village Code) where structures may not be replaced, rehabilitated, or reconstructed without a permit and, where required, modifications in accordance with the Law;
- (3) repaving or widening of existing paved highways not involving the addition of new travel lanes;
- (4) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- (5) maintenance of existing landscaping or natural growth, except where threatened or endangered species of plants or animals are affected;
- (6) granting of individual setback and lot line variances, except in relation to a regulated natural feature;
- (7) minor temporary uses of land having negligible or no permanent impact on WRA resources or the environment;
- (8) installation of traffic control devices on existing streets, roads, and highways;
- (9) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
- (10) information collection including basic data collection and research, water quality and pollution studies, traffic counts, Building Inspection studies, engineering studies, surveys, subsurface investigations, and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- (11) official acts of a ministerial nature involving no exercise of discretion, including building permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s).
- (12) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- (13) conducting concurrent environmental, building inspection, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
- (14) collective bargaining activities;
- (15) investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
- (16) inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;
- (17) purchase or sale of furnishings, equipment, or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, storage of road de-icing substances, or other hazardous materials;

- (18) adoption of regulations, policies, procedures. and local legislative decisions in connection with any action on this list;
- (19) engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
- (20) civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
- (21) adoption of a moratorium on land development or construction;
- (22) interpreting an existing code, rule, or regulation;
- (23) designation of local landmarks or historic structures, or their inclusion within historic districts;
- (24) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property, or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to LWRP resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this Part; and
- (25) local legislative decisions, such as rezoning, where the Williamsville Village Board determines the action will not be approved.

IV. Management and Coordination of the LWRP.

- A. The Village of Williamsville Code Enforcement Officer shall be responsible for overall management and coordination of the LWRP. In performing this task, the Code Enforcement Officer shall:
 - (1) Inform the Village Board of Trustees on implementation priorities, work assignments, timetables, and budgetary requirements of the LWRP.
 - (2) Act in the capacity of liaison between the Village Board of Trustees and Village agencies to further the implementation of the LWRP.
 - (3) Assist applicants and make consistency review recommendations to the appropriate village agencies for the implementation of the LWRP, its policies and projects, including physical, legislative, regulatory, administrative, and other actions included in the program. No approval or decision shall be rendered for a proposed action in the Williamsville WRA without the issuance of a written determination of consistency from the Code Enforcement Officer.
 - (4) Provide the New York State Department of State and other State agencies with timely feedback regarding the consistency of actions proposed by State agencies.

- (5) Coordinate with the Village Board of Trustees, the Village Grants Consultant and Village Engineer the development of applications for State and federal funding for projects that implement the LWRP.
 - (6) Prepare an annual report on progress achieved and problems encountered in implementing the LWRP and recommend actions necessary for further implementation to the Village Board of Trustees and village agencies and boards.
 - (7) Perform other functions regarding the waterfront revitalization area and direct such actions or projects as the Village Board of Trustees may deem appropriate to implement the LWRP.
- B. In order to foster a strong relationship and maintain an active liaison among the agencies responsible for implementation of the LWRP, and to ensure that the LWRP continues to meet the needs of the community, the Code Enforcement Officer or official designee shall schedule, an annual LWRP coordinating workshop, including but not limited to representatives of the Village Board, Planning Board, Zoning Board of Appeals, and such other departments or individuals charged with LWRP implementation.

V. Review of Actions.

- A. Whenever a proposed action is located in the waterfront revitalization area, each Village agency shall, prior to approving, funding or undertaking the action, make a determination that the action is consistent with the LWRP policy standards, which are summarized in Section I. below. No action in the waterfront revitalization area shall be approved, funded, or undertaken by an agency without such a determination.
- B. The Code Enforcement Officer, shall be responsible for coordinating the review of actions in the Village of Williamsville WRA and will advise, assist, and make consistency recommendations for other Village agencies for the implementation of the LWRP and its policies and projects, including physical, legislative, regulatory, administrative, and other actions included in the program. The Code Enforcement Officer will also coordinate with NYS Department of State regarding consistency reviews for actions by State agencies.
- C. The Code Enforcement Officer will assist each agency with preliminary evaluation of actions in the waterfront area, and with preparation of a WAF. Whenever an agency receives an application for approval or funding of an action, or as early as possible in the agency's formulation of a direct action to be located in the waterfront area, the agency shall refer such application or direct action to the Code enforcement Officer, within ten (10) days of its receipt, for preparation of a WAF, a sample of which is appended to this local law.
- D. The Code Enforcement Officer, in referring applications for approval, funding or direct action to an agency, shall provide written recommendations for consistency determination within 30 days following referral of the WAF unless extended by mutual agreement of the Code Enforcement Officer and the applicant, or in the case of a direct action, the agency. These recommendations shall indicate whether, in the opinion of the Code Enforcement Officer or their designee, the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and objectives, and shall elaborate in writing the basis for this opinion. The Code Enforcement Officer shall, along with its consistency recommendation, make any suggestions to the agency concerning modification of the proposed action, including the

imposition of conditions, to make it consistent with LWRP policy standards and objectives or to greater advance them.

- E. If an action requires the approval of more than one agency, decision making will be coordinated between the Village agencies as to which agency will conduct the final consistency review and determination and, thereafter, act as the designated consistency review agency. Only one WAF per action will be prepared for review by the Village Code Enforcement Officer. If the agencies cannot agree on which one should take the lead, the Code Enforcement Officer shall designate the consistency review agency.
- F. Upon the recommendations of the Code Enforcement Officer, the Village agency shall review the application documentation in accordance with this Law and the LWRP policy standards contained therein. Prior to making a final determination of consistency, the agency shall consider the consistency review recommendations of the Code Enforcement Officer. The Village agency shall render its written determination based on the information contained in the WAF, the Code Enforcement Officers recommendation, and such other information as is deemed necessary to its determination. No approval or decision shall be rendered for an action in the waterfront revitalization area without a determination of consistency. The designated agency will make the final determination of consistency.

The Zoning Board of Appeals is the designated agency for the determination of consistency for variance applications subject to this law. The Zoning Board of Appeals shall consider the written consistency recommendations provided by the Village Code Enforcement Officer prior to making a decision to grant any variance for any action proposed in the waterfront revitalization area and shall impose appropriate conditions on the variance to make the proposed activity consistent with the LWRP Policy standards and objectives, and this law.

- G. Where an Environmental Impact Statement (EIS) is being prepared or required pursuant to SEQRA, the draft EIS must identify applicable LWRP policies standards summarized in J. below and must include a discussion of the effects of the proposed action on such policy standards. No agency shall make a final decision on an action that has been the subject of a final EIS and is located in the waterfront area until the agency has made a written finding regarding the consistency of the action with the policy standards, in accordance with the provisions of this Law.
- H. In the event the Code Enforcement Officer's recommendation is that the action is inconsistent with the LWRP, and the agency makes a contrary determination of consistency, the agency shall elaborate in writing the basis for its disagreement with the recommendation and state the manner and extent to which the action is inconsistent with the LWRP policy standards. Where an action is found to be inconsistent with one or more LWRP policy standards, such action shall not be approved, funded, or undertaken unless modified to be consistent with the LWRP, as determined by the reviewing agency.
- I. Actions to be undertaken within the waterfront revitalization area shall be evaluated for consistency in accordance with the following summary of LWRP policy standards, which are derived from and described in the Village of Williamsville LWRP, a copy of which is posted on the Village's website and is on file in the Village Clerk's office and available for inspection during normal business hours. Applicants that undertake direct actions must also consult with the Village of Williamsville Code Enforcement Officer in making their consistency

determination. All actions proposed within the Village of Williamsville waterfront area must be consistent with the LWRP policies outlined below:

- Policy 1 Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible use.
- Policy 2 Facilitate the siting of water dependent uses and facilities on or adjacent to inland waterways.
- Policy 3 Further develop the State's major ports of Albany, Buffalo, New York, Ogdensburg and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities, of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people. (Not applicable)
- Policy 4 Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.
- Policy 5 Encourage the location of development in areas where public services and facilities essential to such development are adequate.
- Policy 6 Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.
- Policy 7 Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats. (Not applicable)
- Policy 8 Protect fish and wildlife resources in the waterfront revitalization area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sub-lethal or lethal effects on those resources.
- Policy 9 Expand recreational use of fish and wildlife resources in the waterfront revitalization area by increasing access to existing resources, supplementing existing stocks, and developing new resources.
- Policy 10 Further develop commercial finfish, shellfish, and crustacean resources in the inland waterway area by encouraging the construction of new, or improvement of existing onshore commercial fishing facilities, increasing marketing of the State's seafood products, maintaining adequate stocks, and expanding aquaculture facilities.
- Policy 11 Buildings and other structures will be sited in the waterfront revitalization area to minimize damage to property and the endangering of human lives caused by flooding and erosion.
- Policy 12 Activities or development in the waterfront revitalization area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

- Policy 13 The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.
- Policy 14 Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.
- Policy 15 Mining, excavation, or dredging in inland waterways shall not significantly interfere with the natural inland waterway processes that supply beach materials to land adjacent to such waters and shall be undertaken in a manner that will not cause an increase in erosion of such land.
- Policy 16 Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.
- Policy 17 Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.
- Policy 18 To safeguard the vital economic, social, and environmental interests of the State and of its citizens, proposed major actions in the waterfront revitalization area must give full consideration to those interests and to the safeguards that the State has established to protect valuable waterfront resource areas.
- Policy 19 Protect, maintain, and increase the level and types of access to public water-related recreational resources and facilities.
- Policy 20 Access to the publicly owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided and it shall be provided in a manner compatible with adjoining uses.
- Policy 21 Water dependent and water enhanced recreation will be encouraged and facilitated and will be given priority over non-water related uses along the shorefront.
- Policy 22 Development, when located adjacent to the shore, will provide for water-related recreation, whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.
- Policy 23 Protect, enhance, and restore structures, districts, areas, or sites that are of significance in the history, architecture, archaeology, or culture of the State, its communities, or the Nation.
- Policy 24 Prevent impairment of scenic resources of statewide significance. (Not applicable)

- Policy 25 Protect, restore, or enhance natural and man-made scenic resources that are not identified as being of Statewide significance, but that contribute to the overall scenic quality of the waterfront revitalization area.
- Policy 26 Conserve and protect agricultural lands in the waterfront revitalization area.
- Policy 27 Decisions on the siting and construction of major energy facilities in the shorefront area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.
- Policy 28 Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats or increase shoreline erosion or flooding.
- Policy 29 The development of offshore uses and resources, including renewable energy resources, shall accommodate New York's long-standing ocean and Great Lakes industries, such as commercial and recreational fishing and maritime commerce, and the ecological functions of habitats important to New York.
- Policy 30 Municipal, industrial, and commercial discharge of pollutants, include but not limited to, toxic and hazardous substances, into inland waterways will conform to State and National water quality standards.
- Policy 31 State policies and management objectives of approved Waterfront Revitalization programs will be considered while reviewing inland waterway water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.
- Policy 32 Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high given the size of the existing tax base of these communities.
- Policy 33 Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into inland waterways.
- Policy 34 Discharge of waste materials into inland waterways from vessels subject to State jurisdiction will be limited to protect significant fish and wildlife habitats, recreational areas, and water supply areas.
- Policy 35 Dredging and filling in inland waterways and disposal of dredged material will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.
- Policy 36 Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into inland waterways; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.
- Policy 37 Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics, and eroded soils into inland waterways.

- Policy 38 The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.
- Policy 39 The transport, storage, treatment, and disposal of solid wastes, particularly hazardous wastes, within the waterfront revitalization area will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands, and scenic resources.
- Policy 40 Effluent discharged from major steam electric generating and industrial facilities into inland waterways will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.
- Policy 41 Land use or development in the waterfront revitalization area will not cause National or State air quality standards to be violated.
- Policy 42 Waterfront revitalization policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.
- Policy 43 Land use or development in the waterfront revitalization area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.
- Policy 44 Preserve and protect freshwater wetlands and preserve the benefits derived from these areas.
- J. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Committee. Such files shall be made available for public inspection upon request.

VI. Enforcement.

In the event that an activity is being performed in violation of this law or any conditions imposed thereunder, the Code Enforcement Officer or any other authorized official of the Village of Williamsville shall issue a stop work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop work order is in effect.

VII. Violations.

- A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this local law shall have committed a violation, punishable by a fine not exceeding five hundred dollars (\$500.00) for a conviction of a first offense and punishable by a fine of one thousand dollars (\$1,000.00) for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.
- B. The Village Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this local law. Any civil penalty shall be in addition to and not in lieu of any criminal prosecution and penalty.

VIII. Severability.

The provisions of this local law are severable. If any provision of this local law is found invalid, such finding shall not affect the validity of this local law, as a whole, or any part or provision hereof other than the provision so found to be invalid.

IX. Effective Date.

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

VILLAGE OF WILLIAMSVILLE WATERFRONT ASSESSMENT FORM

A. INSTRUCTIONS (Please print or type all answers)

1. Applicants, or in the case of direct actions, Village of Williamsville Departments, shall complete this Waterfront Assessment Form (WAF) for proposed actions that are located within the Williamsville Local Waterfront Revitalization Area and are subject to compliance with the Village's Consistency Review Law. This assessment is intended to supplement other information used by the Village of Williamsville in making a determination that the proposed action will be consistent with the policies of the Village of Williamsville Local Waterfront Revitalization Program. It is also helpful for making a determination of significance pursuant to the State Environmental Quality Review Act (SEQR).
2. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in Section III of the Village of Williamsville Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the Village Clerk's office. A proposed action should be evaluated as to its beneficial and adverse effects upon resources in the waterfront revitalization area and its consistency with the LWRP policy standards.
3. If any questions in Section C on this form are answered "yes", then the proposed action may contravene the LWRP policy standards, as contained in the Village of Williamsville Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a final determination of consistency with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Describe nature and extent of action: _____

2. Type of Village department action (check appropriate response):
 - a. Directly undertaken (e.g., construction, planning, regulation, land transaction)

 - b. Financial assistance (e.g., grant, loan, subsidy)

 - c. Permit, approval, license, or certificate:

 - d. Agency/Village department undertaking the action:

3. Name of applicant: _____

Mailing address: _____

Telephone number: (_____) _____

Property Tax Identification number: _____

Application No. (if applicable) _____
4. Will the action be directly undertaken or require funding or approval by a State or federal agency? Yes _____ No _____

If yes, which State or federal agency? _____

5. Location of action (Street or Site Description and nearest intersection):

6. Size of site (acres): _____
7. Amount (acres) of site to be impacted: _____
8. Present land use: _____
9. Present zoning classification: _____
10. Describe any unique or unusual landforms on the project site (i.e., bluffs, wetlands, creeks, other geological formations):

11. Percentage of site that contains slopes of 15% or greater: _____
12. Streams, lakes, ponds or wetlands existing within or continuous to the project area?
 - (a) Name _____
 - (b) Size (in acres) _____
13. Is the property serviced by public water? Yes _____ No _____
14. Is the property serviced by public sewer? Yes _____ No _____

C. WATERFRONT ASSESSMENT (Check either "Yes" or "No" for each of the following questions).
If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

1. Will the proposed action be located in, contiguous to, or have a potentially adverse effect upon any of the resource areas found within the waterfront area as identified in the Williamsville LWRP?

	<u>YES</u>	<u>NO</u>
_____	_____	_____
(a) Locally significant fish or wildlife habitats?	_____	_____
(c) Important scenic view/vistas?	_____	_____
(d) Historic or cultural resources of significance?	_____	_____
2. Will the proposed action have a significant effect upon:

	<u>YES</u>	<u>NO</u>
(a) Scenic quality of the waterfront environment?	_____	_____
(b) Development of future or existing water-dependent uses?	_____	_____
(c) Designated State or federal freshwater wetlands?	_____	_____
(d) Recreational use of fish and wildlife resources?	_____	_____
(e) Existing or potential public recreation opportunities?	_____	_____
(f) Structures, sites, or districts of historic, archaeological or cultural significance in the Village of Williamsville?	_____	_____
(g) Stability of the Ellicott Creek shoreline?	_____	_____
(h) Surface or groundwater quality?	_____	_____
3. Will the proposed action involve or result in any of the following:

	<u>YES</u>	<u>NO</u>
(a) Physical alteration of land along the shoreline, underwater land, or surface waters?	_____	_____
(b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?	_____	_____

(c)	Expansion of existing public services or infrastructure in undeveloped or low-density areas along the waterfront?	___	___
(d)	Excavation, filling or dredging in surface waters?	___	___
(e)	Reduction of existing or potential public access to or along the shoreline?	___	___
(f)	Sale or change in use of publicly owned lands located on the shoreline or on lands underwater?	___	___
(g)	Development within a designated flood hazard area?	___	___
(h)	Development in areas that provide protection against flooding or erosion?	___	___
(i)	Construction or reconstruction of erosion protective structures?	___	___
(j)	Diminished or degraded surface or groundwater quantity and/or quality?	___	___
(k)	Removal of ground cover from the site?	___	___
(l)	Siting or Construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law?	___	___
3.	PROJECT	<u>YES</u>	<u>NO</u>
(a)	If a project is to be located adjacent to the shore:		
(1)	Does the project require a waterfront location?	___	___
(2)	Will water-related recreation be provided?	___	___
(3)	Will public access to the foreshore be provided?	___	___
(4)	Will it eliminate or replace a water-dependent use?	___	___
(5)	Will it eliminate or replace a recreational use or resource?	___	___
(b)	Is the project site presently used by the community or neighborhood as an open space or recreation area?	___	___
(c)	Will the project protect, maintain, and/or increase the level and type of public access to water-related recreation facilities?	___	___
(d)	Does the project presently offer or include scenic views or vistas that are known to be important to the community?	___	___
(e)	Is the project site presently used for recreational fishing?	___	___
(f)	Will the surface area of the Ellicott Creek corridor or wetland areas be increased or decreased by the proposal?	___	___
(g)	Is the project located in a flood prone area?	___	___
(h)	Is the project located in an area subject to erosion?	___	___
(i)	Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?	___	___

- | | | | |
|-----|--|-------|-------|
| (j) | Do essential public services or facilities presently exist at or near the site? | _____ | _____ |
| (k) | Will the project involve surface or subsurface liquid waste disposal? | _____ | _____ |
| (l) | Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials? | _____ | _____ |
| (m) | Will the project involve shipment or storage of petroleum products? | _____ | _____ |
| (n) | Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into inland waters? | _____ | _____ |
| (o) | Will the project involve or change existing ice management practices? | _____ | _____ |
| (n) | Will the project alter drainage patterns or surface water runoff flowing on or from the site? | _____ | _____ |
| (p) | Will best management practices be utilized to control storm water runoff into inland waterways? | _____ | _____ |
| (q) | Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates? | _____ | _____ |
| (r) | Will the project affect any area designed as a freshwater wetland? | _____ | _____ |
| (s) | Will the project utilize or affect the quality or quantity of surface waters or sole source water supply? | _____ | _____ |

D. **REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES"** (Add any additional sheets necessary)

[illegible]

If you require assistance or further information in order to complete this form, please contact the Williamsville Building Department.

Please submit completed form, along with one copy of a site/plat plan to:

Village of Williamsville Building Department
5565 Main Street
Williamsville, NY 14221
(716) 632-7747

Preparer's Name (Please print) : _____

Affiliation: _____

Telephone Number: (_____) _____

Date: _____

APPENDIX B – LOCAL LAWS NECESSARY FOR THE IMPLEMENTATION OF THE LWRP

TABLE OF LOCAL LAWS IMPLEMENTING LWRP POLICIES

Policy #	Policy Category	Implementing Legislation
1 – 6	Development Policies	Chapter 11: Brush, Grass and Weeds Chapter 39: Garbage, Rubbish and Refuse Chapter 31: Flood Damage Prevention Chapter 47: Historic Preservation Chapter 57: Landscaping Chapter 72: Property Maintenance Chapter 81: Sewer Use Chapter 89: Streets and Sidewalks Chapter 101: Trees Chapter 103: Vehicles and Traffic Chapter 107: Water Chapter 112: Zoning
7 – 10	Fish & Wildlife Policies	Chapter 8: Animals Chapter 11: Brush, Grass and Weeds Chapter 57: Landscaping Chapter 101: Trees Chapter 407: Zoning
11 – 17	Flooding & Erosion Policies	Chapter 31: Flood Damage Prevention Chapter 81: Sewer Use Chapter 112: Zoning
18	General Policy	Chapter 31: Flood Damage Prevention Chapter 47: Historic Preservation Chapter 81: Sewer Use Chapter 89: Streets and Sidewalks Chapter 103: Vehicles and Traffic Chapter 107: Water

Policy #	Policy Category	Implementing Legislation
		Chapter 112: Zoning
19 and 20	Public Access Policies	Chapter 70: Parks and Public Areas Chapter 103: Vehicles and Traffic Chapter 112: Zoning
21 and 22	Recreation Policies	Chapter 70: Parks and Public Areas Chapter 112: Zoning
23 and 24	Historic and Scenic Resources Policies	Chapter 31: Flood Damage Prevention Chapter 47: Historic Preservation Chapter 57: Landscaping Chapter 84: Signs Chapter 101: Trees Chapter 112: Zoning
27 - 29	Energy & Ice Management Policies	Chapter 112: Zoning
30 - 43	Water & Air Resources Policies	Chapter 31: Flood Damage Prevention Chapter 39: Garbage, Rubbish and Refuse Chapter 74: Recycling Chapter 81: Sewer Use Chapter 107: Water Chapter 407: Zoning
44	Wetlands PolicyChapter	267: Sewer Use Chapter 112: Zoning

CHAPTER 31. FLOOD DAMAGE PREVENTION

Village of Williamsville, NY
Saturday, December 7, 2019

Chapter 31. Flood Damage Prevention

[HISTORY: Adopted by the Board of Trustees of the Village of Williamsville 4-8-2019 by L.L. No. 2-2019.^[1] Amendments noted where applicable.]

GENERAL REFERENCES

Fire prevention and building code administration — See Ch. 28.

Historic preservation — See Ch. 47.

Landscaping — See Ch. 57.

Streets and sidewalks — See Ch. 89.

Water — See Ch. 107.

Zoning — See Ch. 112.

[1] *Editor's Note: This local law repealed former Ch. 31, Flood Damage Prevention, adopted 9-8-2008 by L.L. No. 3-2008, as amended.*

§ 31-1. Findings.

The Board of Trustees of the Village of Williamsville finds that the potential and/or actual damages from flooding and erosion may be a problem to the residents of the Village of Williamsville and that such damages may include: destruction or loss of private and public housing, damage to public facilities, both publicly and privately owned, and injury to and loss of human life. In order to minimize the threat of such damages and to achieve the purposes and objectives hereinafter set forth, this chapter is adopted.

§ 31-2. Statement of purpose.

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;

- D. Control filling, grading, dredging and other development which may increase erosion or flood damages;
- E. Regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands; and
- F. Qualify and maintain for participation in the National Flood Insurance Program.

§ 31-3. Objectives.

The objectives of this chapter are:

- A. To protect human life and health;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, sewer lines, streets and bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. To provide that developers are notified that property is in an area of special flood hazard; and
- H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 31-4. Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

100-YEAR FLOOD

The same meaning as "base flood."

ACCESSORY STRUCTURE

A structure used solely for parking (two-car detached garages or smaller) or limited storage, represents a minimal investment of not more than 10% of the value of the primary structure, and may not be used for human habitation.

APPEAL

A request for a review of the local administrator's interpretation of any provision of this chapter or a request for a variance.

AREA OF SHALLOW FLOODING

A designated AO, AH or VO Zone on a community's Flood Insurance Rate Map (FIRM) with a one-percent-or-greater annual chance of flooding to an average annual depth of one foot to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD

The land in the floodplain within a community subject to a one-percent-or-greater chance of flooding in any given year. This area may be designated as Zone A, AE, AH, AO, A1-A30, A99, V, VO, VE, or V1-V30. It is also commonly referred to as the base floodplain or 100-year floodplain. For purposes of this chapter, the term "special flood hazard area (SFHA)" is synonymous in meaning with the phrase "area of special flood hazard."

BASE FLOOD

The flood having a one-percent chance of being equaled or exceeded in any given year.

BASEMENT

That portion of a building having its floor subgrade (below ground level) on all sides.

BUILDING

See "structure."

CELLAR

The same meaning as "basement."

CRAWL SPACE

An enclosed area beneath the lowest elevated floor, 18 inches or more in height, which is used to service the underside of the lowest elevated floor. The elevation of the floor of this enclosed area, which may be of soil, gravel, concrete or other material, must be equal to or above the lowest adjacent exterior grade. The enclosed crawl space area shall be properly vented to allow for the equalization of hydrostatic forces which would be experienced during periods of flooding.

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING

A nonbasement building: i) built, in the case of a building in Zones A1-A30, AE, A, A99, AO, AH, B, C, X, or D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water; and ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-A30, AE, A, A99, AO, AH, B, C, X, or D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of Zones V1-V30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even

though the lower area is enclosed by means of breakaway walls that meet the federal standards.

FEDERAL EMERGENCY MANAGEMENT AGENCY

The federal agency that administers the National Flood Insurance Program.

FLOOD BOUNDARY AND FLOODWAY MAP (FBFM)

An official map of the community published by the Federal Emergency Management Agency as part of a riverine community's Flood Insurance Study. The FBFM delineates a regulatory floodway along watercourses studied in detail in the Flood Insurance Study.

FLOOD ELEVATION STUDY

An examination, evaluation and determination of the flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

FLOOD HAZARD BOUNDARY MAP (FHBM)

An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been designated as Zone A but no flood elevations are provided.

FLOOD INSURANCE RATE MAP (FIRM)

An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY

See "flood elevation study."

FLOOD or FLOODING

- A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters;
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- B. "Flood" or "flooding" also means the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in Subsection **A** above.

FLOODPLAIN or FLOOD-PRONE AREA

Any land area susceptible to being inundated by water from any source (see definition of "flooding").

FLOODPROOFING

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY

The same meaning as "regulatory floodway."

FUNCTIONALLY DEPENDENT USE

A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, and ship repair facilities. The term does not include long-term storage, manufacturing, sales, or service facilities.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

HISTORIC STRUCTURE

Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a landmark pursuant to Chapter 47.

LOCAL ADMINISTRATOR

The person appointed by the Village Board of Trustees as provided in § 31-11 of this chapter.

LOWEST FLOOR

Lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this chapter.

MANUFACTURED HOME

A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term does not include a recreational vehicle.

MANUFACTURED HOME PARK OR SUBDIVISION

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL

For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum of 1988 (NAVD 88), or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

MOBILE HOME

The same meaning as "manufactured home."

NEW CONSTRUCTION

Structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by the community and includes any subsequent improvements to such structure.

PRINCIPALLY ABOVEGROUND

That at least 51% of the actual cash value of the structure, excluding land value, is above ground.

RECREATIONAL VEHICLE

A vehicle which is:

- A. Built on a single chassis;
- B. Four hundred square feet or less when measured at the largest horizontal projections;
- C. Designed to be self-propelled or permanently towable by a light-duty truck; and
- D. Not designed primarily for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height as determined by the Federal Emergency Management Agency in a Flood Insurance Study or by other agencies as provided in § 31-13B of this chapter.

START OF CONSTRUCTION

The date of permit issuance for new construction and substantial improvements to existing structures, provided that actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Permanent construction does not include land preparation (such as clearing, excavation, grading, or filling), or the installation of streets or walkways, or excavation for a basement, footings, piers or foundations, or the erection of temporary forms, or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE

A walled and roofed building, including a gas or liquid storage tank that is principally aboveground, as well as a manufactured home.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. The term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the Code Enforcement Officer and which are the minimum necessary to assure safe living conditions; or
- B. Any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

VARIANCE

A grant of relief from the requirements of this chapter which permits construction or use in a manner that would otherwise be prohibited by this chapter.

VIOLATION

The failure of a structure or other development to be fully compliant with the Village's floodplain management regulations.

§ 31-5. Applicability.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the Village of Williamsville.

§ 31-6. Basis for establishing areas of special flood hazard.

- A. The areas of special flood hazard are identified and defined on the following documents prepared by the Federal Emergency Management Agency:
 - (1) Flood Insurance Rate Maps: 36029C0209H, 36029C0226H, 36029C0228H; the effective date of which is June 7, 2019, and any subsequent revisions to these map panels that do not affect areas under our community's jurisdiction.
 - (2) A scientific and engineering report entitled "Flood Insurance Study, Erie County, New York (All Jurisdictions)," dated June 7, 2019.
- B. The above documents are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and/or maps are on file at the Village of Williamsville Building Department.

§ 31-7. Interpretation and conflict with other laws.

- A. This chapter includes all revisions to the National Flood Insurance Program through October 27, 1997, and shall supersede all previous laws adopted for the purpose of flood damage prevention.
- B. In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

§ 31-8. Severability.

The invalidity of any section or provision of this chapter shall not invalidate any other section or provision thereof.

§ 31-9. Penalties for noncompliance.

No structure in an area of special flood hazard shall hereafter be constructed, located, extended, converted, or altered and no land shall be excavated or filled without full compliance with the terms of this chapter and any other applicable regulations. Any infraction of the provisions of this chapter by failure to comply with any of its requirements, including infractions of conditions and safeguards established in connection with conditions of the permit, shall constitute a violation. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined no more than \$250 or imprisoned for not more than 15 days or both. Each day of noncompliance shall be considered a separate offense. Nothing herein contained shall prevent the Village of Williamsville from taking such other lawful action as necessary to prevent or remedy an infraction. Any structure found not compliant with the requirements of this chapter for which the developer and/or owner has not applied for and received an approved variance under § 31-20 will be declared noncompliant and notification sent to the Federal Emergency Management Agency.

§ 31-10. Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the Village of Williamsville, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

§ 31-11. Designation of local administrator.

The Code Enforcement Enforcer of the Village of Williamsville, or such other individual as designated by the Village Board of Trustees, is hereby appointed local administrator to administer and implement this chapter by granting or denying floodplain development permits in accordance with its provisions.

§ 31-12. Floodplain development permits; fees.

- A. Purpose. A floodplain development permit is hereby established for all construction and other development to be undertaken in areas of special flood hazard in the Village of Williamsville for the purpose of protecting its citizens from increased flood hazards and insuring that new development is constructed in a manner that minimizes its exposure to flooding. It shall be unlawful to undertake any development in an area of special flood hazard, as shown on the Flood Insurance Rate Map enumerated in § **31-6**, without a valid floodplain development permit. Application for a permit shall be made on forms furnished by the local administrator and may include, but not be limited to, plans, in duplicate, drawn to scale and showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing.
- B. Fees. All applications for a floodplain development permit shall be accompanied by an application fee in an amount established from time to time by resolution of the Board of Trustees. In addition, the applicant shall be responsible for reimbursing the Village for any additional costs necessary for review, inspection and approval of this project. The local administrator may require a deposit of no more than \$500 to cover these additional costs.
- C. Application for a permit. The applicant shall provide the following information as appropriate. Additional information may be required on the permit application form.
 - (1) The proposed elevation, in relation to mean sea level, of the lowest floor (including basement or cellar) of any new or substantially improved structure to be located in Zones A1-A30, AE or AH, or Zone A if base flood elevation data are available. Upon completion of the lowest floor, the permittee shall submit to the local administrator the as-built elevation, certified by a licensed professional engineer or surveyor.
 - (2) The proposed elevation, in relation to mean sea level, to which any new or substantially improved nonresidential structure will be floodproofed. Upon completion of the floodproofed portion of the structure, the permittee shall submit to the local administrator the as-built floodproofed elevation, certified by a professional engineer or surveyor.
 - (3) A certificate from a licensed professional engineer or architect that any utility floodproofing will meet the criteria in § **31-15C**, Utilities.
 - (4) A certificate from a licensed professional engineer or architect that any nonresidential floodproofed structure will meet the floodproofing criteria in § **31-17**, Nonresidential structures.

- (5) A description of the extent to which any watercourse will be altered or relocated as a result of proposed development. Computations by a licensed professional engineer must be submitted that demonstrate that the altered or relocated segment will provide equal or greater conveyance than the original stream segment. The applicant must submit any maps, computations or other material required by the Federal Emergency Management Agency (FEMA) to revise the documents enumerated in § 31-6, when notified by the local administrator, and must pay any fees or other costs assessed by FEMA for this purpose. The applicant must also provide assurances that the conveyance capacity of the altered or relocated stream segment will be maintained.
- (6) A technical analysis, prepared by a licensed professional engineer, if required by the local administrator, which shows whether proposed development to be located in an area of special flood hazard may result in physical damage to any other property.
- (7) In Zone A, when no base flood elevation data are available from other sources, base flood elevation data shall be provided by the permit applicant for subdivision proposals and other proposed developments (including proposals for manufactured home and recreational vehicle parks and subdivisions) that are greater than either 50 lots or five acres.

§ 31-13. Duties and responsibilities of local administrator.

Duties of the local administrator shall include, but not be limited to the following.

- A. Permit application review. The local administrator shall conduct the following permit application review before issuing a floodplain development permit:
 - (1) Review all applications for completeness, particularly with the requirements of § 31-12C, Application for a permit, and for compliance with the provisions and standards of this chapter.
 - (2) Review subdivision and other proposed new development, including manufactured home parks, to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in an area of special flood hazard, all new construction and substantial improvements shall meet the applicable standards of § 31-14, General construction standards, and, in particular, § 31-14A, Subdivision proposals.
 - (3) Determine whether any proposed development in an area of special flood hazard may result in physical damage to any other property (e.g., stream bank erosion and increased flood velocities). The local administrator may require the applicant to submit additional technical analyses and data necessary to complete the determination. If the proposed development may result in physical damage to any other property or fails to meet the requirements of § 31-14, General construction standards, no permit shall be issued. The applicant may revise the application to include measures that mitigate or eliminate the adverse effects and resubmit the application.
 - (4) Determine that all necessary permits have been received from those governmental agencies from which approval is required by state or federal law.

B. Use of other flood data.

- (1) When the Federal Emergency Management Agency has designated areas of special flood hazard on the Village's Flood Insurance Rate Map (FIRM) but has neither produced water surface elevation data (these areas are designated Zone A or V on the FIRM) nor identified a floodway, the local administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, including data developed pursuant to § **31-12C(7)**, as criteria for requiring that new construction, substantial improvements or other proposed development meet the requirements of this chapter.
- (2) When base flood elevation data are not available, the local administrator may use flood information from any other authoritative source, such as historical data, to establish flood elevations within the areas of special flood hazard, for the purposes of this chapter.
- (3) When an area of special flood hazard, base flood elevation, and/or floodway data are available from a federal, state or other authoritative source, but differ from the data in the documents enumerated in § **31-6**, the local administrator may reasonably utilize the other flood information to enforce more restrictive development standards.

C. Alteration of watercourses.

- (1) Notification to adjacent municipalities that may be affected and the New York State Department of Environmental Conservation prior to permitting any alteration or relocation of a watercourse and submit evidence of such notification to the Regional Administrator, Region II, Federal Emergency Management Agency.
- (2) Determine that the permit holder has provided for maintenance within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.

D. Construction stage.

- (1) In Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, upon placement of the lowest floor or completion of floodproofing of a new or substantially improved structure, obtain from the permit holder a certification of the as-built elevation of the lowest floor or floodproofed elevation, in relation to mean sea level. The certificate shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. For manufactured homes, the permit holder shall submit the certificate of elevation upon placement of the structure on the site. A certificate of elevation must also be submitted for a recreational vehicle if it remains on a site for 180 consecutive days or longer (unless it is fully licensed and ready for highway use).
- (2) Any further work undertaken prior to submission and approval of the certification shall be at the permit holder's risk. The local administrator shall review all data submitted. Deficiencies detected shall be cause to issue a stop-work order for the project unless immediately corrected.

E. Inspections. The local administrator and/or the applicant's engineer or architect shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions and enable said inspector to certify,

if requested, that the development is in compliance with the requirements of the floodplain development permit and/or any variance provisions.

F. Stop-work orders.

- (1) The local administrator shall issue, or cause to be issued, a stop-work order for any floodplain development found ongoing without a development permit. Disregard of a stop-work order shall subject the violator to the penalties described in § **31-9** of this chapter.
- (2) The local administrator shall issue, or cause to be issued, a stop-work order for any floodplain development found noncompliant with the provisions of this chapter and/or the conditions of the development permit. Disregard of a stop-work order shall subject the violator to the penalties described in § **31-9** of this chapter.

G. Certificate of compliance.

- (1) In areas of special flood hazard, as determined by documents enumerated in § **31-6**, it shall be unlawful to occupy or to permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure until a certificate of compliance has been issued by the local administrator stating that the building or land conforms to the requirements of this chapter.
- (2) A certificate of compliance shall be issued by the local administrator upon satisfactory completion of all development in areas of special flood hazard.
- (3) Issuance of the certificate shall be based upon the inspections conducted as prescribed in § **31-13E**, Inspections, and/or any certified elevations, hydraulic data, floodproofing, anchoring requirements or encroachment analyses which may have been required as a condition of the approved permit.

H. Information to be retained. The local administrator shall retain, and make available for inspection, copies of the following:

- (1) Floodplain development permits and certificates of compliance;
- (2) Certifications of as-built lowest floor elevations of structures required pursuant to § **31-13D(1)** and **(2)**, and whether or not the structures contain a basement;
- (3) Floodproofing certificates required pursuant to § **31-13D(1)**, and whether the structures contain a basement;
- (4) Variances issued pursuant to § **31-20**; and
- (5) Notices required under § **31-13C**, Alteration of watercourses.

§ 31-14. General construction standards.

The following standards apply to new development, including new and substantially improved structures, in the areas of special flood hazard shown on the Flood Insurance Rate Map designated in § **31-6**.

- A. Subdivision proposals. The following standards apply to all new subdivision proposals and other proposed development in areas of special flood hazard (including proposals for manufactured home and recreational vehicle parks and subdivisions):
- (1) Proposals shall be consistent with the need to minimize flood damage;
 - (2) Public utilities and facilities such as sewer, gas, electrical and water systems shall be located and constructed to minimize flood damage; and
 - (3) Adequate drainage shall be provided to reduce exposure to flood damage.
- B. Encroachments.
- (1) Within Zones A1-A30 and AE, on streams without a regulatory floodway, no new construction, substantial improvements or other development (including fill) shall be permitted unless:
 - (a) The applicant demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any location; or
 - (b) The Village of Williamsville applies to the Federal Emergency Management Agency (FEMA) for a conditional FIRM revision, FEMA approval is received and the applicant provides all necessary data, analyses and mapping and reimburses the Village of Williamsville for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the Village of Williamsville for all costs related to the final map revision.
 - (2) On streams with a regulatory floodway, as shown on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map adopted in § 31-6, no new construction, substantial improvements or other development in the floodway (including fill) shall be permitted unless:
 - (a) A technical evaluation by a licensed professional engineer demonstrates through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that such an encroachment shall not result in any increase in flood levels during occurrence of the base flood; or
 - (b) The Village of Williamsville applies to the Federal Emergency Management Agency (FEMA) for a conditional FIRM and floodway revision, FEMA approval is received, and the applicant provides all necessary data, analyses and mapping and reimburses the Village of Williamsville for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the Village of Williamsville for all costs related to the final map revisions.
 - (3) In Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, if any development is found to increase or decrease base flood elevations, the Village of Williamsville shall as soon as practicable, but not later than six months after the date such information becomes available, notify FEMA and the New York State Department of Environmental Conservation of the changes by submitting technical or scientific data in accordance with standard engineering practice.

§ 31-15. Standards for all structures.

The following standards apply to new development, including new and substantially improved structures, in the areas of special flood hazard shown on the Flood Insurance Rate Map designated in § 31-6.

- A. Anchoring. New structures and substantial improvement to structures in areas of special flood hazard shall be anchored to prevent flotation, collapse, or lateral movement during the base flood. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
- B. Construction materials and methods.
 - (1) New construction and substantial improvements to structures shall be constructed with materials and utility equipment resistant to flood damage.
 - (2) New construction and substantial improvements to structures shall be constructed using methods and practices that minimize flood damage.
 - (3) Enclosed areas below lowest floor.
 - (a) For enclosed areas below the lowest floor of a structure within Zones A1-A30, AE, AO or A, new and substantially improved structures shall have fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a licensed professional engineer or architect or meet or exceed the following minimum criteria:
 - [1] A minimum of two openings of each enclosed area having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - [2] The bottom of all such openings no higher than one foot above the lowest adjacent finished grade; and
 - [3] Openings not less than three inches in any direction.
 - (b) Openings may be equipped with louvers, valves, screens or other coverings or devices provided they permit the automatic entry and exit of floodwaters. Enclosed areas subgrade on all sides are considered basements and are not permitted.
- C. Utilities.
 - (1) New and replacement electrical equipment, heating, ventilating, air conditioning, plumbing connections, and other service equipment shall be located at least two feet above the base flood elevation, or at least three feet above the highest adjacent grade in a Zone A without an available base flood elevation, or be designed to prevent water from entering and accumulating within the components during a flood and to resist hydrostatic and hydrodynamic loads and stresses.

Electrical wiring and outlets, switches, junction boxes and panels shall be elevated or designed to prevent water from entering and accumulating within the components unless they conform to the appropriate provisions of the electrical part of the Building Code of New York State or the Residential Code of New York State for location of such items in wet locations;

- (2) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (3) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters. Sanitary sewer and storm drainage systems for buildings that have openings below the base flood elevation shall be provided with automatic backflow valves or other automatic backflow devices that are installed in each discharge line passing through a building's exterior wall; and
- (4) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

D. Storage tanks.

- (1) Underground tanks shall be anchored to prevent flotation, collapse and lateral movement during conditions of the base flood.
- (2) Aboveground tanks shall be:
 - (a) Anchored to prevent flotation, collapse or lateral movement during conditions of the base flood; or
 - (b) Installed at or above the base flood elevation as shown on the Flood Insurance Rate Map enumerated in § **31-6** plus two feet.

§ 31-16. Residential structures; elevation.

The following standards apply to new and substantially improved residential structures located in areas of special flood hazard, in addition to the requirements in §§ **31-14A**, Subdivision Proposals, 31-14B, Encroachments, and 31-15, Standards for all structures.

- A. Within Zones A1-A30, AE and AH and also Zone A if base flood elevation data are available, new construction and substantial improvements shall have the lowest floor (including basement) elevated to or above two feet above the base flood elevation.
- B. Within Zone A, when no base flood elevation data are available, new construction and substantial improvements shall have the lowest floor (including basement) elevated at least three feet above the highest adjacent grade.
- C. Within Zone AO, new construction and substantial improvements shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's Flood Insurance Rate Map enumerated in § **31-6** plus two feet (at least three feet if no depth number is specified).
- D. Within Zones AH and AO, adequate drainage paths are required to guide floodwaters around and away from proposed structures on slopes.

§ 31-17. Nonresidential structures.

The following standards apply to new and substantially improved commercial, industrial and other nonresidential structures located in areas of special flood hazard, in addition to the requirements in §§ **31-14A**, Subdivision proposals, 31-14B, Encroachments, and 31-15, Standards for all structures.

- A. Within Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, new construction and substantial improvements of any nonresidential structure shall either:
 - (1) Have the lowest floor, including basement or cellar, elevated to or above two feet above the base flood elevation; or
 - (2) Be floodproofed so that the structure is watertight below two feet above the base flood elevation, including attendant utility and sanitary facilities, with walls substantially impermeable to the passage of water. All structural components located below the base flood level must be capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
- B. Within Zone AO, new construction and substantial improvements of nonresidential structures shall:
 - (1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM plus two feet (at least three feet if no depth number is specified); or
 - (2) Together with attendant utility and sanitary facilities, be completely floodproofed to that level to meet the floodproofing standard specified in § **31-17A(2)**.
- C. If the structure is to be floodproofed, a licensed professional engineer or architect shall develop and/or review structural design, specifications, and plans for construction. A floodproofing certificate or other certification shall be provided to the local administrator that certifies the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of § **31-17A(2)**, including the specific elevation (in relation to mean sea level) to which the structure is to be floodproofed.
- D. Within Zones A1-1 and AO, adequate drainage paths are required to guide floodwaters around and away from proposed structures on slopes.
- E. Within Zone A, when no base flood elevation data are available, the lowest floor (including basement) shall be elevated at least three feet above the highest adjacent grade.

§ 31-18. Manufactured homes and recreational vehicles.

The following standards in addition to the standards in §§ **31-14**, General standards, and 31-15, Standards for all structures, apply, as indicated, in areas of special flood hazard to manufactured homes and to recreational vehicles which are located in areas of special flood hazard.

- A. Recreational vehicles.

- (1) Recreational vehicles placed on sites within Zones A1-A30, AE and AH shall either:
 - (a) Be on site fewer than 180 consecutive days;
 - (b) Be fully licensed and ready for highway use; or
 - (c) Meet the requirements for manufactured homes in § **31-18B, C and D**.
 - (2) A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
- B. A manufactured home that is placed or substantially improved in Zones A1-A30, AE and AH shall be elevated on a permanent foundation such that the bottom of the frame of the manufactured home chassis is elevated to or above two feet above the base flood elevation and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- C. Within Zone A, when no base flood elevation data are available, new and substantially improved manufactured homes shall be elevated such that the bottom of the frame of the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and are securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement.
- D. Within Zone AO, the bottom of the frame of the manufactured home chassis shall be elevated above the highest adjacent grade at least as high as the depth number specified on the Flood Insurance Rate Map enumerated in § **31-6** plus two feet (at least three feet if no depth number is specified).

§ 31-19. Accessory structures including detached garages.

The following standards apply to new and substantially improved accessory structures, including detached garages, in the areas of special flood hazard shown on the Flood Insurance Rate Map designated in § **31-6**.

- A. Within Zones A1-A30, AE, AO, AH, A, accessory structures must meet the standards of § **31-15A**, Anchoring,
- B. Within Zones A1-A30, AE and AH, and also Zone A if base flood elevation data are available, areas below two feet above the base flood elevation shall be constructed using methods and practices that minimize flood damage.
- C. Within Zones AO and Zone A, if base flood elevation data are not available, areas below three feet above the highest adjacent grade shall be constructed using methods and practices that minimize flood damage.
- D. Structures must be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters in accordance with § **31-15B(3)**.
- E. Utilities must meet the requirements of § **31-15C**, Utilities.

§ 31-20. Appeals Board; variance procedure.

- A. The Zoning Board of Appeals as established by the Village of Williamsville shall hear and decide appeals and requests for variances from the requirements of this chapter.
- B. The Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the local administrator in the enforcement or administration of this chapter.
- C. Those aggrieved by the decision of the Zoning Board of Appeals may appeal such decision to the Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.
- D. In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter and:
 - (1) The danger that materials may be swept onto other lands to the injury of others;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) The importance of the services provided by the proposed facility to the community;
 - (5) The necessity to the facility of a waterfront location, where applicable;
 - (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (7) The compatibility of the proposed use with existing and anticipated development;
 - (8) The relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - (9) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (10) The costs to local governments and the dangers associated with conducting search and rescue operations during periods of flooding;
 - (11) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (12) The costs of providing governmental services during and after flood conditions, including search and rescue operations, maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.

- E. Upon consideration of the factors of § **31-20D** and the purposes of this chapter, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.
- F. The local administrator shall maintain the records of all appeal actions including technical information and report any variances to the Federal Emergency Management Agency upon request.
- G. Conditions for variances.
 - (1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in § **31-20D(1)** to **(12)** have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
 - (2) Variances may be issued for the repair or rehabilitation of historic structures upon determination that:
 - (a) The proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure; and
 - (b) The variance is the minimum necessary to preserve the historic character and design of the structure.
 - (3) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
 - (a) The criteria of § **31-20G(1)**, **(4)**, **(5)** and **(6)** are met; and
 - (b) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threat to public safety.
 - (4) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
 - (5) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (6) Variances shall only be issued upon receiving written justification of:
 - (a) A showing of good and sufficient cause;
 - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

(7) Notice.

- (a) Any applicant to whom a variance is granted for a building with the lowest floor below the base flood elevation shall be given written notice over the signature of a community official that:
 - [1] The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
 - [2] Such construction below the base flood level increases risks to life and property.
- (b) Such notification shall be maintained with the record of all variance actions as required in § **31-13H** of this chapter.

CHAPTER 47. HISTORIC PRESERVATION

Village of Williamsville, NY
Thursday, June 27, 2019

Chapter 47. Historic Preservation

[HISTORY: Adopted by the Board of Trustees of the Village of Williamsville 6-10-1996 as L.L. No. 3-1996.^[1] Amendments noted where applicable.]

GENERAL REFERENCES

Zoning — See Ch. 112.

- [1] *Editor's Note: This local law superseded former Ch. 47, Historic Preservation, as amended, adopted 5-9-1983 as L.L. No. 4-1983.*

§ 47-1. Purpose.

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts is necessary to promote the economic, cultural, educational and general welfare of the public. Inasmuch as the identity of a people is founded in its past and inasmuch as Williamsville has many significant historic, architectural and cultural resources which constitutes its heritage, this act is intended to:

- A. Protect and enhance the landmarks and historic districts which represent distinctive elements of Williamsville's historic, architectural and cultural heritage.
- B. Foster civic pride in the accomplishments of the past.
- C. Protect and enhance Williamsville's attractiveness to visitors and support and stimulate the village's economy.
- D. Ensure the harmonious, orderly and efficient growth and development of the village.

§ 47-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADAPTIVE REUSE

Conversion of a building originally designed for a certain purpose to a different purpose.

ALTER

To change one (1) or more exterior architectural features of a landmark, an improvement on a landmark site or a structure within a historic district.

BUILDING

Any structure or part thereof having a roof supported by columns or walls for the shelter or enclosure of persons or property.

BUILDING INSPECTOR

The Inspector of Building of the Village of Williamsville.

CERTIFICATE OF APPROPRIATENESS

A certificate issued by the Preservation Commission approving plans for alteration, construction, removal or demolition of a landmark, an improvement to a landmark site or a structure within a historic district.

CONSTRUCTION

Building an addition or making an alteration to an existing structure or building a new principle or accessory structure.

DEMOLITION

Destruction of a building, structure or improvement.

EXTERIOR

Architectural style, design, general arrangement and components of the outer surfaces of an improvement, building or structure as distinguished from the interior surfaces, including but not limited to the kind and texture of building material and the type and style of windows, doors, signs and other such exterior fixtures.

FACADE

The exterior of a building or structure that can be viewed.

HISTORIC DISTRICT

A geographically definable area so designated pursuant to this Code.

IMPROVEMENT

Any building, structure, place, parking facility, fence, gate, wall, work of art or other object constituting a physical betterment or any part thereof.

LANDMARK

Property, object, structure or natural feature or any part thereof so designated pursuant to this Code.

LANDMARK SITE

A significant historical or cultural site(s) where buildings or structures no longer exist so designated pursuant to this Code.

OWNER

A person, firm or corporation which owns the fee of property or a lessor state therein, a mortgagee or vendee in possession, a receiver, an administrator, an executor, a trustee, or any other person, firm or corporation in control of property.

PRESERVATION

Retention of essential character of an improvement, object, building, natural feature or structure as embodied in its existing form, integrity and material. This term includes the retention of trees, landscaping and vegetative cover of a site. This term may include temporary stabilization work as well as on-going maintenance of historic building materials.

PRESERVATION COMMISSION or COMMISSION

The Historic Preservation Commission for the Village of Williamsville established in this chapter.

PROPERTY

Land and improvements thereon.

RECONSTRUCTION

Reproduction of the exact form and detail of a vanished building, structure, improvement, or part thereof as it appeared at a specific time.

REHABILITATION

Repair or alteration that enables buildings, structures or improvements to be efficiently utilized while preserving those features of buildings, structures or improvements that are significant to their historic, architectural or cultural values.

RESTORATION

Recovery of the form and details of a building, structure or improvement and its site during a particular time.

SITE

A plot or parcel of land.

STRUCTURE

Anything constructed or erected which requires permanent or temporary location on the ground. This term shall include but not be limited to buildings, walls, fences, signs, billboards, lighting fixtures, screen enclosures and works of art.

VILLAGE

The Village of Williamsville, County of Erie, State of New York.

VILLAGE BOARD

The Village Board of the Village of Williamsville, Erie County, New York.

VILLAGE CLERK

Village of Williamsville Village Clerk.

§ 47-3. Historic Preservation Commission.

- A. There is hereby created a commission to be known as the "Village of Williamsville Historic Preservation Commission."
- B. The Commission shall consist of seven (7) members. Commission members shall serve a term of four (4) years with the exception of the initial term, in which four (4) members shall serve a term of four (4) years and three (3) members shall serve a term of two (2) years.
- C. Appointment of Commissioners shall be made by the Village Board.
- D. To the extent available, the Commission should consist of the following:
 - (1) At least one (1) shall be an architect.
 - (2) At least one (1) shall be a historian.
 - (3) At least one (1) shall be an individual from the business community.

- (4) At least one (1) shall be an archeologist.
- (5) At least one (1) member shall be from the Village of Williamsville Historical Society.
- (6) At least one member shall be from the Village of Williamsville Planning and Architectural Review Board.

[Added 3-25-2013 by L.L. No. 1-2013^[1]]

[1] *Editor's Note: This local law also provided for the renumbering of former Subsection D(6) as Subsection D(7).*

- (7) All members shall have demonstrated significant interest and commitment to the field of historic preservation.
- E. The Chairperson and the Vice Chairperson shall be elected by and from voting members of the Commission. The term of office shall be two (2) years. If the Chairperson or Vice Chairperson cannot fulfill their term of office, a Chairperson or Vice Chairperson shall be elected by and from the membership to fulfill the remainder of the term until the next regular election.
- F. If any commissioner resigns or otherwise cannot fulfill their term of office, the Village Board shall appoint an interim member to serve the remainder of the term.
- G. The Chairperson shall ensure that minutes of all Commission meetings are suitably recorded, prepared and distributed.
- H. The powers of the Commission shall include:
- (1) To recommend designation of historic landmarks, sites and districts to the Village Board for their consideration.
 - (2) To advise and recommend to the Village Board on matters of employment of staff and professional consultants as necessary to carry out the duties of the Commission.
 - (3) To promulgate rules and regulations as necessary for the conduct of its business.
 - (4) To adopt criteria for the identification of significant historic architectural and cultural landmarks and/or for the delineation of historic districts.
 - (5) To conduct surveys of significant historic, architectural and cultural landmarks within the village.
 - (6) To make recommendations to the Village Board on acceptance or donation of facade easements and development rights; the acquisition of facade easements and development rights or other interests in real property as necessary to carry out the purposes of this act.
 - (7) To increase public awareness of the value of historic, cultural and architectural preservation by developing and participating in education programs.
 - (8) To make recommendations to the Village Board concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the village.

- (9) To recommend acquisition of a landmark or structure by the village where its preservation is essential to the purposes of this act and where private preservation is not feasible.
- (10) To approve or disapprove applications for certificates of appropriateness, subject to review by the Building Inspector pursuant to this act.
- I. The Commission shall meet at least monthly if any business is pending. Meetings may be held at any time on the written request of any two (2) Commission members. The Commission must meet at least once quarterly.
- J. A quorum for the transaction of business shall consist of a majority of the Commission members, but not less than a majority of the full authorized membership may grant or deny a certificate of appropriateness.

§ 47-4. Designation of historical landmarks, historic sites and historic districts.

- A. The Commission may recommend designation of an individual property as a landmark, subject to Village Board approval, if it:
 - (1) Is associated with the lives of individuals or of people or of events significant in the national, state or local history.
 - (2) Embodies the distinctive characteristics of a type, a period or a method of construction.
 - (3) Represents the work of a master architect or designer or possesses high artistic values.
 - (4) Represents a significant or distinguished entity whose components may lack individual or special distinction.
 - (5) Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.
- B. The Commission may recommend designation of a property or a group of properties as a historic site, subject to Village Board approval, if it contains significant historical or cultural sites where buildings or structures no longer exist, such as a battlefield, cemetery or former transportation facility; or sites which may yield information important to area history or prehistory.
- C. The Commission may recommend designation of a group of properties as a historic district, subject to Village Board approval, if it:
 - (1) Contains properties which meet one (1) or more of the criteria for designation as a landmark;
 - (2) Is an area that represents several periods or styles of architecture typical of different areas of history;
 - (3)

Is an area that has several buildings of the same architectural period or style and thus constitutes unified architectural streetscape consistency or a significant community uniformity of style; or

(4) Is an area connected with significant events or cultural happenings or developments involving ethnic, religious groups or other groups of special historical interest; and

(5) By reason of possessing such qualities, it constitutes a distinct section of the Village of Williamsville.

D. The boundaries of each proposed historic district designated henceforth shall be specified in detail and shall be filed in writing in the Village Clerk's office for public inspection.

E. Notice of a proposed designation shall be sent by the Village Clerk thirty (30) days prior to a public hearing to the owner(s) of any property(ies) proposed for historic designation. The notice shall describe the property proposed for designation, summarize the proposed action and announce the date, time and location of the public hearing. A copy of the notice of proposed designation shall also be sent to the Village Board.

F. once the Historic Preservation Commission has issued notice of a proposed designation, no building permits shall be issued by the Building Commissioner, except for emergency repairs, until a final determination on the proposed designation has been reached. The Historic Preservation Commission shall provide a copy of any notice of proposed designation to the Building Commissioner.

G. Notice of proposed designation shall also be sent to the Village of Williamsville Highway Department, Village of Williamsville Planning Board, Town of Amherst Assessors Department and any other village department and/or county or state agency as appropriate. Each department/agency shall be given thirty (30) days from the date of transmission to provide comments on the proposed designation to the Historic Preservation Commission.

H. The Commission shall hold a public hearing prior to recommending designation of any landmark, historic site or historic district. The Commission, property owner and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark, or historic district. The record may also contain staff reports, public comments or other evidence offered outside of the hearing. A public hearing notice must be published by the Village Clerk in the village's designated official newspaper at least fifteen (15) days prior to the hearing date.

I. The Commission will recommend to the Village Board the designation of a historic landmark, site or district. The Village Board will also conduct a public hearing prior to acting on the recommendation.

J. The Commission shall file notice of each property designated as a landmark and of the boundaries of each designated historic district with the Erie County Clerk's office, the Village of Williamsville Clerk's office, the Village of Williamsville Building Department and the Town of Amherst Assessors Department.

K.

Minutes of any business conducted by the Historic Preservation Commission shall be placed on file in the Village of Williamsville Clerk's office.

§ 47-5. Certificates of appropriateness.

No person shall carry out any exterior alteration, restoration, reconstruction, excavation, grading, demolition, new construction or moving of a designated landmark or property within a historic district nor shall any person make any material change to such property, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements which affect the appearance or cohesiveness of the landmark or historic district without first obtaining a certificate of appropriateness from the Historic Preservation Commission.

§ 47-6. Criteria for approval of certificates of appropriateness.

- A. In passing upon an application for a certificate of appropriateness, the Historic Preservation Commission shall not consider changes to the interior of buildings.
- B. The Commission's decision shall be based upon the following principles:
 - (1) Features which contribute to the character of the historic landmark or district shall be retained with as little alteration as possible.
 - (2) Any alteration of existing features shall be compatible with its historic character as well as with the surrounding property.
 - (3) New construction shall be compatible with the property in which it is located and/or surrounding historic district.
- C. In applying the principle of compatibility, the Commission shall consider the following factors:
 - (1) The general design, character and appropriateness to the property of the proposed alteration or new construction.
 - (2) The scale of proposed alteration or new construction in relation to itself, surrounding properties and the neighborhood.
 - (3) Texture, materials and color and their relation to the property itself, surrounding properties and the neighborhood.
 - (4) Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape and the rhythm of spacing of properties on streets, including setback.
 - (5) The importance of historic, architectural or other features to the significance of the property.
- D. Notwithstanding any provision of the Code to the contrary, review by the Commission of any proposed work to a landmark that would otherwise be subject to architectural

review by the Planning/Architectural Review Board pursuant to § **112-23F** shall satisfy the requirements of architectural review, and such project shall not be subject to further architectural review by the Planning/Architectural Review Board with respect to that work.

[Added 10-15-2013 by L.L. No. 8-2013]

§ 47-7. Application for certificate of appropriateness.

A. Prior to the commencement of any work requiring a certificate of appropriateness the owner shall file an application for such certificate with the Historic Preservation Commission. The application shall contain:

- (1) Names, address and telephone number of the applicant.
- (2) Location and photographs of the property.
- (3) Elevation drawings of proposed changes, if available.
- (4) Perspective drawings, including relationship to adjacent properties, if available.
- (5) Samples of color and/or materials to be used.
- (6) Where the proposal includes signs or lettering, a scale drawing showing the type(s) of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination and a plan showing the sign's proposed location on the property.
- (7) Any other information which the Commission may deem necessary in order to visualize the proposed work.

B. No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Historic Preservation Commission. The Commission shall act to approve or deny a certificate of appropriateness within sixty-five (65) days of the date upon which a completed application is filed with the Historic Preservation Commission. If the application is not acted upon within sixty-five (65) days, the application shall be deemed approved. The applicant may request an extension of the decision deadline date if so desired. The certificate of appropriateness required by this act shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the Village of Williamsville.

§ 47-8. Hardship criteria.

A. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish that:

- (1) The property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible.
- (2) The property cannot be adapted for any other use permitted by the Village of Williamsville Zoning Ordinance^[1] which would result in a reasonable return.

[1] *Editor's Note: See Chapter 112, Zoning.*

- (3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
- B. An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that:
 - (1) The property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible.

§ 47-9. Hardship application procedure.

- A. After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship application process.
- B. The Commission shall hold a public hearing on the hardship application, at which time an opportunity will be provided for proponents and opponents of the application to present their views.
- C. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.
- D. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy shall be filed with both the Village Clerk's Office and with the Building Department. The Commission's decision shall state the reasons for granting or denying the hardship application.
- E. No building permit or demolition permit shall be issued while the hardship application is pending. The Commission shall make a determination on whether a hardship exists. Building and demolition permits shall be issued in accordance with that determination.

§ 47-10. Maintenance and repair required.

- A. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any architectural feature of a landmark or property within a historic district which does not involve a change in design, material, color or outward appearance.
- B. No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any architectural feature which would, in the judgment of the Historic Preservation Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself. Examples of such deterioration include:
 - (1) Deterioration of exterior walls or other vertical supports.
 - (2) Deterioration of roof or other horizontal members.
 - (3) Deterioration of exterior chimneys.
 - (4) Deterioration or crumbling of exterior stucco or mortar.

- (5) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.
- (6) Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for public safety.

§ 47-11. Administration and enforcement.

- A. Administration. The Building Inspector shall administer and enforce the provisions of this chapter. In connection with overseeing this responsibility, the Building Inspector shall provide a permit procedure coordinated with the established building permit procedure.
- B. Enforcement. All work performed pursuant to this chapter shall conform to any requirements included herein. It shall be the duty of the Building Inspector to inspect periodically any such work to assure compliance. In the event that work is found that is not being performed in accordance with the certificate of appropriateness, the Building Inspector shall issue a stop-work order and all work shall immediately cease. No further work shall be undertaken on the project as long as the stop-work order is in effect.
- C. The certificate of appropriateness shall be displayed on the building in a location conspicuously visible to the public while work pursuant to the certificate is being done.

§ 47-12. Penalties for offenses.

- A. Any person who violates any provision of this chapter or any regulation adopted hereunder is guilty of an offense punishable by a fine not exceeding two hundred fifty dollars (\$250.) or imprisonment for a period not to exceed fifteen (15) days, or both. Each week's continued violation shall constitute a separate violation.
- B. Failure to comply with any of the provisions of this chapter shall result in the termination of any permits issued or any proceedings commenced under provisions of this chapter.
- C. Any person(s) who demolishes, alters, constructs or permits a landmark to fall into a serious state of disrepair which results in a violation of this chapter shall be required to restore the property and its site to an appearance acceptable to the Historic Preservation Commission. Any action to enforce this subsection shall be brought by the Village Attorney upon authorization by the Village Board. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.
- D. The Village of Williamsville, the Williamsville Historic Preservation Commission, their agents, servants, employees and/or boards shall not grant, permit or license any applicant who, with the intent to avoid the requirements of this chapter, significantly adversely affects a designated historic property or, having the legal power to prevent it, allows significant adverse effect to occur, unless the Historic Preservation Commission and/or the Board of Trustees determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.

[Added 4-25-2005 by L.L. No. 2-2005]

§ 47-13. Appeals.

Any person aggrieved by a decision of the Historic Preservation Commission relating to designation, hardship or a certificate of appropriateness may, within thirty (30) days of the filing of the decision in the Village Clerk's office, file a written application with the Village Board for review of the decision. The Village Board shall schedule a public hearing on the matter without unnecessary delay. The appeal of the Commission's decision may be based only upon the record and criteria utilized by the Commission to render its decision. If new information becomes available subsequent to the Commission's decision, a new application must be submitted to the Commission. The Village Board's decision on the appeal shall be considered final.

§ 47-14. Conflict with other provisions.

Where this chapter imposes greater restrictions than are imposed by the provisions of any law, ordinance or regulation, the provisions of this chapter shall apply. Where greater restrictions are imposed by any law, ordinance or regulation, such greater restrictions shall apply.

§ 47-15. Compliance with provisions required.

No decision to carry out or approve an action subject to the provisions of this chapter shall be rendered by any department, board, commission, officer or employee of the village. This shall not prohibit environmental, engineering, economic feasibility or other studies, preliminary planning or budgetary processes nor the granting of an application relating only to technical specifications and requirements, but not authorizing commencement of action until full compliance with this chapter has been met.

§ 47-16. Jurisdiction.

This chapter shall apply to the entire corporate limits of the Village of Williamsville.

§ 47-17. Severability.

If any section, clause or provision of this chapter or the application thereof to any persons is adjudged invalid, the adjunction shall not effect other sections, clauses or provisions or the application thereof which can be sustained or given effect without the invalid section, clause or provision or application, and to this end the various sections, clauses or provisions of this chapter are declared to be severable.

§ 47-18. When effective.

This chapter shall take effect immediately.

CHAPTER 112, ZONING

Village of Williamsville, NY
Sunday, November 7, 2021

Chapter 112. Zoning

§ 112-13. R-2 Single-Family Residence District.

- A. Permitted uses. The following uses shall be permitted in an R-2 Single-Family Residence District:
- (1) Principal uses: as permitted and regulated in an R-1 District.
 - (2) Accessory uses: as permitted and regulated in an R-1 District.
- B. Prohibited uses: as regulated in an R-1 District.
- C. Lot and structural requirements. The following lot and structural requirements shall apply in an R-2 Single-Family Residence District:
- (1) Lots.
 - (a) Minimum lot area: 6,250 square feet.
 - (b) Street frontage: 60 feet minimum.
 - (c) Lot coverage: not to exceed 25% for a principal building or 35% for a principal building and accessory buildings and structures.
 - (2) Principal building.
 - (a) Minimum floor area.

Building Type	Square Feet
One-story	1,000
Two-story	1,250
 - (b) All setbacks and height: as permitted and regulated in an R-1 District.
 - (c) In no case shall a principal building or any addition thereto be located within 10 feet of any other building or structure unless the building or addition thereto is constructed with materials that will afford one hour of fire protection, in accordance with the New York State Uniform Building and Fire Safety Code.^[1] In no event, however, shall the distance between buildings and structures be less than eight feet.

[1] Editor's Note: See Ch. 28, Fire Prevention and Building Code Administration.
 - (3) Accessory buildings/structures: as permitted and regulated in an R-1 District.
 - (4) Required open area: as permitted and regulated in an R-1 District.
 - (5) Storage of firewood: as permitted and regulated in an R-1 District.
 - (6) Berms: as permitted and regulated in an R-1 District.

§ 112-14. R-3 Single-Family or Two-Family Residence District.

A. Permitted uses. The following uses shall be permitted in an R-3 Single-Family or Two-Family Residence District:

(1) Principal uses.

(a) As permitted and regulated in R-1 and R-2 Districts.

(b) One two-family dwelling.

(2) Accessory uses: as permitted and regulated in R-1 and R-2 Districts.

B. Prohibited uses: as regulated in R-1 and R-2 Districts.

C. Lot and structural requirements. The following lot and structural requirements shall apply in an R-3 Single-Family or Two-Family Residence District:

(1) Lots.

(a) Minimum lot area.

Building Type	Square Feet
One-family	6,250
Two-family	7,500

(b) Street frontage: 50 feet minimum.

(c) Lot coverage: not to exceed 25% for a principal building or 35% for a principal building and accessory buildings and structures.

(2) Principal building.

(a) Minimum floor area.

Building Type	Square Feet
One-story	800
Two-story	1,000

(b) Setbacks and height: as permitted and regulated in R-1 and R-2 Districts.

(c) In no case shall a principal building or any addition thereto be located within 10 feet of any other building or structure unless the building or structure is constructed with materials that will afford one hour of fire protection, in accordance with the New York State Uniform Building and Fire Safety Code.^[1] In no event, however, shall the distance between buildings and structures be less than eight feet.

^[1] *Editor's Note: See Ch. 28, Fire Prevention and Building Code Administration.*

(3) Accessory buildings/structures: as permitted and regulated in R-1 and R-2 Districts.

(4) Required open area: as permitted and regulated in R-1 and R-2 Districts.

(5) Storage of firewood: as permitted and regulated in R-1 and R-2 Districts.

(6) Berms: as permitted and regulated in R-1 and R-2 Districts.

§ 112-15. R-3M Multiple-Dwelling Residence District.

[Amended 5-26-2015 by L.L. No. 7-2015; 6-25-2018 by L.L. No. 10-2018]

The permitted uses and regulations governing the R-3M District are set forth in Attachment 1, "R-3M Multiple-Dwelling Residential District Design Standards," expressly incorporated herein.^[1]

[1] *Editor's Note: The R-3M Multiple Dwelling Residential District Design Standards are available in the Village offices or through the online version of the Code (eCode 360®).*

§ 112-16. MU Mixed Use District.

[Amended 5-26-2015 by L.L. No. 7-2015; 6-25-2018 by L.L. No. 10-2018]

The permitted uses and regulations governing the MU District are set forth in Attachment 2, "Mixed Use District Design Standards," expressly incorporated herein.^[1]

[1] *Editor's Note: The Mixed Use District Design Standards are available in the Village offices or through the online version of the Code (eCode 360®).*



VILLAGE OF WILLIAMSVILLE

R-3M MULTIPLE DWELLING RESIDENTIAL DISTRICT DESIGN STANDARDS

§ 112-15
(ATTACHMENT 1)



ADOPTED MAY 26, 2015

§ 112-15

R-3M MULTIPLE DWELLING RESIDENTIAL DISTRICT

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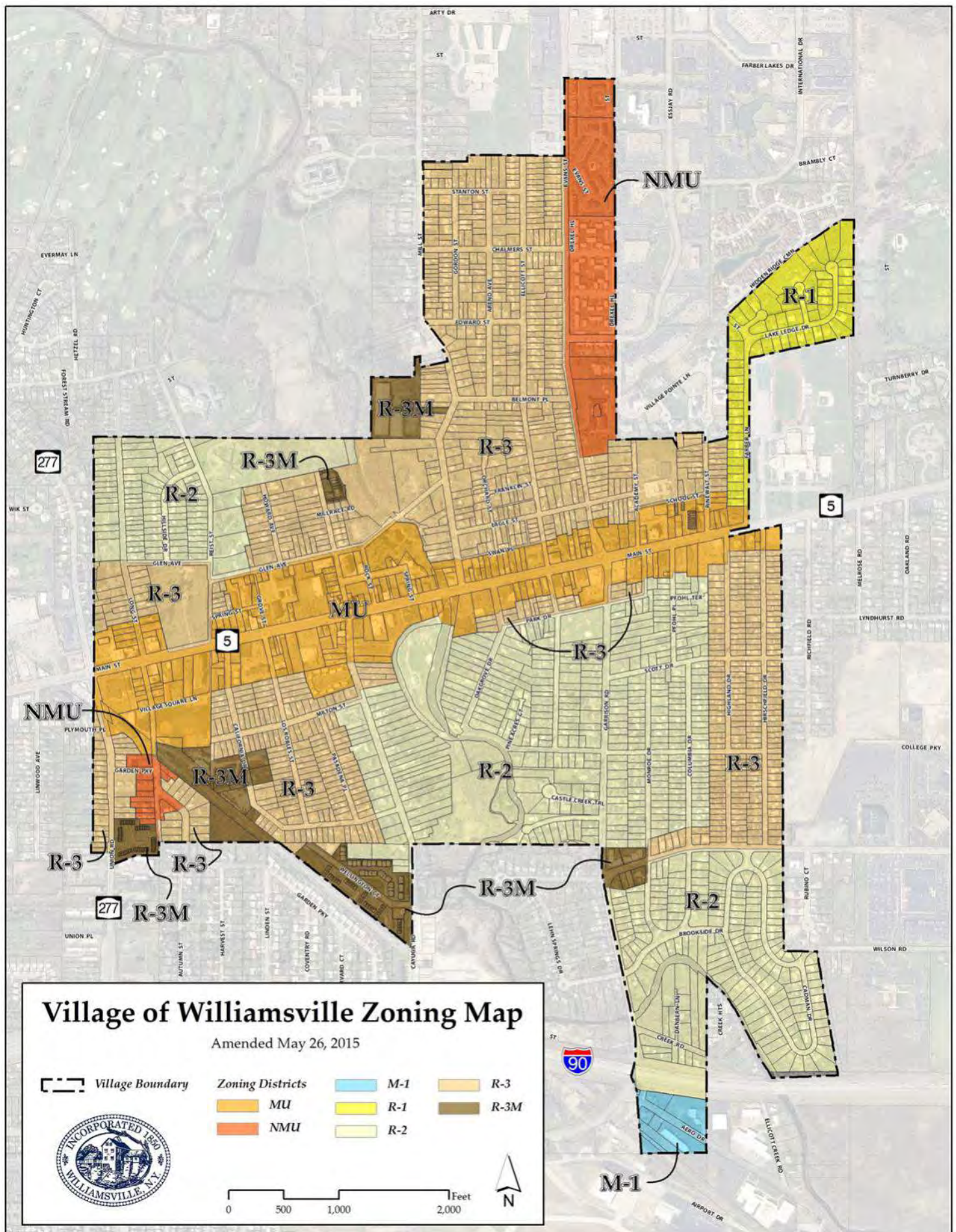
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§ 112-15A

INTRODUCTION

§ 112-15A(1) PURPOSE OF THE MULTIPLE DWELLING RESIDENTIAL DISTRICT

The Village of Williamsville's 2010 Community Plan recognizes the community's desire to maintain its historic character, provide for enhanced walkability, and support a vibrant economic and neighborhood environment. The traditional community character presented within the Village is of paramount importance to the provision of these elements.

A key component of this land use classification conveys the important role that well-designed, publicly open spaces play in creating and organizing high quality higher density residential neighborhoods. Such spaces, be they a park or simply a well designed Village street that invites the public to stroll its length, can ensure that higher density housing is sensitively kn ed to the larger fabric of the Village. R3-M class ed lands are s ered in six locations in the Village. The R3-M land use classi tion has been applied to provide maximum exibility for these properties given current trends in the "deinstitutionalization" of elder care.

These areas consist of both existing higher density residential areas and areas that have been identi ed as appropriate for higher density residential development in the future. The South Long Street neighborhood is utilized to convey the principles that should be adhered to with respect to higher density residential development in the Village. Principles established in the South Long Street focus area can also be applied to other areas of the Village where higher density housing is contemplated, or where existing higher density housing is redeveloped. A variety of housing types should be considered. Quality open spaces (both passive and active) and streets that are accessible to the public.

§ 112-15A(2) R-3M DISTRICT ESTABLISHED

The Village of Williamsville Multiple Dwelling Residential (R-M) District is hereby established as depicted on the Village's zoning map (see attached map on Page iii). The regulations described herein establish the desired development pattern, form, massing, density, site layout and architectural detailing for the R-3M District. Given the varied context of the surrounding neighborhoods, there is a need for clear standards that meet the goals and objectives of the community while allowing for flexibility and creativity. These regulations provide the necessary framework for high-quality development and flexible design alternatives.

§ 112-15A(3) CONFLICTS AND COMPLIANCE WITH OTHER REGULATIONS

Development must continue to maintain compliance with all applicable codes and regulations, including, but not limited to, the Building Code of New York State which shall supersede where conflicts exist with the R-3M District. These regulations shall supersede where conflicts exist with the remaining chapters of the Code of the Village of Williamsville.

§ 112-15A(4) APPLICABILITY, REVIEW, APPROVAL AND PERMIT PROCESS

The R-M District regulations shall apply in whole or in relevant part to all applications commenced from the date of adoption by the Village of Williamsville Board of Trustees.

- (a) These regulations shall apply to all proposed actions within the R-3M District which include one or more of the following activities:
- [1] New building construction;
 - [2] Installation of new curb cuts on any public street;
 - [3] An increase of the gross building square footage of the lesser of 30 percent or 500 square feet;
 - [4] A change or addition of façade materials and/or design greater than 200 square feet not including routine maintenance or re-painting existing façade materials (unless architectural review is otherwise triggered hereunder) (only §112-15F and §112-15G shall be applicable);
 - [5] Installation of new signage (only §112-15H shall be applicable);
 - [6] Any expansion, substantial modification or substantial reconstruction of parking lot or driveway footprint (only §112-15D shall be applicable);
 - [7] Changes to parking, loading and service arrangements or access management such as entry/exit, cross access, or circulation (only §112-15B and §112-15D shall be applicable);
 - [8] Installation of landscaping features (only §112-15E shall be applicable);
 - [9] Installation of above-grade utilities (only §112-15C(4) shall be applicable); and
- (b) Existing single-family structures within the R-3M District are not required to adhere to these Design Standards.
- (c) Operation of a home occupation within the R-3M district (see §112-15A(6)) shall conform to § 112-12A(2)(b).
- (d) The review and approval of applications under these Design Standards shall conform to § 112-23.

§ 112-15A(5) DESIGN OBJECTIVES

The design objectives presented below have been derived from the Village's Community Plan, and are included to assist with the interpretation and administration of the regulations described in § 112-17 B through I.

- (a) Cul-de-sacs are prohibited where connections between streets can be made, except where such connections cannot be reasonably made or do not serve the overall public good of the Village.
- (b) Housing should be provided in concert with well defined, functional public spaces (and should) clearly address the public realm.
- (c) New high density housing should be sensitively integrated into the fabric of the existing Village, rather than consisting of isolated and self contained pods surrounded by surface parking.
- (d) Parking facilities associated with higher density housing should be hidden behind or under buildings, and adjacent public streets should be available for on-street parking.
- (e) Transitions from existing lower density housing to higher density housing should be gradual.
- (f) Residential structures fronting along public streets should include "public" components that actively address the street and public realm such as porches.
- (g) Traditional parking and circulation techniques, such as alleyways, should be encouraged, to enable parking to be provided in the rear of residential structures.
- (h) New streets laid out in connection with higher density housing should blend with the character and scale of existing Village streets.
- (i) All new overhead utilities should be buried. When opportunities present themselves, existing overhead utilities should also be buried.

§ 112-15A(6)
LIST OF PERMITTED USES

The following is a listing of permitted uses for the R-M District in the Village of Williamsville.

(a) Permitted Uses.

- [1] Dwelling, Single-Family
- [2] Dwelling, Two-Family
- [3] Dwelling Unit, Accessory*
- [4] Dwelling, Multi-Family
- [5] Townhouse or Townhome

(b) Uses Requiring a Special Use Permit.

- [1] Home Occupation*
- [2] Private Parking Lot (as exclusive or primary use)

(c) Uses not listed as permitted in this district are prohibited.

(d) Uses not listed as permitted in this district, but in existence prior to the date of adoption of § 112-15 will be considered non-conforming uses subject to the regulations of § 112-10 of the Village of Williamsville Municipal Code.

**Not the principal use of the property*

§ 112-15A(7)

TABLE 1: SUMMARY OF BUILDING AND AREA REQUIREMENTS

Building or Area Requirement	Regulation	Reference Standard in § 112-15
Front Yard Building Setback	0 to 10 feet or the average of principal buildings within 200 feet.	B(2)(c)
Side Yard Building Setback	0 to 20 feet combined width without driveways; 40 feet maximum with side yard driveway. 0-10 when abutting open space or park land.	B(2)(h), B(2)(i)
Rear Yard Building Setback	20 to 40 feet minimum where lot abuts district boundary; 10 feet minimum where lot abuts open space or parkland.	B(2)(j), F(2)(h)
Parking/Driveway Setback	5 feet minimum side yards; 5 feet minimum rear yards.	D(2)(a)
On-Street Parking Requirement	1 per unit, plus 10% of the number of total units.	D(2)(f)
Building Height	3 usable stories, with an overall maximum height of 36 feet Or 4 usable stories with a maximum height of 40 feet (measured from the mid point of the roof ridge) if the upper story is built into the gable area/slope of the ridge and dormered.	F(2)(e)
Building Coverage	Maximum 10,000 gross square feet per story.	F(2)(b)

§ 112-15B

SITE PLANNING AND DESIGN

§ 112-15B(1) OVERVIEW

Site planning standards provide the organization of a project's components, such as building orientation, setbacks, circulation and the relationship of site elements (Figures 1-4). The location of buildings and site features and the organization of circulation patterns for vehicles and pedestrians are critical to the design and provision of a pedestrian-friendly atmosphere that is visually appealing, safe and convenient for all users. High quality site design along the street places structures appropriately to the street line and parking areas to the rear or interior, with a focus on creating a sense of place and an environment that fosters strong interaction between pedestrians, buildings and the street.



Site planning and design standards provide guidance on several topics related to the placement and orientation of buildings, entrances, parking, pedestrian connectivity and circulation patterns. When appropriately combined, these elements foster a vibrant and pedestrian-friendly environment, as reflected in Figures 1-4.

§ 112-15B(2) BUILDING ORIENTATION AND SETBACK

Buildings should preserve the street wall and define boundaries of public, semi-public, and private space.

(a) Buildings located on a primary street shall be oriented such that the façade facing the street be substantially parallel to said streets.

(b) *Not Used*

(c) Buildings on primary street shall have a front setback within a range of 0 feet and 10 feet from the right-of-way line or the average setback of existing principal structures on adjacent parcels within 200 feet, whichever is lesser. The Planning/Architectural Review Board may allow an additional 10-foot setback to permit the construction of dedicated public realm amenities or the construction of building overhangs (Figure 5).

(d) *Not Used*

(e) *Not Used*

(f) Buildings fronting on two or more streets shall be determined to have an equal number of primary façades unless said street is classified as an alleyway.

(g) Buildings on corner lots shall be setback from each street the minimum distance practical to

provide adequate sight distances for motorists and pedestrians as determined by NYS DOT highway standards.

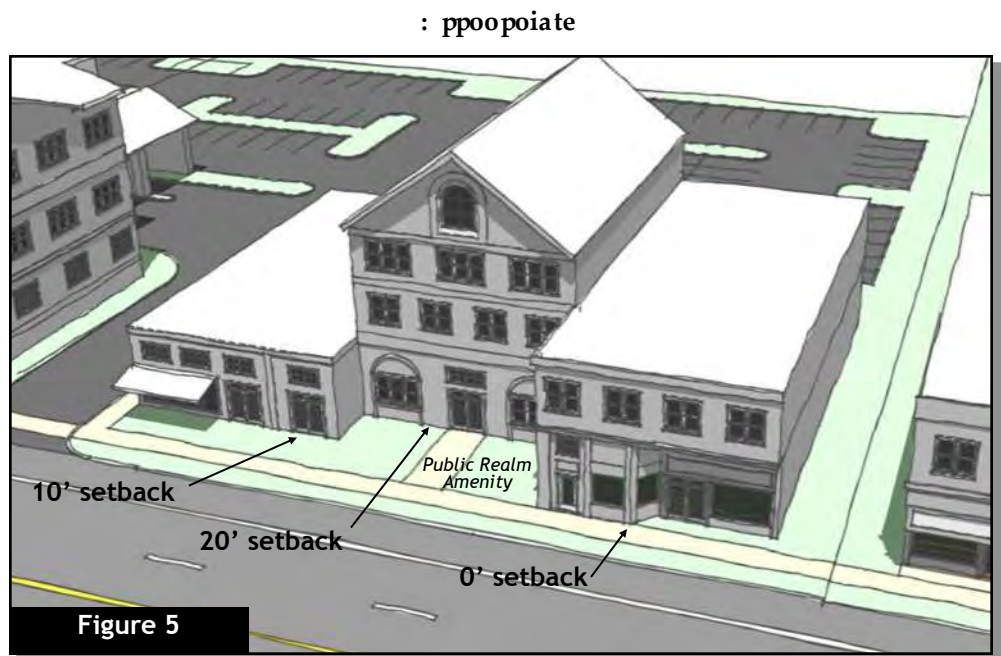
(h) Side yards with parking and driveways shall not be more than 40 feet of total width. See Section D(2)(b).

(i) Lots without driveways shall have a minimum side setback of 20 feet of combined width for both side yards.

(j) No principal building shall be placed less than 20 feet or more than 40 feet of any residential district boundary; except that such setback shall be not less than 10 feet of any open space

or parkland.

(k) Accessory structures shall not be greater than 18 feet in height and shall be set back from any property line abutting a residential district boundary a distance at least equal to the height of the structure.



As depicted in Figure 5, front yard setback distances may vary between 0 feet and 10 feet, which may be extended at the discretion of the Planning/Architectural Review Board to a maximum of 20 feet where pedestrian-focused amenities are to be located.

§ 112-15B(3) LOTS WITH MULTIPLE BUILDINGS

: ppoopoiate

Large development projects comprised of multiple structures shall create a unique sense of place

- (a) Lots with multiple buildings shall include pedestrian connections between adjacent uses, structures and parking areas (Figure 6).
- (b) Multiple buildings shall create a well organized, accessible and functional site. The site layouts should create a unique sense of place without large parking lots devoid of landscaping or pedestrian accommodations (Figure 7).
- (c) Common or shared parking facilities and access for projects with multiple buildings shall be required to the extent practical or feasible, as determined by the Planning/ Architectural Review Board, to decrease the amount of impervious surface, increase open space and reduce curb cuts onto Main Street.

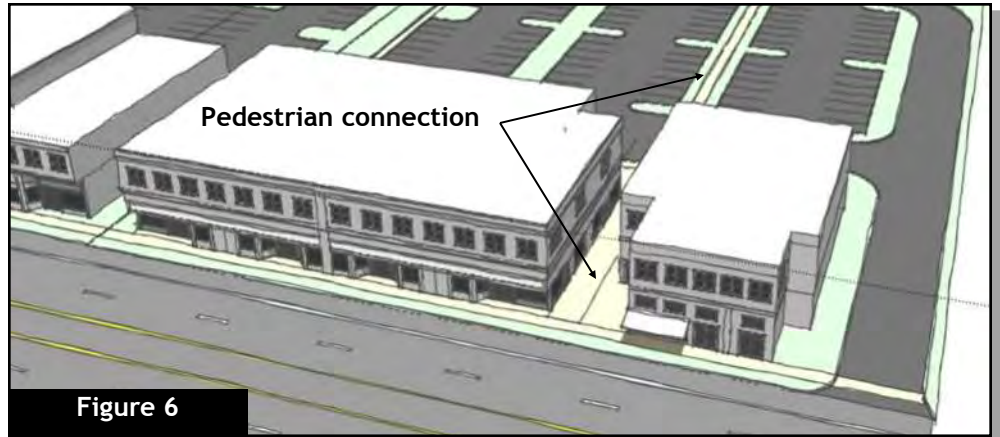


Figure 6 depicts a single, large property on which two structures are built, each sharing a parking area in the rear. This concept also provides a common pedestrian network and plaza space that connects each building entry with the common parking lot and the street.

: ppoopoiate

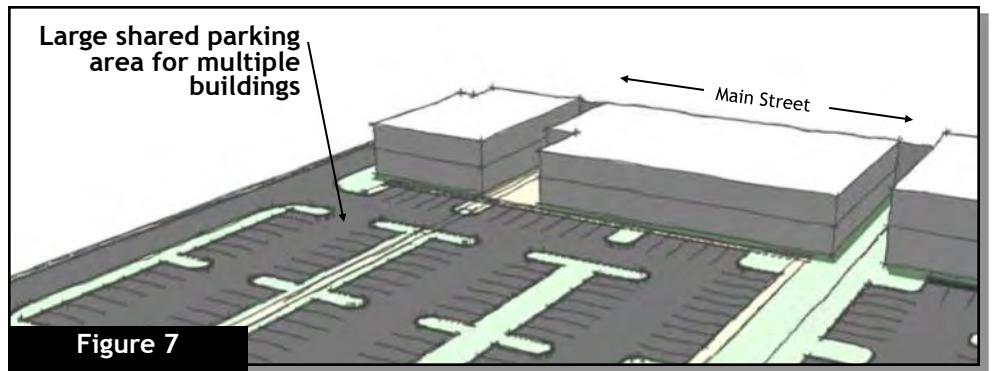


Figure 7 details a rear view of the shared parking complex as part of a larger development project with multiple buildings. The arrangement of the parking area and landscaping elements are covered in Sections D and E, respectively.

§ 112-15B(4) BUILDING ENTRY

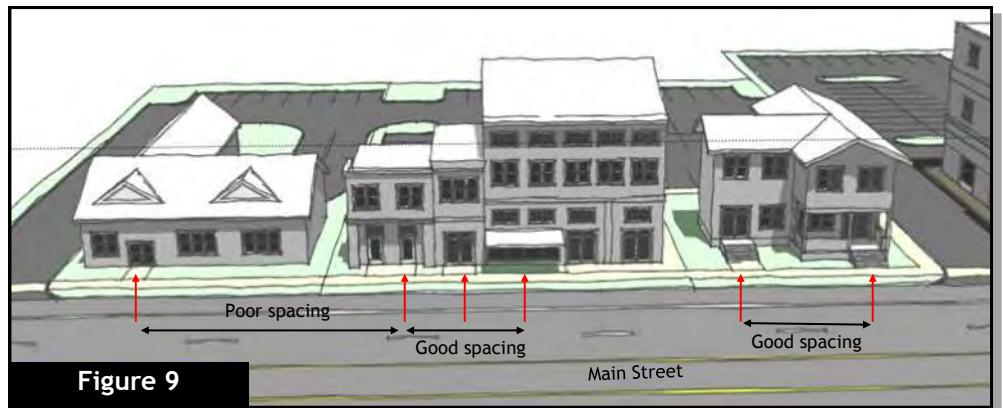
Buildings shall be accessible from Main Street.

- (a) A primary entrance shall face the primary street (see Figures 8 & 9). A side or rear entry shall also be permitted depending on the site layout.
- (b) The placement of building entrances shall be of a similar rhythm and spacing to existing structures on the same street (see Figure 9).
- (c) *Not Used*
- (d) Buildings fronting on 2 streets shall have a primary entry on either the primary street or at the corner facing the intersecting streets.
- (e) Primary entries shall receive design considerations, details, and treatments consistent with primary facades.
- (f) Primary entrances shall be prominently designed and constructed to provide visual cues to pedestrians independent of site or building signage (see Figure 8).

: ppoopoiate



Figure 8 depicts a primary entrance along the primary street that is well-defined and provides a clear visual cue to pedestrians on where to enter the structure.



The placement of entrances along the primary street (red arrows) are important to the development of streetscape rhythm, and provide a sense of scale and comfort to pedestrians as they traverse the corridor.

§ 112-15B(5) SIDEWALKS

Sidewalks shall provide safe pedestrian movement along buildings and within parking areas.

- (a) Sidewalks shall have a minimum width of 5 feet, 6 feet for communicating sidewalks, or wider at the discretion of the Planning Board.
- (b) Sidewalks shall be constructed to provide access from all principal building entrances to the sidewalk system and parking areas (Figures 10 & 11).
- (c) All sidewalks adjacent to streets, driveways and parking lots shall be curbed to separate pedestrians and vehicles.
- (d) As necessary, sidewalks shall traverse parking lot medians, end islands and between buildings to permit safe and efficient pedestrian travel (Figures 10 & 11).
- (e) Sidewalks abutting a public street shall be constructed of poured concrete. Other sidewalks may be constructed of poured concrete, brick, or concrete pavers. Asphalt sidewalks are not permitted.
- (f) An application subject to review under these Design Standards and approved hereunder need not obtain a separate sidewalk construction permit pursuant to § 89-4(D)(1).

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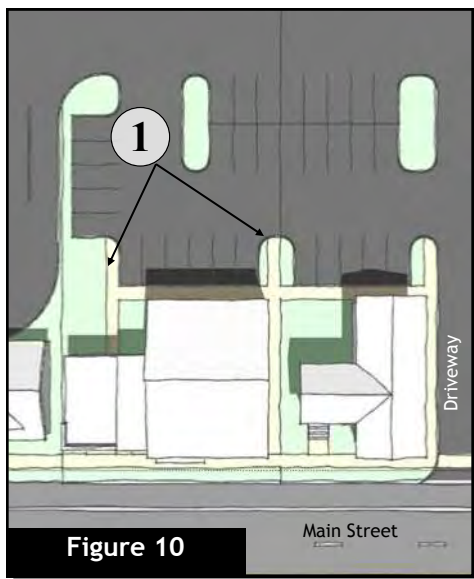


Figure 10

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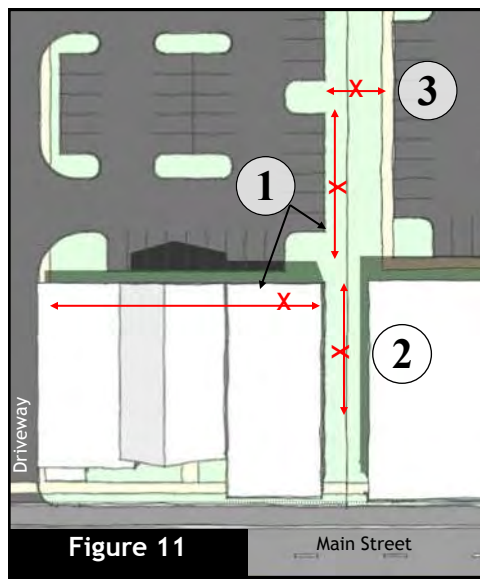


Figure 11

Sidewalks are critical infrastructure required to establish a sense of place and a pedestrian-friendly environment. Sidewalk connections between and alongside buildings (1) are required to make rear-loaded parking feasible.

This example depicts: (1) a lack of sidewalks from parking stalls to a primary entry; (2) a missed opportunity for a pedestrian connection to the street; and (3) a lack of connectivity between adjacent parking lots.

§ 112-15B(6) PEDESTRIAN AND VEHICULAR CIRCULATION

Pedestrians and motorists shall be afforded safe, convenient and efficient circulation.

- (a) Pedestrian and vehicular circulation patterns shall be designed to minimize potential conflicts between vehicles and pedestrians and to provide enhanced separation.
- (b) Safe, convenient and efficient pedestrian circulation patterns shall be provided between structures in a multiple structure development (see § 112-15B(3) and Figure 12).
- (c) Parking and vehicle circulation patterns shall be designed to reduce speeds and increase pedestrian safety, efficiency and convenience.

: ppoopoiate



Figure 12

Pedestrian zones and vehicular circulation patterns should be distinctly separated for safety.

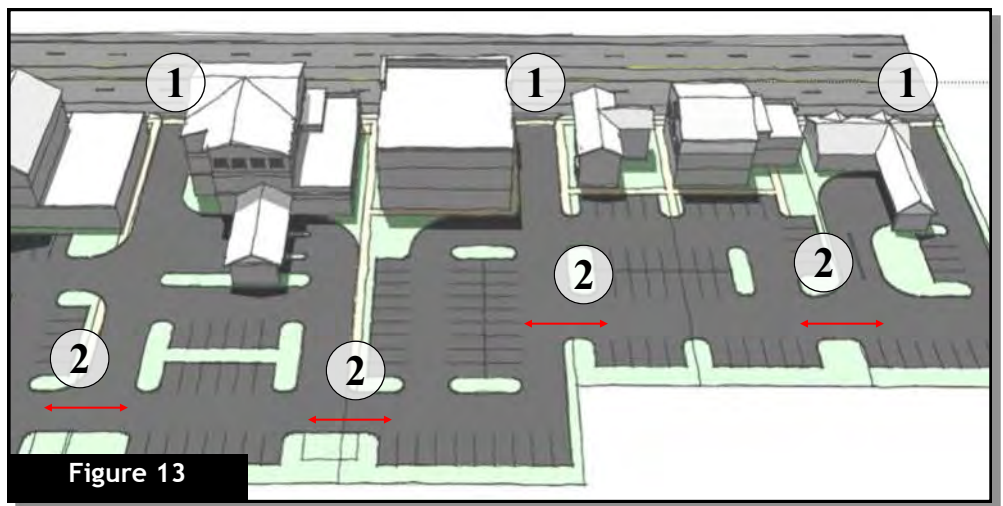
§ 112-15B(8) DRIVEWAYS AND ACCESS

The use of shared drives and cross access improves corridor vitality, mobility, and safety.

- (a) Shared entrances and exits shall be provided where determined appropriate and feasible by the Planning/Architectural Review Board.
- (b) Absent a showing by the applicant of impracticality, the provision for cross access among adjacent properties shall be required to internalize traffic and reduce turning movements directly onto street (Figures 13 & 14).
- (c) New construction or improvements shall plan for, accommodate, and/or reserve land for future connections with adjacent properties to facilitate cross access.
- (d) Driveways outside the public right-of-way shall be no more than 24 feet in width.
- (e) A designated 5-foot wide curbed sidewalk shall be provided between the edge of entry drives and the principal building.

- (f) Driveways shall be set back from the side lot line a distance of 5 feet, and from principal buildings a distance of no less than 5 feet, or as required for safe sight distances. Shared drives are not required to provide the 5-foot side yard setback.

Figure 13



The provision of shared entrances (1) rather than individual drives reduces the number of turning movements onto busy corridors, and can enhance internal circulation, especially when used in tandem with cross access between adjacent rear parking lots (2).

Figure 14



The arrows highlight the issues associated with individual access points and a lack of cross access between properties along primary roadways. The numerous turning movements reduces transportation safety, while the constant break in the street line hinders the rhythm of the streetscape and degrades the pedestrian experience.

§ 112-15C

SITE INFRASTRUCTURE AND FACILITIES

§ 112-15C(1) OVERVIEW

The design and location of site infrastructure and facilities should be complementary to and appropriate for the principal structure. Where feasible, utilities should be located in side or rear yards, buried underground, and/or screened from view. Those infrastructure elements which cannot be obscured from view should be designed as an integral and aesthetically pleasing feature of the landscape or building (Figures 15 & 16). The intent of these standards is to minimize visual, noise, and other associated negative impacts of site infrastructure and facilities.

For the purpose of §112-15, site infrastructure and facilities shall include, but is not necessarily limited to the following:

- Loading and staging areas;
- Service and maintenance areas;
- Refuse and material storage;
- Vehicle and equipment storage (except parking);
- Storm water facilities and appurtenances; and
- Above-ground utilities.

Figure 15



Figure 15

Efforts should be made to integrate storm water management into the numerous small greenspaces within the urban environment adjacent to driveways and parking lots, consistent with the most current New York State Stormwater Management Design Manual.

Figure 16



Figure 16

The use of open water detention ponds are not appropriate stormwater management techniques for the urban environment.

§ 112-15C(2)

LOADING, SERVICE, MAINTENANCE AND REFUSE FACILITIES

Views of utility, loading and refuse areas shall be obscured from adjacent areas.

- (a) The storage and/or staging of refuse shall take place in the rear yard and shall be built or screened from view from parking facilities, adjacent properties and all streets.
- (b) All refuse appurtenances, equipment and containers shall be located within a four-sided enclosure constructed of the same or complementary materials found in the principal structure. Such enclosure shall be constructed to a height not less than one foot above the height of all elements within the enclosure (Figure 17). See also § 39, § 73-3 and § 74 for further regulations regarding refuse.
- (c) Gate access to the enclosure shall be located out of direct view from principal building entrances and adjacent residences. Gates shall remain in a closed position at all times other than during refuse pick-up or delivery.

: proposed



Figure 17

The above detached refuse enclosure is placed at the rear of the building and is composed of like materials as found in the principal structure.

§ 112-15C(3) STORM WATER AND GREEN INFRASTRUCTURE FACILITIES

Stormwater management and green infrastructure facilities shall enhance the aesthetic appeal of the Multiple Dwelling Residential District (R3-M).

In addition to all applicable requirements provided in § 112-27, the installation of any storm water management facility in the R3-M District shall be subject to the following:

- (a) Storm water detention or retention ponds are not permitted in front yards.
- (b) No storm water detention facility shall have a permanent pool, and the use of rip-rap and stone fill is not permitted.
- (c) Storm water management facilities shall be integrated into the overall site design.
- (d) The use of subterranean storage for storm water runoff is encouraged where practicable.
- (e) The provision of fencing around storm water facilities is prohibited, unless the Planning Board determines that such fencing provides a positive design element.
- (f) Where practicable, the use of green infrastructure design elements, such as, but not limited to, bioswales, rain gardens, bioretention areas, porous pavements, green roofs, and other measures which promote the infiltration, transpiration, and evaporation of storm water runoff shall be encouraged (Figures 18 & 19).
- (g) All storm water management facilities and green infrastructure facilities shall provide a pleasing aesthetic complementary to the character of the Village.
- (h) All green infrastructure design elements, including plantings and pavements, shall be regularly maintained to promote their proper and intended function.

: appropriate



Figure 18

Porous pavements are encouraged to further facilitate infiltration and slow storm water runoff. These materials are especially useful along the periphery of parking areas and/or adjacent to bioretention areas (below).

: appropriate



Figure 19

Where appropriate, bioretention areas and bioswales similar to the above may be used to promote the infiltration of storm water. These installations would be appropriate in parking lot medians or in linear strips along drive aisles or behind parking lots in lieu of large, unsightly retention facilities.

§ 112-15C(4) UTILITIES

: ppoopoiate

Above ground utilities should be a positive element within the overall design aesthetic.

- (a) Where feasible, utility service connections from rights-of-way or easements shall provide subterranean connections to site structures and appurtenances, including, but not limited to, principal structures, garages, storage buildings, and site lighting.
- (b) Above ground utility service connections, appurtenances and fuel pumps shall be located in side yards or rear yards and screened from view from the street as necessary (Figures 20 & 21). This includes, but is not limited to, generators, transformers, vaults, 'hot-boxes,' switch-gear, meters, valves, compressors, pumps, control or service panels, or any heating, ventilation and cooling equipment. See also § 112-15(E)(5).



Figure 20

When required to be placed within view of the public, ground-mounted utility boxes should be screened or designed as an integral element within the site.

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Figure 21

Ground-mounted utility boxes such as that depicted in Figure 21 shall be placed in rear or side yards with appropriate screening.

§ 112-15D

PARKING

§ 112-15D(1)

OVERVIEW & APPLICABILITY

Parking areas should be integrated design components that do not detract from the character of the Village. Parking areas shall be located to the rear of structures and away from the street, except where the placement in side yards may be determined acceptable by the Planning Board due to site constraints. These Design Standards are intended to minimize visual, environmental, noise, safety and other associated impacts of parking facilities by regulating their placement, design, and buffering (see Figures 22, 23 & 24). These standards apply to any parking lot and associated driveways that are (i) newly constructed; (ii) expanded; (iii) substantially modified; or (iv) substantially reconstructed. For purposes of this section, substantial modification shall mean any change in the number or configuration of parking spaces, traffic patterns, or manner of ingress or egress. Substantial reconstruction shall mean the removal and replacement of more than 25 percent of the existing paved surface.

Figure 22

Figure 23

Figure 24



Parking lots located in the rear of buildings connected to the primary street via dedicated walkways improve the vitality of the streetscape and preserve the appearance of the corridor.



Vehicular parking in front yards detracts from the overall character of the streetscape and the pedestrian experience.



Large, front-loaded parking lots and buildings with deep setbacks foster a development pattern out of scale with the Village.

§ 112-15D(2) PARKING

Parking areas shall be located outside of front yards.

(a) Vehicular parking, standing, loading and drop-ilities shall be located in rear yards whenever possible and not less than 5 feet from the rear property boundary or 5 feet from a side property boundary (Figure 25). Existing parking lots located in the front of a building may not be expanded.

(b) For corner lots, side yard parking shall be allowed subject to all other applicable regulations governing side yard parking.

(c) Parking lot screens shall be composed of a structural screen and vegetation. Screen materials shall be similar or complementary to those found on the primary building (Figures 26 & 27, § 112-15E(5)).

(d) For sites proposed with multiple structures, parking shall be centralized and shared in parking rooms of no more than 50 cars. Parking areas, pedestrian walks, landscaped islands and medians, and building foundations shall be bounded by concrete or stone curbing to delineate vehicular

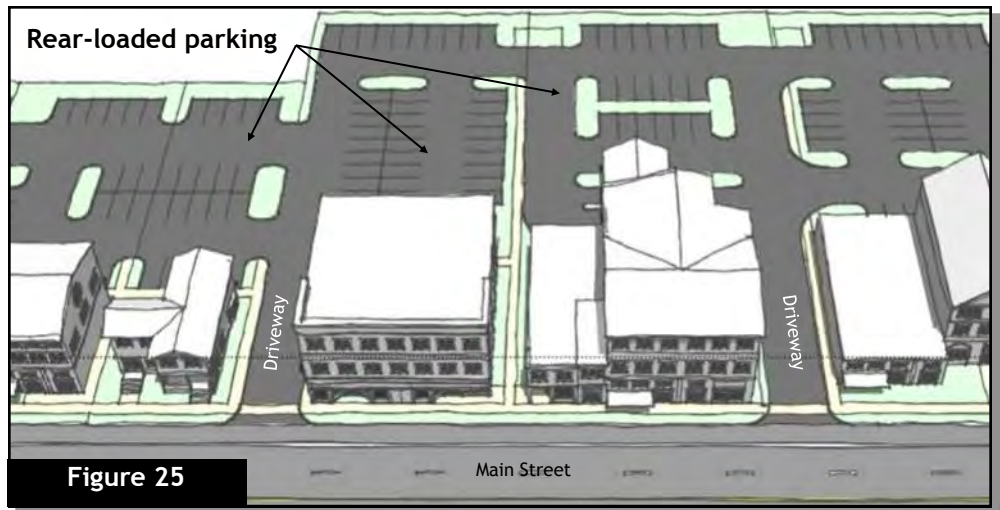


Figure 25
Vehicular parking lots shall be placed in the rear of the structure. In limited instances, side yard parking will also be permitted subject to conditions and approval as determined by the Planning Board [D(2)(b)].

§ 112-15D(2) PARKING, CONTINUED

and pedestrian zones and to control drainage, as needed.

- (e) Asphalt curbing is not permitted.
- (f) On-street parking spaces shall be provided at a minimum of 1 per unit, plus 10 percent of the total number of units.

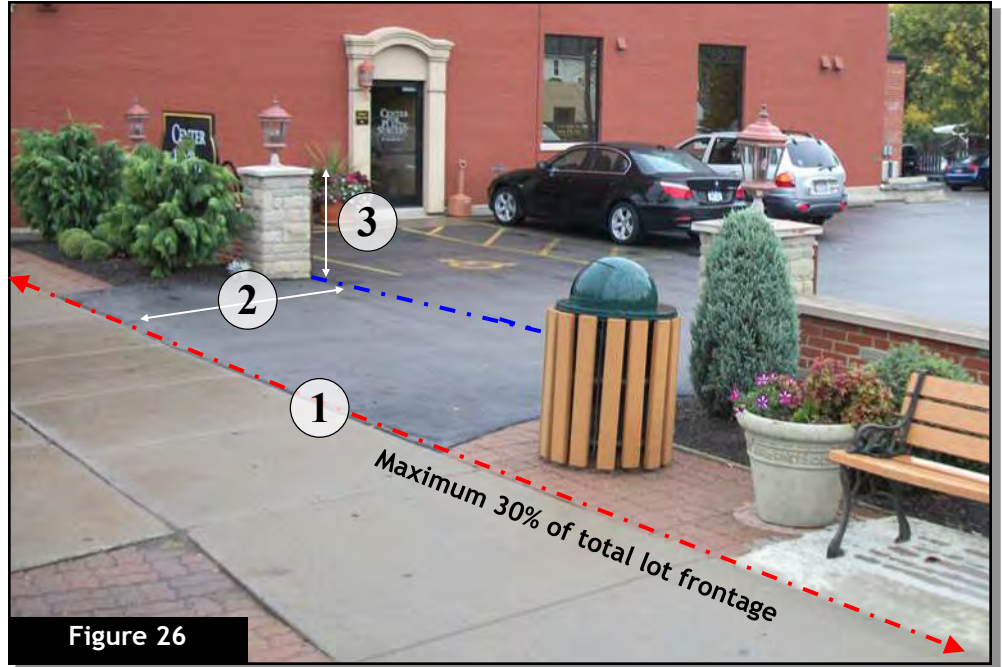


Figure 26

When sideyard parking is permitted, parking shall not constitute more than 30 percent of the total lot frontage (1). The minimum front yard setback distance for sideyard parking is 10 feet, and the parking shall be setback further than the leading edge of the building (2). A screen composed of fencing/wall and vegetation must also be installed between the parking lot and public right-of-way (3).



Figure 27

Side yard parking screens shall include a formalized structure that matches the character and materials of the primary building, along with vegetation to buffer the negative visual impacts of parked cars.

§ 112-15E

LANDSCAPING

§ 112-15E(1) OVERVIEW

Urban appropriate landscaping and hardscaping should enhance and screen views along the street. The intent of § 112-15E is to maximize the visual, aesthetic, and pedestrian experience of street corridor users through the use of appropriately scaled and designed landscaping (Figure 28). This section shall also cover the mitigation of visual impacts through the buffering or screening of utilitarian site and building design elements. In addition to § 112-15E of the Design Standards, Chapter 57 and Chapter 101 of the Williamsville Code shall also apply unless indicated otherwise. Standards E(1)(a) through (e) determine the overall amount of planting material to be provided for the landscaping, buffering and screening of individual sites, buildings, and parking areas in the R3-M District.

- (a) One planting unit equals 1 mature shade tree, 2 minor deciduous trees, 2 evergreen trees, 5 shrubs, 10 perennials, 250 square feet of groundcover or 15 linear feet of decorative planters.
- (b) A minimum of 1 planting unit shall be required for each (i) 30 linear feet, or fraction thereof, of lot frontage along a street; and (ii) for each 500 square feet, or fraction thereof, of building coverage.
- (c) At the discretion of the Planning/Architectural Review Board, the retention of existing vegetation on site may be utilized to satisfy up to 50 percent of required planting units.
- (d) Each existing mature shade tree with a trunk diameter of 6 inches or greater when measured at breast height (dbh) may satisfy the requirement for up to 2 planting units. Other existing trees on site with a trunk diameter between 2 and 6 inches dbh may satisfy requirements for up to 1 planting unit each.
- (e) Existing vegetation must be adequately protected during and after construction, and must survive a minimum of 2 years beyond the completion of construction activities to qualify as required planting units.

: appropriate



Figure 28

The effective use of plant material helps define a sense of enclosure and volume in outdoor spaces. Plant material should not overpower the surrounding landscape or buildings, and should be of a similar scale and height to structures within the corridor at maturity.

§ 112-15E(2) SITE LANDSCAPING

: appropriate

Urban appropriate landscaping and hardscaping shall enhance and screen views along the street.

- (a) Site landscaping shall be required along all property boundaries, except: (i) where side yards are less than 3 feet; (ii) where front yards are less than 6 feet; or (iii), where approved shared-parking lots adjoin adjoining properties (See § 112-16E(4)(a) and (b)).
- (b) Plantings shall be limited to species native, hardy, salt-tolerant, known to be non-invasive to the area, and deer-resistant. Significant deviations from this criteria must be supported by ample evidence by the applicant.
- (c) Where a tree lawn is provided, major shade trees shall be planted along the lot frontage, parallel to the street with a spacing not to exceed 50 feet or consistent with existing tree spacing.
- (d) Consideration shall be given during species selection to the mature form, habit, and size of vegetation to ensure plantings do not create safety hazards within the corridor (Figure 30).
- (e) Properties with 80 percent or greater building coverage shall be excluded from providing site landscaping.



Figure 29

Figure 29 depicts appropriate frontage landscaping with appropriately scaled plantings, signage and lighting.

inappropriate



Figure 30

Plantings that overwhelm the location due to size or habit look unkempt, contribute to a decrease in pedestrian safety and an increase in property maintenance costs. The plantings in Figure 30 are much too large for front yards in the corridor.

§ 112-15E(5) BUFFERS AND SCREENS

High quality and sensitive viewsheds shall be preserved through appropriate buffering and screening.

- (a) Buffer plantings of coniferous/deciduous trees and shrubs, with fencing where appropriate, shall be provided along property boundaries adjacent to properties zoned or exclusively use for residential purposes to a density and height deemed appropriate by the Planning Board (Figures 31 & 32).
- (b) Parking in rear yards (see § 112-15E(2)) shall be screened from streets or adjacent residential properties with attractive landscaping and fencing (see D(2)(d), D(2)(e)).
- (c) Fencing shall be consistent with primary building materials and no more than 4 feet in height (see Chapter 25).
- (d) The use of individual coniferous trees without associated shrub plantings is not an approved buffer strategy.
- (e) All shrub plantings shall be contained within a defined and edged planting bed with mulch no less than 3 inches in depth.

: appropriate



The above structural screen utilizes masonry columns and fencing to provide a visual and physical buffer between a sidewalk and parking area.

: appropriate



Landscape screen vegetation should not be taller than the structure screen, and should provide added interest and visual buffering.

§ 112-15F

ARCHITECTURAL CONSISTENCY

§ 112-15F(1)

OVERVIEW

These design standards seek to preserve and enhance the architectural character of the Village and ensure that development is consistent with the surrounding landscape of the Village. New construction, building additions, rehabilitations, renovations, and/or changes in use must complement the Village traditional architecture and improve the experience for pedestrians and motorists. The Village does not seek strict uniformity amongst structures, nor the precise re-creation of historic styles. However, sufficient care and attention must be provided to building design concerning proportion, massing, style consistency, solid to void ratios, rhythm, pedestrian scale and detailing such that overall building composition is in harmony with itself, the site and its surroundings (see Figure 33).

§ 112-15F provides standards for the following:

- building form and massing;
- residential character.

Adherence to these standards will provide a comfortable, enjoyable, and aesthetically pleasing environment within the corridor. The use of familiar building forms, massing, architectural styles, and details is required to complement the Village's valued historic character.

: photo by

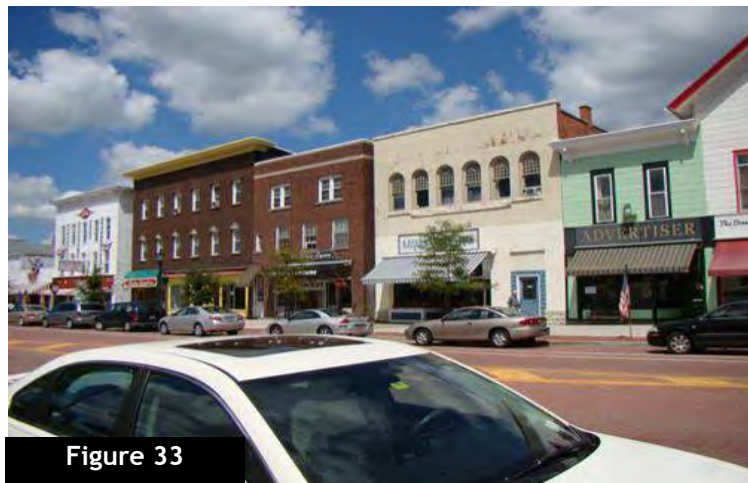


Figure 33

The creation of a consistent streetwall is an important design element for pedestrian-friendly and comfortable environments. In addition, enhanced transparency on store frontages, and the repetitive rhythm of the entryways creates a vibrant and active streetscape.

§ 112-15F(2) BUILDING FORM AND MASSING

: ppoopoiate

Buildings must be consistent in form and massing with Village Character

- (a) These standard do not require the precise re-creation of historic styles. Contemporary interpretations in correct proportion, character and style can be utilized to strengthen the identity of new buildings.
- (b) The maximum gross building area for each story of a single building shall be 10,000 square feet.
- (c) In instances where the front façade is greater than 50 feet in width, delineations and treatments, such as a recess or projection that varies the depth of the building wall, shall be used to break up its appearance (Figure 35).
- (d) Structures shall incorporate fascias, canopies, arcades, setbacks, recesses, projections or other design features to compose wall surfaces of 600 square feet or less to avoid large, undifferentiated walls (Figure 35).
- (e) New construction shall be a maximum of 3 usable stories, with an overall maximum height of 36 feet (Figures 36 & 37). Or 4 usable stories with a



Figure 34

This recently constructed building relates to historical style, form, massing and materials, yet is not a precise re-creation of historic design. Its design is focused on providing an appropriate scale that reinforces the surrounding pedestrian realm.

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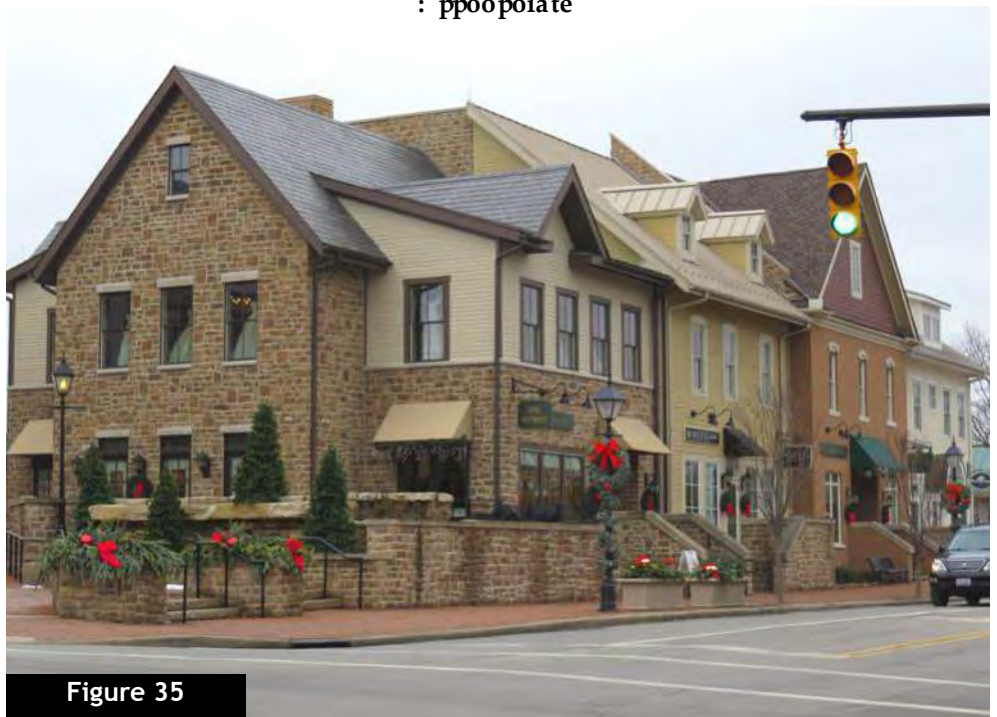


Figure 35

Larger building footprints along the street shall break up the façade treatment to provide visual distinction, variety, and the appearance of multiple structures, as seen above in the above image.

§ 112-15F(2)
BUILDING FORM AND
MASSING, CONTINUED

maximum height of 40 feet (measured from the mid point of the roof ridge) if the upper story is built into the area/slope of the ridge and dormered.

- (f) On deep parcels with multiple structure attention should be paid to place taller structures to the rear of the lot facing the primary right-of-way.
- (g) *Not Used*
- (h) The maximum building height at the minimum building rear yard setback abutting different residential zones is 20 feet (See § 112-15B(2)(j)) or 10 feet from a park or open space.

: ppoopoiate



Figure 36

The added height of the first floors for structures in Figure 36 provides continuity and adds a sense of prominence to the lower levels of the buildings.



Figure 37

The added height of the first floors for structures in Figure 37 provides continuity and adds a sense of prominence to the lower levels of the buildings.

§ 112-15F(4) BUILDING CHARACTER

buildings shall have a distinct character compared to their commercial counterparts.

- (a) Fire escapes shall be located on side and rear yards only.
- (b) The enclosure of existing front porches, other than through the use of transparent glazing, is not permitted. Window and door openings shall not be filled in such that the resulting façade lacks a consistent solid to void ratio.
- (c) New construction and additions shall not create large, undifferentiated walls with few to no windows or door openings facing a street, drive or parking area.
- (d) Principal and shared pedestrian entrances for ground floor or residential units shall face the primary street and have a direct connection to the sidewalk system (Figure 38).
- (e) Individual residential units with principal entrances at ground level shall have front porches or entryways that are covered, elevated above grade, or otherwise distinguished to provide visual separation from the street (see Figure 38).

: ppoopoiate



Figure 38

Residential development, such as the example above, shall provide a visually distinct style from that found in adjacent commercial buildings. The placement of building entrances, fenestration and the use of materials shall complement surrounding development and the character of the corridor. Residential building entrances shall face the primary street and have a direct connection to the sidewalk system [§ 112-15F(4)(e)].

mappoopoiate



Figure 39

The structure in Figure 39 does a poor job of addressing the street, and building entrances are not pronounced. This building does not evoke a residential appearance, and provides a stark building wall against the streetline [§ 112-15F(4)(d)]. The architectural style of this building is also not appropriate for Williamsville.

§ 112-15G

ARCHITECTURAL DETAILS

§ 112-15G(1) OVERVIEW

Architectural details shall complement and enhance overall building composition, and shall be appropriate to the style and character of the building, the site, and the surroundings (Figure 40). A lack of architectural detail and ornamentation leaves the building devoid of interest (Figure 41); an over abundance of which creates a confusing and jumbled appearance. The use of details shall be kept consistent with buildings of a similar architectural style, yet should also be utilized to supply a unique identity for the structure. For example, window and door trim should call attention to and accentuate openings without dominating or confounding the building façade.

§ 112-15G provides standards for the following:

- Building base and foundations;
- Building glazing;
- Roofs;
- Doors and entryways; and
- Building materials.

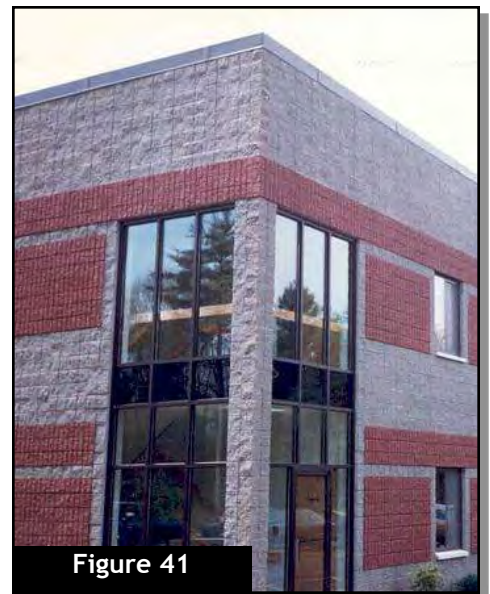
Applicants shall utilize the treatment of windows, entrances, awnings, storefronts and building bases to ensure the structure makes a prominent statement without overpowering the corridor.

Appropriate



Architectural details such as cornice lines, pilasters, and recessed windows finish a building façade and are extremely important in developing a sense of place and strengthening the identity of the Main Street corridor as a vibrant and active community center.

Inappropriate



A lack of architectural detail coupled with the improper utilization of building materials and design proportions can reduce the visual appeal and economic value of structures within the Main Street corridor.

§ 112-15G(2) BUILDING BASE AND FOUNDATIONS

The building base shall visually highlight the connection between the structure and the site.

- (a) A formal building base shall be distinguished from the upper portions of the structure through a change of materials, color, texture and/or projection (Figures 42, 43 & 44).
- (b) The base treatment shall be continuous along facades facing streets and parking areas (Figure 42).
- (c) The building base shall be included on all primary facades, and shall complement the architectural style and window and door fenestrations.
- (d) Foundations of masonry block or poured concrete shall not be left exposed, and shall be adorned with appropriate finishing materials in character with the structure base and vernacular to the region.

: ppoopoiate



Figure 42

Although subtle (1), the highlighting of the building base anchors the structure to the site, and provides visual distinction between the ground plane and the structure [G(2)(a)]. Material selection shall complement the architectural style of the building and those materials commonly found within the region [§ 112-15G(2)(d)].

mappoopoiate



Figure 43

The building façade shall not abruptly end at the sidewalk (1). The building shall have a base of material that anchors the structure to the site [§ 112-15G(2)(a) and Figure 73].

§ 112-15G(3) WINDOWS

: ppoopiate

Windowsshall be used to add transparency, interest, and rhythm to the buil ding façade.

- (a) Windows shall be of a scale, proportion and extent appropriate to the overall architectural style of the building (Figure 44).
- (b) Window openings shall be trimmed with an appropriate material (brick, stone, wood, wood-like, cementitious board) to provide added definition to the overall façade.
- (c) The rhythm and ratio of solids to voids for building additions and expansions shall be similar to those of the region's valued historic forms.



Figure 44

This structure provides a high quality example of building-appropriate window proportions, trim details, building base and solid-to-void ratios [§ 112-15G(3)(a), G(3)(b) & G(3)(c)].



Figure 45

This structure provides a high quality example of building-appropriate window proportions, trim details, building base and solid-to-void ratios [§ 112-15G(3)(a), G(3)(b) & G(3)(c)].

§ 112-15G(4) BUILDING MATERIALS

Building materials shall evoke the character, style and purpose of the structure.

- (a) Along street frontages, all exterior building walls and structures shall be constructed with durable materials such as masonry, stone, metal, brick, finishing wood, or cementitious siding.
- (b) Changes in materials shall occur at inside corners. Material or color changes at the outside corners or within a plane is not permitted.
- (c) Primary façade materials shall be wrapped onto secondary façades for a distance of no less than 10 feet or that which is architecturally consistent with building fenestration.
- (d) Standard masonry block walls are prohibited on any primary façade.
- (e) Exterior finishing materials for renovations, additions, and rehabilitations shall be consistent with those being retained on existing and adjacent traditional structures (Figure 46).

- (f) The following materials or systems shall not be utilized on finished building or signage exteriors:

- Direct-Applied Finish Systems (DAFS);
- Vertical aluminum or metal siding;
- Vinyl siding;
- T111 siding;
- Glass block;
- Spandrel glass or glass curtain walls.

- (h) Exterior Insulation Finish Systems (EIFS) shall not be utilized as a primary building material, but may be utilized, at the discretion of the Planning/Architectural Review Board, as a decorative or complementary material on upper stories only.

mappoopoiate



Figure 46

The use of inappropriate materials and finishes (1) diminishes the visual quality of the structure and adjacent buildings. In this example, although the structure has a high quality storefront, the use of vinyl siding over what was likely masonry construction reduces the overall appeal of the building.

§ 112-15I

LIGHTING

§ 112-15I(1) OVERVIEW

Lighting is a total design element that provides safety, visual cues, and aesthetic appeal to the building and its surroundings. Within the R-3M District, lighting shall be utilized to illuminate building entrances, signage, and parking areas, while also providing for subtle accents of building architecture and site landscaping. The scale and height of lighting fixtures have a significant impact upon their function and effectiveness. Within the District, street lighting should be pedestrian in scale and height, and appropriately spaced to provide sufficient illumination for the street and sidewalk (Figures 47 & 48). New development should follow this standard by keeping

fixtures and poles in scale and character with the site and adjacent uses, while also providing the illumination to only those areas intended. The prevention of light pollution spilling beyond property boundaries is of paramount concern.

§ 112-15I includes the following standards:

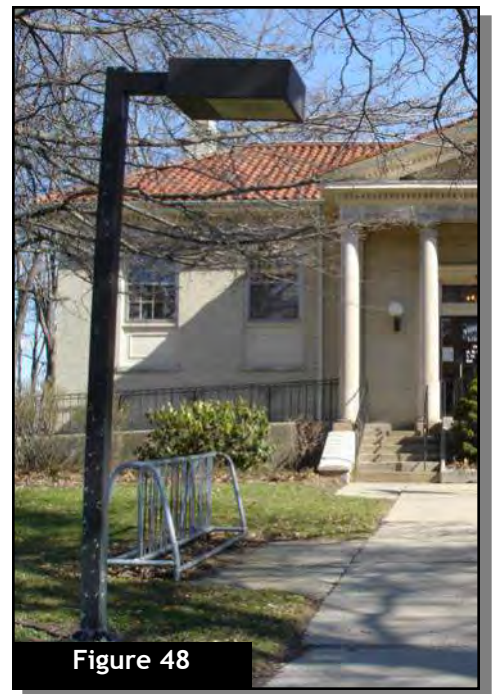
- site lighting;
- building lighting;
- accent lighting; and
- a gallery of fixtures.

: appropriate



The use of period lighting fixtures with enhancements such as banners and flower hangers is appropriate.

inappropriate



The above light fixture is inappropriate in scale and height for this pedestrian application.

**§ 112-15I(2)
SITE LIGHTING**

Site lighting shall improve the safety and visibility of parking lots and pedestrian zones.

- (a) Lighting shall be designed such that poles, fixtures, ornamentation and materials are of a pedestrian scale and height, and provide for a safe pedestrian experience.
- (b) Fixture heights shall be between 8 and 20 feet in height, with shorter poles along sidewalks and pedestrian zones, and taller poles within parking areas.
- (c) Fixtures shall be “Dark Sky” compliant. Light trespass into adjacent non-commercial areas shall not exceed 0.1 foot candles in intensity.
- (d) Amber hue lighting, such as high pressure sodium fixtures and others of equivalent performance, is not permitted.
- (e) Lighting fixtures shall be directed away from adjacent structures and property boundaries.
- (f) Fixture mounting height, direction and intensity shall be determined based on the minimum requirements necessary to efficiently and safely illuminate the area.

**§ 112-15I(3)
BUILDING LIGHTING**

Enhanced building lighting shall be placed at building entrances and other pedestrian areas.

- (a) Building-mounted lighting shall be of a style complementary to the architectural character of the building and surroundings.
- (b) Building-mounted lighting shall not be utilized as area lighting in place of pole-mounted lighting along private rights-of-way, sidewalk and pedestrian zones, and parking areas.
- (c) Building-mounted lighting shall be utilized primarily for safety and security lighting at entryways, utility and loading areas, and other areas approved by the Planning Board.
- (d) Standards I(1)(c), (d) and (e) shall also apply for building-mounted lighting.
- (e) Building-mounted lighting shall not be mounted higher than 15 feet above grade.
- (f) Wall-pack style lighting fixtures shall not be placed upon primary facades facing Main Street.

**§ 112-15I(4)
ACCENT LIGHTING**

Accent lighting should be used to complement and highlight unique architectural features.

- (a) Standards I(2)(d) and (e) shall also apply for accent lighting, including both ground- and building-mounted fixtures.
- (b) The use of neon accent lighting is not permitted.
- (c) Building accent lighting shall be discrete in nature and of the same color and a lesser intensity than other building mounted lighting.
- (d) Accent lighting shall focus on highlighting architectural details or elements rather than the illumination of entire facades or walls.

§ 112-15I(5)
LIGHTING GALLERY

: ppoopoiate

mappoopoiate

Full cutoff fixtures



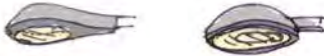
Fully shielded wallpacks and wall-mounted fixtures



Fully shielded 'Period' style or contemporary fixtures



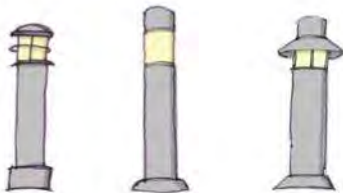
Full cutoff streetlights



Shielded/properly-aimed PAR floodlights



Lit bollards



Goose-necks, soffit, and lantern-style



Drop lens and sag lens fixtures with exposed bulb



Unshielded wallpacks and wall-mounted fixtures



Unshielded 'Period' style or contemporary fixtures



Unshielded streetlights



Unshielded or poorly shielded floodlights



Single tube fluorescent fixtures



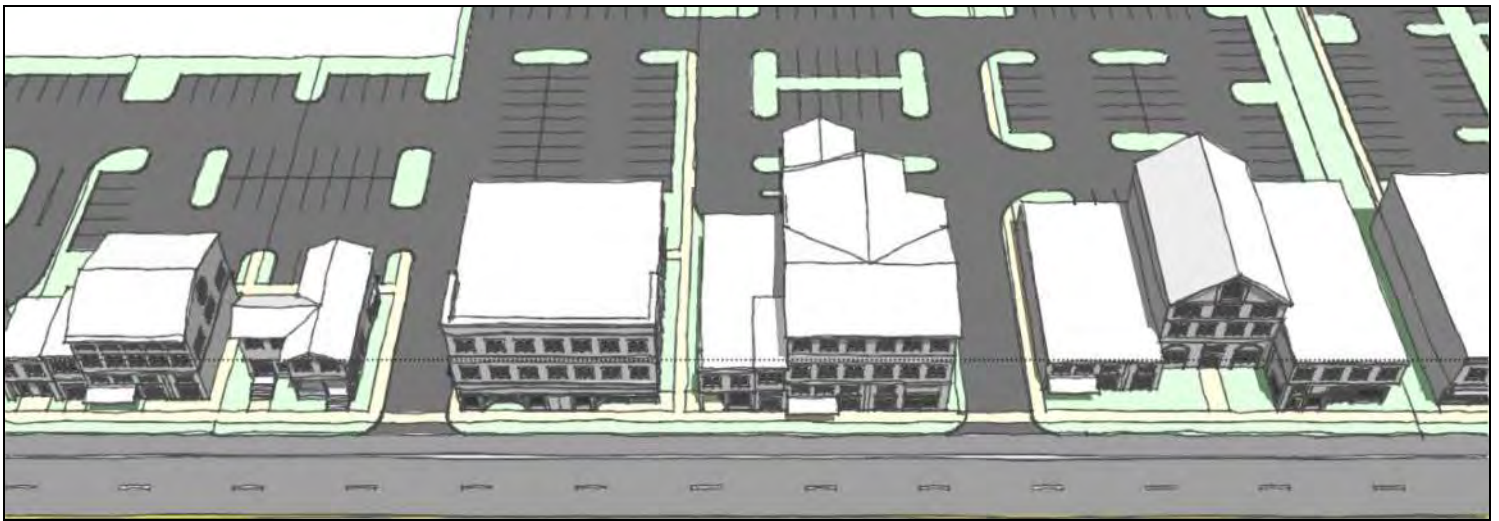


VILLAGE OF WILLIAMSVILLE

MIXED USE DISTRICT DESIGN STANDARDS

§ 112-16

(ATTACHMENT 2)



PREPARED BY:



ADOPTED OCTOBER 24, 2011
REVISED AUGUST 25, 2014; REVISED MAY 26, 2015;
REVISED OCTOBER 26, 2015; REVISED MARCH 14, 2016

§ 112-16

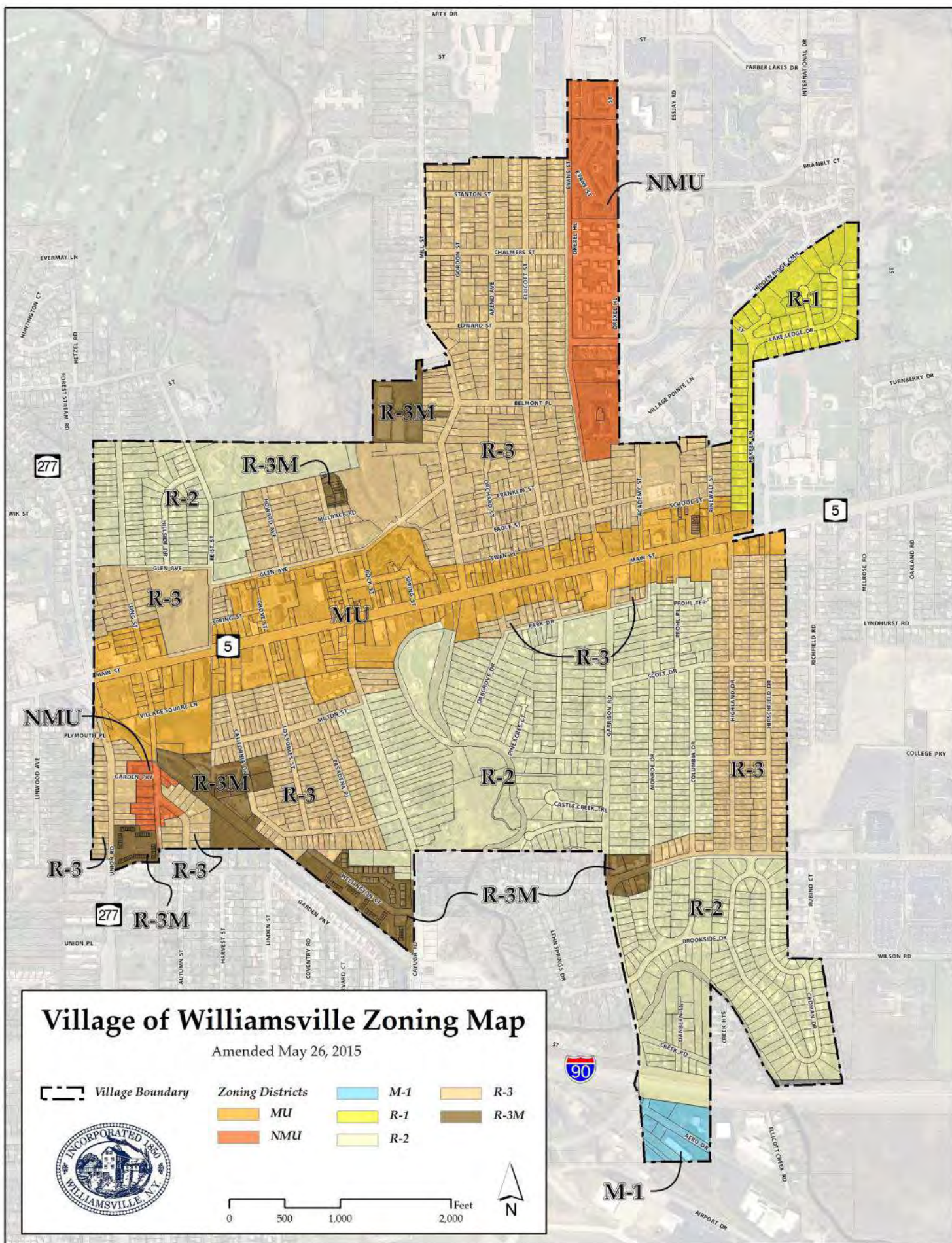
MIXED USE DISTRICT DESIGN STANDARDS

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§ 112-16A

INTRODUCTION

§ 112-16A(1) PURPOSE OF THE MIXED USE DISTRICT

THE VILLAGE OF WILLIAMSVILLE’S 2010 COMMUNITY PLAN recognizes the community’s desire to maintain its historic character, provide for enhanced walkability, and support a vibrant economic and neighborhood environment. The traditional community character presented within the Village is of paramount importance to the provision of these elements. Furthermore, the Village recognizes the Main Street corridor as a major gateway, a retail and service destination of local and regional significance, and the driving force of the Village’s identity. The Mixed Use District provides specific regulations and guidance for new development and rehabilitation projects within the Village’s Main Street corridor. The Main Street Characterization described in §112-16A(5) provides the desired state for the corridor and relate directly to those elements discussed in the 2010 Community Plan.

The Village of Williamsville 2010 Community Plan characterizes the Main Street corridor accordingly:

“The Village of Williamsville is an attractive community consisting of traditionally scaled, walkable neighborhoods in close proximity to an historic and vibrant Main Street core... Main Street should be a pedestrian friendly, mixed-use destination that draws both residents and visitors to its unique stores and services, nearby parks and historic mill district.”

The design and implementation of development within the Main Street corridor should ensure commercial areas remain viable and economically relevant into the future through the preservation, enhancement and leveraging of the Village’s historic and architecturally significant character. The form, massing, proportion and composition of architecture should complement the historic character of this area. However, quality of design and material takes precedence over disingenuous attempts to mimic historic styles through the application of superficial details. Walkability and the pedestrian experience are critical to the success of the Main Street corridor as a shopping and service destination distinct from its suburban counterparts. The most prominent character area on Main Street is the Village Core, which sustains the community’s vital civic activities. The surrounding mixed-use components link the Village Core and adjacent neighborhoods to commercial and service opportunities. The objectives presented below outline how this vibrant, pedestrian-scaled environment can be achieved. The use of traditional urban form and the equal accommodation of non-vehicular users will help offset the transportation system’s dominance over the Main Street corridor, and provide a pleasant, unique and inviting atmosphere for residents and visitors.

§ 112-16A(2) MIXED USE ZONING DISTRICT ESTABLISHED

THE VILLAGE OF WILLIAMSVILLE MIXED USE (MU) ZONING DISTRICT is hereby established as depicted on the Village's zoning map (see attached map on Page iii). The regulations described herein establish the desired development pattern, form, massing, density, site layout and architectural detailing for the MU District. Given the varied context of the surrounding neighborhoods, there is a need for clear standards that meet the goals and objectives of the community while allowing for flexibility and creativity. These regulations provide the necessary framework for high-quality development and flexible design alternatives.

§ 112-16A(3) CONFLICTS AND COMPLIANCE WITH OTHER REGULATIONS

ALL DEVELOPMENT MUST CONTINUE TO MAINTAIN compliance with all applicable codes and regulations, including, but not limited to, the Building Code of New York State which shall supersede where conflicts exist with the MU District. These regulations shall supersede where conflicts exist with the remaining chapters of the Code of the Village of Williamsville .

§ 112-16A(4) APPLICABILITY, REVIEW, APPROVAL AND PERMIT PROCESS

THE MU DISTRICT REGULATIONS SHALL APPLY, IN WHOLE OR IN RELEVANT PART to all applications commenced from the date of adoption by the Village of Williamsville Board of Trustees.

- (a) These regulations shall apply to all proposed actions within the MU District which include one or more of the following activities:
- [1] New building construction;
 - [2] Installation of new curb cuts on any public street;
 - [3] An increase of the gross building square footage of the lesser of 30 percent or 500 square feet;
 - [4] A change or addition of façade materials and/or design greater than 200 square feet, not including routine maintenance or repainting existing façade materials (unless architectural review is otherwise triggered hereunder).
 - [5] Installation of new signage (only §112-16H shall be applicable);
 - [6] Any expansion, substantial modification or substantial reconstruction of parking lot or driveway footprint (only §112-16D shall be applicable);
 - [7] Changes to parking, loading and service arrangements or access management such as entry/exit, cross access, or circulation (only §112-16B and §112-16D shall be applicable);
 - [8] Installation of landscaping features (only §112-16E shall be applicable);
 - [9] Installation of above-grade utilities (only §112-16 C(4) shall be applicable); and
 - [10]The conversion of one or more floors of a residential structure to a commercial use.
- (b) Existing single-family structures within the MU District are not required to adhere to these Design Standards.
- (c) The operation of a home occupation within the MU district (see §112-16A(6)) shall conform to § 112-12A(2) (b).
- (d) The review and approval of applications under these Design Standards shall conform to § 112-23.

§ 112-16A(5)
DESIGN OBJECTIVES

THE DESIGN OBJECTIVES PRESENTED BELOW WERE derived from the Village's Community Plan, and are included to assist with the interpretation and administration of the regulations described in § 112-16 B through I.

- (a) Devote street level facades to retail, service and office uses.
- (b) Maximize transparency between the sidewalk and building interior.
- (c) Design attractive and engaging buildings that address the public realm on all visible sides.
- (d) Provide urban-appropriate landscape and hardscape areas designed as integral features of the land use.
- (e) Improve pedestrian experience and safety through the provision of public amenities such as ample sidewalks, buffer landscaping, seating, public art and crossing aids.
- (f) Promote multi-story buildings to improve the corridor's urban form and street presence.
- (g) Locate parking behind, beneath or within structures to retain a pedestrian level 'streetwall.'
- (h) Encourage shared parking facilities and cross access between privately owned parking facilities.
- (i) Provide pedestrian-scaled lighting proportional to the site and building served.
- (j) Design the scale and style of architecture to complement the valued historic forms of the corridor.
- (k) Promote a 'build-to' line that strengthens the streetwall, yet permits flexibility to expand the pedestrian realm and provide outdoor seating, as needed.
- (l) Favor pedestrian safety and experience while balancing the needs of the automobile.

§ 112-16A(6)
LIST OF PERMITTED USES

THE FOLLOWING IS A LISTING OF PERMITTED USES FOR THE MIXED USE (MU) DISTRICT IN THE VILLAGE OF WILLIAMSVILLE.

(a) Permitted Uses.

- [1] Artist Studio
- [2] Bar, Tavern, or Pub
- [3] Bed and Breakfast
- [4] Building, Accessory; including residential garages*
- [5] Building, Mixed-Use
- [6] Building, Office
- [7] Building, Public
- [8] Cemetery
- [9] Cultural Use Facility or Museum
- [10] Daycare Center
- [11] Dry-Cleaning Facility
- [12] Dry-Cleaning Outlet
- [13] Dwelling, Single-Family
- [14] Dwelling, Two-Family
- [15] Dwelling Unit, Accessory*
- [16] Dwelling, Multi-Family

Permitted Uses, Continued.

- [17] Funeral Home
- [18] Hotel or Motel
- [19] Inn
- [20] Motor Vehicle Service or Sales
- [21] Nightclub
- [22] Parking Garage
- [23] Place of Worship
- [24] Recreation, Indoor Commercial
- [25] Restaurant
- [26] Retail
- [27] School
- [28] Self-Service Laundry

(b) Uses Requiring a Special Use Permit.

- [1] Club, Membership
- [2] Club, Private
- [3] Home Occupation*
- [4] Manufacturing or Industrial, Mixed-Use
- [5] Private Parking Lot (as exclusive or primary use)
- [6] Townhouse or Townhome

(c) Uses not listed as permitted in this district are prohibited.

(d) Uses not listed as permitted in this district, but in existence prior to the date of adoption of § 112-16 will be considered non-conforming uses subject to the regulations of § 112-10 of the Village of Williamsville Municipal Code.

**Not the principal use of the property*

§ 112-16A(7)

TABLE 1: SUMMARY OF BUILDING AND AREA REQUIREMENTS

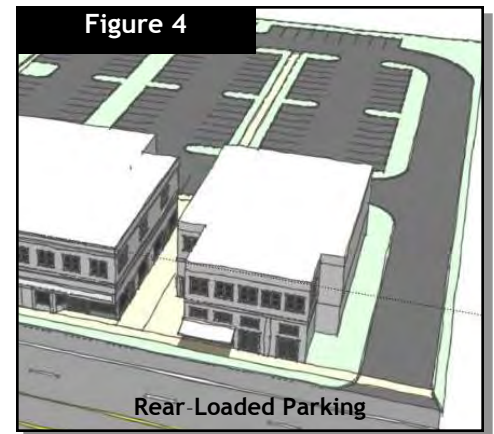
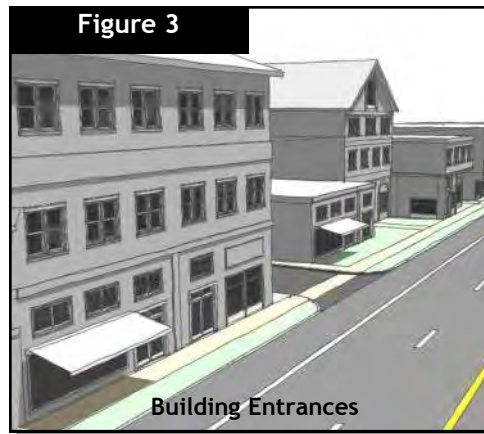
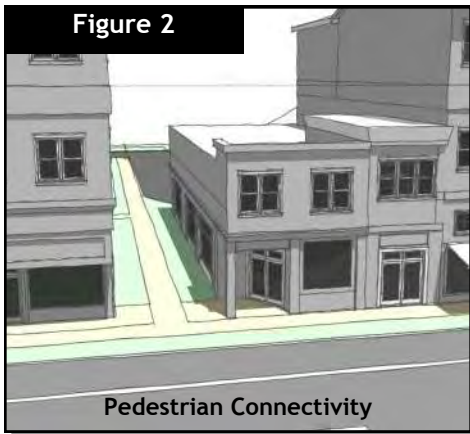
Building or Area Requirement	Regulation	Reference Standard in § 112-16
Front Yard Building Setback	0 to 10 feet on Main Street; 11-20 feet with approved public open space on Main Street; 0-20 feet on other streets; 21-30 feet with approved public open space on other streets.	B(2)(c), B(2)(d), B(2)(e)
Side Yard Building Setback	0 to 20 feet combined width without driveways; 40 feet maximum with sideyard driveway.	B(2)(h), B(2)(i)
Rear Yard Building Setback	30 feet minimum where lot abuts district boundary; minimum; additional 5-foot setback for each additional 10 feet of building height above 30 feet.	B(2)(j), F(2)(i)
Parking/Driveway Setback	5 feet minimum sideyards; 5 feet minimum rear yards; 10 feet minimum from right-of-way in sideyards	D(2)(a)-(b)
Off-Street Parking Requirement	1.5 spaces per 1,000 square feet of leasable area; 1.5 spaces per residential unit; round up to nearest whole number.	D(4)(i) -(j)
Building Height	Minimum two usable stories; 15-foot minimum height for 1st floor, 50 feet maximum; 30 feet maximum at rear setback when abutting district boundary.	F(2)(f)-(j), B(2)(j)
Building Coverage	Maximum 15,000 gross square feet per story; 100 percent lot coverage permitted, unless lots abuts district boundary.	F(2)(c), B(2)(c)-(e)
Building Transparency	70 percent minimum between 3 feet and 10 feet above grade for first floors.	F(3)(c)

§ 112-16B

SITE PLANNING AND DESIGN

§ 112-16B(1) OVERVIEW

SITE PLANNING STANDARDS PRIMARILY ADDRESS the organization of a project's components, such as building orientation, setbacks, circulation and the relationship of site elements (Figures 1-4). The location of buildings and site features and the organization of circulation patterns for vehicles and pedestrians are critical to the design and provision of a pedestrian-friendly atmosphere that is visually appealing, safe and convenient for all users. High quality site design along the Main Street corridor places structures close to the street line and parking areas to the rear, with a focus on creating a sense of place and an environment that fosters strong interaction between pedestrians, buildings and the street.

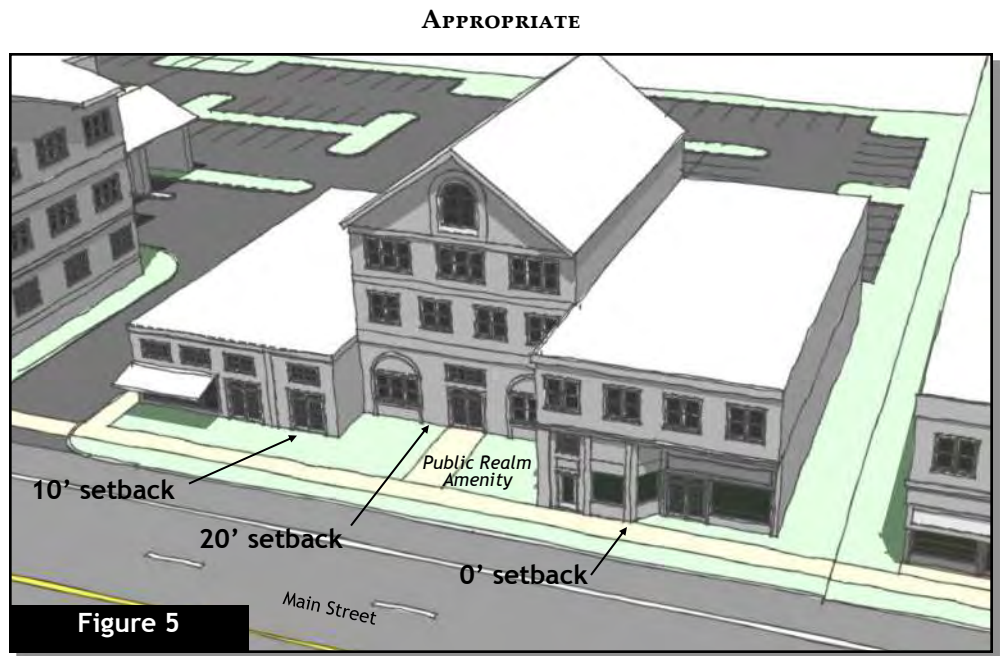


Site planning and design standards provide guidance on several topics related to the placement and orientation of buildings, entrances, parking, pedestrian connectivity and circulation patterns. When appropriately combined, these elements foster a vibrant and pedestrian-friendly environment, as reflected in Figures 1-4.

§ 112-16B(2) BUILDING ORIENTATION AND SETBACK

BUILDINGS SHOULD PRESERVE THE
STREETWALL AND DEFINE BOUNDARIES OF
PUBLIC, SEMI-PUBLIC, AND PRIVATE SPACE.

- (a) Buildings located on a primary street shall be oriented such that the façade facing the street be substantially parallel to said streets.
- (b) At least 75 percent of a building's primary façades, measured in linear feet of distance parallel to the right-of-way, shall meet the required setback distance as described below.
- (c) Buildings on Main Street shall have a front setback within a range of 0 feet and 10 feet from the right-of-way line. The Planning/Architectural Review Board may allow an additional 10-foot setback to permit the construction of dedicated public realm amenities or the construction of building overhangs (Figure 5).
- (d) In no instance shall the front plane of any principal structure on Main Street, not including overhangs, be greater than 20 feet from the right of way line.
- (e) Buildings on streets other than Main Street shall have a maximum setback of 20 feet from the right of way line, or the average setback of existing principal structures on adjacent parcels within 200 feet, whichever is lesser. The Planning/Architectural Review Board may allow an additional 10-foot setback to permit the construction of dedicated public realm amenities or the construction of building overhangs.
- (f) Buildings fronting on two or more streets shall be determined to have an equal number of primary façades unless said street is classified as an alleyway (Figure 6).
- (g) Buildings on corner lots shall be setback from each street the minimum distance practical to afford adequate sight distances for motorists and pedestrians as determined by NYS DOT highway standards.
- (h) Side yards with parking and driveways shall not be more than 40 feet of total width. See Section D(2)(b) and Figure 7.
- (i) Lots without driveways shall have a maximum side setback of 20 feet of combined width for both side yards (See Figure 7). Side yard setbacks are encouraged to be zero feet where permitted by NYS Building Code.



As depicted in Figure 5, front yard setback distances may vary between 0 feet and 10 feet, which may be extended at the discretion of the Planning/Architectural Review Board to a maximum of 20 feet where outdoor dining or other pedestrian-focused amenities are to be located.

§ 112-16B(2) BUILDING ORIENTATION AND SETBACK, CONTIN-

- (j) No principal building shall be placed within 30 feet of any residential district boundary (See § 112-16F(2)(i) & F(2)(j)).
- (k) Accessory structures shall not be greater than 18 feet in height and shall be set back from any property line abutting a residential district boundary a distance at least equal to the height of the structure.

APPROPRIATE



Figure 6

This corner building has a high quality façade displayed on both streets, adding prominence to the structure and its location within the community.

APPROPRIATE

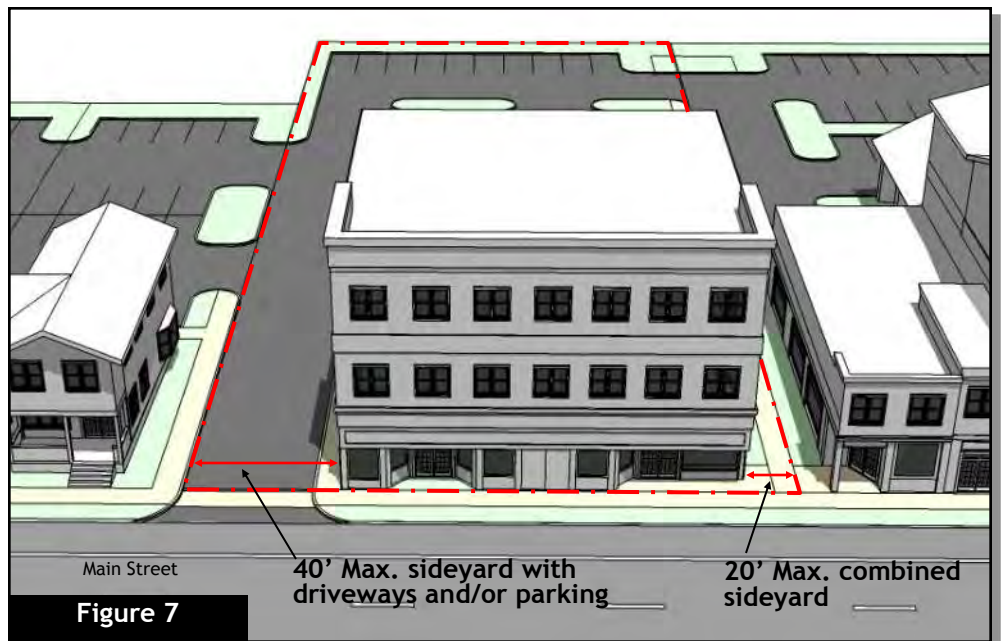


Figure 7

The reduction of sideyard distances is critical to establishing a strong streetscape rhythm and streetwall, which enhances the overall visitor experience and improves density and vitality.

§ 112-16B(3) LOTS WITH MULTIPLE BUILDINGS

LARGE DEVELOPMENT PROJECTS COMPRISED OF MULTIPLE STRUCTURES SHALL CREATE A UNIQUE SENSE OF PLACE WITHIN THE MAIN STREET CORRIDOR.

- (a) Lots with multiple buildings shall include pedestrian connections between adjacent uses, structures and parking areas (Figure 8).
- (b) Multiple buildings shall create a well organized, accessible and functional site. The Site layouts should create a unique sense of place without large parking lots devoid of landscaping or pedestrian accommodations (Figure 9).
- (c) Common or shared parking facilities and access for projects with multiple buildings shall be required to the extent practical or feasible, as determined by the Planning/ Architectural Review Board, to decrease the amount of impervious surface, increase open space and reduce curb cuts onto Main Street.

APPROPRIATE

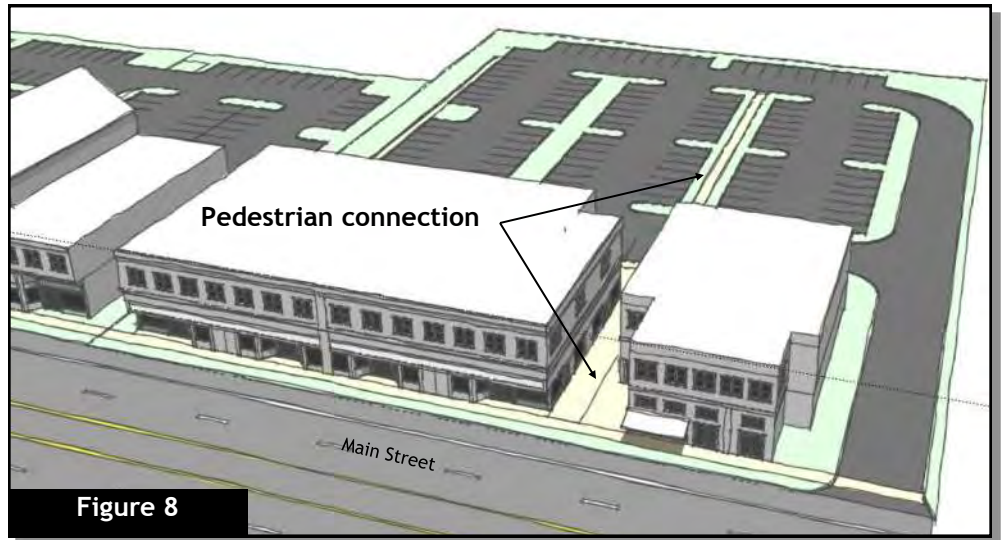


Figure 8 depicts a single, large property on which two structures are built, each sharing a parking area in the rear. This concept also provides a common pedestrian network and plaza space that connects each building entry with the common parking lot and the street.

APPROPRIATE

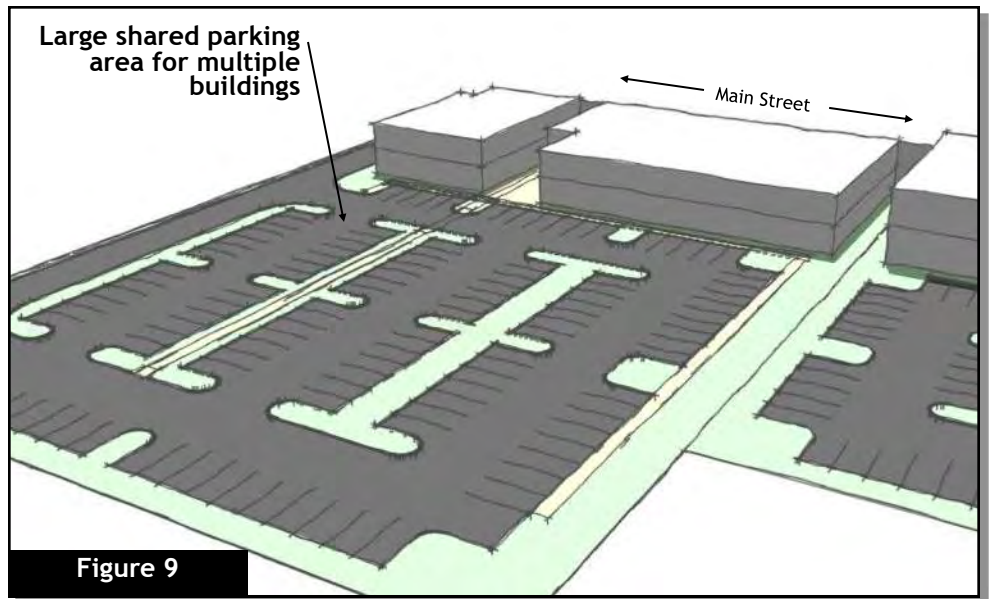


Figure 9 details a rear view of the shared parking complex as part of a larger development project with multiple buildings. The arrangement of the parking area and landscaping elements are covered in Sections D and E, respectively.

§ 112-16B(4) BUILDING ENTRY

BUILDINGS SHALL BE ACCESSIBLE FROM MAIN STREET.

- (f) Primary entrances shall be prominently designed and constructed to provide visual cues to pedestrians independent of site or building signage (see Figure 10 and § 112-16G(5)).
- (a) For buildings with frontage on Main Street, a primary entrance shall face Main Street (see Figures 10 & 11). A side or rear entry shall also be permitted depending on the site layout.
- (b) The placement of building entrances shall be of a similar rhythm and spacing to existing structures on the same street (see Figure 11).
- (c) Buildings fronting on streets other than Main Street shall have a primary entrance located facing such street.
- (d) Buildings fronting on Main Street and an intersecting street shall have a primary entry on Main Street or at the corner facing the intersecting streets.
- (e) Primary entries shall receive design considerations, details, and treatments consistent with primary facades, and shall meet the standards set forth in § 112-16G(5).

APPROPRIATE



Figure 10

Figure 10 depicts a primary entrance along the primary street that is well-defined and provides a clear visual cue to pedestrians on where to enter the structure.

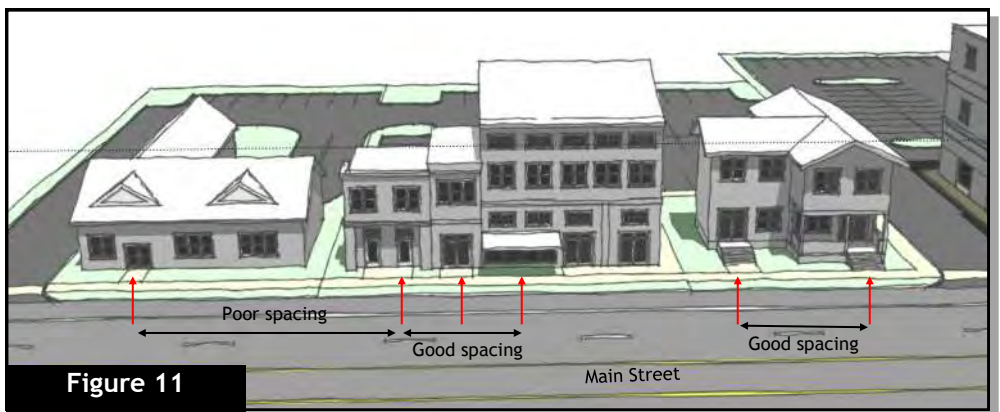


Figure 11

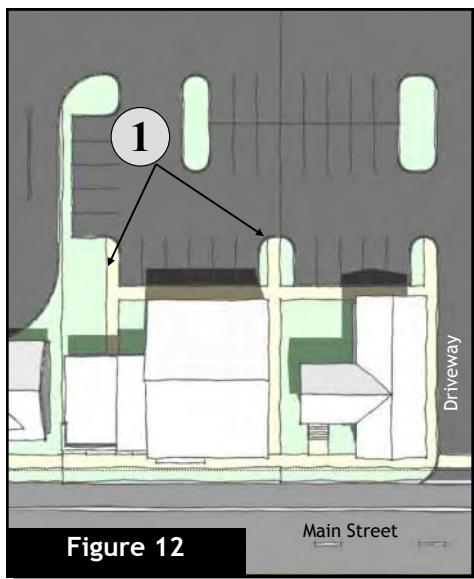
The placement of entrances along the primary street (red arrows) are important to the development of streetscape rhythm, and provide a sense of scale and comfort to pedestrians as they traverse the corridor.

§ 112-16B(5) SIDEWALKS

SIDEWALKS SHALL PROVIDE SAFE PEDESTRIAN MOVEMENT ALONG BUILDINGS AND WITHIN PARKING AREAS.

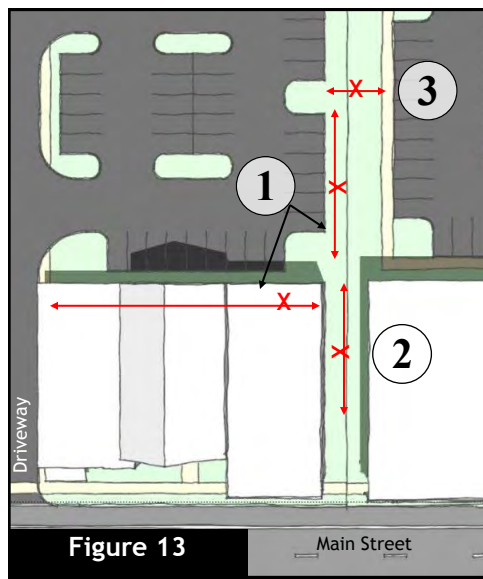
- (a) Sidewalks shall have a minimum width of 5 feet, 6 feet for communicating sidewalks, or wider at the discretion of the Planning Board.
- (b) Sidewalks shall be constructed to provide access from all principal building entrances to the sidewalk system and parking areas (Figures 12 & 13).
- (c) All sidewalks adjacent to streets, driveways and parking lots shall be curbed to separate pedestrians and vehicles.
- (d) As necessary, sidewalks shall traverse parking lot medians, end islands and between buildings to permit safe and efficient pedestrian travel (Figures 12 & 13).
- (e) Sidewalks abutting a public street shall be constructed of poured concrete. Other sidewalks may be constructed of poured concrete, brick, or concrete pavers. Asphalt sidewalks are not permitted.
- (f) An application subject to review under these Design Standards and approved hereunder need not obtain a separate sidewalk construction permit pursuant to § 89-4(D)(1).

APPROPRIATE



Sidewalks are critical infrastructure required to establish a sense of place and a pedestrian-friendly environment. Sidewalk connections between and alongside buildings (1) are required to make rear-loaded parking feasible.

INAPPROPRIATE



This example depicts: (1) a lack of sidewalks from parking stalls to a primary entry; (2) a missed opportunity for a pedestrian connection to the street; and (3) a lack of connectivity between adjacent parking lots.

§ 112-16B(6) PEDESTRIAN AND VEHICULAR CIRCULATION

PEDESTRIANS AND MOTORISTS SHALL BE AFFORDED SAFE, CONVENIENT AND EFFICIENT CIRCULATION.

- (a) Pedestrian and vehicular circulation patterns shall be designed to minimize potential conflicts between vehicles and pedestrians and to provide enhanced separation.
- (b) Safe, convenient and efficient pedestrian circulation patterns shall be provided between structures in a multiple structure development (see § 112-16B(3) and Figure 14).
- (c) Parking and vehicle circulation patterns shall be designed to reduce speeds and increase pedestrian safety, efficiency and convenience.

APPROPRIATE



Pedestrian zones and vehicular circulation patterns should be distinctly separated for safety.

§ 112-16B(7)
DRIVE-IN SERVICE
FACILITIES

- (a) The operation of a Drive-In Service Facility on any portion of a property is prohibited.
- (b) A Drive-In Service Facility existing and operating at the time of the enactment of this amendment may continue to operate as a nonconforming use subject to Section 112-10 of this Chapter and Chapter 73-3H.

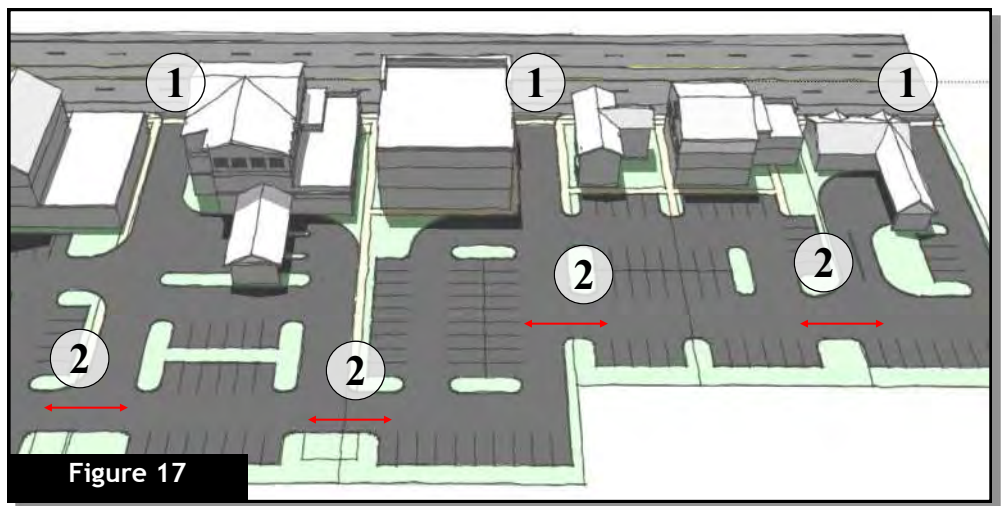
§ 112-16B(8) DRIVEWAYS AND ACCESS

THE USE OF SHARED DRIVES AND CROSS
ACCESS IMPROVES CORRIDOR VITALITY,
MOBILITY, AND SAFETY.

- (a) Shared entrances and exits shall be provided where determined appropriate and feasible by the Planning/ Architectural Review Board .
- (b) Absent a showing by the applicant of impracticality, the provision for cross access among adjacent properties shall be required to internalize traffic and reduce turning movements directly onto Main Street (Figures 17 & 18).
- (c) New construction or improvements shall plan for, accommodate, and/or reserve land for future connections with adjacent properties to facilitate cross access.
- (d) Driveways outside the public right-of-way shall be no more than 24 feet in width.
- (e) A designated 5-foot wide curbed sidewalk shall be provided between the edge of entry drives and the principal building.

- (f) Driveways shall be set back from the side lot line a distance of 5 feet, and from principal buildings a distance of no less than 5 feet, or as required for safe sight distances. Shared drives are not required to provide the 5-foot side yard setback.

APPROPRIATE



The provision of shared entrances (1) rather than individual drives reduces the number of turning movements onto busy corridors, and can enhance internal circulation, especially when used in tandem with cross access between adjacent rear parking lots (2).

INAPPROPRIATE



The arrows highlight the issues associated with individual access points and a lack of cross access between properties along primary roadways such as Main Street in Williamsville. The numerous turning movements reduces transportation safety, while the constant break in the street line hinders the rhythm of the streetscape and degrades the pedestrian experience.

§ 112-16C

SITE INFRASTRUCTURE AND FACILITIES

§ 112-16C(1) OVERVIEW

THE DESIGN AND LOCATION OF SITE INFRASTRUCTURE AND FACILITIES should be complementary to and appropriate for the principal structure. Where feasible, utilities should be located in side or rear yards, buried underground, and/or screened from view. Those infrastructure elements which cannot be obscured from view should be designed as an integral and aesthetically pleasing feature of the landscape or building (Figures 19 & 20). The intent of these standards is to minimize visual, noise, and other associated negative impacts of site infrastructure and facilities.

For the purpose of §112-16, site infrastructure and facilities shall include, but is not necessarily limited to the following:

- Loading and staging areas;
- Service and maintenance areas;
- Refuse and material storage;
- Vehicle and equipment storage (except parking);
- Storm water facilities and appurtenances; and
- Above-ground utilities.

APPROPRIATE

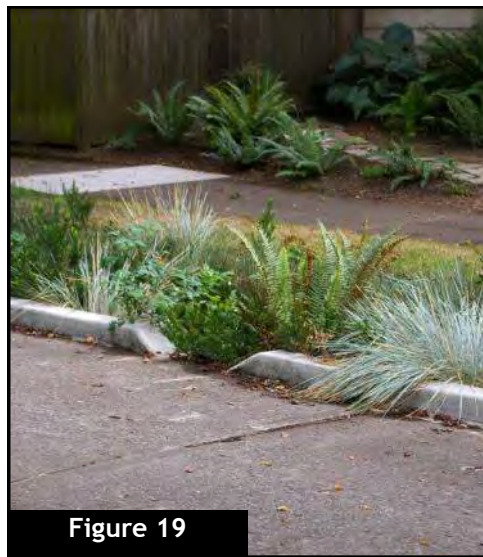


Figure 19

Efforts should be made to integrate storm water management into the numerous small greenspaces within the urban environment adjacent to driveways and parking lots, consistent with the most current New York State Stormwater Management Design Manual.

INAPPROPRIATE



Figure 20

The use of open water detention ponds are not appropriate stormwater management techniques for the urban environment of Williamsville's Mixed Use District.

§ 112-16C(2) LOADING, SERVICE, MAINTENANCE AND REFUSE FACILITIES

VIEWS OF UTILITY, LOADING AND REFUSE
AREAS SHALL BE OBSCURED FROM
ADJACENT AREAS.

APPROPRIATE



Figure 21

Figure 21 depicts a loading and refuse area positioned at the rear of the building, just out of view of primary pedestrian and circulation routes.

- (a) Loading docks, bays, and staging and service areas shall be located to the rear of the structure. Side loading areas may be approved at the discretion of the Planning/Architectural Review Board with approved screening (Figures 21 & 22).

- (b) When the rear of a structure abuts a street or residential zone, loading areas shall receive appropriate screening in accordance with 112-16E(5).

- (c) Vehicle maintenance and service bays shall not be located facing a street and shall be screened from view.

- (d) The staging, storage and parking of vehicles, equipment, or materials as part of a commercial enterprise such as, but not limited to, vehicle/equipment rentals, automotive repair and construction, shall not occur in front yards and shall be screened from view from all streets and surrounding properties.

INAPPROPRIATE



Figure 22

Although this building is constructed to the street line, the loading dock (1) is facing the primary street, presenting visual disruption.

- (e) The storage and/or staging of refuse shall take place in the rear yard and shall be buffered or screened from view from parking facilities, adjacent properties and all streets.

- (f) All refuse appurtenances, equipment and containers shall be located within a four-sided enclosure constructed of the same or complementary materials found in the principal structure. Such enclosure shall be constructed to a height not less than one foot above the height of all elements within the enclosure (Figure 23). See also § 39, § 73-3 and § 74 for further regulations regarding refuse.

APPROPRIATE



Figure 23

The above detached refuse enclosure is placed at the rear of the building and is composed of like materials as found in the principal structure.

- (g) Gate access to the enclosure shall be located out of direct view from principal building entrances and adjacent residences. Gates shall remain in a closed position at all times other than during refuse pick-up or delivery.

§ 112-16C(3) STORM WATER AND GREEN INFRASTRUCTURE FACILITIES

STORMWATER MANAGEMENT AND GREEN
INFRASTRUCTURE FACILITIES SHALL ENHANCE
THE AESTHETIC APPEAL OF THE MIXED USE
DISTRICT.

In addition to all applicable requirements provided in § 112-28, the installation of any storm water management facility in the MU District shall be subject to the following:

- (a) Storm water detention or retention ponds are not permitted in front yards.
- (b) No storm water detention facility shall have a permanent pool, and the use of rip-rap and stone fill is not permitted.
- (c) Storm water management facilities shall be integrated into the overall site design.
- (d) The use of subterranean storage for storm water runoff is encouraged where practicable.
- (e) The provision of fencing around storm water facilities is prohibited, unless the Planning Board determines that such fencing provides a positive design element.
- (f) Where practicable, the use of green infrastructure design elements, such as, but not limited to, bioswales, rain gardens, bioretention areas, porous pavements, green roofs, and other measures which promote the infiltration, transpiration, and evaporation of storm water runoff shall be encouraged (Figures 24 & 25).
- (g) All storm water management facilities and green infrastructure facilities shall provide a pleasing aesthetic complementary to the character of the Main Street corridor.
- (h) All green infrastructure design elements, including plantings and pavements, shall be regularly maintained to promote their proper and intended function.

APPROPRIATE



Figure 24

Porous pavements are encouraged to further facilitate infiltration and slow storm water runoff. These materials are especially useful along the periphery of parking areas and/or adjacent to bioretention areas (below).

APPROPRIATE



Figure 25

Where appropriate, bioretention areas and bioswales similar to the above may be used to promote the infiltration of storm water. These installations would be appropriate in parking lot medians or in linear strips along drive aisles or behind parking lots in lieu of large, unsightly retention facilities.

§ 112-16C(4) UTILITIES

ABOVE GROUND UTILITIES SHOULD BE A POSITIVE ELEMENT WITHIN THE OVERALL DESIGN AESTHETIC.

- (a) Where feasible, utility service connections from rights-of-way or easements shall provide subterranean connections to site structures and appurtenances, including, but not limited to, principal structures, garages, storage buildings, and site lighting.
- (b) Above ground utility service connections, appurtenances and fuel pumps shall be located in side yards or rear yards and screened from view from the street as necessary (Figures 26 & 27). This includes, but is not limited to, generators, transformers, vaults, 'hot-boxes,' switch-gear, meters, valves, compressors, pumps, control or service panels, or any heating, ventilation and cooling equipment. See also § 112-16(E)(5).

APPROPRIATE



Figure 26

When required to be placed within view of the public, ground-mounted utility boxes should be screened or designed as an integral element within the site.

INAPPROPRIATE



Figure 27

Ground-mounted utility boxes such as that depicted in Figure 27 shall be placed in rear or side yards with appropriate screening.

§ 112-16D

PARKING

§ 112-16D(1) OVERVIEW & APPLICABILITY

PARKING AREAS SHOULD BE INTEGRATED DESIGN COMPONENTS that do not detract from the character of Main Street. Parking areas shall be located to the rear of structures and away from the street, except where the placement in side yards may be determined acceptable by the Planning Board due to site constraints. § 112-16D (2) through D(5) are intended to minimize visual, environmental, noise, safety and other associated impacts of parking facilities by regulating their placement, design, and buffering (see Figures 28, 29 & 30). These standards apply to any parking lot and associated driveways that are (i) newly constructed; (ii) expanded; (iii) substantially modified; or (iv) or substantially reconstructed. For purposes of this section, substantial modification shall mean any change in the number or configuration of parking spaces, traffic flow patterns, or manner of ingress or egress. Substantial reconstruction shall mean the removal and replacement of more than 25 percent of the existing paved surface.

APPROPRIATE



INAPPROPRIATE



INAPPROPRIATE



Parking lots located in the rear of buildings connected to the primary street via dedicated walkways improve the vitality of the streetscape and preserve the appearance of the corridor.

Vehicular parking in front yards detracts from the overall character of the streetscape and the pedestrian experience.

Large, front-loaded parking lots and buildings with deep setbacks foster a development pattern out of scale with the Village.

§ 112-16D(2) PARKING LOCATION

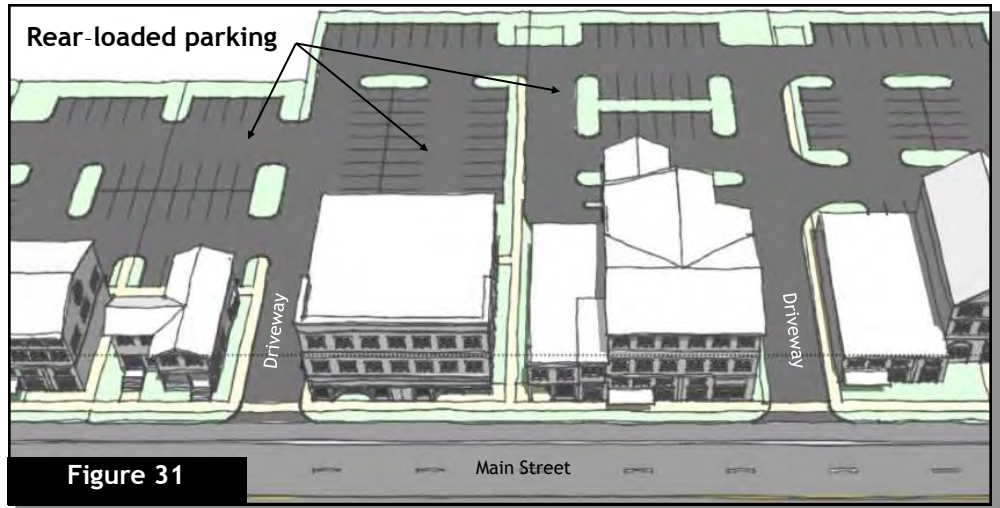
PARKING AREAS SHALL BE LOCATED OUTSIDE OF
FRONT YARDS.

(a) Vehicular parking, standing, loading and drop-off facilities shall be located in rear yards whenever possible and not less than 5 feet from the rear property boundary or 5 feet from a side property boundary (Figures 31 & 32). Existing parking lots located in the front of a building may not be expanded.

(b) Upon demonstration of significant site limitations by the applicant, the Planning/ Architectural Review Board may allow side yard parking behind a line extending from the primary building façade parallel to the street. In no instance shall side yard parking lots be less than 10 feet from a street right-of-way or 5 feet from a side lot line (Figure 33).

(c) For corner lots, side yard parking shall be allowed subject to all other applicable regulations governing side yard parking. For corner lots fronting on Main Street, side yard parking must be located on the side yard fronting the street intersecting Main Street.

APPROPRIATE



Vehicular parking lots shall be placed in the rear of the structure. In limited instances, side yard parking will also be permitted subject to conditions and approval as determined by the Planning Board [D(2)(b)].

INAPPROPRIATE



Front loaded parking is not permitted for structures along Main Street. Projects with multiple structures, some of which may be located in the rear of the lot, may have front loaded parking on those rear-lot structures only.

§ 112-16D(2) PARKING LOCATION, CONTINUED

- (d) Side yard parking shall require the installation of appropriate screening between the parking lot and street, as determined by the Planning Board (Figures 33 & 34).
- (e) Parking lot screens shall be composed of a structural screen and vegetation. Screen materials shall be similar or complementary to those found on the primary building (Figures 33 & 34, § 112-16E(5)).
- (f) For lots with side yard parking, the linear distance of parking at the front lot line of shall not exceed 30 percent of the total lot width (Figure 33).
- (g) For sites proposed with multiple structures, parking shall be centralized and shared in parking rooms of no more than 50 cars (see Figure 35).

APPROPRIATE



When sideyard parking is permitted, parking shall not constitute more than 30 percent of the total lot frontage (1). The minimum front yard setback distance for sideyard parking is 10 feet, and the parking shall be setback further than the leading edge of the building (2). A screen composed of fencing/wall and vegetation must also be installed between the parking lot and public right-of-way (3).

APPROPRIATE



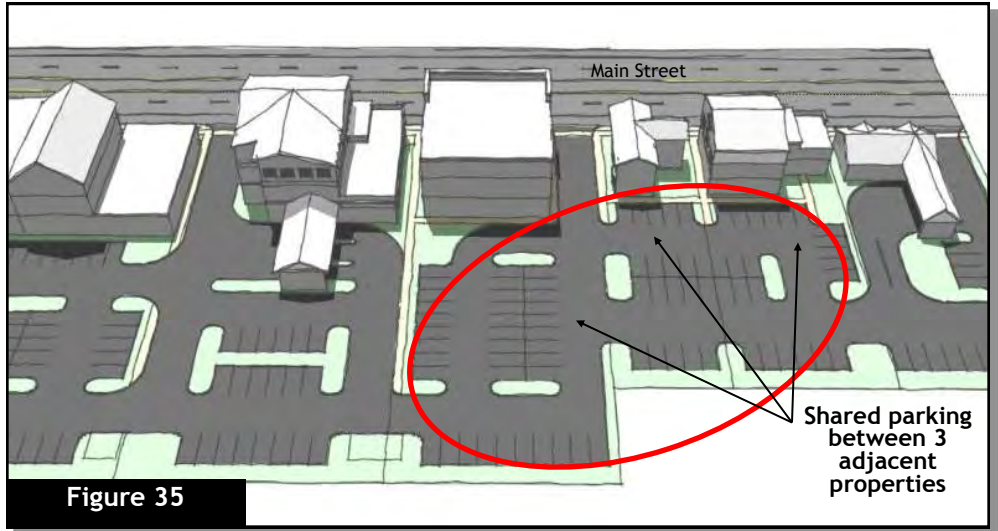
Side yard parking screens shall include a formalized structure that matches the character and materials of the primary building, along with vegetation to buffer the negative visual impacts of parked cars on the Main Street corridor.

§ 112-16D(3) SHARED PARKING

IMPERVIOUS AREAS SHALL BE MINIMIZED
THROUGH THE USE OF SHARED PARKING.

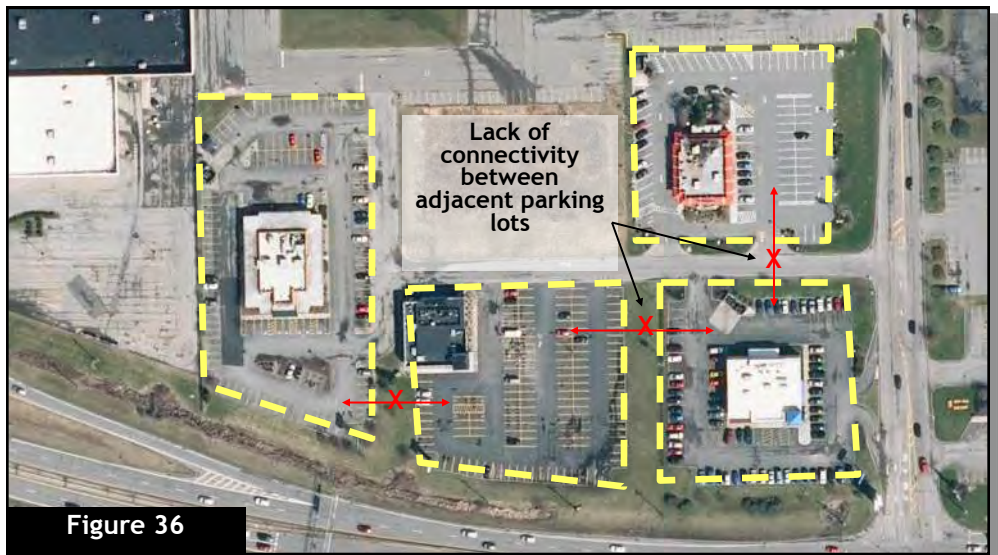
- (a) Where feasible, the provision for shared access and parking among adjacent properties along Main Street shall be required to internalize traffic circulation and reduce turning movements onto the corridor (Figures 35 & 36).
- (b) Applicants are encouraged to investigate common or shared parking opportunities between adjacent businesses with differing peak hours.
- (c) All parking included under a shared parking agreement shall count towards the numerical requirements for off-street parking as specified in § 112-16D(4)(i) and (j).

APPROPRIATE



A primary characteristic of mixed-use corridors is a staggered peak demand for parking spaces. Where the proper mixture and diversity of tenant and land uses permits, shared parking should be explored to provide a more efficient and effective use of aggregated parking spaces along the corridor.

INAPPROPRIATE



The individual assignment and isolation of parking lots complicates internal circulation for both motorists and pedestrians. The sharing of parking facilities potentially reduces the amount of pavement and other infrastructure. The above development would have benefited significantly with a site layout that grouped the buildings close together to enhance the synergy and vitality of pedestrian and outdoor spaces while also sharing parking (See also §112-16B(8) and Figure 17).

§ 112-16D(3)
SHARED PARKING,
CONTINUED

- (d) An applicant proposing to use a shared parking arrangement to satisfy off-street parking requirements shall submit a shared parking analysis as part of its application that demonstrates the feasibility of shared parking. The analysis shall address, at a minimum, the size and type of the proposed development, the anticipated use(s) of the property, the anticipated rate of parking turnover and the anticipated peak parking and traffic load, for all uses that will be sharing off-street parking spaces.
- (e) The Applicant shall furnish sufficient evidence of a viable and legally binding shared parking agreement on behalf of all involved facilities to the Planning/Architectural Review Board prior to approval of a shared parking program.
- (f) Applicants approved for the use of shared parking within combined parking lots shall not be required to provide the 5-foot side setback and buffer requirement along the shared property boundary as otherwise required pursuant to § 112-16D(2)(b).

§ 112-16D(4) MASSING AND ORIENTATION OF PARKING

PARKING AREAS SHALL BE VISUALLY
APPEALING AND COMFORTABLE FOR
PEDESTRIANS.

- (a) Parking lots shall be arranged such that long uninterrupted views across large areas of parking are not visible from any street or adjacent properties. To achieve this, parking lots shall be designed in 'rooms' containing no more than 50 vehicles each (Figure 37).
- (b) Multiple rooms shall be broken up by vegetated medians 6 to 10 feet in width, and shall be planted to provide visual buffering between 'rooms' to a density and arrangement deemed appropriate by the Planning/ Architectural Review Board.
- (c) Pedestrian walkways within the vegetative medians are encouraged (Figures 37 & 38 and § 112-16B(5)(d)).
- (d) Parking facilities shall be oriented such that drive aisles traverse perpendicular to the adjacent plane of the building.
- (e) Parking lots shall be designed and oriented to allow for cross lot access and internal access management to adjacent properties (see § 112-16B(8)(b), B(8)(c) and D(3)).

APPROPRIATE

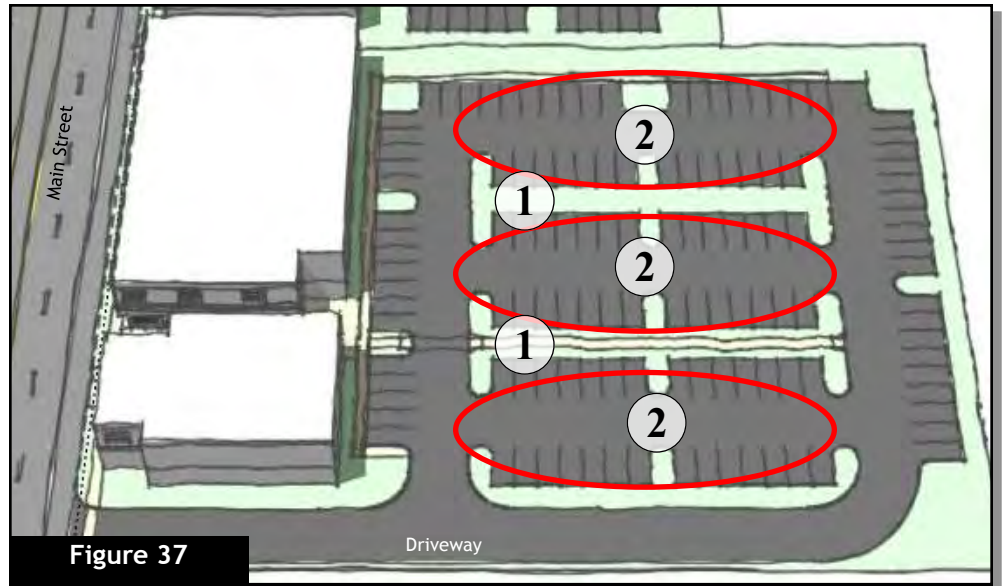


Figure 37

Parking lots shall utilize vegetated medians (1) to establish parking rooms (2) of not more than 50 cars [D(4)(a)]. The purpose of this standard is to create visual and physical breaks in larger parking areas. The concept above also places a sidewalk along the median strip to facilitate safe pedestrian access from parking areas to building entrances. These median areas can also be utilized for stormwater management and the bio-filtration of runoff.

INAPPROPRIATE



Figure 38

Parking lots without vegetation become a 'sea' of parking, with no visual interruptions or buffers to adjacent land uses. The pedestrian experience in these areas can also be confusing and uncomfortable.

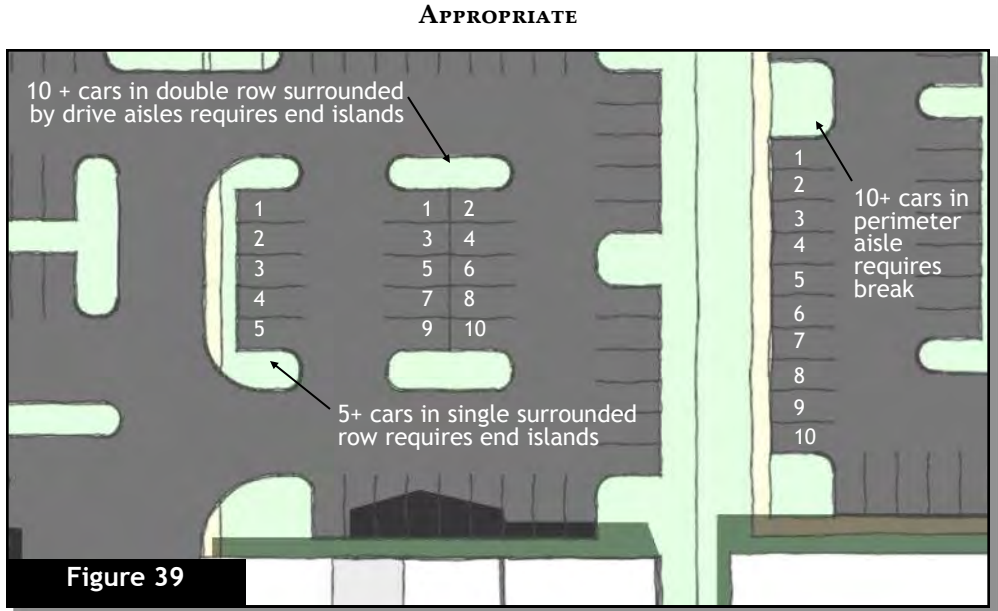
§ 112-16D(4)
MASSING AND
ORIENTATION OF

(f) Curbed end islands between 6 and 10 feet in width shall be required for all parking configurations entirely surrounded by drive aisles, provided such configurations contain more than 5 spaces in a single row and 10 spaces in a double row (Figure 39).

(g) Circulatory drive aisles, medians, and/or curbed end islands shall be installed such that no more than 10 parking stalls along the perimeter shall go uninterrupted (Figure 39).

(h) Upon the satisfactory presentation of significant site limitations by the Applicant, the Planning/Architectural Review Board may approve deviations from parking lot median and end island requirements.

(i) Off-street parking spaces shall be provided at a minimum of 1.5 spaces per 1,000 square feet for non-residential leasable area.



The above figure illustrates Standards D(4)(f) and D(4)(g). For lots with insufficient width or depth, the Planning Board may approve deviations from these requirements upon a satisfactory presentation of site limitations.

(j) A minimum of 1.5 off-street parking spaces per dwelling unit shall be provided for residential uses rounded upwards to the nearest whole number.

(k) Parking spaces shall be no smaller than 19 feet in length and 9 feet in width.

(l) The design of parking garages shall be governed by § 112-16 A, E and F.

§ 112-16D(5) OTHER PARKING CONSIDERATIONS

DESIGN CONSIDERATIONS SHOULD BE GIVEN
FOR ENHANCED SAFETY AND SNOW REMOVAL
WITHIN PARKING AREAS.

- (a) Parking areas, pedestrian walks, landscaped islands and medians, and building foundations shall be bounded by concrete or stone curbing to delineate vehicular and pedestrian zones and to control drainage, as needed (Figure 40).
- (b) Asphalt curbing is not permitted.
- (c) Pedestrian and foundation areas shall be protected to prevent errant vehicles from injuring persons or property.
- (d) Adequate provisions shall be made within the project site to accommodate the removal and storage of snow. Applicants must provide a plan for the location and removal of snow during snowfall events (Figure 41).

APPROPRIATE

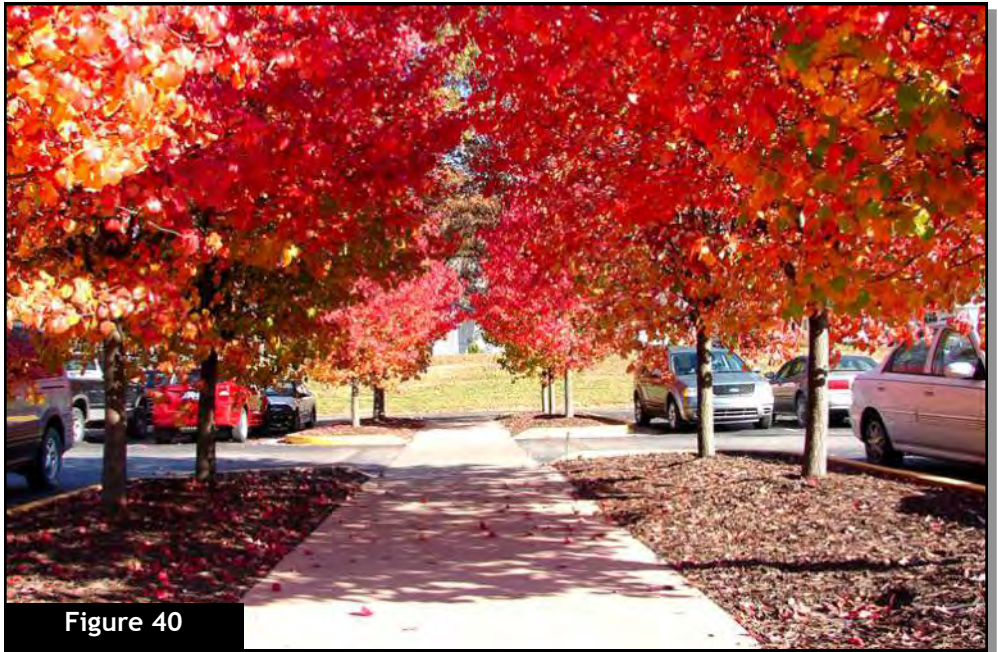


Figure 40

Parking lot medians and islands dedicated for pedestrian movements shall provide adequate separation to ensure safe and efficient circulation.

INAPPROPRIATE

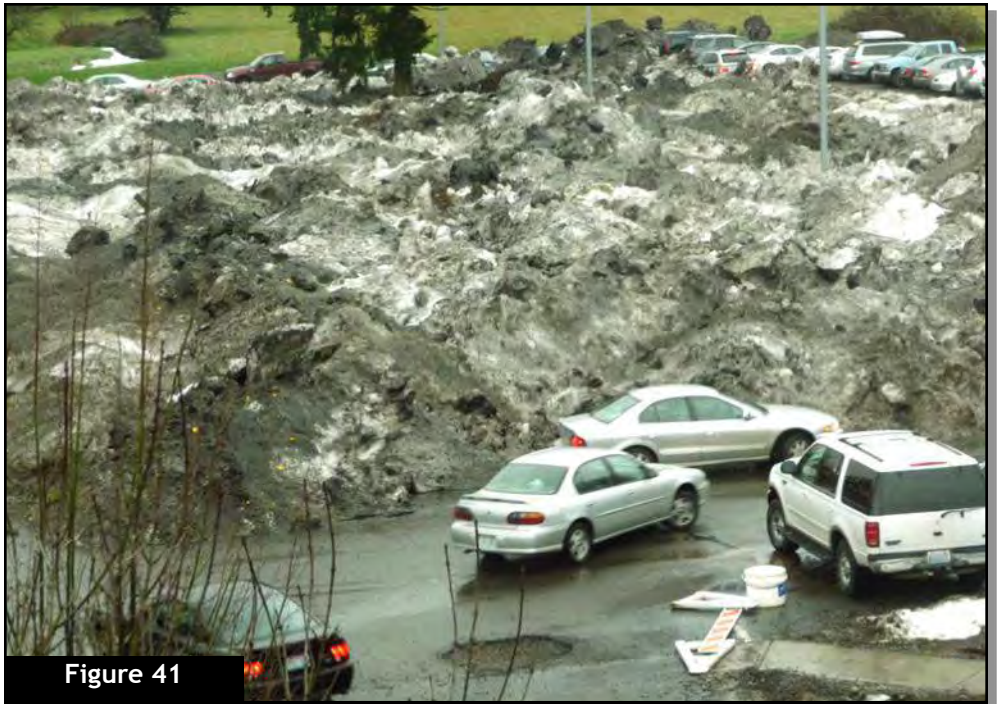


Figure 41

Parking lots shall not be overwhelmed by snow storage during the winter months.

§ 112-16E

LANDSCAPING

§ 112-16E(1) OVERVIEW

URBAN APPROPRIATE LANDSCAPING AND HARDSCAPING should enhance and screen views along Main Street. The intent of § 112-16E is to maximize the visual, aesthetic, and pedestrian experience of Main Street corridor users through the use of appropriately scaled and designed landscaping (Figure 42). This section shall also cover the mitigation of visual impacts through the buffering or screening of utilitarian site and building design elements. In addition to § 112-16E of the Design Standards, Chapter 57 and Chapter 101 of the Williamsville Code shall also apply unless indicated otherwise. Standards E(1)(a) through (e) determine the overall amount of planting material to be provided for the landscaping, buffering and screening of individual sites, buildings, and parking areas in the MU District.

- (a) One planting unit equals 1 mature shade tree, 2 minor deciduous trees, 2 evergreen trees, 5 shrubs, 10 perennials, 250 square feet of groundcover or 15 linear feet of decorative planters.
- (b) A minimum of 1 planting unit shall be required for each (i) 30 linear feet, or fraction thereof, of lot frontage along a street; and (ii) for each 500 square feet, or fraction thereof, of building coverage.
- (c) At the discretion of the Planning/Architectural Review Board, the retention of existing vegetation on site may be utilized to satisfy up to 50 percent of required planting units.
- (d) Each existing mature shade tree with a trunk diameter of 6 inches or greater when measured at breast height (dbh) may satisfy the requirement for up to 2 planting units. Other existing trees on site with a trunk diameter between 2 and 6 inches dbh may satisfy requirements for up to 1 planting unit each.
- (e) Existing vegetation must be adequately protected during and after construction, and must survive a minimum of 2 years beyond the completion of construction activities to qualify as required planting units.

APPROPRIATE



The effective use of plant material helps define a sense of enclosure and volume in outdoor spaces. Plant material should not overpower the surrounding landscape or buildings, and should be of a similar scale and height to structures within the Main Street corridor at maturity.

§ 112-16E(2) SITE LANDSCAPING

URBAN APPROPRIATE LANDSCAPING AND
HARDSCAPING SHALL ENHANCE AND SCREEN
VIEWS ALONG MAIN STREET.

- (a) Site landscaping shall be required along all property boundaries, except: (i) where side yards are less than 3 feet; (ii) where front yards are less than 6 feet; or (iii), where approved shared-parking lots adjoin abutting properties (See § 112-16E(4)(a) and (b)).
- (b) Plantings shall be limited to species native, hardy, salt-tolerant, known to be non-invasive to the area, and deer-resistant. Significant deviations from this criteria must be supported by ample evidence by the applicant.
- (c) Where a tree lawn is provided, major shade trees shall be planted along the lot frontage, parallel to the street with a spacing not to exceed 50 feet or consistent with existing tree spacing.
- (d) Consideration shall be given during species selection to the mature form, habit, and size of vegetation to ensure plantings do not create safety hazards within the corridor (Figure 44).
- (e) Properties with 80 percent or greater building coverage shall be excluded from providing site landscaping.

APPROPRIATE



Figure 43

Figure 43 depicts appropriate frontage landscaping with appropriately scaled plantings, signage and lighting.

INAPPROPRIATE



Figure 44

Plantings that overwhelm the location due to size or habit look unkempt, contribute to a decrease in pedestrian safety and an increase in property maintenance costs. The plantings in Figure 44 are much too large for front yards in the Main Street corridor.

§ 112-16E(3) PARKING LOT LANDSCAPING

LANDSCAPING WITHIN PARKING AREAS SHALL
IMPROVE THE QUALITY OF THE EXPERIENCE
AND VIEWSHED BOTH INTERNAL AND
EXTERNAL TO THE SITE.

- (a) All parking lot medians, end islands and perimeters shall be attractively landscaped, and such landscaping shall count towards satisfying the planting unit requirements of § 112-16E (1).
- (b) Major and/or minor deciduous trees, the quantity of which is determined utilizing § 112-16E (1)(b), shall be utilized in all end islands, medians and parking lot perimeters to a density similar to that shown in Figures 45 and 46.
- (c) The Planning/Architectural Review Board may require additional major and/or minor tree plantings within parking areas beyond amounts determined in § 112-16E(1)(b) to ensure adequate landscaping is provided.

APPROPRIATE



Figure 45

Parking lot islands and pedestrian medians shall be planted with sufficient landscape material and trees to provide an attractive design element that diminishes the negative impacts associated with parking areas.

APPROPRIATE

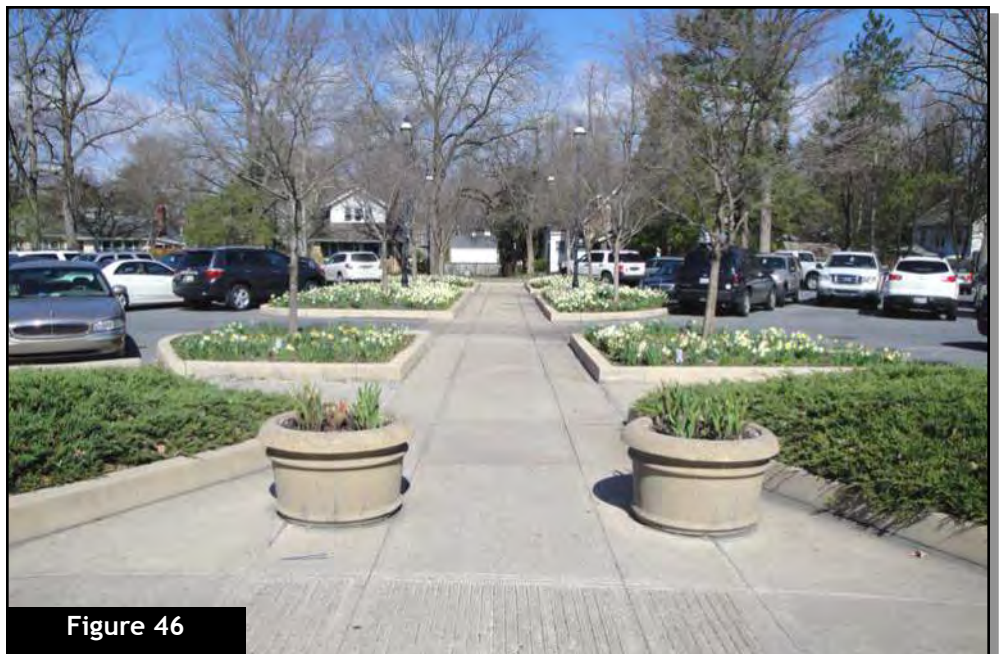


Figure 46

Landscaped medians and islands within parking areas should contain a variety of plantings, including trees, shrubs and grasses to provide adequate screening to adjacent land uses. Figure 46 depicts a well-landscaped pedestrian corridor linking a parking lot and primary entry.

§ 112-16E(4) FOUNDATION LANDSCAPE TREATMENTS

FOUNDATION LANDSCAPE TREATMENTS
PROVIDE A TRANSITION BETWEEN THE
BUILDING AND SITE.

- (a) Front yards along Main Street with building setbacks of less than 6 feet shall be paved with hardscape materials to provide an extension of the sidewalk and pedestrian zone to the building façade. Such front yard treatments may be required of other properties along Main Street at the discretion of the Planning/ Architectural Review Board.
- (b) Durable containers and permanent landscape planters shall be used in front yards less than 6 feet in depth or in other instances where appropriate landscaping cannot otherwise be obtained given site constraints.
- (c) The design and material selection for containers and landscape planters shall be complementary to the architectural style of the principal building. The use of plastic planters is not permitted.
- (d) At the discretion of the Planning Board, plantings and mulches may be required to be installed along the foundation of the proposed structure in side or rear yards.

§ 112-16E(5) BUFFERS AND SCREENS

HIGH QUALITY AND SENSITIVE VIEWSHEDS
SHALL BE PRESERVED THROUGH APPROPRIATE
BUFFERING AND SCREENING.

- (a) Buffer plantings of coniferous/ deciduous trees and shrubs, with fencing where appropriate, shall be provided along property boundaries adjacent to properties zoned or exclusively use for residential purposes to a density and height deemed appropriate by the Planning Board (Figures 47 & 48).
- (b) Parking in side or rear yards (see § 112-16E(2)) shall be screened from streets or adjacent residential properties with attractive landscaping and fencing (see D(2)(d), D(2)(e)).
- (c) All side yard parking lots that abut the front yard setback shall be screened from streets or adjacent residential properties with attractive landscaping and fencing (see § 112-16D(2)(b), D(2)(d), D(2)(e) and Figure 48).
- (d) Existing parking lots along front yard setbacks shall be screened from streets or adjacent residential properties with landscaping and or attractive fencing (see Figure 47).
- (e) Fencing shall be consistent with primary building materials and no more than 4 feet in height (see Chapter 25).

- (f) The use of individual coniferous trees without associated shrub plantings is not an approved buffer strategy.
- (g) All shrub plantings shall be contained within a defined and edged planting bed with mulch no less than 3 inches in depth.

APPROPRIATE



The above structural screen utilizes masonry columns and fencing to provide a visual and physical buffer between a sidewalk and parking area.

APPROPRIATE



Landscape screen vegetation should not be taller than the structure screen, and should provide added interest and visual buffering.

§ 112-16F

ARCHITECTURAL CONSISTENCY

§ 112-16F(1)

OVERVIEW

THESE DESIGN STANDARDS SEEK TO PRESERVE AND ENHANCE the architectural character of Main Street, and ensure that development is consistent with the surrounding landscape of the Village. New construction, building additions, rehabilitations, renovations, and/or changes in use must complement the Village traditional architecture and improve the experience for pedestrians and motorists. The Village does not seek strict uniformity amongst structures, nor the precise re-creation of historic styles. However, sufficient care and attention must be provided to building design concerning proportion, massing, style consistency, solid to void ratios, rhythm, pedestrian scale and detailing such that overall building composition is in harmony with itself, the site and its surroundings (see Figure 49).

APPROPRIATE

§ 112-16F provides standards for the following:

- building form and massing;
- commercial character; and
- residential character.

Adherence to these standards will provide a comfortable, enjoyable, and aesthetically pleasing environment within the Main Street corridor. The use of familiar building forms, massing, architectural styles, and details is required to complement the Village's valued historic character.



Figure 49

The creation of a consistent streetwall is an important design element for pedestrian-friendly and comfortable environments. In addition, enhanced transparency on store frontages, and the repetitive rhythm of the entryways creates a vibrant and active streetscape.

§ 112-16F(2) BUILDING FORM AND MASSING

BUILDINGS MUST BE CONSISTENT IN FORM
AND MASSING WITH ADJACENT HISTORIC
MAIN STREET PARCELS.

- (a) New construction must relate to the proportion, massing, and scale of surrounding valued historic forms (Figure 50).
- (b) These standards do not require the precise re-creation of historic styles. Contemporary interpretations in correct proportion, character and style can be utilized to strengthen the identity of new buildings.
- (c) The maximum gross building area for each story of a single building shall be 15,000 square feet.
- (d) In instances where the front façade is greater than 50 feet in width, delineations and treatments, such as a recess or projection that varies the depth of the building wall, shall be used to break up its appearance (Figure 51).
- (e) Structures shall incorporate fascias, canopies, arcades, setbacks, recesses, projections or other design features to compose wall surfaces of 600 square feet or less to avoid large, undifferentiated walls (Figure 51).

APPROPRIATE



Figure 50

This recently constructed public library relates to historical style, form, massing and materials, yet is not a precise re-creation of historic design. Its design is focused on providing an appropriate scale that reinforces the surrounding pedestrian realm.

APPROPRIATE



Figure 51

Larger building footprints along Main Street shall break up the façade treatment to provide visual distinction, variety, and the appearance of multiple structures, as seen above in the above image.

§ 112-16F(2) BUILDING FORM AND MASSING, CONTINUED

- (f) New building construction, and additions fronting along Main Street or any intersecting street, shall be a minimum of 2 usable stories, with an overall maximum height of 50 feet (Figures 53 & 54). One story additions not fronting on Main Street or any intersecting street may be approved at the discretion of the Planning and Architectural Review Board if it finds that such addition is architecturally appropriate and consistent with the overall intent of these standards.
- (g) The height of building first floors shall not be less than 15 feet where § 112-16G(4)(h) does not apply (Figure 52).



Figure 52

The added height of the first floors for structures in Figure 48 provides continuity and adds a sense of prominence to the lower levels of the buildings.

INAPPROPRIATE



Figure 53

INAPPROPRIATE



Figure 54

REAR LOT TRANSITION

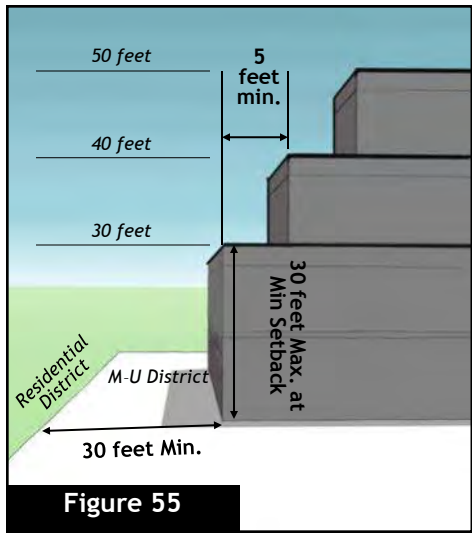


Figure 55

A building with a rear setback of 30 feet shall be no taller than 30 feet above grade at the minimum setback line.

Figures 52 and 53 depict buildings that are inappropriate for the Main Street corridor. Although Figure 52 depicts a building at the streetline, the height and lack of window rhythm and detailing is unappealing. The structure in Figure 53 has many positive components, including a significant amount of transparency. However, its height and front yard parking are not desirable for Main Street.

- (h) The maximum building height at the minimum building rear yard setback abutting residential zones is 30 feet (See § 112-16B(2)(j) and Figure 55).
- (i) Buildings taller than 30 feet must include an additional setback from the minimum rear yard building setback, such that each 10-foot portion of the structure above 30 feet in height is stepped away from the rear property boundary by a minimum of 5 feet (Figure 55).
- (j) For buildings with multiple storefronts, there shall be a direct correlation between the delineations of interior tenant spaces and exterior façade treatments.

§ 112-16F(3) COMMERCIAL BUILDING CHARACTER

COMMERCIAL BUILDINGS MUST ALLOW FOR
THE MIXING OF USES IN UPPER STORIES.

- (a) New construction, building renovations, and building additions shall complement the traditional architecture of Western New York State (Figures 56-59, 64-66).
- (b) Buildings shall have a solid to void ratio created by window openings and wall surfaces that is consistent with the valued historic forms found in the Village. A similar or complementary ratio shall be provided or maintained on existing structures upon renovations or changes in building use (Figures 56, 59, 62 & 63).
- (c) All new or renovated commercial buildings with frontage on public streets shall provide areas of transparent glazing equal to or greater than 70 percent of the wall area between the height of 3 feet and 10 feet from the ground (Figures 58, 63 & 65). Tinted glazings that reduce transparency of 1st floors shall not count towards the minimum transparency requirement (See also §112-16 G(3)). Low thermal emissivity coatings do not constitute tinting.

APPROPRIATE



Figure 56

This recently renovated building complements its surroundings, provides historically relevant design cues, maintains an active storefront, and displays a prominent entrance [F(3)(a)].

APPROPRIATE



Figure 57

The new retail structure in the background draws design elements from the historic structure in the foreground. Where appropriate, new construction shall complement the traditional architecture found along Main Street [F(3)(a)].

APPROPRIATE



Figure 58

The contemporary development seen in the above figure provides a consistent solid to void ratio and street level transparency appropriate for Main Street in Williamsville [F(3)(b) and (c)].

APPROPRIATE



Figure 59

This new building borrows historic design elements and details, yet is not a strict re-creation of an existing historic building. Structures such as this are appropriate in scale, massing and style for the Main Street corridor [F(3)(a)].

- (d) Commercial buildings shall provide visual distinction between the 1st floor and upper floors through the use of appropriate architectural elements, details, materials and/or color (Figures 58, 59, 65 & 66).

§ 112-16F: ARCHITECTURAL CONSISTENCY

INAPPROPRIATE



APPROPRIATE



APPROPRIATE



INAPPROPRIATE



APPROPRIATE



INAPPROPRIATE



INAPPROPRIATE



Structures such as that found in Figures 60 and 61 do not relate to or complement the traditional architecture of Main Street [§ 112-16F(3)(a)].

Additions such as that depicted in Figure 62 do not relate to the existing building, and shall be avoided [F(3)(a)].

The elimination of windows (Figure 63) is not appropriate for the adaptive reuse of existing structures [F(3)(b)].

Figure 64 depicts an appropriate adaptive reuse of historic structures which retain the commercial storefronts and appropriate transparency along the primary façade [F(3)(b) & F(3)(c)].

Figure 65 depicts a subtle, yet effective, use of architectural details to provide visual distinction between the 1st floor and upper stories while maintaining transparency [F(3)(c) & F(3)(e)].

Figure 66 provides an appropriate example of new development that is in scale with its surroundings, successfully utilizes historic design cues from traditional architectural styles, and differentiates the 1st floor from upper stories [F(3)(a) & F(3)(d)].

§ 112-16F(4) RESIDENTIAL BUILDING CHARACTER

RESIDENTIAL BUILDINGS SHALL HAVE A DISTINCT CHARACTER COMPARED TO THEIR COMMERCIAL COUNTERPARTS.

- (a) The standards set forth in § 112-16F(3)(a) and (b) shall apply to residential use buildings (Figure 67).
- (b) Fire escapes shall be located on side and rear yards only.
- (c) The enclosure of existing front porches, other than through the use of transparent glazing, is not permitted. Window and door openings shall not be filled in such that the resulting façade lacks a consistent solid to void ratio.
- (d) New construction shall not create large, undifferentiated walls with few to no windows or door openings facing a street, drive or parking area (Figure 68).
- (e) Principal and shared pedestrian entrances for ground floor residential units shall face the primary street and have a direct connection to the sidewalk system (Figure 67).
- (f) Individual residential units with principal entrances at ground level shall have front porches or entryways that are covered, elevated above grade, or otherwise distinguished to provide visual separation from the street (see Figure 67).

APPROPRIATE



Figure 67

Residential development, such as the example above, shall provide a visually distinct style from that found in adjacent commercial buildings. The placement of building entrances, fenestration and the use of materials shall complement surrounding development and the character of the corridor. Residential building entrances shall face the primary street and have a direct connection to the sidewalk system [§ 112-16F(4)(e)].

INAPPROPRIATE



Figure 65

The structure in Figure 68 does a poor job of addressing the street, and building entrances are not pronounced. This building does not evoke a residential appearance, and provides a stark building wall against the streetline [§ 112-16F(4)(d)]. The architectural style of this building is also not appropriate for Williamsville.

§ 112-16G

ARCHITECTURAL DETAILS

§ 112-16G(1) OVERVIEW

ARCHITECTURAL DETAILS SHALL COMPLEMENT AND ENHANCE overall building composition, and shall be appropriate to the style and character of the building, the site, and the surroundings (Figure 69). A lack of architectural detail and ornamentation leaves the building devoid of interest (Figure 70); an over abundance of which creates a confusing and jumbled appearance. The use of details shall be kept consistent with buildings of a similar architectural style, yet should also be utilized to supply a unique identity for the structure. For example, window and door trim should call attention to and accentuate openings without dominating or confounding the building façade.

§ 112-16G provides standards for the following:

- Building base and foundations;
- Building glazing;
- Roofs, cornices and overhangs;
- Doors and entryways; and
- Building materials.

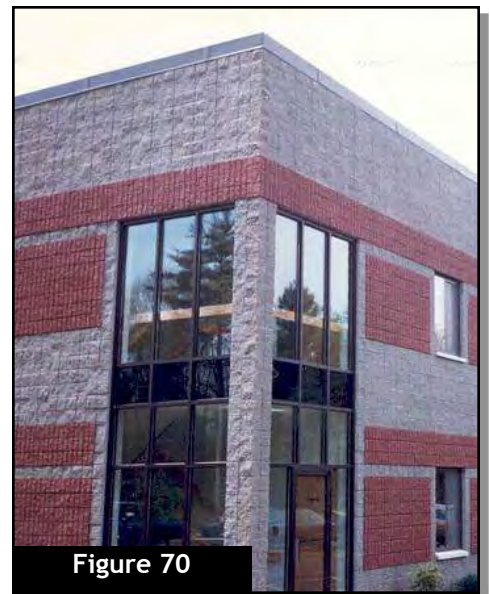
Applicants shall utilize the treatment of windows, entrances, awnings, storefronts and building bases to ensure the structure makes a prominent statement without overpowering the Main Street corridor.

APPROPRIATE



Architectural details such as cornice lines, pilasters, and recessed windows finish a building façade and are extremely important in developing a sense of place and strengthening the identity of the Main Street corridor as a vibrant and active community center.

INAPPROPRIATE



A lack of architectural detail coupled with the improper utilization of building materials and design proportions can reduce the visual appeal and economic value of structures within the Main Street corridor.

§ 112-16G(2) BUILDING BASE AND FOUNDATIONS

THE BUILDING BASE SHALL VISUALLY
HIGHLIGHT THE CONNECTION BETWEEN THE
STRUCTURE AND THE SITE.

- (a) A formal building base shall be distinguished from the upper portions of the structure through a change of materials, color, texture and/or projection (Figures 71, 72 & 73).
- (b) The base treatment shall be continuous along facades facing streets and parking areas (Figure 71).
- (c) The building base shall be included on all primary facades, and shall complement the architectural style and window and door fenestrations.
- (d) Foundations of masonry block or poured concrete shall not be left exposed, and shall be adorned with appropriate finishing materials in character with the structure base and vernacular to the region.

APPROPRIATE



Figure 71

Although subtle (1), the highlighting of the building base anchors the structure to the site, and provides visual distinction between the ground plane and the structure [G(2)(a)]. Material selection shall complement the architectural style of the building and those materials commonly found within the region [§ 112-16G(2)(d)].

INAPPROPRIATE



Figure 72

The building façade shall not abruptly end at the sidewalk (1). The building shall have a base of material that anchors the structure to the site [§ 112-16G(2)(a) and Figure 73].

§ 112-16G(3) WINDOWS

APPROPRIATE

WINDOWS SHALL BE USED TO ADD
TRANSPARENCY, INTEREST, AND RHYTHM TO
THE BUILDING FAÇADE.

- (a) Windows shall be of a scale, proportion and extent appropriate to the overall architectural style of the building (Figure 73).
- (b) Window openings shall be trimmed with an appropriate material (brick, stone, wood, wood-like, cementitious board) to provide added definition to the overall façade.
- (c) The rhythm and ratio of solids to voids for building additions and expansions shall be similar to those of the region's valued historic forms.
- (d) At street corners, public spaces and along pedestrian walks, commercial building storefront windows shall wrap the building corner and provide enhanced transparency and added architectural interest to the 1st floor (Figure 74).



Figure 73

This structure provides a high quality example of building-appropriate window proportions, trim details, building base and solid-to-void ratios [§ 112-16G(3)(a), G(3)(b) & G(3)(c)].

APPROPRIATE



Figure 74

The wrapping of primary storefront windows around the corner of a building (1) enhances the pedestrian experience and adds a higher level of architectural character and detail to the structure [§ 112-16G(3)(d)].

§ 112-16G(4) ROOFS, CORNICES, EAVES, OVERHANGS AND

ROOFS AND CORNICES ARE CRUCIAL
COMPONENTS OF THE BUILDING FAÇADE.

- (a) Elements that define the roof and the upper quartile of the façade shall incorporate design details that provide an added level of detail and articulation to the architectural expression of the building (Figures 75 & 76).
- (b) The choice of design elements and their scale, height, proportion and mass should draw from design cues provided by the historical character of the Village.
- (c) Rooflines shall be in character with the overall architectural style of the building and those vernacular to Western New York State. For example, gable, gambrel, mansard, shed, and hip roofs are common within the region.
- (d) Cornices shall be used to differentiate and enhance the vertical composition of the building façade (Figure 75).
- (e) The use of awnings, canopies, recessed entries and other design elements is encouraged to define the 1st floor and provide shelter to entryways (Figure 77).

APPROPRIATE



Figure 75

The upper quartile of each structure in Figure 72 provides a high level of detail and ornamentation which caps the structure, while the lower quartile of such structure also defines the break between the ground floor and upper stories [§ 112-16G(4)(a) & G(4)(d)].

INAPPROPRIATE

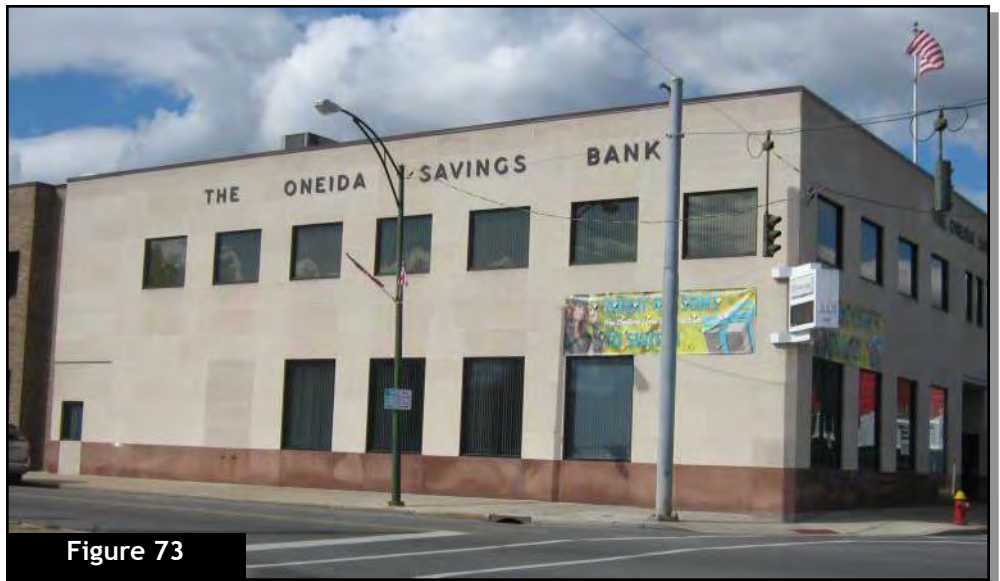


Figure 73

The building in Figure 73 does not provide any meaningful architectural detail at the roofline, nor does the scale and proportion of the existing design elements complement the surroundings [§ 112-16G(4)(a)].

§ 112-16G(4) ROOFS, CORNICES, EAVES, OVERHANGS AND PARAPETS CONTINUED

- (f) Overhangs and canopies should be architecturally consistent with or complementary to the remainder of the building.
- (g) Parapets and false roofs shall be utilized to obscure the view of rooftop mechanical equipment when viewed at ground level from the opposite side of the Main Street corridor or adjacent districts. The use of fencing, lattice and similar materials to screen rooftop mechanical equipment is not permitted.
- (h) To the extent practicable, building stories, cornice lines and other horizontal trimlines for infill development shall have continuity with adjacent buildings (Figure 78).

APPROPRIATE



Figure 77

Awnings are a high quality design element that define the purpose and volume of outdoor spaces. They also add visual variety and distinction to building façade components [§ 112-16G(4)(h)]. The building in Figure 77 also displays a significant amount of transparency and the successful use of a cornice to differentiate the 1st floor from upper stories.

APPROPRIATE



Figure 78

These structures have continuous cornice and trim lines, and provide a high quality rhythm to the streetscape [§ 112-16G(4)(h)].

§ 112-16G(5) BUILDING DOORS AND ENTRIES

ENTRIES SHALL PROVIDE A WELCOMING
EXPERIENCE FOR BUILDING PATRONS.

- (a) All entries shall be designed as an important feature and visual cue of the building façade (Figure 79).
- (b) Doors and entryways shall be of a scale, proportion and coverage appropriate to the overall style of architecture of the building.
- (c) Commercial buildings shall have a transparent primary entry that will be considered as part of the overall transparency requirement for the building frontage (See § 112-16F(3)(c)).
- (d) Primary entries shall be detailed and highlighted through the use of trim, moldings, overhangs and/or other defining architectural features such that its purpose as the primary entrance is evident from the street. Similar treatment is encouraged for all entryways near parking locations (Figures 79 & 80).

APPROPRIATE

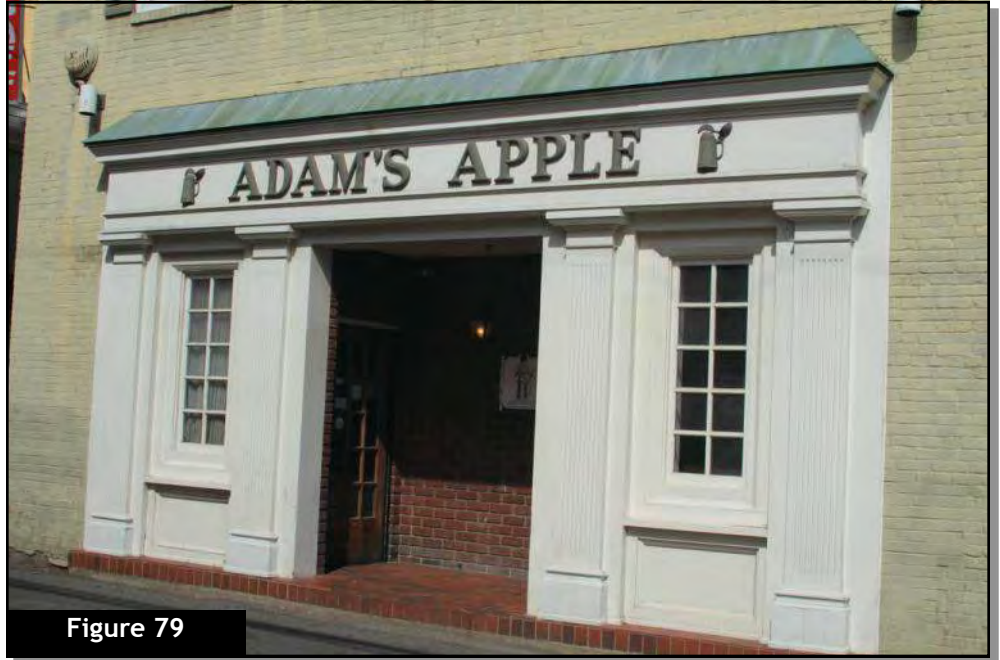


Figure 79

Although this entrance is located on the rear of the structure, it retains a sense of importance and draws visitors from parking areas into the structure [§ 112-16G(5)(a)]. The lack of transparency into the structure is balanced by the level of architectural detail and selection of materials.

APPROPRIATE

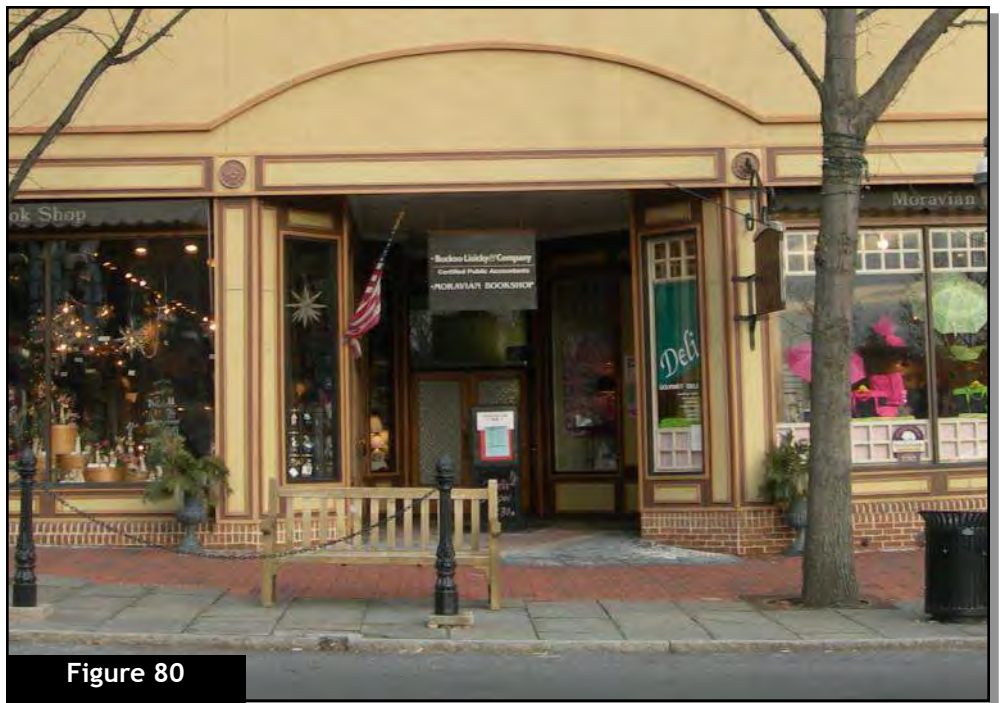


Figure 80

The active and transparent storefronts seen in Figure 80 utilize a recessed entry to provide visual distinction and a visual cue on where to enter the structure [§ 112-16G(5)(d)].

§ 112-16G(6) BUILDING MATERIALS

BUILDING MATERIALS SHALL EVOKE THE CHARACTER, STYLE AND PURPOSE OF THE STRUCTURE.

- (a) Along street frontages, all exterior building walls and structures shall be constructed with durable materials such as masonry, stone, metal, brick, and finishing wood.
- (b) Changes in materials shall occur at inside corners. Material or color changes at the outside corners or within a plane is not permitted.
- (c) Primary façade materials shall be wrapped onto secondary facades for a distance of no less than 10 feet or that which is architecturally consistent with building fenestration.
- (d) Standard masonry block walls are prohibited on any primary façade.
- (e) Decorative masonry materials such as split face and textured finish blocks are discouraged, but may be considered an acceptable façade material at the discretion of the Planning Board.
- (f) Exterior finishing materials for renovations, additions, and rehabilitations shall be consistent with those being retained on existing and adjacent traditional structures (Figure 81).
- (g) The following materials or systems shall not be utilized on finished building or signage exteriors:
 - Direct-Applied Finish Systems (DAFS);
 - Vertical aluminum or metal siding;
 - Vinyl siding;
 - T111 siding;
 - Glass block;
 - Spandrel glass or glass curtain walls.
- (h) Exterior Insulation Finish Systems (EIFS) shall not be utilized as a primary building material, but may be utilized, at the discretion of the Planning/Architectural Review Board, as a decorative or complementary material on upper stories only.

INAPPROPRIATE



Figure 81

The use of inappropriate materials and finishes (1) diminishes the visual quality of the structure and adjacent buildings. In this example, although the structure has a high quality storefront, the use of vinyl siding over what was likely masonry construction reduces the overall appeal of the building.

§ 112-16H

SIGNAGE

§ 112-16H(1) OVERVIEW

SIGNS ARE IMPORTANT COMPONENTS OF THE STREETScape. They do more than communicate information. Through the quality of their design, signs can both contribute to (Figure 82) and diminish (Figure 83) the character or appearance of structures and urban corridors. The purpose of the standards presented in § 112-16H and Chapter 84 are to promote visual cohesiveness within the streetscape through signage that is harmonious with building architecture and the character of the surrounding area. Signs within the Main Street corridor should serve as attractive accents that inform visitors of the goods and services available, while promoting a higher standard of visual quality that protects, preserves, and enhances the economic and aesthetic value of the community.

Chapter 84 provides signage standards covering the type, style, height, size and placement of signs within the MU District. In addition, the images contained within § 112-16H(2) constitute generally acceptable signage variations. These examples are not intended to provide a limited palette of design options, but rather to establish a baseline of acceptability.

APPROPRIATE



Figure 82

Appropriate signage is discrete, yet informative, and highlights the building architecture while complementing its surroundings.

INAPPROPRIATE



Figure 83

The use of tall single-pole signs detracts from the historic character of the Village and is inappropriate for Williamsville's Main Street corridor

§ 112-16H(2) SIGNAGE GALLERY



Figure 84



Figure 85

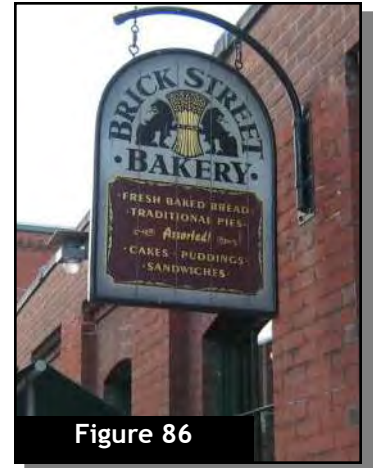


Figure 86



Figure 87



Figure 88



Figure 89

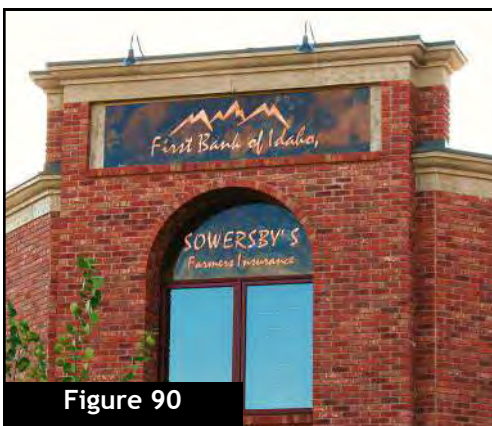


Figure 90



Figure 91



Figure 92

The above gallery of Figures 84 through 92 represents a collection of acceptable signage examples based on style and the quality of design and materials. This gallery does not represent a palette of options or a finite selection of alternatives. The standards and pictorial examples are intended to provide guidance and a range of appropriate alternatives for signage applicants. It is expected that signs shall be designed on an individual basis to complement the building architecture, the surrounding Main Street corridor, and the needs of the applicant.

§ 112-16I

LIGHTING

§ 112-16I(1) OVERVIEW

LIGHTING IS A CRITICAL DESIGN ELEMENT that provides safety, visual cues, and aesthetic appeal to the building and its surroundings. Within the MU District, lighting shall be utilized to illuminate building entrances, signage, and parking areas, while also providing for subtle accents of building architecture and site landscaping. The scale and height of lighting fixtures have a significant impact upon their function and effectiveness. Within the Main Street corridor, street lighting should be pedestrian in scale and height, and appropriately spaced to provide sufficient illumination for the street and sidewalk (Figures 93 & 94). New development should follow this standard by keeping fixtures and poles in scale and character with the site and adjacent uses, while also providing the illumination to only those areas intended. The prevention of light pollution spilling beyond property boundaries is of paramount concern to mixed-use districts that support both commercial and residential uses.

§ 112-16I includes the following standards:

- site lighting;
- building lighting;
- accent lighting; and
- a gallery of fixtures.

APPROPRIATE



Figure 93

The use of period lighting fixtures with enhancements such as banners and flower hangers is appropriate for the Mixed Use district.

INAPPROPRIATE

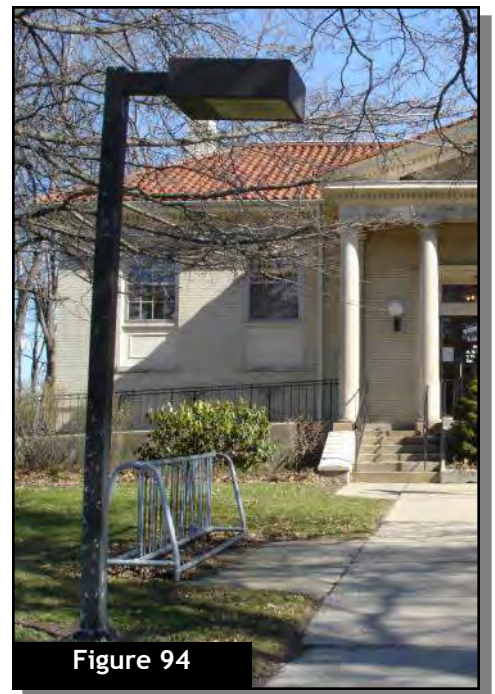


Figure 94

The above light fixture is inappropriate in scale and height for this pedestrian application.

**§ 112-16I(2)
SITE LIGHTING**

SITE LIGHTING SHALL IMPROVE THE SAFETY
AND VISIBILITY OF PARKING LOTS AND
PEDESTRIAN ZONES.

- (a) Lighting shall be designed such that poles, fixtures, ornamentation and materials are of a pedestrian scale and height, and provide for a safe pedestrian experience.
- (b) Fixture heights shall be between 8 and 20 feet in height, with shorter poles along sidewalks and pedestrian zones, and taller poles within parking areas.
- (c) Fixtures shall be “Dark Sky” compliant. Light trespass into adjacent non-commercial areas shall not exceed 0.1 foot candles in intensity.
- (d) Amber hue lighting, such as high pressure sodium fixtures and others of equivalent performance, is not permitted.
- (e) Lighting fixtures shall be directed away from adjacent structures and property boundaries.
- (f) Fixture mounting height, direction and intensity shall be determined based on the minimum requirements necessary to efficiently and safely illuminate the area.

**§ 112-16I(3)
BUILDING LIGHTING**

ENHANCED BUILDING LIGHTING SHALL BE
PLACED AT BUILDING ENTRANCES AND OTHER
PEDESTRIAN AREAS.

- (a) Building-mounted lighting shall be of a style complementary to the architectural character of the building and surroundings.
- (b) Building-mounted lighting shall not be utilized as area lighting in place of pole-mounted lighting along private rights-of-way, sidewalk and pedestrian zones, and parking areas.
- (c) Building-mounted lighting shall be utilized primarily for safety and security lighting at entryways, utility and loading areas, and other areas approved by the Planning Board.
- (d) Standards I(1)(c), (d) and (e) shall also apply for building-mounted lighting.
- (e) Building-mounted lighting shall not be mounted higher than 15 feet above grade.
- (f) Wall-pack style lighting fixtures shall not be placed upon primary facades facing Main Street.

**§ 112-16I(4)
ACCENT LIGHTING**

ACCENT LIGHTING SHOULD BE USED TO
COMPLEMENT AND HIGHLIGHT UNIQUE
ARCHITECTURAL FEATURES.

- (a) Standards I(2)(d) and (e) shall also apply for accent lighting, including both ground- and building-mounted fixtures.
- (b) The use of neon accent lighting is not permitted.
- (c) Building accent lighting shall be discrete in nature and of the same color and a lesser intensity than other building mounted lighting.
- (d) Accent lighting shall focus on highlighting architectural details or elements rather than the illumination of entire facades or walls.

§ 112-16I(5)
LIGHTING GALLERY

APPROPRIATE

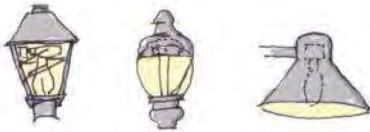
Full cutoff fixtures



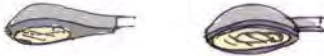
Fully shielded wallpacks and wall-mounted fixtures



Fully shielded 'Period' style or contemporary fixtures



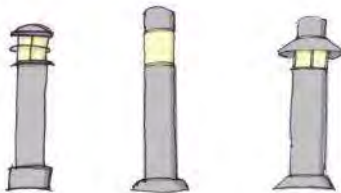
Full cutoff streetlights



Shielded/properly-aimed PAR floodlights



Lit bollards



Goose-necks, soffit, and lantern-style



INAPPROPRIATE

Drop lens and sag lens fixtures with exposed bulb



Unshielded wallpacks and wall-mounted fixtures



Unshielded 'Period' style or contemporary fixtures



Unshielded streetlights



Unshielded or poorly shielded floodlights



Single tube fluorescent fixtures



§ 112-16J SEASONAL OUTDOOR SEATING

To permit Seasonal Outdoor Seating in areas where it is appropriate and to promote and protect the public health, safety and general welfare

Appropriate



Figure A safe, attractive seating area that is raised, removed from vehicles and has a rail.

§ 112-16(J)(1) Purpose; intent.

This chapter is designed to permit Seasonal Outdoor Seating in areas where it is appropriate and to promote and protect the public health, safety and general welfare. The specific purposes of this legislation are:

A. To ensure adequate space for pedestrians on right of way areas adjacent to Seasonal Outdoor Seating Areas.

B. To ensure the safety of patrons utilizing the Seasonal Outdoor Seating.

C. To preserve and enhance the character of the neighborhoods where such outdoor dining is permitted in the Village, and to protect the adjacent areas.

D. To promote the most desirable use of land.

§ 112-16(J)(2) Permit required.

No Seasonal Outdoor Seating shall be allowed unless a permit has been first obtained from the Building Department.

§ 112-16(J)(3)

Application for permit.

A. Applicant for a Seasonal Outdoor Seating permit shall be made to the Building Department in writing on a form prescribed by the Code Enforcement Officer. Except for renewal applications as provided pursuant to § 112-16(J)(7), the Code Enforcement Officer shall forward the application to the Planning and Architectural Review Board, which

Inappropriate



The outdoor seating pictured above, lacks aesthetic quality and features inappropriate barriers to vehicles.

shall review such application for consistency with the standards set forth herein, and either grant, grant conditionally, or deny such application.

B. Such application shall contain the following information:

- (1) The name, address and telephone number of the applicant.
- (2) The name, address and telephone of the establishment to be the subject of the application.
- (3) The name and telephone number of the owner and/or operator of the establishment, or designated responsible representative.
- (4) Whether alcoholic beverages are to be served.
- (5) A survey of the subject property, indicating the location of the proposed Seasonal Outdoor Seating area.

Inappropriate



The above represents seating that is removed from the parking facility by a minimum 6" elevation, but lacks the necessary railing.

(6) A plan showing the complete sidewalk and/or dining area, the location of all furniture and fixtures to be used, including a seating plan, and the location of any entrances and/or exits.

(7) Descriptive material showing all furniture and fixtures to be used, and how such furniture and fixtures shall be stored or secured during nonoperational hours.

Application



Figure 1



Figure 2

Images above show seating areas both, raised and ground level, with appropriate railings and /or DOT anti-ram barriers.

(8) Whether live or mechanically reproduced music is to be played, and a description of the site of the facilities, equipment or other devices needed for amplification of sound.

(9) Proof of insurance if required by § 112-16(J)(7) of this chapter.

(10) Any other information that the Code Enforcement Officer may find reasonably necessary to determine whether a permit should be issued.

§ 112-16(J)(4) Standards for issuance of permit.

In reviewing an application, the Planning and Architectural Review board shall apply the following standards:

A. The Seasonal Outdoor Seating area must be either (i) separated from any public or private area used for the parking or movement of automobiles by a buffer of at least 10 feet in width or an appropriate DOT approved anti-ram vehicle barrier; or (ii) located on an elevated platform, constructed of concrete, wood or other sturdy material, at least 6 inches in height and equipped with an appropriate barrier.

B. To the greatest extent practicable, the Seasonal Outdoor Seating shall be contained wholly within the property lines of the establishment, and if these activities do extend to the sidewalk, a minimum sidewalk clearance of five feet shall be maintained to provide adequate and unobstructed pedestrian movement. The minimum sidewalk width requirements shall be measured from the outer edge of the curb to the outermost point of the Seasonal Outdoor Seating area.

C. Tables, chairs, umbrellas, awnings, barriers and any other structures or object associated with Seasonal Outdoor Seating ("Outdoor Seating Elements") shall be of quality design, materials, workmanship and construction, both to ensure the safety and convenience of users and to enhance the visual and aesthetic quality of the urban environment. In reviewing Outdoor Seating Elements, the Planning and Architectural Review Board shall consider their character and appropriateness of design, including but not limited to scale, texture, materials, color and the relation of the Outdoor Seating Elements to the adjacent establishments, to features of structures in the immediate surroundings, as well as to the streetscape and adjacent neighborhood(s), if applicable. Any permanent structural elements shall conform to § 112-16(G)(6) with respect to appropriate building materials.

D. The applicant is in compliance with, and has met, all other applicable provisions of this chapter, all building codes, health codes and any other codes applicable to the premises.

E. Unless the application would otherwise trigger site plan review pursuant to § 112-23C, the requirements of § 112-23E(1)(i) shall not apply to an application for a Seasonal Outdoor Seating permit. However, at its discretion, the Planning and Architectural Review Board may refer any such application to the Traffic and Safety Committee for its recommendation concerning such application.

Figure 112-1J



Figure

The image above features tables in direct conflict with parking, no rise or barriers.

§ 112-16(J)(5) Effect of permit.

- A. Establishments issued a permit hereunder may maintain Seasonal Outdoor Seating as set forth in this chapter and in the permit. The permit is not transferable.
- B. The consumption of alcoholic beverages, any and all types and kinds, in such Seasonal Outdoor Seating area is prohibited unless served by the licensed premises. It is the responsibility of the owner and/or operator of the premises who has obtained a permit hereunder to ensure compliance with this provision.
- C. A permit holder shall be bound by all applicable rules, regulations, ordinances, local laws and statutes.
- D. No other activities of any nature conducted now or hereafter by any commercial establishment, enterprise, business, venture or shop in the Village, otherwise prohibited by all applicable rules, regulations, ordinances, local laws or statutes are changed, amended, suspended or altered in any respect because of this chapter.
- E. Seasonal Outdoor Seating activities shall be limited to the areas granted in the permit.
- F. "Any areas used exclusively for Seasonal Outdoor Seating shall not be counted for the purposes of calculating minimum off-street parking requirements provided for in Section 112-16(D)(4)(i)."

§ 112-16(J)(6) Liability of permit holder.

The person or persons to whom a permit for Seasonal Outdoor Seating has been issued shall be liable, and shall indemnify the Village, for any loss, damage, injury or expense sustained by the Village arising out of any claim or cause of action instituted or commenced by any person or persons arising out of the issue of such permit, or as a direct or indirect result of the operation of such Seasonal Outdoor Seating area.

§ 112-16(J)(7) Insurance.

If any portion of the Seasonal Outdoor seating is on public property and/or in the public right-of-way, the applicant for a permit shall present, prior to the issuance of the permit, a certificate of insurance for comprehensive general liability, naming the Village of Williamsville as an additional insured, for the combined single limit of no less than \$1,000,000 per occurrence and \$2,000,000 general aggregate.

§ 112-16(J)(8) Revocation or suspension of permit.

The Code Enforcement Officer shall have the authority to revoke or suspend a permit when, in the Officer's sole discretion, the Officer finds a violation of any applicable rule, regulation, ordinance, local law or statute, or that a continuation of said permit would constitute a hazard or nuisance, or upon good cause shown.

§ 112-16(J)(9) Maintenance of the premises.

A. The Seasonal Outdoor Seating area and adjacent areas shall be periodically cleaned and kept refuse-free. Such areas shall be swept and washed down daily and at all other times as needed. Sufficient containers for trash shall be placed in the areas.

B. No furniture or other removable fixtures shall be stored in the Seasonal Outdoor Seating area between the last Monday in November and March 15th.

§ 112-16(J)(10) Hours of operation.

Outdoor dining activities and food and/or beverage service shall take place during the hours of operation of the establishment. All outdoor activities shall be subject to other applicable rules and regulations of this Code.

§ 112-16(J)(11) Music.

Subject to § 73-4(A)(10), music may be provided so long as it is not of a type or a volume as to violate any applicable law or ordinance, or create a nuisance to surrounding residences and/or property owners.

§ 112-16(J)(12) Furniture; fixtures; signage.

All furniture and fixtures used in conjunction with the outdoor dining and sidewalk cafe must be of a temporary nature, and must be brought in at closing time or otherwise secured during nonoperational hours. No signage shall be permitted to be affixed to any temporary structures.

§ 112-16(J)(13) Permit term and renewals.

A. Permits shall be issued on or after March 15 of each year. All permits, regardless of when issued, shall expire on the last Sunday in November.

B. Applications for renewal of permits shall be made to the Code Enforcement Officer. If applicant proposes to construct, configure and operate the Outdoor Seasonal Seating area in a manner substantially identical to that previously approved by the Planning and Architectural Review Board, the Code Enforcement Officer may issue a renewal permit, without referral to the Planning and Architectural Review Board, upon the payment of the required permit fee. If the applicant proposes any substantial change with respect to the construction, configuration or manner of operation of the Seasonal Outdoor Seating area, or if, in the exercise of his or her sole discretion, the Code Enforcement Officer determines that further review by the Planning and Architectural Review Board is necessary or desirable, the Code Enforcement Officer shall refer such application to the Planning and Architectural Review Board for review and approval.

§ 112-16(J)(14) Penalties for offenses.

Any person or establishment committing an offense against any of the provisions of this chapter, including failure to obtain a permit, or who operate a sidewalk cafe and/or outdoor dining when their permit has been revoked or suspended, shall be guilty of a violation and, upon conviction thereof, shall be punishable by a maximum fine of \$250 per day of violation, or by a term of imprisonment by not more than 15 days, or both.

Chapter 112. Zoning

§ 112-1. Purpose.

The comprehensive zoning plan set forth in the text and maps which constitute this chapter is adopted in order to promote and protect public health, safety, comfort, convenience, prosperity and other aspects of the general welfare by providing adequate light, air and convenience of access; preventing undue concentration of population and overcrowding of land; preventing congestion in the streets; securing safety from fire, flood, panic and other dangers; and facilitating adequate provision for transportation, water, sewerage, schools, parks and other public requirements. These regulations are made with reasonable consideration, among other things, to the peculiar suitability of each district for particular uses, with a view to encouraging the most appropriate use of land throughout the Village and conserving the value of buildings and lands therein.

§ 112-28. Stormwater management.

A. Findings. It is hereby determined that:

- (1) Land development activities and associated increases in site impervious cover often alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, or sediment transport and deposition.
- (2) This stormwater runoff contributes to increased quantities of water-borne pollutants, including siltation of aquatic habitat for fish and other desirable species.
- (3) Clearing and grading during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitats.
- (4) Improper design and construction of stormwater management practices can increase the velocity of stormwater runoff thereby increasing stream bank erosion and sedimentation.
- (5) Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream baseflow.
- (6) Substantial economic losses can result from these adverse impacts on the waters of the Village.
- (7) Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from land development activities.

- (8) The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety.
- (9) Regulation of land development activities by means of performance standards governing stormwater management and site design will produce development compatible with the natural functions of a particular site or an entire watershed and thereby mitigate the adverse effects of erosion and sedimentation from development.

B. Purpose. The purpose of this section is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction and to address the findings of fact in § **112-28A** of this chapter. This section seeks to meet those purposes by achieving the following objectives:

- (1) Meet the requirements of minimum measures 4 and 5 of the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-0-15-003, as amended or revised;
[Amended 11-26-2018 by L.L. No. 13-2018]
- (2) Require land development activities to conform to the substantive requirements of the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities, Permit No. GP-0-15-003, as amended or revised;
[Amended 11-26-2018 by L.L. No. 13-2018]
- (3) Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and stream bank erosion and maintain the integrity of stream channels;
- (4) Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;
- (5) Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and
- (6) Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and ensure that these management practices are properly maintained and eliminate threats to public safety.

C. General provisions.

- (1) Applicability. This section shall be applicable to all land development activities.
- (2) Exemptions. The following activities shall be exempt from review under this section:
 - (a) Agricultural activity.

- (b) Silvicultural activity, except that landing areas and log haul roads are subject to this section.
- (c) Routine maintenance activities that disturb less than five acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility.
- (d) Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.
- (e) Any part of a subdivision if a plat for the subdivision has been approved by the Village of Williamsville on or before the effective date of this section.
- (f) Land development activities for which a building permit has been approved on or before the effective date of this section.
- (g) Cemetery graves.
- (h) Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.
- (i) Emergency activity immediately necessary to protect life, property or natural resources.
- (j) Activities of an individual engaging in home gardening by growing flowers, vegetables and other plants primarily for use by that person and his or her family.
- (k) Landscaping and horticultural activities in connection with an existing structure.

D. Requirements.

- (1) The Village of Williamsville shall designate an SMO who shall accept and review all SWPPPs. The SMO may:
 - (a) Review the SWPPPs;
 - (b) Upon approval by the Board of Trustees, engage the services of a registered professional engineer to review the SWPPPs, specifications and related documents at a cost not to exceed a fee schedule established by the Board of Trustees; or
 - (c) Accept the certification of a licensed professional that the SWPPPs conform to the requirements of this section.
- (2) For all land development activities subject to review and approval by any board, commission, agency or official of the Village under this Code, the applicant or developer shall be required to submit a SWPPP, prepared by licensed professional engineer, that complies with the requirements of this section to the SMO, and the land development activity shall be reviewed subject to the standards contained in this section. Within 30 days of receipt of a SWPPP, the SMO shall forward the SWPPP, together with his or her written recommendation to approve, approve with modifications, or disapprove the SWPPP, to such board, commission, agency or official of the Village which may be reviewing the application for approval of a land

development activity requiring submission of a SWPPP. A recommendation of approval shall only be given if the SWPPP complies with the requirements of this section. In making a recommendation to approve with modifications or disapprove the SWPPP, the SMO shall state the reasons for the decision in writing. If the SMO recommends to approve with modifications or disapprove the SWPPP, the applicant shall revise such SWPPP in accordance with the recommendations of the SMO and shall submit the revised SWPPP to the SMO for review. The board, commission, agency or official of the Village reviewing the application for a land development activity shall not approve such application unless the SWPPP complies with the requirements of this section.

[Amended 11-26-2018 by L.L. No. 13-2018^[1]]

[1] *Editor's Note: This local law also repealed former Subsection D(3), regarding the submission of a SWPPP.*

E. Stormwater pollution prevention plans.

(1) Stormwater pollution prevention plan requirement. No application for approval of a land development activity shall be reviewed until the SMO or such agency, council, committee, employee, or board of the Village of Williamsville which may be reviewing any application for a land development activity requiring submission of a SWPPP has received a SWPPP prepared in accordance with the specifications in this section.

(2) Contents of stormwater pollution prevention plans.

(a) All SWPPPs shall provide the following background information and erosion and sediment controls:

- [1] Background information about the scope of the project, including location, type and size of project;
- [2] Site map/construction drawing(s) for the project, including a general location map. The site map should be at a scale of no smaller than one inch to 100 feet. At a minimum, the site map should show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); wetlands and drainage patterns that could be affected by the land development activity; existing and final slopes; locations of off-site material, waste, borrow or equipment storage areas; and location(s) of the stormwater discharge(s);
- [3] Description of the soil(s) present at the site;
- [4] Construction phasing plan describing the intended sequence of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance. Consistent with the Erosion Control Manual, not more than five acres shall be disturbed at any one time unless pursuant to an approved SWPPP;
- [5] Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff;

- [6] Description of construction and waste materials expected to be stored on site, with updates as appropriate, and a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response;
 - [7] Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project close-out;
 - [8] A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice;
 - [9] Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;
 - [10] Temporary practices that will be converted to permanent control measures;
 - [11] Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place;
 - [12] Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;
 - [13] Name(s) of the receiving water(s);
 - [14] Delineation of SWPPP implementation responsibilities for each part of the site;
 - [15] Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable; and
 - [16] Any existing data that describes the stormwater runoff at the site.
- (b) Land development activities meeting Condition A, B, C or D below shall also include water quantity and water quality controls (post-construction stormwater runoff controls) as set forth in § **112-28E(2)(c)** of this chapter as applicable:
[Amended 11-26-2018 by L.L. No. 13-2018]
- [1] Condition A: stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a total maximum daily load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.
 - [2] Condition B: stormwater runoff from land development activities disturbing five or more acres.
 - [3]

Condition C: stormwater runoff from land development activity disturbing between one and five acres of land during the course of the project, exclusive of the construction of single-family residences and construction activities at agricultural properties.

- [4] Condition D: Stormwater runoff from land development activities not meeting Condition A, B, or C, above, but involving soil disturbance between one-quarter acre (10,890 square feet) and one acre of land during the course of the project, or creation of 18 or more parking spaces and associated driveways and aisles, exclusive of the construction of single-family residences and construction activities at agricultural properties, shall require water quantity controls only demonstrating post-development peak flows during a twenty-five-year storm will be less than pre-development peak flows during a ten-year storm.

- (c) SWPPP requirements for Conditions A, B, C or D.
[Amended 11-26-2018 by L.L. No. 13-2018]

- [1] All information in § **112-28E(2)(a)** of this chapter;
- [2] Description of each post-construction stormwater management practice;
- [3] Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice;
- [4] Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;
- [5] Comparison of post-development stormwater runoff conditions with pre-development conditions;
- [6] Dimensions, material specifications and installation details for each post-construction stormwater management practice;
- [7] Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater management practice;
- [8] Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property; and
- [9] Inspection and maintenance agreement binding on all subsequent landowners served by the on-site stormwater management measures in accordance with § **112-28G** of this chapter.

- (d) The SWPPP shall be prepared by a licensed professional and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meets the requirements in this section.
- (3) Other environmental permits. The applicant shall assure that all other applicable environmental permits have been or will be acquired for the land development activity prior to approval of the final stormwater design plan.

(4) Contractor certification.

- (a) Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of the stormwater pollution prevention plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards."
 - (b) The certification must include the name and title of the person providing the signature, address and telephone number of the contracting firm, the address (or other identifying description) of the site, and the date the certification is made.
 - (c) The certification statement(s) shall be included with and become part of the SWPPP for the land development activity.
- (5) A copy of the SWPPP shall be retained at the site of the land development activity during construction from the date of initiation of construction activities to the date of final stabilization.

F. Performance and design criteria for stormwater management and erosion and sediment control. All land development activities shall be subject to the following performance and design criteria:

- (1) Technical standards. For the purpose of this section, the following documents shall serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this section:
 - (a) The Design Manual; and
 - (b) The Erosion Control Manual.
- (2) Equivalence to technical standards. Where stormwater management practices are not in accordance with technical standards, the applicant or developer must demonstrate equivalence to the technical standards set forth in § 112-28F(1) of this chapter.
- (3) Water quality standards. Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York.

G. Maintenance, inspection and repair of stormwater facilities.

- (1) Maintenance and inspection during construction.
 - (a) The applicant or developer of the land development activity or his or her representative shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the applicant or developer to achieve compliance with the conditions of this section. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by 50%.

- (b) For land development activities meeting Condition A, B or C in § **112-28E(2)(b)** of the Village Code, the applicant shall have a qualified professional conduct site inspections and document the effectiveness of all erosion and sediment control practices every seven days and within 24 hours of any storm event producing 0.5 inch of precipitation or more. Inspection reports shall be maintained in a site log book.
- (2) Maintenance easement(s). Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, the applicant or developer must execute a maintenance easement agreement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall provide for access to the facility at reasonable times for periodic inspection by the Village of Williamsville to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this section. The easement shall be recorded by the grantor in the office of the County Clerk after approval by the counsel for the Village of Williamsville.
- (3) Maintenance after construction. The owner or operator of permanent stormwater management practices installed in accordance with this section shall ensure they are operated and maintained to achieve the goals of this section. Proper operation and maintenance also includes, as a minimum, the following:
 - (a) A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this section.
 - (b) Written procedures for operation and maintenance and training new maintenance personnel.
 - (c) Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with § **112-28F** of this chapter.
- (4) Maintenance agreements. The Village of Williamsville shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent with the terms and conditions of Schedule A of this chapter, entitled "Sample Stormwater Control Facility Maintenance Agreement."^[2] The Village of Williamsville, in lieu of a maintenance agreement, at its sole discretion, may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of this section and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

^[2] *Editor's Note: Schedule A is included at the end of this chapter.*

H. Administration and enforcement.

- (1) Construction inspection.
 - (a) Erosion and sediment control inspection.

The SMO may require such inspections as necessary to determine compliance with this section and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this section and the SWPPP as approved. To obtain inspections, the applicant shall notify the SMO at least 48 hours before any of the following, as required by the SMO:

- [a] Start of construction;
- [b] Installation of sediment and erosion control measures;
- [c] Completion of site clearing;
- [d] Completion of rough grading;
- [e] Completion of final grading;
- [f] Close of the construction season;
- [g] Completion of final landscaping; or
- [h] Successful establishment of landscaping in public areas.

[2] If any violations are found, the applicant and developer shall be notified, in writing, of the nature of the violation and the required corrective actions. No further work shall be conducted except for site stabilization until any violations are corrected and all work previously completed has received approval by the SMO.

- (b) Stormwater management practice inspections. The SMO is responsible for conducting inspections of SMPs. All applicants are required to submit as-built plans for any SMPs located on site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer.
- (c) Inspection of stormwater facilities after project completion. Inspection programs shall be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher-than-typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher-than-usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater management practices.
- (d) Submission of reports. The SMO may require monitoring and reporting from entities subject to this section as are necessary to determine compliance with this section.

- (e) Right-of-entry for inspection. When any new stormwater management facility is installed on private property or when any new connection is made between private property and the public stormwater system, the landowner shall grant to the Village of Williamsville the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection as specified in § 112-28H(1) of this chapter.

(2) Performance guarantee.

- (a) Construction completion guarantee. In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Village of Williamsville in its approval of the SWPPP, the Village of Williamsville may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Village of Williamsville as the beneficiary. The security shall be in an amount to be determined by the Village of Williamsville based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Village of Williamsville, provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facility(ies) has (have) been constructed in accordance with the approved plans and specifications and that a one-year inspection has been conducted and the facilities have been found to be acceptable to Village of Williamsville. Per-annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.
- (b) Maintenance guarantee. Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Village of Williamsville with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village of Williamsville may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.
- (c) Recordkeeping. The Village of Williamsville may require entities subject to this section to maintain records demonstrating compliance with this section.

(3) Enforcement and penalties.

- (a) Notice of violation. When the Village of Williamsville determines that a land development activity is not being carried out in accordance with the requirements of this section, it may issue a written notice of violation to the landowner, developer, and/or applicant. The notice of violation shall contain:

[1] The name and address of the landowner, developer and/or applicant;

[2]

The address, when available, or a description of the building, structure or land upon which the violation is occurring;

- [3] A statement specifying the nature of the violation;
 - [4] A description of the remedial measures necessary to bring the land development activity into compliance with this section and a time schedule for the completion of such remedial action;
 - [5] A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and
 - [6] A statement that the determination of violation may be appealed to the Village by filing a written notice of appeal within 15 days of service of notice of violation.
- (b) Stop-work orders. The Village of Williamsville may issue a stop-work order for violations of this section. Persons receiving a stop-work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Village of Williamsville confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this section.
- (c) Violations. Any land development activity that is commenced or is conducted contrary to this section may be restrained by injunction or otherwise abated in a manner provided by law.
- (d) Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this section shall be guilty of a violation punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this section shall be deemed misdemeanors, and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.
- (e) Withholding of certificate of occupancy. If any building or land development activity is installed or conducted in violation of this section, the SMO may prevent the occupancy of said building or land.
- (f) Restoration of lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Village of Williamsville may take necessary

corrective action, the cost of which shall become a lien upon the property until paid.

- (4) Fees for services. The Village of Williamsville may require any person undertaking land development activities regulated by this section to pay reasonable costs at prevailing rates for review of SWPPPs, inspections, or SMP maintenance performed by the Village of Williamsville or performed by a third party for the Village of Williamsville.

HISTORIC LANDMARK DESIGN STANDARDS



VILLAGE OF WILLIAMSVILLE

HISTORIC LANDMARK DESIGN STANDARDS

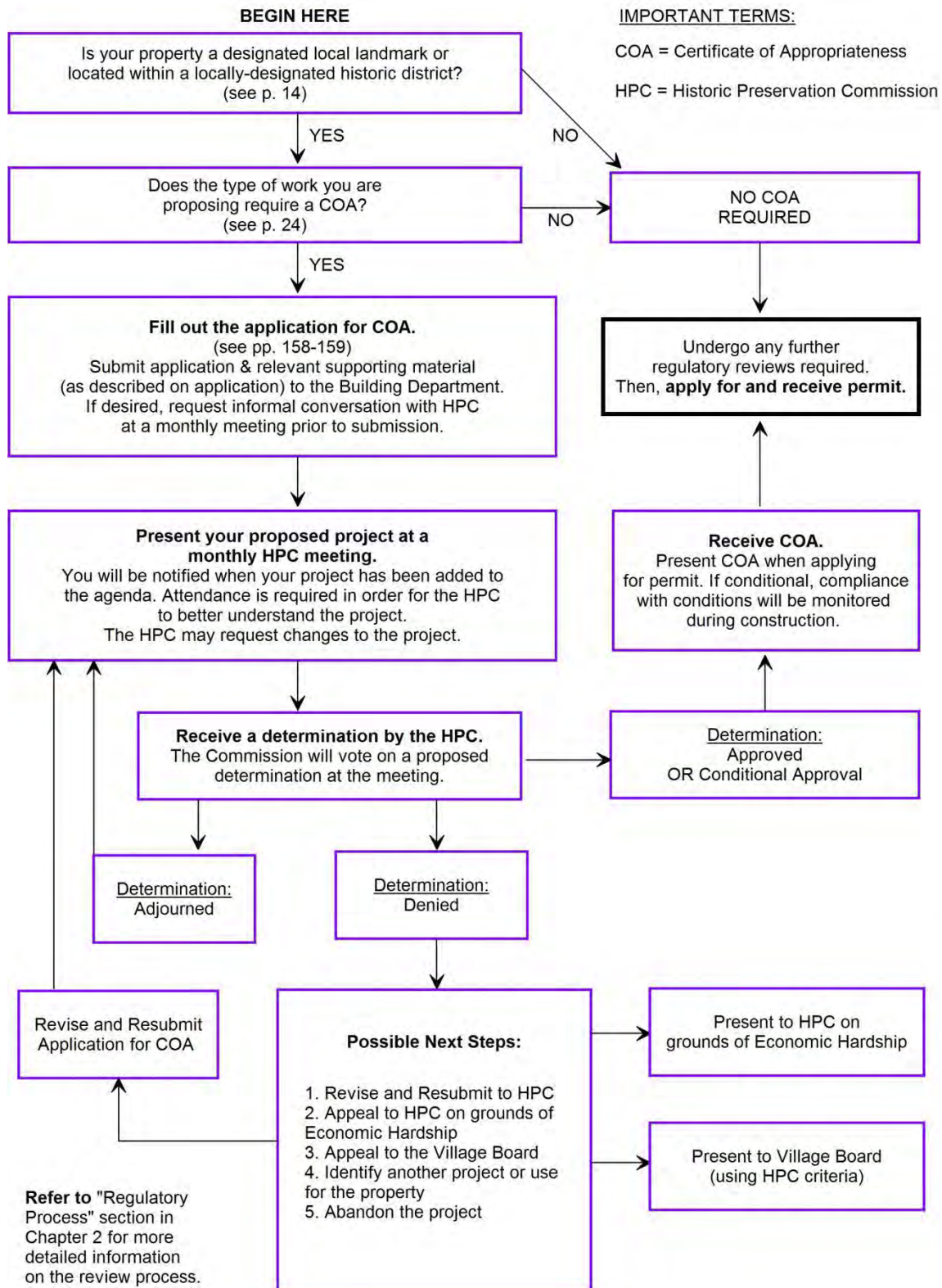


PREPARED BY:



30 SEPTEMBER 2014

HPC REVIEW PROCESS SUMMARY



VILLAGE OF WILLIAMSVILLE

HISTORIC LANDMARK DESIGN STANDARDS

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VILLAGE OF WILLIAMSVILLE

HISTORIC LANDMARK DESIGN STANDARDS

CHAPTER 1: INTRODUCTION

INTENT AND OVERVIEW

THE VILLAGE OF WILLIAMSVILLE IS A community filled with traditional character and walkable neighborhoods built around a defining Main Street corridor. Centered at the crossroads of Ellicott Creek and NY State Route 5, Williamsville began as a center for milling in the early 19th century. This industry and location drew settlers and entrepreneurs, and contributed greatly to the village's formation and continued growth into a vibrant community. The Main Street commercial district continues to be a focal point of community development and revitalization.



Since the implementation of a Historic Preservation Code in 1983, the Village has been committed to ensuring the protection of its significant architectural resources. Through both the 2010 Community Plan and the 2011 Mixed Use Design Standards, the Village has continued to actively pursue the enhancement and maintenance of its built environment. The development of these Historic Landmark Design Standards is a continuation of the Village's commitment to ensure that its rich architectural character is preserved, restored, and reused.

The purpose of the Historic Landmark Design Standards is to supplement existing ordinances and information to further educate the community on the value of its historic landmarks and prevent the erosion of historic fabric. However, these Standards are not regulatory and are not part of the Village Code. In addition, this document pertains only to the existing and proposed local landmarks within the Village of Williamsville, which are primarily commercial and religious properties. While some of the guidance may be useful for owners of some non-landmark properties in the Village, the Village contains structures of many other building types and styles that are beyond the scope of this document.

SECRETARY OF THE INTERIOR'S STANDARDS

OVERVIEW AND USE OF THE STANDARDS

THE *SECRETARY OF THE INTERIOR'S for the Treatment of Historic Properties*, initiated as part of the National Preservation Act of 1966, are used by the Village of Williamsville Historic Preservation Commission and thousands of other preservation commissions across the country to guide decisions on historic resources for which design review applications have been submitted. The *Standards'* primary goal is to strive for preventative maintenance of original character and the repair of damaged features before their replacement become necessary. The *Secretary of the Interior's Standards* have evolved and grown over time into ten flexible and widely applicable principles. (For the full text of the Secretary of Interior's Standards, see the Appendix C.) The official language of the Standards is also available through the many publications of the National Park Service, including online at their webpage.

The *Standards* are not rigid and prescriptive, but are intended to promote responsible preservation planning and practices. Alone, they do not provide enough guidance to make decisions about which features of a historic building should be saved and which should be changed. Used in tandem with documents like these Historic Landmark Design Standards, they provide a common philosophy and approach once features are identified and a treatment is selected. The

Standards should not be confused with Design Guidelines, as they are intended to present a preferred approach to the treatment of historic resources, not absolute treatments. It is the philosophy and intent of the *Standards* that serves as the basis for the Village of Williamsville Historic Landmark Design Standards.

PRESERVATION TREATMENTS

When applying the *Standards* to a historic preservation project, it is first important to identify a treatment approach. The four treatment approaches are Preservation, Rehabilitation, Restoration, and Reconstruction. The most common preservation treatments undertaken in the Village of Williamsville are restoration and rehabilitation, with the latter being the most prevalent. Understanding the various treatments will help identify the most appropriate approach for moving a project forward and provides context for proposed work.

Preservation places a high premium on the retention of all historic fabric through conservation, maintenance, and repair. It reflects a building's continuum over time, through successive occupancies, and the respectful changes and alterations that are made. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic

materials and features rather than extensive replacement and new construction, including new exterior additions. However, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems required to make properties functional is appropriate.

Preservation should be considered as a treatment when:

- the property's distinctive materials, features, and spaces are essentially intact and thus convey the historic significance without extensive repair or replacement; or
- depiction at a particular period of time is not appropriate; or
- when a continuing or new use does not require additions or extensive alterations.

Rehabilitation emphasizes the retention and repair of historic materials over replacement, but more latitude is provided than in a preservation project to accommodate change in use. The term rehabilitation is often referred to as adaptive reuse.

Rehabilitation should be considered as a treatment when:

- repair and replacement of deteriorated features is necessary; or
- alterations or additions to the property are planned for a new or continued use; or
- its depiction at a particular period of time is not appropriate.

Restoration focuses on the retention of materials from the most significant time in a property's history, while permitting the removal of materials from other periods.

Restoration should be considered as a treatment when:

- the property's design, architectural, or historical significance during a particular period of time outweighs the potential loss of extant materials, features, spaces, and finishes that characterize other historical periods; or
- there is substantial physical and documentary evidence for the work; or
- contemporary alterations and additions are not planned.

Reconstruction establishes limited opportunities to re-create a non-surviving site, landscape, building, structure, or object in all new materials for the purpose of replicating its appearance at a specific period of time and in its historic location.

Reconstruction should be considered as a treatment when:

- a contemporary depiction is required to understand and interpret a property's historic value (including the re-creation of missing components in a historic district or site); or
- no other property with the same associative value has survived; or
- sufficient historical documentation exists to ensure an accurate reproduction.

LIST OF LANDMARKS

The following list contains the village’s existing local landmarks and proposed local landmarks, as of summer 2014, and shows their recommended architectural style and character-defining elements. Property owners may reference the list to help determine appropriate styles and their accompanying features.

Name	Address	Built	Type & Style	Essential Elements
EXISTING LANDMARKS				
Williamsville Classical Institute	39 Academy Street	1920s	Gothic styles	Vertical stone mullions and stone window surrounds, brick diaper pattern, stone surround at entrance
Hopkins Schoolhouse	72 S. Cayuga Road	1840	Vernacular – Greek Revival	Stone walls, multi-pane windows, gabled roof, lack of ornament, utilitarian building
Glen Park	287 Glen Avenue	Est. 1977	Landscape	
Williamsville RR Station	86 S. Long Street	1896	Vernacular – Craftsman	Exposed rafter tails, large eave braces, Dutch gable roof, variation in wood cladding, shed dormers
Williamsville Cemetery	5402 Main Street	1824	Landscape	
SS Peter & Paul Church	5480 Main Street	1863	Religious – Gothic styles	Central tower & steeple, prominent front gable, lancet windows, buttresses
Hopkins Block – Roneker Building	5550 Main Street	1854	Italianate	Arched window openings, metal cornice at parapet
Village Meeting House & Museum	5658 Main Street	1871	Religious - Italianate	Prominent front gable with bracketed cornice, round-top window, door & brick details, rose window, steeple
Cambria Castle – Dream Island	175 Oakgrove Dr.	1917	Gothic styles	Pointed arches, Medieval castle design elements
Williamsville Water Mill	56 E. Spring Street	1827	Vernacular – Greek Revival influences	Utilitarian building, lack of ornament, local materials, cornice returns
Mill Red House	60 E. Spring Street	c. 1840	Vernacular – Greek Revival influences	Utilitarian, wide cornice with cornice returns, evenly spaced bays, lack of ornament, local materials

CHAPTER 1: INTRODUCTION

Name	Address	Built	Type & Style	Essential Elements
PROPOSED LANDMARKS (as of summer 2014)				
St. Paul's Evangelical Lutheran Church	68 Eagle Street	1900	Religious – Gothic styles	Central steeple, lancet windows, decorative vergeboards
Main Street Bridge – Ellicott Creek @ Glen Park Entrance		1882	Landscape	
DiCamillo's Bakery	5329 Main Street	c. 1840	Vernacular – Greek Revival	Front gable, cornice returns, symmetrical bays
D'Avolio Kitchen/ Sutton Architecture	5409 Main Street	1877	Commercial - Italianate	Round-top windows, shaped window heads, prominent front gable
Formerly Prosit! Restaurant	5428 Main Street	1870s	Vernacular – Italianate, Greek Revival	Prominent front gable, iron storefront, symmetrical bays, window surrounds, multi-pane windows
Formerly Dr. Hughes' Office	5430 Main Street	1840s	Greek Revival	Side gable roof, shaped stone window lintels, stone sills, wide cornice board, evenly spaced bays
Williamsville Liquor Store	5511 Main Street	c. 1920s	Craftsman with mid-century storefront	Hipped slate roof, hipped and clipped gable dormers, window oriels & bays, shingle accents, recessed entrance, neon building sign
The Jacqueline Shoppe	5522 Main Street	1860	Vernacular, Second Empire, Art Deco/ Moderne storefront	Mansard roof, round-top windows, metal cornice with Classical detailing, false front roof, recessed entrances, curved glass, polished stone
Bank of America	5527 Main Street	c. 1930	Beaux Arts	Parapet flat roof, stone cornice, tall arched window openings with multiple panes, symmetrical elevations, stone window quoins, Classical detailing
Key Bank	5554 Main Street	c. 1940s	Neo-Georgian	Prominent triangular stone pediment, flat roof with parapet, simplified classical cornice, broken scroll door surround, multi-pane windows, brick quoining, stone window surrounds
Hunt Building	5570 Main Street	1949	Neo-Georgian	Flat roof with parapet, simplified classical cornice, multi-pane metal windows, metal roof at bay & entrances, brick quoining, monolithic window lintels
Eagle House Restaurant	5578 Main Street	1832	Vernacular – Greek Revival	Side-gable massing, symmetrical arrangement, multi-pane windows, door assembly with sidelights, utilitarian

CHAPTER 1: INTRODUCTION

Name	Address	Built	Type & Style	Essential Elements
PROPOSED LANDMARKS (as of summer 2014) - <i>continued</i>				
Billybar	5590 Main Street	1893	Vernacular – Italianate influences	Parapet roof with corner piers, bracketed metal cornice
Ten Thousand Villages and Parlour	5596 Main Street	1893	Vernacular – Italianate influences	Parapet roof with corner piers, bracketed metal cornice, central store entrance
Robshaw & Voelkl, PC	5672 Main Street	1840	Vernacular – Greek Revival influences	Side gable roof, evenly spaced bays, local materials, lack of ornament
Tesori	5688 Main Street	c. 1930	Spanish Mission Revival	Double-wide display window, simple brickwork & detailing, clay tile shed roof with braces, shaped parapet
Dunlap & Bajak Insurance	5707 Main Street	1852	Greek Revival	Front gable roof, symmetrical bays, wide cornice with returns, door assembly with sidelights and transom, stone lintels and sills
Excuria Salon	5725 Main Street	1854	Vernacular – Queen Anne with Greek Revival	Front gable roof, door assembly with sidelites and transom, pentad gable, Palladian window, arch-top windows
Blum's Swimware & Intimate Apparel	5727 Main Street	c. 1930	Minimal Traditional – Art Deco influences	Double-wide storefront, simple brickwork details, stepped/shaped parapet
Gordon W Jones Associates	5757 Main Street	1851	Italianate	Front gable roof, paired round-top windows, evenly spaced façade, brick with stone sills
Two office buildings	5792 Main Street	c. 1840, late 19c	Vernacular – Greek Revival	Side gable roof, evenly spaced bays, stone lintels and sills, lack of ornament
Williamsville Towers Condominiums	5854 Main Street	1965	Mid-Century Modern	Emphasis on grid/structure, material surface textures, minimal ornament, large windows
Parings Wine Bar	5893 Main Street	1918	Colonial Revival	Symmetrical façade, full height front porch with columns, gabled dormers, multi-pane sash with shutters, sidelited door with fan detail
Calvary Episcopal Church	20 Milton Street	1952	Religious – Gothic styles, Tudor Revival	Stone walls, stained glass, tower, arch-top windows, v-groove slab doors, half-timbering on west wing

CHAPTER 1: INTRODUCTION

Name	Address	Built	Type & Style	Essential Elements
PROPOSED LANDMARKS (as of summer 2014) - <i>continued</i>				
Formerly Jenny's Ice Cream	78 E. Spring Street	19c	Vernacular	Lack of ornament, utilitarian building

VILLAGE OF WILLIAMSVILLE

HISTORIC LANDMARK DESIGN STANDARDS

CHAPTER 2: PROCESS

REGULATORY PROCESS

OVERVIEW

THIS SECTION OF THE HISTORIC Landmark Design Standards summarizes the content and requirements of the Williamsville Historic Preservation Ordinance, Chapter 47 in the Village Code, which is included in Appendix B for reference. This section is for *informational purposes only*. In the case of inconsistencies between this section and the Ordinance, the ordinance takes precedence.

Authority to Regulate Historic Properties

New York General Municipal Law, Article 5-K;119-dd.1, Local Historic Preservation Programs, establishes that municipalities may “provide by regulations, special conditions and restrictions for the protection, enhancement, perpetuation and use of places, districts, sites, buildings, structures...having special character or historic, cultural or aesthetic interest or value;” and “...such regulations, special conditions, and restrictions may include appropriate and reasonable control of the use or appearance” of designated properties.

Williamsville’s Preservation Ordinance

The Board of Trustees of the Village of Williamsville first adopted its Historic Preservation ordinance, Chapter 47 in the Village Code, in 1983. The ordinance was significantly revised and re-adopted in June

1996 as Local Law 3-1996. The purposes of the ordinance are stated to be to:

- Protect and enhance the landmarks and historic districts which represent distinctive elements of Williamsville’s historic, architectural, and cultural heritage.
- Foster civic pride in the accomplishments of the past.
- Protect and enhance Williamsville’s attractiveness to visitors and support and stimulate the village’s economy.
- Ensure the harmonious, orderly, and efficient growth and development of the village.

The ordinance establishes the Village of Williamsville Historic Preservation Commission (HPC). The commission operates as the Village’s official heritage preservation review board under the Certified Local Government (CLG) program of the National Park Service, administered in New York State by the New York State Historic Preservation Office (SHPO), which is part of the New York State Office of Parks, Recreation and Historic Preservation. The Village benefits from pass-through funds available to Certified Local Governments.

The *Secretary of the Interior's Standards* are the basis for these Design Standards and the HPC's design review decisions. Specific responsibilities are detailed in the ordinance, including the designation of local landmarks and historic districts and the review of modifications to locally-designated historic properties.

Properties Subject to Review

No person shall carry out any exterior alteration, restoration, reconstruction, excavation, grading, demolition, new construction, or moving of a designated landmark or property within a historic district nor shall any person make any material change to such property, its light fixtures, signs, sidewalks, fences, steps, paving, or other exterior elements which affect the appearance or cohesiveness of the landmark or historic district without first obtaining a Certificate of Appropriateness from the Historic Preservation Commission.

LEVELS OF DESIGNATION

The National Register of Historic Places and local landmark and local historic district designations are two very different programs that recognize and protect historic properties. Some historic properties and districts in the Village have both designations, such as the Williamsville Water Mill. However, there is no direct correlation between National Register listing and local designations.

National Register Designation

Whether listed as an individual property or a district, National Register listing is primarily an honor, meaning that a property has been researched and evaluated according to established procedures and determined to be worthy of preservation for its historical value. The listing of a historic or archaeological property in the National Register does not obligate or restrict a private owner in any way unless the owner is utilizing federal or state funding or programs. The National Register of Historic Places is overseen by the National Park Service and serves as an official recognition by the federal government.

Listing in the National Register of Historic Places provides a building, site, or district a level of protection from any threats which involve the federal government or federal monies. The State of New York has laws in place that also provide protection to properties listed in the National Register from any threats that involve the State of

New York or monies provided by or channeled through the state. Properties that are listed on the National Register are typically eligible for federal and, in some cases, state tax credits for substantial rehabilitation work undertaken, subject to some conditions and restrictions.

Local Landmark or Local Historic District Designation

Landmark designations in Williamsville can apply to individual buildings, structures, sites, or areas (districts) that are deemed to have historical, architectural, archaeological, and/or cultural value. Designation is an honor, meaning the HPC and the Village believe the property deserves recognition and protection. Designation also indicates a specific level of local review is required prior to making exterior alterations or changes to ensure they are consistent with the intent of the Secretary of the Interior's Standards. This review process applies to both private and governmental property owners.

WHEN IS HPC REVIEW REQUIRED?

The Village of Williamsville has developed a clear and comprehensive process for the review and approval of projects impacting locally designated historic properties. No work should be initiated until a Certificate of Appropriateness (COA) is issued. Listed properties, types of projects requiring review, and a step-by-step overview of the process are described in this section. Also see the flowchart on page 3 for a graphical summary of the HPC review process.

A COA from the HPC is needed in lieu of review by the Architecture and Planning Review Board. However, reviews by other departments or regulatory boards may also be required before your project can be granted a permit. Please refer to the Building Codes of New York State and the Village Zoning Ordinance for any further requirements, or consult a representative from the Village's Building Department.

Properties requiring HPC Review

To determine whether you must obtain a Certificate of Appropriateness (COA) from the Historic Preservation Commission (HPC) before proceeding on your project, answer the following questions:

Question #1: Is your property a local landmark?

If you answered yes, continue to Question #2 below.

If you do not know if your property is a local landmark, see p. 14 in this document for a list of local landmarks or consult the Village Building Department. The HPC also maintains a list on their website:

<http://www.walkablewilliamsville.com/historic-preservation-commission.html>

If you answered no, you are NOT required to receive a COA in order to receive a permit.

(Note that properties that are listed in the National Register of Historic Places but are not local landmarks are not required to obtain a COA).

Question #2: Determine whether the work you are undertaking requires a COA.

Are you undertaking any of the following types of work?

- Exterior painting
- Window or door replacement
- Fencing, walls, and other permanent site features
- Signage
- Awnings
- Lighting
- Additions or new construction on property
- Porches
- Modifications to building materials (including siding and re-pointing)
- Sitework
- Mechanical equipment
- Utilities
- Solar panels

- Demolition

If you answered yes to any of the work types listed above, then you must obtain a COA before proceeding on your project.

The following types of work typically do not require a COA:

- Any interior changes
- Minor repair/maintenance work that does not change the appearance of the landmark in any way

In general, exterior changes are subject to a COA, whereas any interior changes are not. If the work you are undertaking is not including on the lists above, consult with the Building Department to determine if a COA is required.

HPC REVIEW PROCESS

The following steps must be followed in order to obtain a Certificate of Appropriateness (COA). Failure to comply with these review procedures may result in project delays.

HPC REVIEW STEPS

1. Read through the relevant sections in these Design Standards
2. Optional: Request informal conversation with HPC during monthly meeting
3. Fill out and submit an application for a COA to the HPC
4. Present your proposed project in front of the HPC
5. Receive an HPC determination on the project
6. Apply for Permit

Step 1: Read though the relevant sections in these Design Guidelines

This Design Standards document has been developed as a resource for owners of local landmark properties in the Village of Williamsville to understand the expectations of the HPC during reviews in order to make the review process as straightforward and painless as possible. In general, the HPC expects the *Secretary of the Interior's Standards* (see Appendix C) to be followed. Specific guidelines are given in the following sections for various building materials, types, and styles. The HPC has the freedom to diverge from these guidelines

as situations warrant, but in general they should be taken as a starting point for discussions.

Step 2: Optional: Request informal conversation with HPC

In advance of an official review and determination on a project, a property owner should feel free to request an informal conversation with HPC to get the Commission members' general opinion on the proposed work and what information the Commission needs as part of the application process in order to best review the work. This step is not required, but may be helpful to the applicant. The conversation will occur during a monthly meeting of the HPC.

Step 3: Fill out and submit an application for a COA to the HPC

A copy of the application is available from the Village Building Department and is included in Appendix B. The application form requests information that is intended to provide a basic understanding of the nature and intent of the proposed project. The specific submittal requirements will depend on the proposed project and may be discussed with the HPC before the application is submitted, as noted in Step 2 above. See COA Submission Checklist in Appendix B for a list of items that may be required. The completed application and all supporting materials must be submitted to the HPC by the submission deadline prior to the HPC meeting. Incomplete applications will not be accepted.

Step 4: Present your proposed project to the HPC

HPC Meetings are held monthly. Please contact the Building Department for a list of meeting dates and times. Meetings are held in the conference room at Village Hall, 5565 Main Street.

You will be notified when your project has been placed on the agenda for the monthly HPC meeting. Attendance is required. The HPC will discuss the project with you and among themselves in order to determine the best determination to be made for the project. You may be asked to agree to changes to your project during this discussion.

Step 5: Receive an HPC determination on the project

Once the HPC has discussed the project, the Commission will vote on a proposed determination at the meeting. If the determination is “Approved as Submitted” or “Conditional Approval”, the Village will send a COA certificate by certified mail to the owner and/or applicant as appropriate within a few days of the meeting. See Explanation of HPC Determinations below. The Historic Preservation Ordinance requires the HPC to make a determination on a completed application within 65 days of receiving it.

Step 6: Apply for a permit

Once the applicant has received a COA, the applicant may apply for a permit and the COA must be presented with the permit application as proof of the HPC’s approval of the project. A permit WILL NOT be issued without a Certificate of Appropriateness if your property is a local landmark. Building, Sign, and Fence permits are issued by the Building Department. Demolition requires a Mayor’s Permit.

EXPLANATION OF HPC DETERMINATIONS

The Commission will vote on all applications and provide one of four determinations. Explanations for each determination, as well as next steps after the determination is made, are summarized below:

Approved. The project may proceed as proposed. Notice will be given to the applicant and other necessary parties and a Certificate of Appropriateness will be issued, sent by certified mail. The Building Department will monitor progress to ensure the project is implemented as proposed.

Conditional Approval. The project may proceed with conditions or amendments identified and imposed by the Commission. The conditions must be followed, and the Building Department will monitor project progress to ensure conditions are being adhered to. Notice will be given to the applicant and other necessary parties and a Certificate of Appropriateness will be issued, sent by certified mail.

Adjourned. The project is held for later consideration. This occurs when the Commission feels that it does not have enough information to make a determination or when the Commission does not have a quorum by which to undertake other actions. The applicant will be notified of what additional information the Commission is requesting before a decision can be made. The proposal will be scheduled for a

subsequent meeting after the additional information is received by the Commission.

Denied. The project is found to be inappropriate based on the Commission's review and findings and discussions with the applicant to determine an amenable set of approval conditions did not provide a result that was agreeable to the Commission. Notice will be given to the applicant and other necessary parties detailing the reason for the denial.

If denied by the HPC, the applicant may:

- Modify the application and resubmit to the HPC
- Identify another project or use for the property
- Abandon the project
- Appeal to the HPC on the grounds of Economic Hardship
- Appeal to the Village Board

CRITERIA FOR APPROVAL OF A COA

The Village's Historic Preservation Ordinance requires that the HPC base its decisions for granting of a COA on the following principles:

- The Commission shall not consider changes to the interior of buildings.
- Any alterations of existing features shall be compatible with its historic character as well as with the surrounding property.
- New construction shall be compatible with the property in which it is located.

In applying the principle of compatibility, the HPC shall consider the following factors:

- The general design, character, and appropriateness to the property of the proposed alteration or new construction.
- The scale of the proposed alteration or new construction in relation to itself, surrounding properties, and the neighborhood.
- Texture, materials, and color and their relation to the property itself, surrounding properties, and the neighborhood.
- Visual compatibility with surrounding properties, including proportion of the property's front façade, proportion and arrangement of windows and other openings within the façade, roof shape, and the rhythm of spacing of properties on streets, including setback.

APPEALS

Economic Hardship Review

An applicant whose COA is denied may apply to the HPC on the grounds of economic hardship. The HPC then reviews the application on the following grounds, based on backup information which the applicant must provide:

- The applicant claims that the property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible.
AND
- The property cannot be adapted for any other use permitted by the Village of Williamsville Zoning Ordinance that would result in a reasonable return.

Appeal to the Village Board

If the applicant feels that the HPC has erred in a procedural way or by applying its criteria inappropriately, the applicant may appeal to the Village Board either in response to a denial of a COA or denial during an economic hardship review. However, in each case, the Village Board is required to judge the application by the same criteria that the HPC uses. Thus, this appeal is only effective in response to review errors by the HPC, but generally is not effective in overturning historic treatment requirements imposed by the HPC.

RESOURCES

Local Resources to Inform Preservation Projects

The Village and the HPC have review authority and are an important resource for property owners undertaking historic preservation projects. These Historic Landmark Design Standards are additionally provided to serve as a resource for property owners in the Village. Other local, regional, and national resources that can provide technical assistance to help individuals make informed decisions about their projects include:

- Preservation architects and designers
- Local historians and individuals associated with history museums
- Contractors, particularly those trained in historic preservation work
- Buffalo as an Architectural Museum
(<http://www.buffaloah.com>)
- Preservation Buffalo Niagara
- Preservation League of New York State
- American Institute of Architects, Buffalo and Western New York Chapter
- New York State Office of Parks, Recreation and Historic Preservation
- National Trust for Historic Preservation
- National Park Service, Technical Preservation Services division

APPLICATION OF THE DESIGN STANDARDS

WHAT ARE HISTORIC LANDMARK DESIGN STANDARDS?

The Design Standards are an educational tool that visually articulates common architectural styles and the standards of maintenance and restoration expected by the Village. They are intended to give the property owner a context within which to renovate their existing local landmark with sensitivity to its historic fabric. The Design Standards are meant to help identify acceptable solutions to some of the common changes proposed to historic properties and enable people to make informed decisions. The Village recognizes that the style, condition, and issues associated with buildings and sites throughout the Village vary. Therefore, the Design Standards are intended to be a flexible document that inspires innovation and allows property owners to tailor treatments and approaches to meet and address their specific conditions and building features.

The Design Standards were prepared to help property owners in three ways:

- Provide owners with information about the historic style of their building or residence and the architectural elements that comprise the style. The Design Standards contain a primer describing the most common architectural styles in the Village organized by time period of construction, including a list of typical

characteristics and elements. Each style and building has its own appropriate elements, and not every element is correct for every style or building. Over time, some buildings may have incorporated multiple styles through alterations and additions.

- Illustrate how a property can be altered while maintaining its historic character. The Village Historic Preservation Ordinance is not intended to prevent alterations. The ordinance acknowledges that buildings often must change to remain usable. Alterations, including additions, are expected and allowed. The Design Standards address some of the more common changes and give guidance on how new work can be done without harming historic character.
- Describe the information and detail that the Village Historic Preservation Commission requires, so that owners will be prepared to describe their proposed changes to the Board. Each historic property is comprised of many details, and the incremental loss of these character defining features will eventually destroy the building's character and integrity. By maintaining attention to detail, the Commission can ensure that the Village's overall historic character remains intact for future generations to enjoy.

WHO SHOULD USE THE DESIGN STANDARDS?

The Village of Williamsville Historic Landmark Design Standards are intended for use primarily by property owners whose buildings are designated local landmarks and who are considering modifications to their historic structure. However, Williamsville has a wealth of historic buildings worthy of sound preservation and appropriate treatment, above and beyond those that are regulated. The Design Standards may also be useful as an informational guide to owners of other historic properties in the Village that are not designated landmarks.

The Village's Historic Preservation Commission will use the Design Standards when reviewing proposed projects and modifications. The Design Standards will be used by the Commission to evaluate how those proposed projects impact the Village's landmarks. In addition, they are a resource for other Village regulatory boards, building professionals, designers and contractors. By reviewing the Design Standards, applicants will be better prepared for local review of their proposed project by understanding the criteria by which the project will be judged.

How to Use the Design Standards

Step 1:

Review the List of Landmarks in Chapter 1 to determine if your building is a designated local landmark in the Village of Williamsville. If so, alterations to your building are subject to review by the Historic Preservation Commission.

If your building is not a local landmark, determine the significance of your building. Is it a potentially significant historic building? If so, reviewing the Design Standards may help you rediscover and appreciate the character defining elements of your building.

Step 2:

Determine the architectural style of your building included on the list of designated landmarks. You may find it helpful to review other landmarks on the list to see local examples of each style.

Consider that some buildings may represent multiple styles. For example, some commercial buildings have renovated storefronts that display a style different from the main structure. Residences may have rear or side additions that are built in a secondary style.

The styles given for designated landmarks are recommendations, determined based on a combined of their dates of construction (of the primary structure and subsequent

additions/alterations) and the architectural features and details present on the building.

Step 3:

Once the style(s) are determined, review the design guidelines for those style(s) (Chapter 5) and for materials (Chapter 3) and elements (Chapter 4) pertaining to your proposed project.

HISTORIC LANDMARK DESIGN STANDARDS

CHAPTER 3: MATERIALS

MASONRY & CONCRETE

WILLIAMSVILLE HAS A LARGE

concentration of mid-to-late 19th century commercial, civic, residential and religious buildings that use masonry in a variety of creative ways. Most commonly, stone and brick are used for wall construction, while other structures employ concrete block or cast concrete. In storefronts and commercial buildings, brick and stone are used to form ornate cornices, pilasters, and window trim. Buildings can even be dated by the types of masonry and their application.

Masonry is one of the most durable historic building materials. Although it requires little regular maintenance, general upkeep is necessary. Any deterioration is most commonly the result of moisture damage, inappropriate repairs and coatings, and the use of abrasive cleaning methods. Regular and basic inspections should be made to masonry buildings to look for mortar deterioration, which can be the result of water penetration, growth of vegetation on building surfaces, and cracks from building settlement. In addition to its use as an overall building material, masonry is commonly seen on site features in Williamsville, including site walls, sidewalks, and tombstones.

General Guidelines

- Existing masonry materials should be repaired rather than replaced.
- Deteriorated architectural elements should be repaired rather than replaced. If replacement of



Williamsville's landmarks contain many unique masonry features, such as this inset brick panel with corbelled brick at its head on the Williamsville Meeting House, constructed 1871.

missing features is proposed, the design of these features should be substantiated by documentary, physical, or pictorial evidence.

- New masonry features should not be constructed or added to a building if they create a false sense of history or are generally incompatible with the building size, mass, color, or scale.
- The removal or rebuilding of masonry walls should be avoided if it will adversely impact the structure's historic integrity.
- If removal of coverings is proposed in order to expose the original masonry exterior surface below, the Historic Preservation Commission should review the existing materials present to ensure that the coverings have not gained historic value in their own right and exposure of the underlying material to the weather is appropriate.
- Exterior insulation and finish systems, such as Dryvit or other artificial materials, including vinyl siding, should not be installed over masonry. Exposed masonry should remain exposed.
- Historic brick bonding patterns should be maintained.



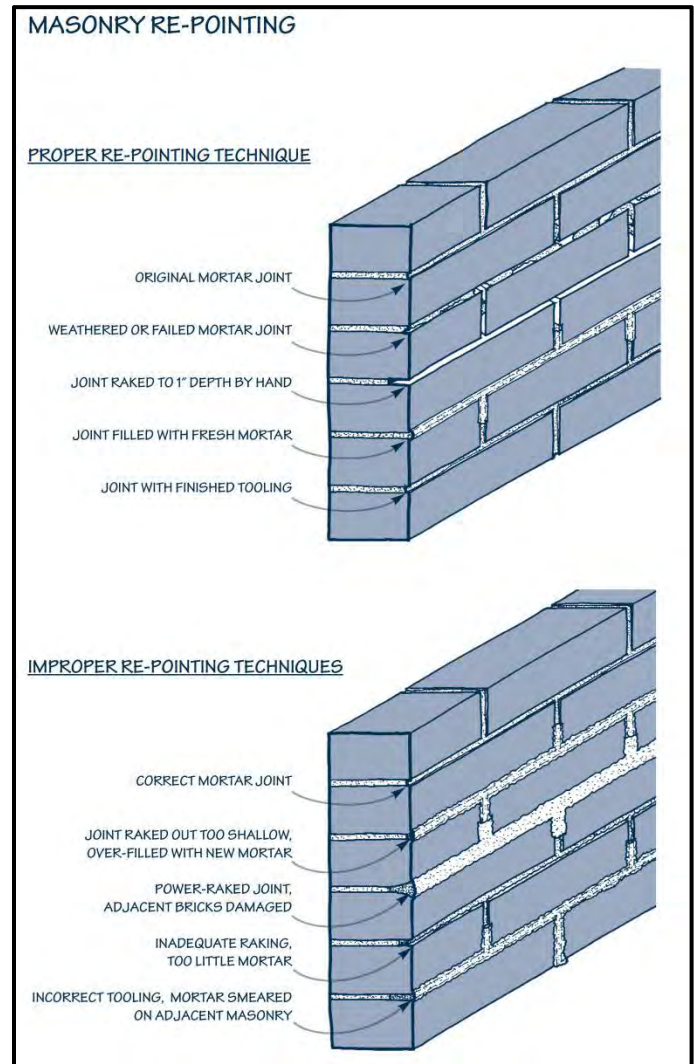
Where mortar no longer extends to the face of the brick units, re-pointing should be undertaken.

Mortar

- Mortar joints are intentionally a sacrificial material and deteriorate faster than masonry. They will require periodic repointing to maintain a weathertight envelope. Note that, on some buildings, mortar joint profiles are ornamental elements that constitute part of the

historic character of the building.

- Unsound mortar should be removed with a hand tool narrower than the joint. Power tools should not be used as they can scar adjacent masonry. Unsound mortar should be removed to a depth of two-and-one-half times the width of the joint. Only joints that are unsound should be repointed. It is more important to leave sound joints alone than to remove all joints in an effort to achieve a uniform appearance. The large-scale removal of mortar joints can cause significant damage to historic masonry.
- When repointing, mortar joints should match the original in color, texture, size, profile, and hardness. Install samples for approval until a proper match is achieved.
- If desired, a mortar analysis can be completed to determine the composition of historic mortar. If mortar analysis is not undertaken, use no stronger than a commercial Type N cement mortar. Composition of replacement mortar should be compatible with historic masonry and equivalent to, or softer, than the original. Modern mortars are typically harder than their historic counterparts which causes damage to surrounding masonry units during expansion and contraction. Never use synthetic caulking compounds to repoint historic masonry.



Source: Dublin, OH Design Guidelines

Painting

- Avoid painting historic masonry. Where necessary, only masonry paint should be used. When prepping surface for painting, only remove deteriorated paint to the next sound layer. Paint firmly adhering to the masonry

serves as a protective coating and should be left intact.

- Do not apply permanent treatments, such as stains, to concrete or exterior masonry.
- Do not apply waterproof coatings to exterior masonry, as this can trap water in the masonry and cause internal deterioration during freeze-thaw cycles.
- Due to the likelihood of lead in historic paint, all necessary precautions should be taken when removing or working with historic paint. Federal, State, and local regulations should be reviewed and adhered to for the protection of workers and proper disposal.

Cleaning, Repair, and Replacement

- As a general rule, it is better to underclean historic masonry than overclean. Cleaning of masonry should be undertaken only when soiling is causing damage to the underlying masonry.
- Cleaning should always be done using the gentlest means possible, such as low pressure water spray (100-250 psi) and natural bristle brushes. Metal brushes or abrasive chemicals should not be used to clean historic masonry.
- Sandblasting or high pressure washes (over 250 psi) should never be used as they will erode the masonry surface and dislodge mortar. The brick used in early-to-mid 19th century is considerably softer than modern day brick. Eroding the surface exposes the soft inner core

and causes deterioration.

- A variety of proprietary cleaners are available for use on masonry. However, only non-ionic detergents are appropriate for use on most masonry surfaces. When applying treatments, ensure that all manufacturer's instructions are explicitly followed.
- Do not clean masonry buildings with deteriorated mortar joints before mortar is repaired. Due to the risk of water penetration, deteriorated joints should be repointed prior to cleaning.
- Masonry cleaning should be completed when there is no risk for freezing temperatures for at least three days. Optimally, the temperature should be above 50 degrees.
- Masonry repair and replacement can be very complex and should only be undertaken by experienced craftsman skilled in masonry preservation techniques.
- When the infill or replacement of historic bricks or stone is necessary, closely matching brick and stone should be used. When use of new replacement bricks is necessary, they should match the existing in color, size, and shape.
- Horizontal surfaces, such as the top of a cornice, are the most common location of deterioration as they are most susceptible to water penetration. Joints in horizontal surfaces should receive sealant to prevent water infiltration. Never use sealant in a vertical joint.

WOOD

THE USE OF WOOD IN HISTORIC BUILDINGS is varied and prolific. While commonly used as part of the structure or wall cladding, it is often times used to form decorative elements. As clapboarding or siding, it provides a protective layer to prevent the deterioration of underlying structural elements. As various kinds of trim, porch elements, columns, brackets, roof eaves, carvings, vergeboard, and half-timber work, it can serve as a decorative and character-defining feature of historic buildings. Wood is also a common material associated with historic windows, doors, and porches; due to their complexity, specific guidelines for these features are identified in separate sections in Chapter 4.

When well-maintained, historically appropriate wood materials, such as clapboard and shingles, can last indefinitely. Deterioration of wood materials and features is typically the result of water caused by deteriorated paint or roof and drainage issues, or inappropriate repairs. Water damage and related rotting can lead to a variety of other issues, such as insect infestation and mold. Wood elements should be inspected regularly for peeling paint, loose joints, water penetration, rot, and infestation.

General Guidelines

- Wood features, including siding, decorative elements, and trim, should not be removed as they contribute to the overall historic character of a building.

(continued on next page)



Wood clapboards were commonly used as an exterior cladding material on historic buildings.

- Damaged wood should be repaired rather than replaced. Damaged materials should have their cause of deterioration determined and treated before being repaired.
- Only wood features which are damaged beyond repair should be replaced. Replace material in kind with wood to match the original in appearance, durability, location, and installation orientation. Substitute materials may be appropriate if the Commission determines that they convey the same visual appearance of the original feature, including size, shape and texture.
- Synthetic sidings, such as vinyl and aluminum, are not appropriate on historic buildings. These materials should never be installed over original wood cladding or used on a primary façade of a historic building. Where feasible, these materials should be removed and the original should be restored. Generally, synthetic siding is not compatible with historic building construction and prevents proper ventilation of the walls. This often leads to water damage and the deterioration of materials.
- Do not cover or conceal historic wood elements such as window trim, cornices, or brackets. This severely alters the original appearance of character-defining elements and hides any deterioration of materials.
- Remove paint from wood surfaces by the gentlest means possible, such as hand scraping, hand sanding, and mild chemical strippers. Do not use abrasive methods, including sandblasting and water blasting, which can



Decorative shingles and other similar features are often hidden beneath synthetic sidings added in later modifications.

physically damage wood and cause long-term moisture problems. Do not strip historically painted wood features to bare wood, leaving them in an unfinished state. Refer to the Paints, Coatings, and Colors section later in this chapter for more information.

METALS

METAL APPLICATIONS ON HISTORIC buildings are commonly seen as components of an architectural feature, as opposed to an entire building. In Williamsville, notable and typical metal features include commercial storefronts, railings, light fixtures, fences, roof drainage assemblies, cornices, and canopy hoods. The most common metals used in Williamsville are copper, cast iron, and aluminum. Many of the Village's landmark buildings incorporate metal in prominent aesthetic and functional features.

While metal is generally a very durable material, weathering and corrosion can contribute to its deterioration over a prolonged period. Metal features should be inspected for surface deterioration on a regular basis. Many metal elements, such as iron and steel, should be coated for protection from water and weather elements. Rust and discoloration of metal is a sign of internal deterioration.

General Guidelines

- Metal architectural features that contribute to the historic character and/or integrity of a building should not be removed.
- Small patches of deterioration should be first addressed with sanding, priming and painting to restore a weather-tight surface.



Iron storefronts are common on buildings from the mid-to-late 19th century. Iron storefronts should be retained and preserved.

- Replacement should only be considered when a feature exhibits significant deterioration and cannot be repaired. Replacement should be limited, with all sound portions left intact.
- Features that are removed because they are deteriorated beyond repair should be replaced in-kind with elements that match the original in visual integrity. When an in-kind replacement is not possible, a visually and physically compatible substitute should be used. Synthetic replacement materials, when used, should have equal or better durability than the original material.
- Metal features that require protective coatings should not be exposed to the elements.
- When coating architectural features, use paint made especially for the type of metal surface being coated. Coated elements should use historically appropriate paint colors.
- Do not apply paint coatings to metals that, historically, were meant to be exposed and acquire a natural patina. Such metals include copper, bronze, and stainless steel.
- Replaced or new metal features should be compatible to the historic building and/or based on historical or physical evidence. Features should be compatible in size, scale, material, and color.
- Only clean metal features when it will not result in damage. Cleaning treatments should be tested in an inconspicuous area.

- Appropriate cleaning methods should be used in accordance with the hardness of the metal. Softer metals should be cleaned with mild chemical methods, while harder metals may be cleaned with a wire brushes or low pressure grit blasting. Where required, reapply protective coatings after cleaning to prohibit further deterioration.
- Do not damage the historic color, texture, or patina of metal features when cleaning.

PAINTS, COATINGS, AND COLORS

PAINT IS TYPICALLY THE FINAL LAYER OF finish applied to the exterior of a historic building. In addition to defining a building's decoration and aesthetic through color, paint has the functional use of protecting the underlying material from weathering. Painted exteriors are common in the Village of Williamsville. Paint is intended as a sacrificial layer and painted surfaces should be checked and maintained annually to prevent deterioration of both the surface and the underlying material. Paints made for interior use should not be used on exterior surfaces as they will degrade quickly. Paints made specifically for exterior applications should be used to coat exterior features.

Application

- All surfaces should be clean and dry before painting in order to ensure that the paint will adhere for the maximum amount of time without flaking or bubbling.
- Primer should always be used as a basecoat in order to combat deterioration by moisture. Generally a primer coat and two finish coats are recommended.
- When painting over existing paint, the same type of paint should be used. If incompatible, the new paint coating is likely to fail quickly. For example, latex-based paint should not be used over oil-based paint.



Paint color is an important contributing element to a historic building's character.

- Wood on features that are constantly exposed to the weather, such as porch railings and floorboards, should not be left exposed. These should be painted to protect them from moisture and weathering.
- When re-painting previously painted masonry surfaces, breathable masonry coatings should be used.
- When painting windows, do not paint hardware or sash cords/chains. Remove prior to painting and reinstall after paint is dry.
- Where appropriate, gutters, downspouts, storm windows and doors, and fire escapes should be painted to match the roof or trim color of the building. This reduces the visibility of these features. Do not paint copper elements such as gutters, downspouts, flashing or decorative features.

Colors

- Colors should be chosen in consultation with the Historic Preservation Commission. Historically-appropriate colors are encouraged.
- One or two paint colors are appropriate for most buildings. On specific styles, such as Queen Anne and Italianate, three or more colors are sometimes appropriate.

Removal

- Paint should never be removed from wood or masonry surfaces using abrasive methods such as sandblasting or harsh chemicals. Where

feasible, employ the gentlest means available to remove accumulated paint layers.

- It should be assumed that lead paint is present in any building constructed prior to 1978. As such, appropriate precautions should be undertaken and any applicable federal and state regulations regarding protection and disposal should be reviewed and followed.

HISTORIC LANDMARK DESIGN STANDARDS

CHAPTER 4: ELEMENTS

COMMERCIAL USE OF RESIDENTIAL BUILDINGS

THE VILLAGE OF WILLIAMSVILLE IS unusual because a large percentage of the buildings that make up its Main Street commercial district are residential in form but are now used for commercial purposes. The commercial district has retained a residential, small-town scale and character because most of the commercial conversions have not overwhelmed these residential structures. It is important that the buildings' residential character be retained, since this character is such an important part of what makes Williamsville visually attractive and desirable as a place to live and work.

Recommendations

- Avoid alterations to windows and doors on residential buildings used for commercial purposes.
- Be sure that commercial signage is in scale with the building and that its design and materials are compatible with the building's design. Refer to the "Signage" section.
- Use signs as the primary means of indicating that a building has a commercial use. Use of incompatible colors or applied materials or ornament is inappropriate.
- Any additions to buildings to accommodate growing businesses should respect the character and scale of the original building. Where possible, additions should be set back from



Many of Williamsville's commercial buildings, such as this one, have been adapted from their original construction as residences.

original street facades. Refer to the “Additions” section for design considerations.

- Avoid the use of rooftop mechanical equipment unless it is on a flat roof and is properly screened from view. Rooftop equipment and ventilation fans should be located as unobtrusively as possible.

ADDITIONS

OVER TIME, THE OCCUPANTS AND functions of a historic building change and additions may become necessary to accommodate evolving needs and encourage economic growth. Many historic buildings in Williamsville, particularly commercial buildings, were smaller in design than today's contemporary counterparts. Appropriate alterations of historic buildings are essential to maintaining the overall integrity and character of historic districts, streetscapes and individual sites. Additions and associated modifications should be sensitive to historic context and carefully planned to prevent harming the materials, details, or character-defining features that make up the primary historic building.

General Location Considerations

- Additions to the primary facade of a historic building are discouraged. Additions should be located as inconspicuously as possible, usually to the rear or least public side of a building. If the addition is made to the side elevation, a slight set back of its façade from the primary historic façade is encouraged.
- Additions should be subordinate to the primary structure and should not overwhelm the original building massing. Additions should be designed in such a way that they minimize their visual impact on the building, especially as viewed from the public right-of-way.

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APPROPRIATE

The rear addition shown is contextual in scale, form, and detail to the main historic residence beyond.



INAPPROPRIATE

Addition mimics the original in height, but lacks contextual detail necessary to help it fit into the streetscape.

- Additions should not be so large that they change the orientation, general massing, or scale of the original building. The addition should not result in a secondary facade becoming the primary facade.

General Design Considerations

- Additions to historic buildings are not required to be “historic” in style. They should not attempt to re-create the past or create a past that never existed. Rather, additions should reflect the era in which they are built.
- Exact replication of the massing or details of a historic building in its addition is not appropriate. Additions should utilize subtle, distinguishing characteristics to clearly communicate which portions of the building are original and which have been added.
- Additions should have a similar relationship of solids to voids as the historic portion of the building. The depth of elements in the wall plane of the addition should be similar to that in the historic building.
- Where appropriate, floor-to-ceiling heights of additions should be consistent with those of the historic building. For example, elements such as watertables, belt courses, cornices and roof lines, which establish a horizontal datum on historic buildings, should be continued onto additions by way of a simplified imitation or a subtle cue.

- Additions should not obscure the existing principal entrance or other key features of the primary elevation.
- In accordance with the Secretary of Interiors Standards, alterations should be “reversible,” or constructed in a way that allows for their removal in the future. Care should be taken not to cut or remove ornamental elements on elevations where the addition connects to the historic building. To the extent possible, if the addition was removed, any covered portions of the historic building’s primary elevations would appear the same as before the addition was built.
- Respect original roof forms. An additional full floor should never be added to the top of a historic building. Additions that extend beyond the height of the historic structure may be appropriate only if this portion is set back from the primary facade and is not visible from the street. Roofs on additions should complement existing roof profile and shape.
- Where feasible, fire stairs should not be placed on the primary elevation of a building.

WINDOWS AND DOORS

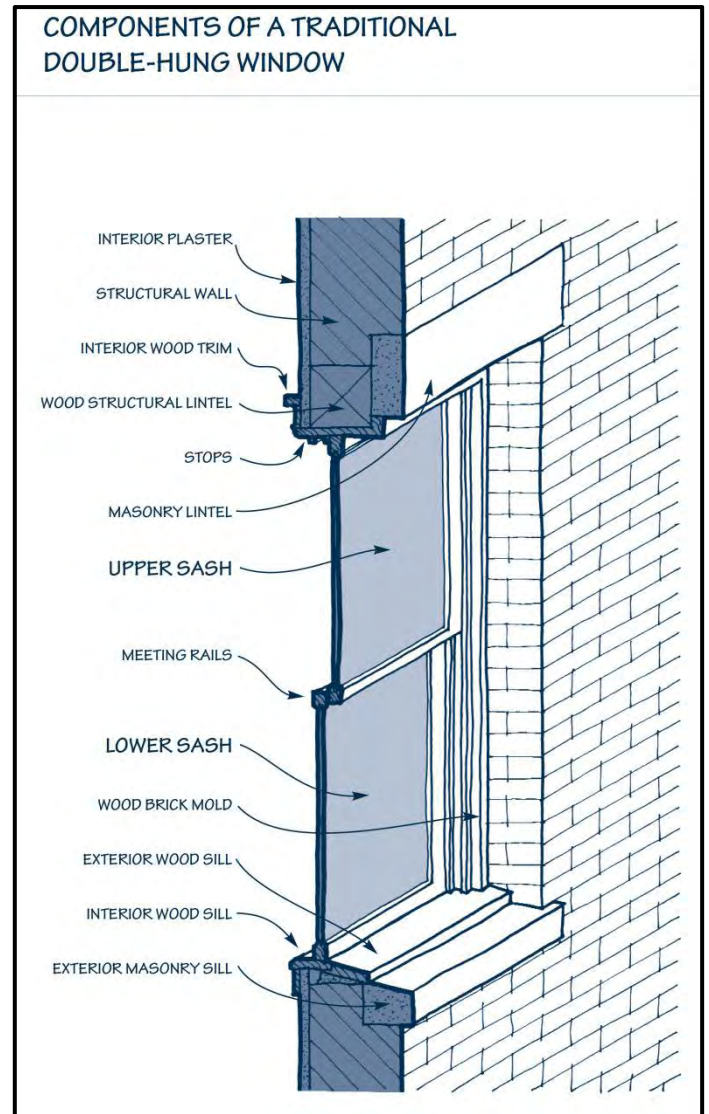
WINDOWS

WINDOWS ARE ONE OF THE MOST recognizable and character-defining features of a historic building. Like doors, windows serve a functional purpose and also contribute to the overall style and appearance of a building, specifically as they relate to a building's proportion, mass, and rhythm. Historic windows in the Village of Williamsville are varied with common types including traditional double-hung windows in varying configurations, as well as bay, fixed, casement, dormer and decorative windows.

Historic windows can last indefinitely, particularly when they receive regular maintenance and care. These window assemblies were designed to be disassembled and repaired and are generally constructed with high quality, resilient materials. In combination with additional weatherization methods, historic windows can provide energy efficiency equivalent to the installation of replacement windows. Poor maintenance, inappropriate repairs, or replacements can compromise the integrity and overall appearance of historic buildings. Historic windows should not be replaced unless they are deteriorated beyond repair.

General Recommendations

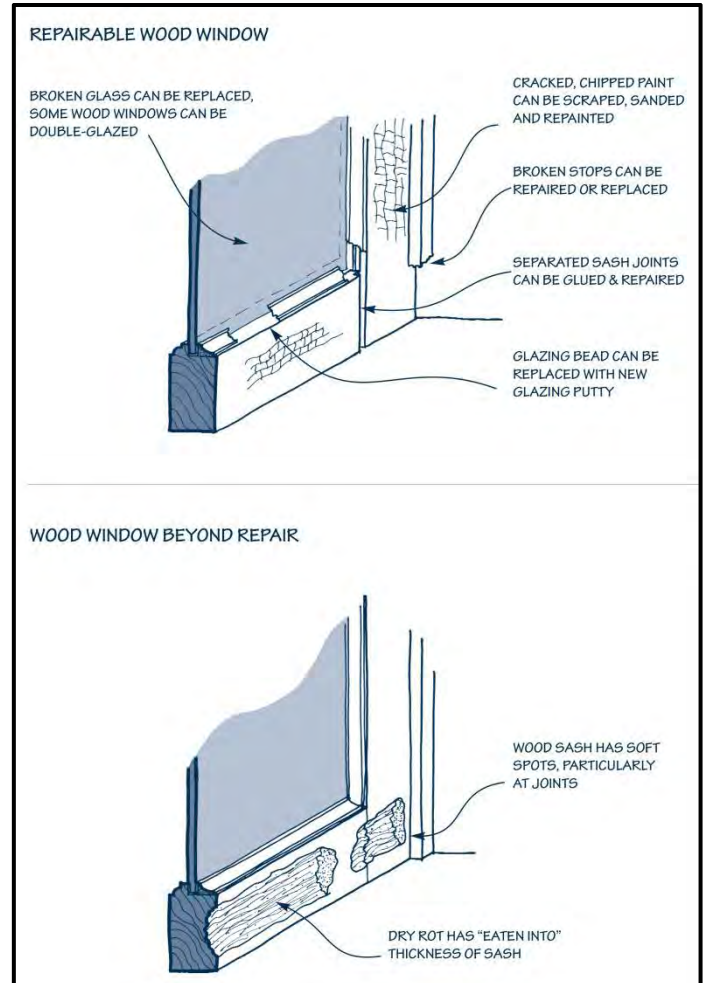
- Retain historic windows whenever possible. Rather than replacing entire window units, repair damaged components, including frames, sash, pulleys, and window glazing.



Source: Dublin, OH Design Guidelines

CHAPTER 4: ELEMENTS

- The introduction of new window openings should be avoided. When required, new window openings should be located on a secondary elevation. Avoid enlarging windows, adding window bays, or superfluous decorative elements.
- Avoid covering, painting, or closing in window openings or glass on the primary façade, including basement windows, transoms, sidelights, and fanlights. Avoid installing reflective or opaque glass. Where appropriate, reopening historic window openings that have been covered or filled in previously is encouraged.
- The number, size, shape, and sash configuration of windows should be retained. Window pane configuration should be retained.
- Retain original window trim and decorative elements such as window hoods, brackets, corner blocks, keystones, etc. Do not cover historic window trim, including sills, with vinyl or metal siding material.
- New interior construction should not be installed which blocks the glazed area of a window.
- The installation of exterior storm windows over historic windows are generally a historically appropriate treatment. Appropriate materials should be used, and sash sizes and color should match the historic window. Interior storm windows may also be appropriate where approved.



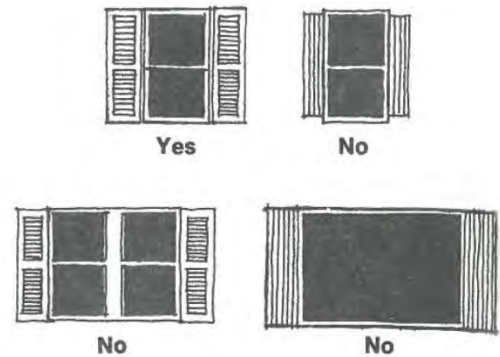
Source: Dublin, OH Design Guidelines

- Do not alter a window frame to accommodate an air conditioning unit. Window mounted air conditioning units are discouraged on primary facades.
- Shutters should be used only where historically and stylistically appropriate and should be sized properly to the opening (half the window width). Shutters should be placed as though operable, mounted inside the window frame with proper hardware.
- Avoid the use of aluminum, triple-track storm/screen windows applied to existing windows on the exterior.

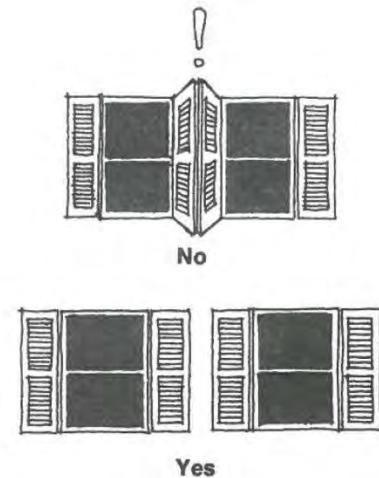
REPLACEMENT WINDOWS

Windows are a dominant part of historic buildings, helping to define their overall character. The visual impact of new replacement windows can be quite dramatic if done without proper care and attention to detail. Many building owners may be considering window replacement as an alternative to window repair and retention. Their concerns often focus on the perceived energy efficiency and cost benefits of replacements. Despite misleading marketing claims, historic windows that are properly maintained, weatherstripped, and fitted with storm windows have virtually the same thermal efficiency as a new window. Historic windows also have many other beneficial features, including their superior materials and longevity, and embodied energy.

Caulking window openings and installing weatherstripping will help stop air infiltration and energy loss. Repairing and installing sash locks will help the meeting rails meet tightly, and therefore stop



To look correct visually, shutters should be of a size where they can, together, cover the window, as they would do if they were functional.



When shutters are placed on two adjacent windows, they should ALWAYS lay flat against the wall. If there is not enough space, one of the two windows should not receive shutters at all.

Diagram source: New Life for Old Houses

drafts. Interior or exterior storm windows will further reduce energy loss. Exterior storm windows should be in the same color as the sash. Many factory color options are available today.

If your building already has replacement windows and you want to install something more appropriate, study your building carefully to see if any original sashes have survived. Other buildings in the area and historic photographs may also provide more information. The new windows should fit the style of your building, in order to not repeat the earlier mistake.

If your windows are beyond repair and must be replaced (a rare condition), carefully examine your existing windows and select a replacement unit which matches the exterior of the original in every way including size, material, and number of lights. Note the number of lights, the dimensions of rails and stiles, and the profiles of muntins. All trim should also match.

Replacement Recommendations

- If window replacement is necessary, new windows should match the originals as closely as possible with respect to materials, configuration, operation, and dimension. Trim profiles, brick molding, and muntins should match the original and be appropriate to the building's age and style. If insufficient windows exist due to alterations or replacement, other buildings in the area may provide adequate examples. Also reference the Styles guide in Chapter 5.

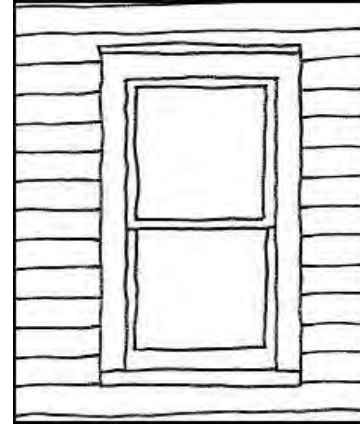


Bay windows were common on buildings of many late 19th and early 20th century styles.

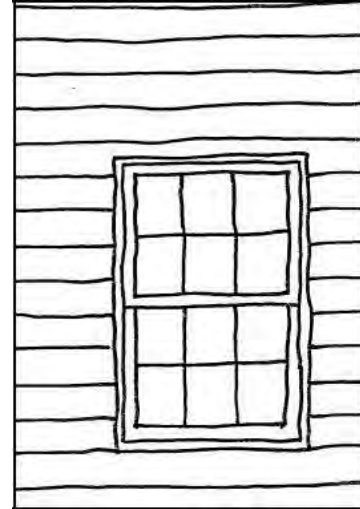
CHAPTER 4: ELEMENTS

- Avoid increasing the frame-to-glass ratio by maintaining the original configuration and the size of original components.
- Replacement windows should be installed in the same plane as historic windows in order to maintain a cohesive and consistent appearance.
- If replacing a sash with divided lights, replacement sash should have at a minimum interior and exterior grids with simulated divided lights. If possible, installation of sash with true divided lights is encouraged.
- Avoid altering or covering original trim details and decoration.
- Care should be taken to install windows of high quality construction and materials. Avoid the installation of vinyl replacement windows. Windows of inferior materials are highly vulnerable to thermal expansion and contraction which can break seals and cause warping. Their stock sizes and construction can be inappropriate on historic buildings, and does not typically conform to the proportions of historic windows.
- Avoid the use of glass block on primary elevations where it was not used historically. Glass block may be approved for basement windows on secondary elevations and out of view of the public way.

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Windows in historic wood frame buildings are typically twice as tall as they are wide. Traditional trim includes sill, jamb (at sides) and head with a wood drip edge at the top to shed water.



INAPPROPRIATE

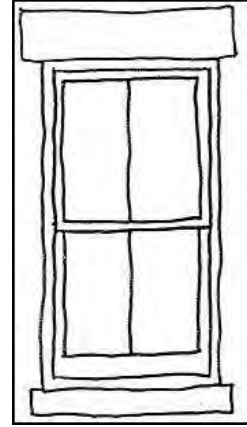
Many modern windows lack traditional surrounding trim and do not match the proportions of historic windows are therefore not visually compatible with historic buildings.

Source: Pittsford, NY Design Guidelines

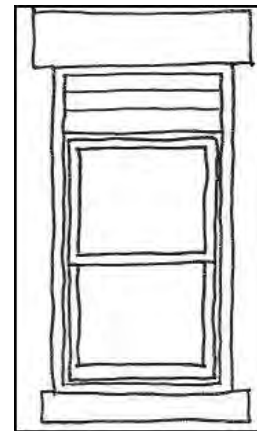
Window Repair versus Replacement

HERE ARE SOME FACTS TO CONSIDER:

- Most older windows, especially wood windows, can be easily repaired by a contractor with experience in window maintenance and restoration. If your original window isn't working properly or has some damage, don't think the entire window always needs to be replaced. Components can be repaired and sometimes just individual parts need to be replaced.
- Replacement windows are "maintenance free" because they cannot be maintained or repaired easily. Once seals are broken or components warp, the entire component or unit will need to be replaced.
- Older windows perform very well when maintained. Most older windows can be made energy efficient by sealing gaps, replacing glazing compound, fixing broken glass, repairing loose parts, and installing weatherstripping.
- Replacement windows have a short life expectancy of less than 20 years. Compare this with old wood windows, which can last another 100 years.
- Good quality replacement windows are typically much more expensive than restoring an existing window and adding a storm panel.
- The minimal energy savings associated with new replacement windows, on average, takes 20 to 40 years to recoup (assuming they continue to



In historic masonry buildings, wall openings have a stone or concrete sill and a stone or metal lintel spanning the top of the opening. The junction between the wood window frame is covered by a narrow wood "brick mold."



INAPPROPRIATE

Replacement windows in masonry openings should fill the entire width and height of the opening.

Source: Pittsford, NY Design Guidelines

perform well). With a maximum life expectancy of 20 years, the replacement windows will likely need to be replaced before any cost benefit is realized.

DOORS

DOORS AND ENTRANCES ARE KEY

architectural features that contribute to the character of most historic building façades. They are typically the first architectural element that one comes into direct contact with. As both functional and decorative elements, doors are often one of the most reliable indicators of a building's age and architectural style. A doorway includes not just the door itself, but the entire assembly of detailing, windows, and treatments that surround the door.

The functionality of doors is often the primary cause of their deterioration. Heavy use and small problems can lead to more serious deterioration over time. Proper and regular maintenance is important to ensure that these character-defining elements are preserved.

General Recommendations

- Historic doors should be retained rather than replaced. Features associated with a doorway that contribute to the architectural integrity of the building should be retained. This includes transoms, fanlights, sidelights, hardware, hoods, columns, pilasters and any other features present. Do not add these elements to a door when there is no historic precedent.

(continued on next page)



APPROPRIATE

Replacement doors (such as the one present here) should match the style of door common to the building's architectural style. The transom above the door also remains intact.

- Do not block up or relocate doors and entrances, and their accompanying sidelights or fanlights, which alters the architectural character of the building. Avoid introducing new doors and entrances on primary elevations.
- If a door is un-repairable and must be replaced, the new door should match the original in dimension, materials, operation and design. If previously replaced, new doors should match the style of the building. Other buildings in the area may provide adequate examples. Wood doors are preferred, rather than doors made of metal, vinyl, or composite material. In some cases, non-wood doors may be acceptable for rear or side doors. All doors should conform to area building and fire codes.
- Avoid installing replacement doors with retail stock doors, or doors of inappropriate design, or of a different size or width. The arrangement of door panels and window lights is a significant architectural feature and varies from period to period. Replacement doors should have an appropriate panel and light arrangement for the period of the building's construction.
- Avoid replacing traditional screen doors with stamped aluminum panel, stock colonial style, or otherwise inappropriate screen doors that are not compatible with the style of the front door or entry.

ROOFS, PARAPETS, AND DORMERS

ROOFS

AS ONE OF THE MOST HIGHLY VISIBLE forms, the roof can arguably be considered the most critical feature of any building. They are among the most recognizable and prominent identifying features of certain architectural styles and add to the architectural character of a building through its shape, scale, color, texture, and the way its sheathing is installed. When considering the roof, it is equally important to include the other building elements that contribute to the overall roof system, including drains, downspouts, and gutters. They serve a functional purpose while also serving as an important design element.

Historic structures in the Village of Williamsville show a diversity of roofing systems in materials, shape, height, and decorative elements. The most important design, maintenance, and repair consideration for roofs is providing a weathertight roof and properly-functioning drainage system. When a roof system is not properly maintained, it can cause significant damage to both the exterior and interior. Water filtration is the cause of most issues associated with roofs, contributing to the rotting of wood, rusting of metal, and deterioration of masonry. Regular and ongoing maintenance is critical to the preservation of building materials.

General Recommendations

- Roofs and roof elements that are significant to the character of a building should be preserved. This includes the roof form, shape, materials



Roofs that are distinctive elements of the building, such as this multi-colored slate tile roof in Williamsville, should be retained.

and decorative features, including towers, dormers, chimneys, and finials.

- Do not construct additional stories to the primary roof so that the historic appearance of the building is radically altered.
- Deteriorated roof features that require replacement should be replaced with features in the original or approved substitute materials that match the form, shape, color, texture, and size of the original. Many original roof materials provide a building with significant character, and many have a long lifetime if properly maintained.
- Adjacent building elements, including chimneys, trim, and gable windows, should be carefully protected when replacing all or portions of a historic roof.
- New roofs should be designed to be compatible with the architectural character of the building.
- New rooftop mechanical, service, and communications equipment (such as satellite dishes or cell towers) should be situated towards the rear of the roof in order to reduce visibility from the public right-of-way.
- Portions of roofs that are visible from the public right-of-way should be kept uncluttered. The Commission is responsible for approving the placement of all such appurtenances.
- Roof vents should be painted to match the color of the roofing material.



Rooftop service and communications equipment should be situated towards the rear of the roof in order to reduce visibility from the public right-of-way.

PARAPETS

PARAPETS ARE OFTEN DEFINING features of their architectural style. A parapet is an extension of the building's wall above the roof and cornice level. They are used to hide the structure's roof, and commonly occur on buildings that have flat or low-pitched roofs or false fronts. The parapet extension includes a top or coping to seal the edge. It is often a location for decorative elements such as sheet metal cornices, brackets, balustrades, or finials and can be shaped in steps, pediments and serpentine forms.

General Recommendations

- Parapet shapes, configuration and decorative elements should be preserved. If severe deterioration requires the replacement of elements, they should be replaced with in-kind features that match the materials, form, shape, color, texture and size of the original.
- Parapet walls and coping should be properly flashed to ensure the proper drainage of water and drying out of materials.



Parapets can be defining elements of their architectural style, such as this “Mission” style parapet at 5688 Main Street.

DORMERS

DORMERS ARE IMPORTANT

architectural roof features and are distinctive to many architectural styles. Defined as a windowed structure with its own roof, it projects from the sloping main roof of a building. In the case of a wall dormer, it is a continuation of the upper part of a wall, so that the eave line of the main roof is interrupted. There are several types of dormers, and they mimic the style of certain roof shapes, such as gable, hip, and shed style. Other, less common dormer styles include the arched top, eyebrow, pediment gable, and wall/flush dormer. The style of a dormer coordinates with the style of the roof or the architectural style of the building.



On buildings where they were present historically, dormers should be retained.

General Recommendations

- Dormers should not be installed on primary facades if they were not historically present there. Adding a dormer where none was present or removing an existing dormer can negatively impact the character of the roof.
- New dormers constructed on a secondary façade should be appropriately scaled to maintain dominant roof form.

PORCHES

PORCHES AND PORTICOS ARE A significant character-defining feature of many styles of historic buildings in Williamsville. The preservation, or loss, of these prominent elements on historic buildings can not only dramatically change the character of the building but also of the entire street or neighborhood. Porches and porticos enhance the building's entrances and are an important transitional space where the exterior and interior spaces intersect.

Typically, a porch or portico contains common architectural elements such as columns, a pediment, stairs, or pilasters. The features of the porch or portico often reflect major themes of the architectural style prevalent on the remainder of the building. They are oftentimes buildings' most embellished element, incorporating skilled carpentry and craftsmanship. Porches and porticos contribute to the architectural integrity of a building and should be preserved.

Often constructed of wood, porches can deteriorate quickly due to exposure to the elements. This is especially true in Western New York due to the harsh weather cycle. Routine maintenance and upkeep is necessary to address any deterioration before it escalates to a large-scale issue. Unfortunately, porches and porticos tend to be the most altered building features.

(Continued on next page)



Porch supports and roof edges often contain elements of a particular architectural style, such as the turned posts that support this porch. Porches are sometimes of a different architectural style than the building they are attached to.

General Guidelines

- Where existing, historic porches and entry features should not be removed. Where features are missing or in need of repair, careful historic research should be executed to determine what is appropriate for the building's architectural style and what is common in the surrounding neighborhood. To the extent feasible, new work should match the style, scale, and material of the original.
- Existing porches should not be enclosed to create extra living space. Infill of porches to provide vestibules for commercial use may be appropriate.
- Other porch forms such as door hoods or porte-cocheres are also character defining features and should be retained.

Detail Considerations

- Piers, which raise the porch decking above the ground, are often constructed of brick, stone, or concrete block. Spaces between the piers are often screened with lattice, decorative woodwork, paneling, or staggered masonry. The full enclosure of the porch base is discouraged as circulation of air beneath the floor is necessary to minimize rot.
- Porch decking should be oriented perpendicular to the house and incorporate a proper slope to encourage shedding water away from the building.

- Care should be taken when landscaping to ensure proper drainage around porch elements. Due to their close proximity to moisture, in certain applications pressure-treated and composite material may be appropriate here.
- Porch roof supports, such as posts, piers, pedestals, and columns are often carved, turned, or tapered, and are often the most uniquely detailed part of a porch. Each architectural style has specific types of supports and typical arrangements.
- Roof style, slope and eave trim characteristics may also be very specific to certain architectural styles.



Porch roofs and supports often have unique details that match the architectural style of the building.

Avoid:

- Introducing a new porch or porch elements that are incompatible in size, scale, material, and color; examples include new metal columns or wrought-iron posts, over-scaled columns with elaborate capitals, and metal or plastic balustrades.
- Altering the original height of porch, such as enlarging a one-story porch to make it two stories.
- Removing an original deteriorated porch without replacing it.
- Covering a porch with a non-historic material, such as metal or vinyl siding.

LANDSCAPE ELEMENTS

THE VILLAGE OF WILLIAMSVILLE

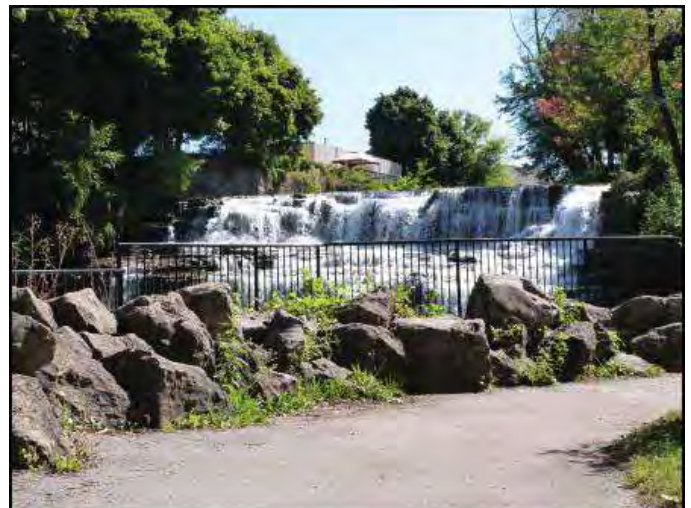
benefits from Ellicott Creek, its natural water course and waterfall, and adjacent green spaces, parks, and trails located in the heart of the Village, for the enjoyment of residents and visitors. These areas provide opportunities for passive recreation in the Village's urban setting. These spaces, in addition to historic landscape elements in the public view-shed, should be preserved. The Village is also home to the historic Williamsville Cemetery, designated as a historic site, which dates back to the early 1800s.

Parks

- Preserve landscape features that contribute to park form and historic identity.
- Preserve and protect views into, out of, and around parks and designated open spaces. Park views have an enhancing value on surrounding properties. Consider the impact of views when incorporating new design elements.
- Maintain existing pedestrian walkways when they have historic value. Consider the impact on historic circulation pattern when creating new, or removing, walkways, trails, and sidewalks.
- When historic accessory structures are present, such as pavilions, shelters, or restroom facilities, ensure they are preserved and maintained. When new structures are required, they should be designed to be as unobtrusive as possible.



Glen Park includes many landscape features, such as the stone bridge, that should be carefully protected and maintained.



Glen Park includes many landscape features, such as those providing lookouts onto the Ellicott Creek waterfall, that should be carefully protected and maintained.

- When new building additions are planned, consider impacts to circulation, spatial organization and landscape setting.
- Monitor trees and plantings to track potential encroachment of disease and pests. Diseased or dead plant material should be removed and replaced.

Cemeteries

- Preserve, protect, and maintain existing historic cemetery landscape features. These include driveways, walkways, plantings, fences, gates, monuments, memorials, and grave markers.
- Maintain the condition of perimeter walls and fences both for their historical value and for security of the site. If vandalism occurs, store broken materials in a secure location on-site until restoration is possible.
- Maintain historic plantings and tree canopies.
- Avoid the use of fertilizers and equipment that can cause damage of monuments, grave markers, and headstones.
- Stabilize loose, leaning, or deteriorated grave markers and headstones. Refer to the “Masonry & Concrete” section in Chapter 3 for repair and cleaning guidelines.

Fencing, Walls, and Decks

- Do not install front yard fencing or walls where there is no historic precedent.



Viewsheds such as along the main cemetery road should be protected and maintained.



Historic fences and posts such as this cast iron example or the stone piers in the photo above should be preserved and maintained.

- When replacing a limited portion of an existing fence or wall, use in-kind materials and match height and detailing.
- When choosing fence materials, consider the style of the building. In general, wood fences and stone walls are appropriate with wood buildings, while masonry walls and wrought or cast iron fences are more appropriate to masonry and stucco buildings.
- Chain-link fences, stockade fences, vinyl fences, PVC latticework detailed fences, and standard concrete block walls are inappropriate. Standard concrete block used as a substrate for a stucco finish may be appropriate.
- Loose-laid stone walls are generally appropriate in the Village of Williamsville.
- Maintain existing stone walls; refer to “Masonry & Concrete” section in Chapter 3 for repair guidelines.
- New decks should not be constructed on the front or primary façade of a historic building.
- Decks should be made of wood and should be painted or stained. Repairs to existing decks should utilize in-kind materials; refer to the “Porches” section for maintenance and repair guidelines.
- Railings and balustrades for new decks should be consistent with the style of the building.



Historic stone site walls, such as this example at 5672 Main Street, should be preserved and maintained.



Existing hitching posts, such as this one with an iron ring at the top in front of 78 Evans Street, should be preserved and maintained.

Carriage Blocks and Hitching Posts

- Preserve existing historic carriage blocks and hitching posts in place; remove vegetation overgrowth to maintain their visibility. Removal or relocation is inappropriate.
- Iron rings and ornament on hitching posts should be maintained in good repair and painted a dark color.

Sidewalks

- Stone walks should be maintained; where stones have been displaced by tree roots and may cause a tripping hazard they should be taken up, the grade adjusted, and the stone(s) re-set.
- Historic (early 1900s) concrete walks that are contractor stamped (Ignatz Oechsner) should be maintained; avoid use of de-icing salts in winter which can accelerate any deterioration.

Plantings, Trees, and Shrubbery

- Retention and care of existing trees and shrubbery, and the installation of new plants is encouraged. Diseased or dead plant material should be removed and replaced.
- If new plants are proposed, their species and locations should be consistent with other plantings on the property and in the neighborhood. Mature growth heights should be considered so as not to constrict walkways or crowd buildings, walls, and fences.



Historic carriage stones throughout the village, such as this one near Eagle & North Ellicott Streets, should be maintained and preserved.



Ignatz Oechsner sidewalk stamps throughout the village should be preserved.

- Growth of vines and ivy on buildings is discouraged as they contribute to crack development and entrap moisture, promoting the growth of mold.

Landscape Elements

- Arbors, trellises, and pergolas consistent with the style of the building are appropriate for side and rear yards and may also be appropriate in some front yards.
- Sheds and gazebos should be consistent with the style and materials of the building and are generally appropriate for side and rear yards.
- Raised planting beds edged with railroad ties, pressure treated lumber or landscape timbers, concrete blocks, or precast concrete edging are inappropriate for front yards.
- Landscape boulders are generally inappropriate in most areas.
- Trash and utility service areas should be screened from the public view shed using either plantings or building compatible fence material.
- Satellite dishes should not be placed in front yards.

STOREFRONTS

HISTORIC STOREFRONTS SHOULD BE retained and maintained. An important feature of a storefront is transparency, which encourages window shopping and an animated streetscape. Where an original storefront has been compromised, efforts should be undertaken to recreate or restore the original elements, based on historical research or physical evidence, even when the internal use has been changed.

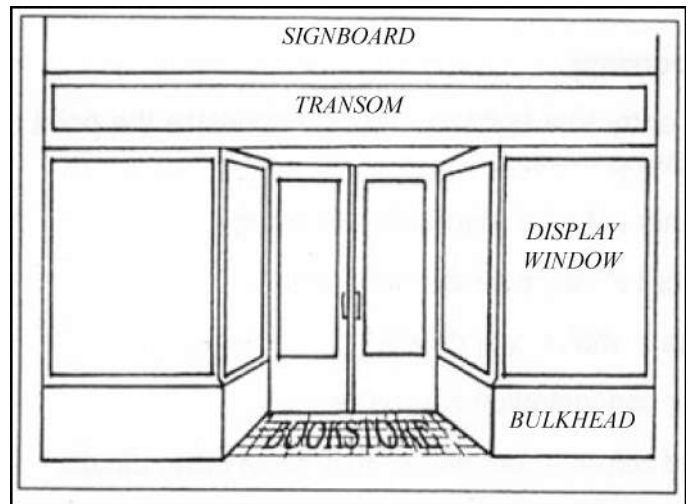
General

- Preserve existing historic storefronts and storefront features whenever they still exist.
- If the original storefront no longer exists or is deteriorated beyond repair, the storefront can be recreated or restored based on historical research and physical evidence. When historical evidence is not available, incorporation of a “modern interpretation” that retains the scale, overall character and design aesthetic of the historic building may be appropriate.
- Avoid removing or radically changing storefronts and those features that are important in defining the overall character of the building, resulting in a watered-down version of the original.

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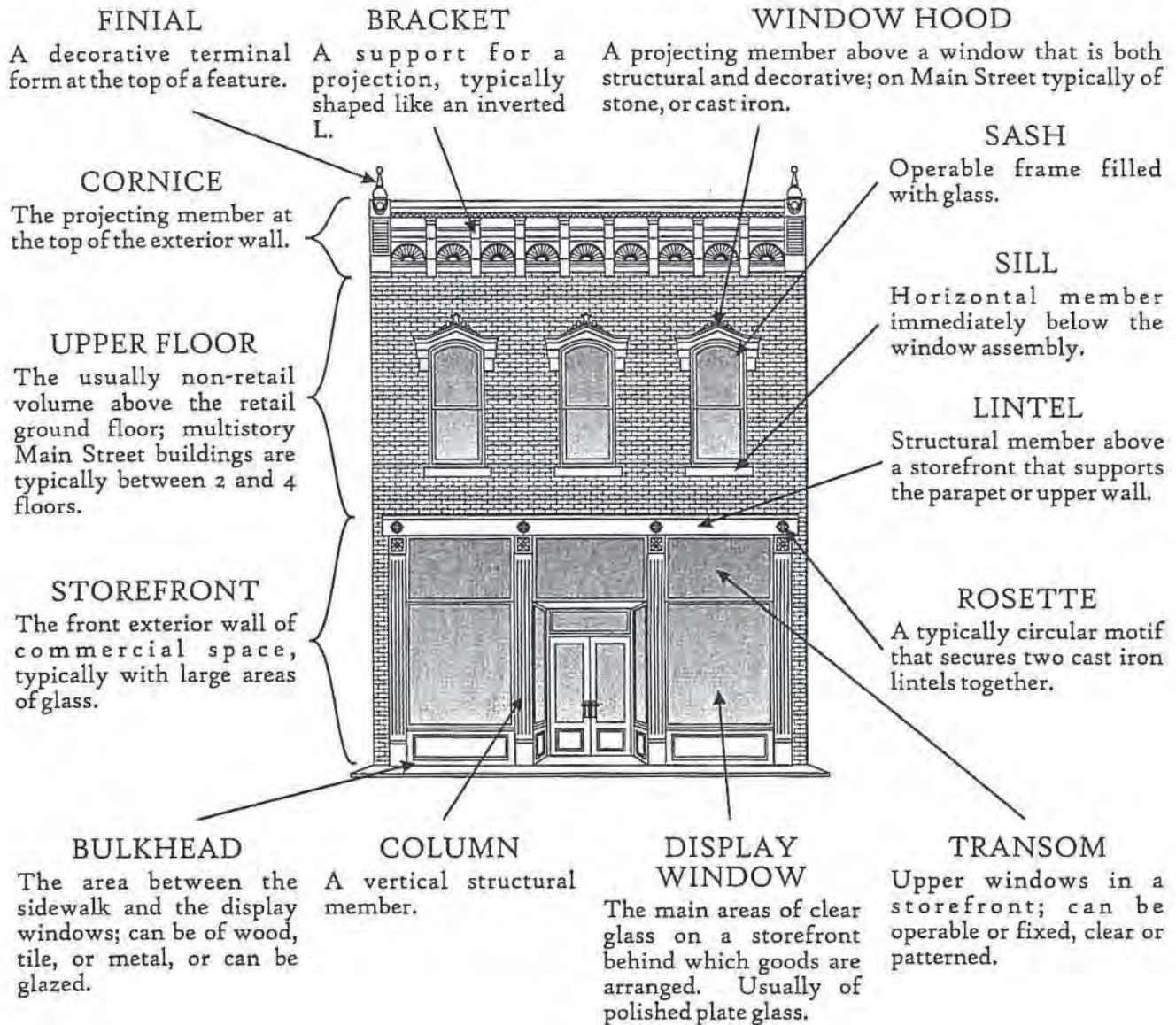


Commercial storefronts often take a form similar to this, with glass display windows flanking an inset central entry, with signboard above.



Typical parts of a storefront

ANATOMY OF A MAIN STREET BUILDING



Doors and Entry Features

- Historic entrances and doors should be preserved. They are often more than functional entryways, also serving as an important architectural element.
- Recessed entries should be retained. Any tile entryway paving should be maintained and not covered.
- Deteriorated historic features should be repaired rather than replaced. If missing elements are proposed to be replaced, the design of the replacement features should be substantiated by documentary, physical, or pictorial evidence.
- Replacement doors should match the original doors in design, placement, and materials where feasible.
- Use of modern aluminum storefront doors and frames is discouraged.
- Traditional storefront doors that provide transparency are most appropriate in a historic context. Traditional storefront doors may include wood panels on the lower portion and large glass panes in the upper portion or are full glass. Opaque storefront doors of any material are inappropriate.
- In addition to the door itself, other features associated with a doorway's character should be retained. Such elements include door hardware, fanlights, sidelights, pilasters, entablatures, columns, balustrades, and steps.



This storefront entry area retains its original wood doors and hardware and display windows over wood bulkheads. Multiple storefronts often share an inset entry.

- When reconstructing an entryway, use historical, pictorial, or physical documentation. If there is not sufficient information, a new design should be prepared that is compatible with the architectural character of the building and the district. Designs that create a false sense of history or additions of “historic” elements where none existed are not appropriate.

Display Windows

- Historic display windows should be preserved to maintain the open character of the storefront area. If windows need to be screened, use of non-permanent, interior window treatments, such as blinds, shutters, or draperies are encouraged.
- Storefronts should be transparent to the greatest extent possible; traditional storefronts utilize large glass panes held in narrow frames. New storefronts or modifications to existing storefronts should permit maximum visibility into commercial spaces.
- Retain window elements that contribute to a building’s character and historic fabric. Such elements include frames, sash, muntins, glazing, sills, hardware, heads, hoods, shutters and blinds.
- Existing windows, including transoms over doorways, should not be concealed. All existing windows should be retained in order to maintain the building façade composition.

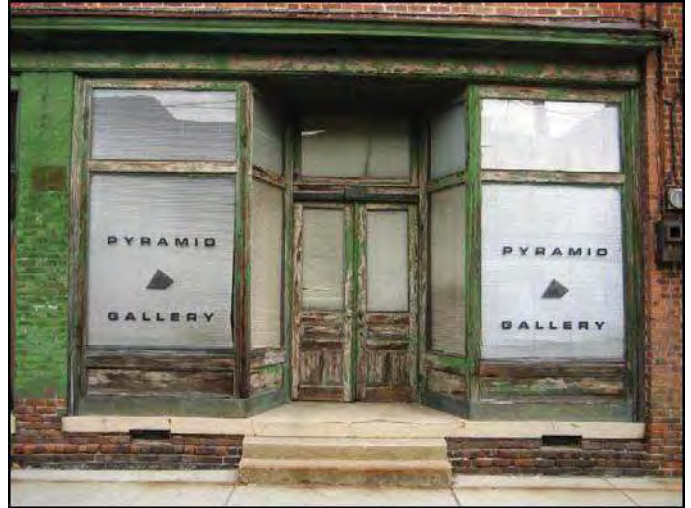


This building originally had two storefronts, which have been combined into one. However, both storefronts retain most of their original elements including the large glass display windows.

- False or simulated windows which are commonly tinted, frosted, and reflective or opaque (spandrel) glass are not appropriate on historic storefronts. Use of mirrored glass should be avoided. Only clear glass should be utilized on main display windows.
- Prism glass is often appropriate for use in transoms above entryways or display windows.
- Mullions constructed of wood, copper, bronze, cast iron, or steel are appropriate. In Art Deco/Moderne and Mid-century modern storefronts, use of aluminum mullions or butt-glazed glass are generally appropriate.

Bulkheads (Kickplates)

- Bulkheads should be retained as a decorative storefront element.
- Removed or deteriorated bulkhead materials should be replaced using sympathetic replacement materials. Wood was most commonly used as a bulkhead material; use of new cement board and/or PVC trim shapes may be appropriate. Metal and masonry bulkheads may be appropriate when consistent with the overall building material and style.
- Dimensional height of the original bulkhead should be maintained.



A largely unaltered 19th century storefront including all the elements typical of that era: Display windows, recessed entry, transoms, bulkheads, and signboard above.

Source: Preservation Greensboro

SIGNAGE

SIGNAGE SHOULD PROVIDE INFORMATION that is simple and legible, of a size and location that avoids competing with or obscuring the architecture of the building. In general, the number of signs on a façade should be kept to the minimum necessary to effectively communicate the messages being conveyed. Signage should be unique to this village rather than being generic, and should focus on advertising local businesses, not national product names or logos unless primary to the business.

- Signs should be sized and placed to reinforce the architectural elements of the façade. Refer to Village zoning requirements for size regulations as a guide.
- Signage should be creative and legible, and be iconic, graphic-oriented, or three dimensional.
- Signs should be placed in a clear, well-defined area or wall space.
- Window graphics should be used to provide information for the business such as hours of operation or services offered, but with minimal text.
- Window signs should cover no more than 30% of the available window area.
- Signage should not obscure the building's unique architectural features.



Window graphics provide simple information about services offered and flat wall signs are incorporated into a unified composition.



APPROPRIATE

Creative but contextual signage is encouraged.



INAPPROPRIATE

Signage should not obscure architectural features; internally-lit panel boxes are prohibited by Village code.



INAPPROPRIATE

Internally-lit panel boxes are prohibited by Village code.



APPROPRIATE

High-density polyurethane signs with embossed lettering are encouraged.



APPROPRIATE

Projecting wall signs are appropriate. Note ornamental metal attachment bracket.



APPROPRIATE



APPROPRIATE



APPROPRIATE



APPROPRIATE

Signs made up of individually raised letters without back lighting are generally appropriate.

- Flat wall signs should be clearly incorporated into and take cues from the design of the façade in order to form a unified composition. Multiple individual signs should be of contextual materials and styles, though they need not be same size or materials as long as the result of the overall building signage is a coherent whole.
- A property signage plan should be submitted to the Historic Preservation Commission demonstrating the cohesiveness of all building and site signage.
- Aluminum panels with applied vinyl graphics are discouraged.
- Projecting signs must be attached to the building at a right angle, have no more than two faces, and be at a height so as not to obstruct or interfere with pedestrian or vehicular traffic. Refer to the village code “Sign Regulations” for guidance.
- Panel box signs illuminated from inside are prohibited by Village code and are not appropriate in a historic context. Back-lit, push through letter/graphics may be acceptable
- Signs should not be flood-lit. Small shielded light sources are encouraged.
- Back-lit, individual channel letters (halo lighting) are discouraged but will be considered on an case-by-case basis by the HPC.
- Use of applied, raised individual letters with or without appropriate sign lighting is appropriate.



APPROPRIATE

Freestanding ground signs are appropriate, provided they do not interfere with pedestrian access or vehicular sight-lines



INAPPROPRIATE

Signs made up of internally illuminated individual channel letters are not appropriate.



APPROPRIATE

National branded signage is appropriate when the business is an outlet of a national chain.



INAPPROPRIATE

National brands are not appropriate on signage when they are secondary to the main business.



APPROPRIATE

Existing exterior neon building signs associated with mid-20th century storefronts are historic features and should be maintained and preserved.



INAPPROPRIATE

Neon signs other than primary building signs are not appropriate.

CHAPTER 4: ELEMENTS

- Signs should contain simple information only; too much information can be confusing and distracting.
- Primary signage should avoid advertising national brands or logos that are secondary to the particular business.
- Neon signs may be appropriate as an exterior sign material for main building signs only and only on Mid-Century Modern styled buildings or storefronts. Existing exterior neon building signs should remain in place and be maintained or repaired.
- Neon signs other than primary building signs are inappropriate.
- Signage and fonts should be coordinated with the architectural style of the building.
- Graphics on awnings may be acceptable as signage (refer to “Awnings” section).
- Old sign materials, no longer related to the current business, should be removed. Historic, painted “ghost signage” should be maintained and not covered over.
- Signage applied to fences or walls is inappropriate.
- Freestanding ground signs are appropriate, provided they do not interfere with pedestrian access or obstruct vehicular sight-lines.



APPROPRIATE

Signs made up of individually raised letters without back lighting are generally appropriate.



APPROPRIATE

LIGHTING

IN GENERAL, LIGHTING SHOULD BE consistent with the character of the street, and should be of a design and scale that is appropriate to the architectural style of the building. Lighting may be installed to deter trespassers, enhance security, and illuminate the address of the property. Light intensities should be taken into account to provide uniformity and avoid over-lighting, glare, and light pollution while providing for public safety. Use of timers for building and landscape lighting is strongly recommended to conserve energy.

Building Lighting

- Light fixtures should not obscure or cause removal of historic architectural features. Light fixture sizes should be held to a minimum so as not to become a prominent feature on a building façade.
- Lighting of one property should not impact an adjacent property; light sources should be shielded to eliminate light trespass and to avoid glare and visibility of the light source. Full cutoff flood or spotlights directed toward the ground should be used.
- Up-lighting of building facades is generally inappropriate except for high profile, public buildings. Up-lighting of state and national flags is appropriate.



APPROPRIATE

Unshielded light sources are not appropriate.



APPROPRIATE

Small, unobtrusive, shielded light sources are encouraged.

- Unshielded, high-intensity discharge (HID) wall packs that commonly utilize high pressure sodium or metal halide light sources are inappropriate.
- Unshielded floodlights are inappropriate; properly shielded, motion-activated security floodlighting may be permissible in side and rear yards.
- Fluorescent light sources are discouraged; Light Emitting Diode (LED) light sources in warm colors are encouraged. Blue LEDs should not be used.
- Compact Fluorescent Lamps (CFLs), when utilized, should be of a shape that resembles traditional incandescent lamps or are installed in a fixture that is fully shielded or uses diffusing glass to conceal view of the bulb.
- Colored lighting is discouraged, with the exception of neon, where appropriate.
- Porch pendant (where applicable) or wall mounted entry light fixtures are encouraged.
- Lighting intensity levels will be approved and monitored by the Historic Preservation Commission.

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APPROPRIATE

Small, unobtrusive, shielded light sources are encouraged.

Landscape Lighting

- Landscape fixtures should provide a clear view of any potential obstacles in the environment, such as stairs, pathway intersections, and curbs to ensure personal safety on the property or within the public right-of-way.
- Fully-shielded walkway bollards or low-voltage walkway lights are encouraged.
- Permanent up-lighting of trees and plantings is discouraged; seasonal event/holiday lighting, including string lights on trees, may be permissible.



APPROPRIATE

Small, unobtrusive, shielded light sources are encouraged.

APPROPRIATE

Full cutoff fixtures



Fully shielded 'Period' style or contemporary fixtures



Shielded/properly-aimed PAR floodlights



Goose-necks, soffit, and lantern-style



Shielded lit bollards



INAPPROPRIATE

Drop lens and sag lens fixtures with exposed bulb



Wallpacks and wall-mounted fixtures



Unshielded 'Period' style or contemporary fixtures



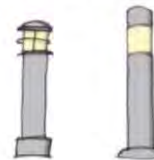
Unshielded or poorly-shielded floodlights



Single-tube fluorescent fixtures



Unshielded lit bollards



Single-tube fluorescent fixtures on arms



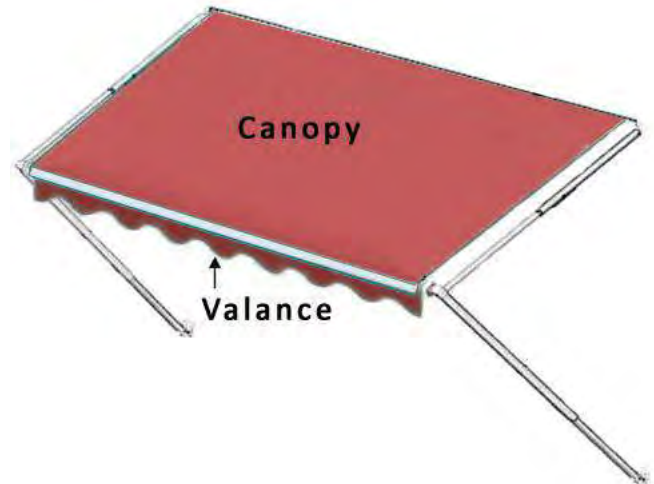
AWNINGS

AWNINGS WITH A TRADITIONAL DESIGN

and appearance are encouraged as façade elements when they serve to protect pedestrians from the sun and the rain, provide an alternate location for signage, add color and interest to building storefronts and facades, and add emphasis to entrances and display windows.

Awnings that are a traditional shape with either a solid valance, scalloped valance, or no valance are encouraged. Fixed awnings should have closed ends. Alternatively, operable awnings may be used, which may have open ends. Awnings should not cover or obscure architectural details.

- Awnings can be utilized to help protect pedestrians, customers, and displays from sun and/or inclement weather.
- Consult New York State Dept. of Transportation regulations when awnings project into the Main Street public right-of-way. Generally, this means that the bottom of awnings can be no lower than 8 feet above the sidewalk surface.
- Shed awnings are preferred for rectangular windows. Awnings are discouraged on arched-top windows. Use of rounded-top awnings is generally discouraged in the Village; dome awnings may be appropriate at the primary entrance to the building.



Parts of an awning



Traditional “shed” awnings are preferred for rectangular windows.

CHAPTER 4: ELEMENTS



convex



**traditional
(shed)**



**dome
(bubble)**



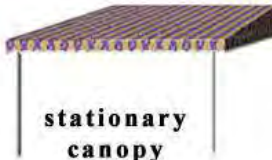
gable entrance



circular entrance



casement



**stationary
canopy**



**lateral arm
retractable**



concave

Common awning types



APPROPRIATE

Open-ended awnings are generally appropriate if they are retractable.



INAPPROPRIATE

Convex awnings are not appropriate in historic contexts; awnings should not be backlit; and signage on awnings should be simple and not have excessive information.

- Convex awnings are generally not appropriate in a historic context.
- An awning should cover no more than 1/3 of a storefront as measured from the top of the display windows to the sidewalk level.
- Awnings on a building with multiple storefronts should be consistent in location and size.
- Awnings should not cross vertical columns or other vertical features on a building façade.
- Awnings should not be used over windows with either functional or decorative shutters.
- Woven material (canvas) awnings with metal frames are encouraged. Fixed plastic, vinyl, wood and metal awnings are discouraged.
- Re-facing existing awnings with new vinyl is discouraged.
- When existing vinyl appliques are removed prior to application of new graphics, new graphics must fully cover any discoloration on the awnings.
- Under-awning lights that illuminate the sidewalk and storefront are encouraged; lighting that illuminates the back of the awning and/or awning graphic are discouraged.
- Awnings may incorporate information such as building address or name of business. Awnings with text or graphics are reviewed as signage.
- Awning valance should be no more than 6 inches in vertical dimension.

ACCESSIBILITY

PROVISIONS OF THE BUILDING CODE OF New York State (ANSI A117.1) help to provide access to buildings for the disabled portion of the population. Both existing structures and new or renovated buildings are required to comply by removing architectural barriers to disabled people. When dealing with historic buildings, there is some flexibility in meeting accessibility requirements that would otherwise threaten or destroy the historic significance of a building.

Recommendations

- Ramps or lifts are sometimes needed to provide the disabled access to a building and these facilities can have a significant visual impact on a building. The location, design, and materials of such facilities are important. When possible, these elements should be located at side entrances to minimize impact on the main façade.
- If a ramp must lead to the primary entrance, materials used should be contextual with the existing entry. The ramp should not be the only path to the entry.
- If existing railing and handrails are part of the character of the building, new handrails should refer to the existing. Otherwise, the design of ramps and handrails should be simple and contemporary and should generally not try to mimic any existing handrails. Materials should be the same or similar to those used on the



APPROPRIATE

If a ramp must lead to the primary entrance, materials used should be contextual with the existing entry and ramp should not be the only path to the entry.



INAPPROPRIATE

Ramps should not overpower the existing entry, should not be the only path to the entry, and should use contextual materials.

existing building. Use of non-traditional materials or solid masonry walls is inappropriate.

- Where providing access to a building's front entrance is only a matter of overcoming a few inches from the walk to the entrance, consider replacing that portion of the walk at a slope to accommodate the difference in height. (Slopes of 5% or less do not require a handrail.)
- Ramp designs that comply with code requirements should be kept as simple and unobtrusive as possible. Where ramps become extensive due to grade differential, consider using landscaping materials to screen portions of the ramp structure and reduce its visual impact.
- When grade to floor elevations prohibit the available site area from accommodating a ramp structure, a lift should be considered. Incorporating lifts into the side of existing front porches is encouraged. Low screens, made up of plantings to reduce visual impact, may be appropriate.
- Signage identifying accessible routes and entrances should be as unobtrusive as possible.

HISTORIC LANDMARK DESIGN STANDARDS

CHAPTER 5: STYLES

OVERVIEW

ARCHITECTURAL STYLES ARE listed in approximate chronological order. See the List of Landmarks in Chapter 1 for recommended styles for the Village's locally-designated landmarks.

Note that only styles that are present in the Village's designated landmarks, which are primarily commercial and religious properties, are included here. Many other styles exist on non-landmark buildings in the Village, but are beyond the scope of this document.

The following sections describe each style and its general characteristics, including specific traits of that style that are present on locally-designated landmarks in Williamsville. These style guides are meant only as a starting point for discussion as a project seeks approval from the Historic Preservation Commission.

MID-19TH CENTURY STYLES



*Greek
Revival*

LATE 19TH CENTURY STYLES



Italianate



*Second
Empire*



*Queen
Anne*

EARLY 20TH CENTURY STYLES



*Colonial
Revival*



*Classical/
Beaux-Arts*



Craftsman



*Tudor
Revival*



*Spanish Mission
Revival*

MID-20TH CENTURY STYLES



*Neo-
Georgian*



*Art Deco/
Moderne*



*Mid-Century
Modern*

OTHER STYLES AND BUILDING TYPES



*Gothic
Styles*



Vernacular



Religious

GREEK REVIVAL

STYLE DESCRIPTION

THE GREEK REVIVAL BECAME THE FIRST popular American Romantic style, expressing a fascination with Greek culture spurred on by archaeological discoveries of the era. Greek architecture formed the basis of architectural design in America as the young country rejected its traditional ties to England and adopted symbolism of the world's first democracy as it settled into its role as a brand new democracy. The Greek Revival was inspired by ancient Greek temples with their heavy, massive cornices, columns, and triangular pediments. The Greek Revival landmarks in the village are of wood, brick, or stone construction. The style was popular from ca. 1820 to ca. 1855.

Greek Revival buildings are often one-and one half or two-story tall front gabled blocks with a symmetrical composition. Roofs are of moderate pitch with cornice returns or a full pedimented gable. Wood clapboard is common. Properties often include single-bay porches at the entrance or full porticoes. Traditionally, Greek Revival buildings feature double double-hung with 6-over-6 wood sash. Windows are of uniform size and regularly spaced. Entrances may have one or two-panel doors, often with leaded sidelights and transom lights. Doors are often framed by pilasters and wide cornices. Columns often feature Doric capitals.

(Continued on next page)



A high-style example of the Greek Revival style, located on Johnson Park in Buffalo.

GREEK REVIVAL STYLE LANDMARKS IN WILLIAMSVILLE



Hopkins Schoolhouse – 72 S. Cayuga Rd. This is a vernacular stone example of the Greek Revival style, constructed c. 1840.



DiCamillo's Bakery – 5329 Main Street. This is a vernacular brick example of the Greek Revival style, constructed c. 1840.



5430 Main Street. This is a side gabled brick example of the Greek Revival style, constructed in the 1840s.



Eagle House Restaurant – 5578 Main Street. This is side gabled vernacular wood example of the Greek Revival style, constructed 1832.

GREEK REVIVAL STYLE LANDMARKS IN WILLIAMSVILLE (CONTINUED)



Robshaw & Voelkl – 5672 Main Street. This is a vernacular wood example of the Greek Revival style, constructed c. 1840.



Dunlap & Bajak Insurance – 5707 Main Street. This is a brick example of the Greek Revival style constructed in 1852, with a later addition.



5792 Main Street – This property includes a c. 1840 brick Greek Revival structure and a slightly newer wood Greek Revival addition.

CHAPTER 5: STYLES

WILLIAMSVILLE DETAILS GALLERY: GREEK REVIVAL STYLE

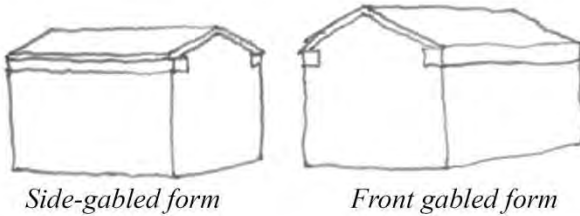


Clockwise from top left: Simple wood Greek Revival-style window head, 5428 Main St; similar wood window head, 5422 Main St. [not a landmark]; Greek Revival door surround at 1836 Ely-Zent House [not a landmark] next to the Mill on E. Spring Street; Stone lintel and cornice return at Hopkins Schoolhouse, 72 S. Cayuga Rd.; Cornice return at DiCamillo's Bakery, 5329 Main St.; 6-over-6 window at the Eagle House Restaurant, 5578 Main St.

STYLISTIC ELEMENTS: GREEK REVIVAL STYLE

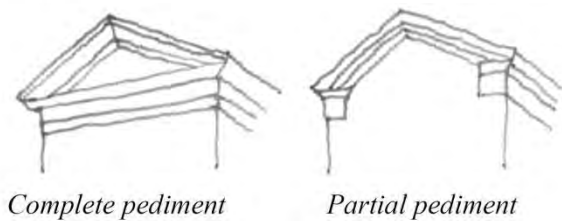
STYLISTIC ELEMENTS

Massing:



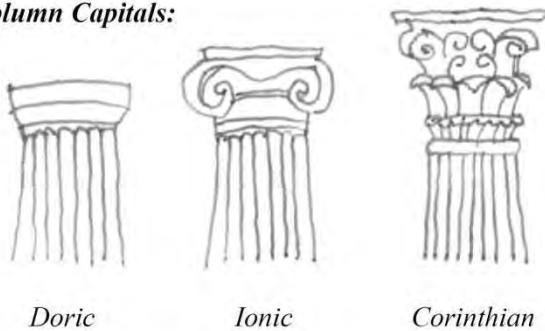
Greek Revival buildings are designed to emulate the Greek temple form. They may be sited parallel or perpendicular to the street and may be constructed of brick, stone, or wood. Williamsville is home to Greek Revival buildings of both types and of all three materials.

Pediment:



Greek Revival buildings are defined by inclusion of a pediment, but its form may be simplified and include only partial elements of a pediment or entablature. Higher style structures tend to include literal copies of pediments. Both types exist in Williamsville.

Column Capitals:



Greek Revival buildings are often fronted by columns. Three basic column styles (or “orders”) exist: Doric, Ionic, and Corinthian. Doric is considered the “workhorse” and has the squattest proportions and is considered the most masculine. Corinthian is the most slender, is considered the most feminine, and is used on high-style buildings with important governmental functions. Shafts may be smooth or fluted.

Window Heads:

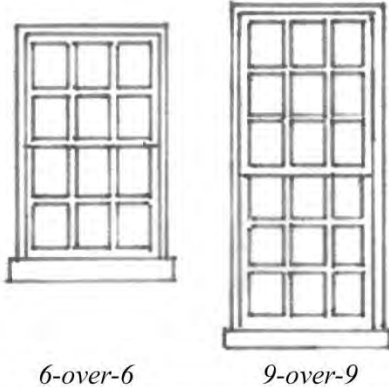


Greek Revival windows are topped by heads meant to abstractly symbolize entablatures. Type 3 is seen on brick and stone Greek Revival buildings and Types 1 and 2 are seen on wood buildings.

STYLISTIC ELEMENTS: GREEK REVIVAL STYLE (CONTINUED)

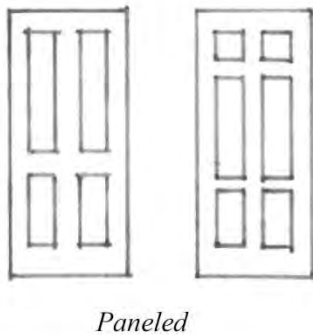
STYLISTIC ELEMENTS

Window Types:



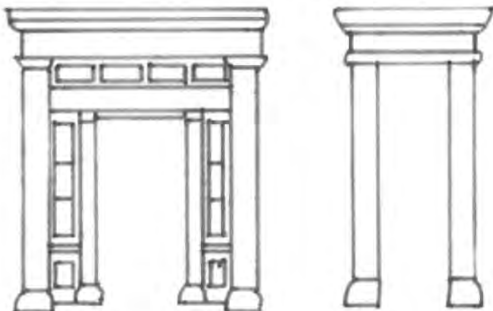
Early-to-mid 19th century buildings used windows made up of small pieces of glass because this was the largest size available when they were built. Greek Revival buildings usually have 6-over-6 windows, but occasionally 9-over-9 or 9-over-6.

Doors:



Greek Revival buildings have simple paneled wood doors of varying configurations.

Door Surrounds:



Front doors of Greek Revival buildings often have wood surrounds flanked by columns or pilasters and topped by an entablature. The door may be directly surrounded by the elements or may have glass sidelights on either side and a transom window above, which are in turn framed by the columns and entablature.

ITALIANATE

STYLE DESCRIPTION

THE ITALIANATE STYLE DOMINATED American houses constructed between 1850 and 1880 and is a common style in the Village of Williamsville. The style is derived from the country houses of northern Italy, expressing a yearning for country life during the era of the Industrial Revolution. Italianate buildings may be brick or wood and are often identified by their wide overhanging eaves with decorative brackets below and tall double-hung windows with arched tops and often arched window hoods. Porches are usually present but are never taller than one story. Cupolas are common elements. Storefronts are typically cast iron.



A high-style example of the Italianate style including its original porch, located on Carolina Street in Buffalo.

ITALIANATE STYLE LANDMARKS IN WILLIAMSVILLE



Hopkins Block/Roneker Building – 5550 Main Street. This is a commercial example of the Italianate style, constructed 1854.



Williamsville Meeting House & Museum – 5658 Main Street – This is a high-style example of the Italianate style, constructed 1871.

ITALIANATE STYLE LANDMARKS IN WILLIAMSVILLE (CONTINUED)



D'Avolio's Kitchen/Sutton Architecture – 5409 Main Street. This is a residential example of the Italianate style that was later converted to commercial use. The addition on the front is a recent modification.



5428 Main Street. This is a vernacular building, constructed 1870s, with Greek Revival and Italianate influences, including a cast iron storefront that was infilled at a later date.



Gordon W Jones Associates – 5757 Main Street. This is a brick example of the Italianate style, constructed in 1851.

SECOND EMPIRE

STYLE DESCRIPTION

THE SECOND EMPIRE STYLE WAS POPULAR between 1860 and 1880. The style comes from France and was influenced by the architecture popularly used in the reconstruction of Paris during this time period. This style often uses similar window, door, and porch details to the Italianate style but its key element is the mansard roof, which is generally faced in slate shingles. The mansard roof always had a livable space behind it, with dormer windows inserted into the roof.



A high-style example of the Second Empire style, located on Prospect Avenue in Buffalo.

SECOND EMPIRE STYLE LANDMARKS IN WILLIAMSVILLE

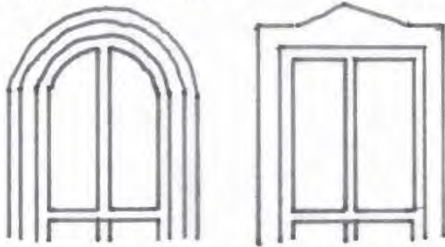


The Jacqueline Shoppe – 5522 Main Street. This is a pair of commercial buildings constructed c. 1860, one of them in the Second Empire style (at left) and the other vernacular (at right). The storefront is in the Art Deco/Moderne style, dating from c. 1930.

STYLISTIC ELEMENTS: ITALIANATE AND SECOND EMPIRE STYLES

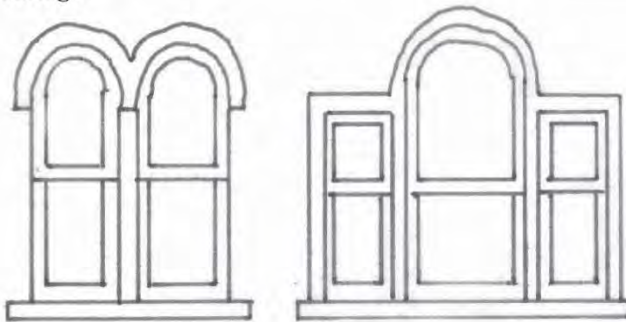
STYLISTIC ELEMENTS

Window Surrounds:



Windows in Italianate and Second Empire-style buildings often have ornamental wood or stone surrounds. In Williamsville, these generally occur only at windows within mansard roofs.

Pairing:

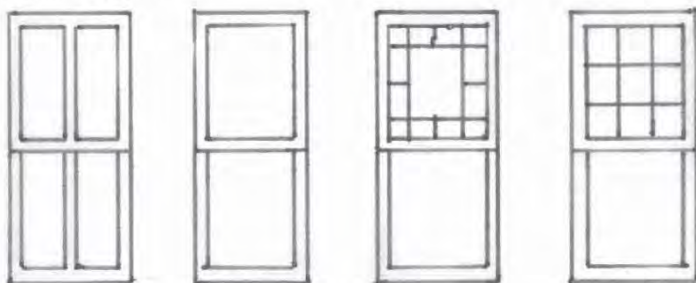


Paired windows

Palladian window

Victorian buildings often have paired windows. Palladian windows are common on “Free Classical”-type Queen Anne-styled buildings..

Window Types:



Type 1

Type 2

Type 3

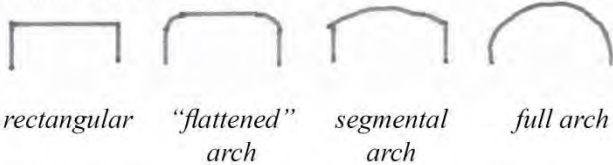
Type 4

Double-hung windows are almost universally used on Victorian buildings. Types 1 and 2 are common on the Italianate and Second Empire styles. Types 2, 3, and 4 are common in Queen Anne style buildings. Decorative and colored glass is often seen on Queen Anne style buildings.

STYLISTIC ELEMENTS: ITALIANATE AND SECOND EMPIRE STYLES (CONTINUED)

STYLISTIC ELEMENTS

Window Head Profiles:



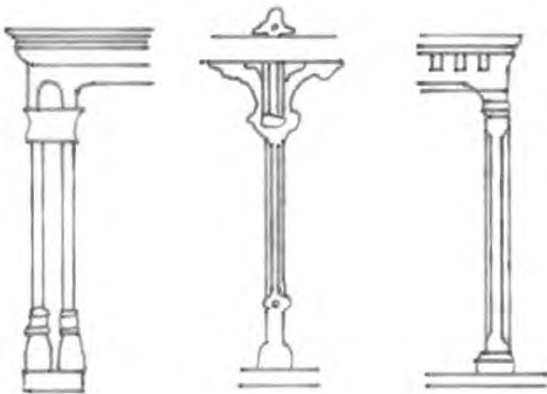
Italianate and Second Empire styles use any of these window head profiles. More rounded tops tend to be used on more prominent buildings.

Doors:



Prominent Italianate and Second Empire styled buildings often have double doors with round or square glass panels and ornamented surrounds. Less prominent examples may have single doors with similar but less ornamented surrounds.

PORCHES



Victorian buildings often have porches. They are almost always one story tall and include a variety of ornamental supports and roof edges, some of which are shown here.

QUEEN ANNE

STYLE DESCRIPTION

THE QUEEN ANNE STYLE WAS popularly used for American houses from about 1880 to 1910. It was inspired by the Medieval manor houses of England. The style aims to create picturesque effects and contrasts. Irregular plans and asymmetrical massing, variable materials and colors in wall surfaces, and elaborate decoration are hallmarks of the style. Decorative features often include fish-scale or other irregular shingles, bay windows, and extensive porches.



A high-style example of the Queen Anne style, located on Linwood Avenue in Buffalo.

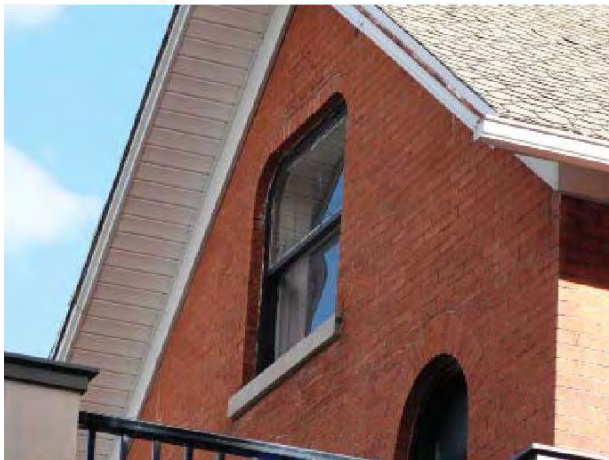
QUEEN ANNE STYLE LANDMARKS IN WILLIAMSVILLE



Excuria Salon – 5725 Main Street. This is an example of the “Free Classical” subtype of the Queen Anne style.

CHAPTER 5: STYLES

WILLIAMSVILLE DETAILS GALLERY: ITALIANATE, SECOND EMPIRE, QUEEN ANNE STYLES



Clockwise from top left: Paired brackets on the Italianate-style Williamsville Meeting House, 5658 Main St.; Italianate doors on the Meeting House; Arched-top windows in the mansard roof of Second Empire-styled The Jacqueline Shoppe, 5522 Main St.; “Palladian” window in the gable of Excuria salon, 5725 Main St., common on Free Classical-type Queen Anne buildings; Paired arched-top windows on Italianate-style Gordon W. Jones Associates building, 5757 Main St.; rounded edges on second floor window on Italianate-styled D’Avolio Kitchen/Sutton Architecture, 5409 Main St.

COLONIAL REVIVAL

STYLE DESCRIPTION

THE COLONIAL REVIVAL STYLE GAINED popularity in the 20th century as patriotism grew following the World Wars. However, it continued throughout the early to mid-20th century with flexible interpretations and varying levels of accuracy. It is derived from a mixture of forms drawn from early colonial architecture in America.

Common features include symmetrical massing, multi-paned double-hung windows, shutters, dutch doors, Classical decoration sometimes include colonnades, and entrance doors accented with sidelights or a fanlight, or with a broken pediment.



A high-style example of the Colonial Revival style, located on Amherst Street in Buffalo.

COLONIAL REVIVAL STYLE LANDMARKS IN WILLIAMSVILLE



Parings Wine Bar – 5893 Main Street. This is an example of the Colonial Revival style, constructed in 1918.

BEAUX ARTS

STYLE DESCRIPTION

IN REACTION TO THE PICTURESQUE FORMS of styles such as Queen Anne, architects returned to Classical inspiration with the Beaux Arts style. Brought to the United States by those trained at France's Ecole des Beaux-Arts, it was popularized after the World's Columbian Exposition of 1893 in Chicago. The style continued in popularity for banks, libraries, post offices, etc. into the 1930s. The style combines many Classical details and forms include those from the Renaissance and Baroque eras. Beaux Arts buildings are large and grandiose compositions usually constructed of stone or brick. Windows are flanked by pilasters and walls often contain swag, statuary, or other exuberant ornament.



A high-style example of the Beaux Arts style, located on Main Street in Buffalo.

BEAUX ARTS STYLE LANDMARKS IN WILLIAMSVILLE



Bank of America – 5527 Main Street. This is an example of the Beaux Arts style, constructed c. 1930.

CRAFTSMAN

STYLE DESCRIPTION

THE CRAFTSMAN STYLE DEVELOPED AS a response to the massive industrialization of products. At its purest form, it emphasized the hand-made over the machine made, along with the use of natural materials such as wood, stone, and metals. Hence, construction techniques and structural members are exposed and used as ornamentation. Originating in California, as the style evolved those high style forms were reinterpreted and applied to a variety of building forms such as four-squares and bungalows. Identifying features include low-pitched roofs, large projecting eaves with exposed rafters and beams, and woodwork with exposed joinery. The style was popular from 1900-1925.



A relatively high-style example of the Craftsman style exhibiting the style's characteristic features, located on Amherst Street in Buffalo.

CRAFTSMAN STYLE LANDMARKS IN WILLIAMSVILLE



Williamsville RR Station – 86 S. Long Street. This is an example of the Craftsman style, constructed in 1896.



Williamsville Liquor Store – 5511 Main Street. This is an example of the Craftsman style constructed in the 1920s, with a mid-20th century storefront.

TUDOR REVIVAL

STYLE DESCRIPTION

THE TUDOR REVIVAL STYLE WAS LOOSELY based on a combination of references to the architecture of early sixteenth century Tudor England and a variety of Medieval English prototypes, ranging from thatched-roof cottages to grand manor houses.

Identifying features include steeply-pitched side and/or front gables, decorative half-timbering, carved woodwork, tall narrow multi-light casement windows, often paired or grouped, and massive and elaborate chimneys. Walls are typically stucco or masonry.



A relatively high-style example of the Tudor Revival style exhibiting many of the style's identifying features, located on Agassiz Circle in Buffalo.

TUDOR REVIVAL STYLE LANDMARKS IN WILLIAMSVILLE



Calvary Episcopal Church – 20 Milton Street, built 1952. The west wing of this structure (shown) is Tudor Revival style. The remainder is Gothic-influenced.

SPANISH MISSION REVIVAL

STYLE DESCRIPTION

THE SPANISH MISSION REVIVAL STYLE IS one of a series of eclectic “revival” styles that arose in America in the early twentieth century. The style began in California in the late 19th century but expanded eastward and became a national style promulgated by architects and builders in the first decades of the twentieth century. Common features include a distinctly curved parapet with center window, roughly derived from Spanish missions, and a Spanish tile roof with wide overhanging eaves. Stucco was typically used as wall covering in pure examples of the style in California but in later versions of the style, such as those in Williamsville, brick was often used.



A high-style example of the Spanish Mission Revival style exhibiting the style’s characteristic features.

SPANISH MISSION REVIVAL STYLE LANDMARKS IN WILLIAMSVILLE



Tesori – 5688 Main Street. This is an example of the Spanish Mission Revival style, constructed c. 1930.

CHAPTER 5: STYLES

WILLIAMSVILLE DETAILS GALLERY: CRAFTSMAN, TUDOR REVIVAL, SPANISH MISSION STYLES



Clockwise from top left: Overhanging eave at Craftsman style Williams ville Liquor Store, 5511 Main St.; Exposed rafter tails and woodwork at Craftsman style Williams ville RR Station, 86 S. Long St.; Half-timbering on Tudor Revival style west wing of Calvary Episcopal Church, 20 Milton St.; Formed parapet on Spanish Mission style Tesori, 5688 Main St.; Half-timbering at Calvary Episcopal Church

ART DECO/MODERNE

STYLE DESCRIPTION

THE ART DECO STYLE WAS FORMALLY introduced in the Paris International Exposition of Decorative Arts in 1925. Inspired by the sleek industrial age of chrome and speed, the movement was thoroughly modern and was devoid of Classical references. It did, however, incorporate various exotic influences, such as from Native American Art or the ruins of the Ancient Mayans and Aztecs. Art Moderne is a related style from the 1930s that largely eschews ornament and focuses even more heavily on horizontality and sleek streamlined forms and materials.



A high-style example of Art Moderne style, located on Main Street in Buffalo.

ART DECO/MODERNE STYLE LANDMARKS IN WILLIAMSVILLE



The Jacqueline Shoppe storefront – 5522 Main Street. This storefront is an example of the Art Moderne style, likely constructed c. 1930s.



Blum's Swimware & Intimate Apparel – 5727 Main Street. This is a vernacular building constructed c. 1930 with subtle Art Deco-influenced ornament.

NEO-GEORGIAN

STYLE DESCRIPTION

THE NEO-GEORGIAN STYLE IS ONE OF A series of historically-based revival styles that developed in the mid-twentieth century. Unlike the “eclectic” revival styles of the early twentieth century, which were often relatively historically precise reproductions of period buildings, the mid-twentieth century revivals tended to be free adaptations. When appearing in civic and commercial buildings, the Neo-Georgian style tended to use the simple block or hipped-roof massing common to buildings of the mid-twentieth century and then apply ornament to those masses. Common features include the use of brick as the primary material, large central pediments with pilasters below, broken pediments over doors, and brick quoins at corners.



Williamsville Village Hall, constructed 1963, is an example of the Neo-Georgian style that exhibits the style's characteristic features.

NEO-GEORGIAN STYLE LANDMARKS IN WILLIAMSVILLE



Key Bank – 5554 Main Street. This is an example of the Neo-Georgian style, constructed in the 1940s.



Hunt Building – 5570 Main Street. This is an example of the Neo-Georgian style, a former fire station constructed in 1949.

WILLIAMSVILLE DETAILS GALLERY: NEO-GEORGIAN STYLE



Clockwise from top left: Brick quoins on the Hunt Building, 5570 Main St.; Simple cornice over vestibule at Hunt Building; Door with fanlight above, Key Bank Building, 5554 Main St; Stone pediment, brick quoins, and 6-over-6 windows with stone surrounds at Key Bank Building; Pediment over door at Williamsville Village Hall, 5565 Main St. [not a landmark]; Broken pediment over door with corn stalk ornament at center, Key Bank Building

MID-CENTURY MODERN

MID-CENTURY MODERN BUILDINGS CAME into popularity after World War II and were a sharp departure from the historically-based styles of decades and centuries past. Mid-century modern buildings largely eschew ornament. Instead, their choice and use of materials and textures is intended to be their ornament. Natural materials were often selected, as a contrast to the common use of repetition in floor plans and facades, meant to acknowledge the increasing standardization of the industrialized economy post-war.

- Materials and their expression are very important in mid-century modern buildings. Any replacement or repair should be careful to use in-kind materials and strive to match the original surface finish.
- Materials with integral colors, such as stone veneer or glazed brick, should not be painted.
- Mid-century modern buildings were often set apart from their surroundings within a plaza, parking area, or landscaped green space, with all building facades equally visible and articulated. This surrounding space should be left open and facades of equal design should be treated equally during renovation work.
- Structural expression of columns, beams, and cantilevers on the exterior facades should be maintained and preserved.

(continued on next page)



The architecture of mid-century modern buildings, such as the Williamsville Tower Condominiums (constructed 1965), is based on materials and composition rather than ornamental details.

- Expression of verticality or horizontality in building elements or materials should be maintained.
- Entries may be carefully secluded or may be exuberantly expressed as a central element of the design. In both cases, the expression and location of the entry should be maintained.
- The massing of mid-century buildings is generally consciously and carefully designed for its simplicity. Additions or changes to the buildings should leave the simplicity of the massing intact.
- The ratio of solid to void and the shadow lines created by the depth of windows beyond the surface of the façade are important aspects of the design of mid-century modern buildings. These aspects should remain and additions should be contextual with the fenestration patterns.
- Glass is the predominant feature in many mid-century buildings. The aluminum or steel frames of large panes of glass in curtain walls were generally intended to be as minimal as possible, to minimize the structure of the frame and maximize the glass area. If windows are replaced, frames should be carefully selected to match the thin profile of the existing as closely as possible.

GOTHIC STYLES

AMERICAN ADAPTATIONS OF GOTHIC architecture are derived from Medieval Church architecture. “Gothic Revival” is a style that was used primarily for residences from approximately 1830-1870. No examples are present among Williamsville’s landmarks. The “Late Gothic” style was often used for churches from the mid-19th century to the mid-20th century. “Collegiate Gothic” was often used for education-related buildings in the early 20th century. Among Williamsville’s landmarks are examples of both of these later styles.

Emphasis is placed on verticality and pointed-top “lancet” windows are a defining characteristic of Gothic-influenced buildings. Asymmetrical forms and elements inspired by Medieval castles were common. Roofs are of steep pitch with large overhangs often embellished with raking bargeboards.



An example of a high-style Gothic-influenced church. The lancet windows and decorative vergeboards are common characteristics of this type of architecture.

GOTHIC-INFLUENCED LANDMARKS IN WILLIAMSVILLE



Williamsville Classical Institute – 39 Academy Street. Constructed c. 1920, this is an example of the “Collegiate Gothic” style.

GOTHIC-INFLUENCED LANDMARKS IN WILLIAMSVILLE (CONTINUED)



SS Peter & Paul Church – 5480 Main Street. This religious building, constructed in 1863, is an example of the “Late Gothic” style.



Cambria Castle/Dream Island – 175 Oakgrove Dr. This Gothic-influenced residence constructed in 1917 includes many elements derived from Medieval castle architecture.



St. Paul's Evangelical Lutheran Church – 68 Eagle Street. This religious building, constructed in 1900, is an example of the “Late Gothic” style.



Calvary Episcopal Church – 20 Milton Street. This religious building, constructed in 1952, is an example of the “Late Gothic” style. Its west wing is constructed in the Tudor Revival style.

VERNACULAR

DESCRIPTION

VERNACULAR BUILDINGS ARE PRODUCTS of their time, and may make either subtle or bold references to certain architectural styles.

“Vernacular” is a broad term that typically denotes a building that cannot be easily classified or identified with a recognized “high style” of architecture. It is often used when referencing a common or everyday man’s simple applications of high style elements or when referencing strictly utilitarian buildings devoid of period ornamentation. In the Village of Williamsville, the name “vernacular” is generally applicable to the latter type - barns, mill houses, homes, businesses, and schools that were built by early area citizens with primarily functional considerations in mind. These buildings worked daily in manufacturing, commerce, banking, education and the tasks of household life to ensure the survival of the local citizens. Vernacular buildings can be just as important and architecturally significant as high-style buildings, but the basis for their importance is their function, materiality, and craftsmanship, rather than their ornamental details.



Vernacular buildings, such as the Mill, often have simplified architectural details or none at all. Much of their significance is in their materials, for example the original narrow width wood clapboards.

Essential Characteristics

- The use of local materials and resources such as handmade bricks, fieldstone, and timber.
- Traditional or early construction methods such as heavy timber, log, post and beam, or balloon frame.

- Minimal or no reference to a formal architectural style. Some vernacular buildings in the Village of Williamsville, such as the Hopkins Schoolhouse and the Water Mill, have features that are minimally influenced by the Greek Revival style.
- These buildings are primarily buildings that worked. These buildings were used daily for manufacturing, processing resources, or for daily living. They were intended to be modest and were not showpieces to establish the status of their occupants or builders.

General Guidelines

- Vernacular buildings were modest in their design and had few or no ornamental architectural designs. This modesty is an important element that should be retained. Renovations to vernacular buildings should not create a false sense of history by adding ornamental details that were never present historically.
- Due to their relative simplicity and lack of ornament, features of original materials present, such as the exposure (width) of wood clapboards, take on added importance and should be retained to the extent possible.



Original materials and their patina can be an important feature of vernacular buildings.

(section continued on next page)

VERNACULAR LANDMARKS IN WILLIAMSVILLE



Williamsville Water Mill – 56 E. Spring Street. This is a vernacular structure constructed in 1827 by some of the earliest residents of Williamsville. Some Greek Revival details are present.



Mill Red House – 60 E. Spring Street. This vernacular structure, constructed c. 1840, is the former miller's home for the Water Mill. Some Greek Revival details are present.



5590 Main Street. This vernacular building built in 1893 has subtle Italianate style influences.



5596 Main Street. This vernacular building built in 1893 has subtle Italianate influences.

VERNACULAR LANDMARKS IN WILLIAMSVILLE (CONTINUED)



Blum's Swimware & Intimate Apparel – 5727 Main Street. This is a vernacular commercial building constructed c. 1930 with subtle Art Deco-influenced ornament.



78 E. Spring Street. This 19th century vernacular building is a former barn that was moved to this location and modified at a later date.

RELIGIOUS BUILDINGS

MOST RELIGIOUS BUILDINGS ARE classified based on their function over any one style of architecture. However, religious buildings tend to reference and incorporate architectural styles more so than the purely functional vernacular building type. Because of their specific uses, they oftentimes are able to incorporate unique stylistic elements.

Religious buildings are often community centers as well as visual landmarks of their neighborhoods. Through their denominations and chosen architectural styles, they provide a succinct picture of the area's population and ideals over time.

Essential Characteristics

- Consistent with maintaining a welcoming spirit, religious buildings often have a prominent front entrance that is oriented towards the street or street corner-oriented. Multiple front entrances are also common.
- Many religious buildings are usually built to a large and dramatic scale with tall, steeply pitched roofs, spires or steeples. These towers can be centered on the front façade or at the street corner. Some are equipped with bell or clock towers. Other versions employ a classical, temple form with a front gabled portico.

(continued on next page)



Unique elements of religious structures, such as steeples, should be retained and preserved.

- Religious buildings often have a large, centralized gathering space with tall floor levels and large windows. Secondary community gathering space is typically located in a lower level or in rear/side addition.
- Windows in religious buildings are often decorative in shape, including round “rose windows,” and infilled with decorative or stained glass. These windows were often times gifts or memorials from community and church members.

General Guidelines

- Steeples and bell towers on religious buildings should be preserved and retained.
- Stained glass windows should be retained and preserved. Exterior stained glass should receive an exterior storm window for protection and resistance to weathering. Storm windows should be vented at the edges in order to allow circulation and avoid deterioration of lead coming due to trapped moisture and intense heat build-up within the space between the window and the storm window.

VISUAL GLOSSARY

ASHLAR - A stone wall with a face of square or rectangular stones. Ashlar can be set in regular courses of equal height or in irregular and random courses. Ashlar can have a dressed or smooth face, or a rough, rock face.



AWNING - A roof-like covering placed over a door or window to provide shelter from the elements. An awning may be operable or stationary, with open or closed sides. Historic awnings usually consist of a metal frame covered with fabric, but many other materials were used.



BALUSTRADE - The assembly of a handrail supported by balusters (short vertical posts) and placed along the perimeter of a courtyard, porch, balcony, or roof.

BARGEBOARD - This piece of trim covers the edge of the projecting eaves of a gable roof and is set back under the roof's edge. They are commonly ornamental created through carving or sawing and may be integrated into a larger gable ornamentation scheme.

Also referred to as: vergeboard



BAY - A portioning of a building created by vertical elements such as windows & doors or columns ie: This building is three bays wide by one bay deep. –or– A projection from the main mass of a building or structure which is set on a foundation and typically includes fenestration.

Related term: Oriel



A building that is three “bays” wide, as determined by its vertically stacked windows and doors.



Bay window

BELTCOURSE - A horizontal band of masonry or trim, which extends across the façade of a structure. It may be flush or projecting, flat-surfaced, molded, or richly carved.

Related term: Watertable

BRACKET - A general term for an architectural feature typically treated with scroll or ornament, which projects from a wall, and is intended to support a weight, such as a cornice or eave, etc. In the Italianate style, are often present in pairs.



Source: buffaloah.com

BRICK BOND - The method by which bricks are coursed in a system of organized patterns and designed based on strength of wall construction. Many bond patterns are regional and reflect cultural and decorative influences.

Related terms: Corbel

BULKHEAD - The section of a commercial storefront that forms the base for the first floor display windows.



CASEMENT WINDOW - A common window type where the sash is hinged at its side much like a door.

CLAPBOARD – An exterior horizontal wood siding with overlapping boards that have a thick lower edge and a feathered upper edge.



COLUMN - A vertical architectural element intended to support a load. Classically-inspired columns incorporate a base, shaft and capital. **ENGAGED** columns are partially embedded in a wall, and **PILASTERS** are flattened columns applied to a wall surface. A **COLONNETTE** is a column that has been scaled down to miniature size.

CORBEL - A form of bracketing produced by extending successive courses of masonry or wood beyond the wall surface.



CORNER BOARD – A vertical board at the corner of a wood frame structure, against which the siding abuts.

CORNICE – The uppermost division of an ENTABLATURE; a projecting horizontal at the top of a wall, at the intersection of wall and roof, or at the top of a prominent architectural element such as a window or door. A decorative horizontal element which emphasizes the vertical terminus of an exterior wall –or– The projecting molding which crowns the elements to which it is attached .



CORNICE RETURN – A pediment where the bottom molding is not continuous.

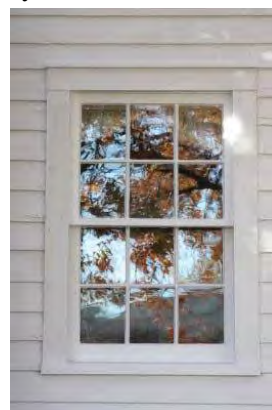


CUPOLA - A dome or square roof on set on the ridge of a roof. Historically used for ventilation in addition to its purpose as a decorative feature.



Source: historichousecolors.com

DOUBLE-HUNG WINDOW – This is a common type of fenestration where the window is comprised of two SASH that slide past each other vertically.



DORMER - A window opening that projects from the slope of a roof and is provided with its own roof. Their specific types are based on their placement and roof shape, ie: gabled, shed, hipped, wall, etc.



DOWNSPOUT – The vertical portion of a rainwater drainage pipe. Also called a leader or a conductor.



EAVE – The lower edge of a sloping roof that projects beyond the wall.



ELEVATION - A reference to the two-dimensional face of a building or structure, where all features are shown without perspective distortion.

ENTABLATURE – The horizontal member at the roofline, which is carried by columns or pilasters and is composed of an architrave, frieze, and a CORNICE.



FAÇADE – The front face of a building with architectural distinction.

FANLIGHT - A semicircular or semielliptical window placed above a door.

FASCIA – Any flat, relatively narrow horizontal member applied to the vertical face of the eave.

FLASHING - Protective material, usually sheet metal, used to cover the joint between two parts of a building to prevent water from entering. Also, a general term for similar material used for other purposes, such as ledge covers and water diversions within walls.

FENESTRATION – The arrangement pattern of windows in a facade.

Related term: Bay

FOUNDATION – The masonry substructure of a building that supports the structure, a portion of which is usually visible at grade level.

GABLE – A term denoting the triangular-shaped end of a building that has a double sloping roof. Gables can be closed or open, and are often the location for elaborate decorative elements.

GLAZING – The glass surface of a window or door, otherwise known as a pane or a light.

HALF-TIMBERING – A misnomer making reference to timber frame wall construction where timber faces are left exposed on the exterior. Many instances of this wall treatment are surface applications with stuccoed walls and simulated half-timbers.



HIPPED ROOF - A roof that is sloped on all four sides, thus having no gable.

HOOD – A projection over a door or window that is frequently furnished with brackets or braces. This type of canopy may have different roof shapes or may carry an ornamental balcony and other decorative features –or– A projecting LINTEL molding above a window or door which throws off water.



Projecting hood above a window intended to help shed water.

LANCET – A type of narrow window or door with a sharp pointed arch typical of English Gothic architecture from ca. 1150 to 1250. Used on many nineteenth and twentieth-century churches.



LINTEL - The horizontal structural element which spans the top of fenestration elements in a wall.



MANSARD ROOF – A roof related to a hipped roof, but with two slopes on all sides. The lower slope is longer and steeper than the upper and may incorporate DORMERS. Popular mansard shapes include extending the sides into a very steep pitch that is almost straight, or curving the sides into a convex or concave form.



MASS - The three-dimensional qualities of a building or structure that comprise its size, shape, and overall exterior presence.

MOTIF - A principal repeated element in the design and ornament of a building.

MULLION – The vertical member that divides multiple windows or doors in a single banded opening.

MUNTIN – A small, slender framing member that divides separate panes of glass in a window or door.

ORIEL – A projection of windows from an upper floor, where the bay is cantilevered or carried by bracing, brackets or corbelling.

Related term: Bay

(photo in next column)



PARAPET – An extension of the wall above the roofline, which is capped with coping.

PEDIMENT – The gable end of a roof or portico, triangular in shape, and located above the cornice in classically inspired buildings.



PORCH – A covered entryway with open sides that is attached to the exterior wall of a building.



PORTICO – A sheltered entrance supported by columns and often incorporating classically inspired elements.



QUOIN – In masonry, a hard stone or brick used, with similar ones, to reinforce an external corner or edge of a wall or the like; often distinguished decoratively from adjacent masonry; may be imitated in non-load-bearing materials.



RAFTER - A structural roof element that runs from the eave to the ridge. At open eaves, the ends of the rafter or rafter tails are exposed and may be elaborately carved or decorated.

(photo in next column)



SASH – The unit that holds the window glass, especially in sliding frames used in double-hung windows.

SCALE – An important proportioning system used in architectural design to regulate the size and shape of related architectural elements and to ensure their visual compatibility in an overall design.

SETBACK - The distance between the extents of a building or structure and their respective site or lot boundaries.

SHUTTER – One of a pair of hinged doors that cover a window opening; may be paneled or louvered with decorative cut-outs or designs.

SILL – The horizontal bottom member of a window frame or other frame –or- The portion of a structural frame that rests on a foundation.



SOFFIT – The exposed undersurface of any overhead component of a building, such as a balcony, beam, CORNICE, or EAVE.

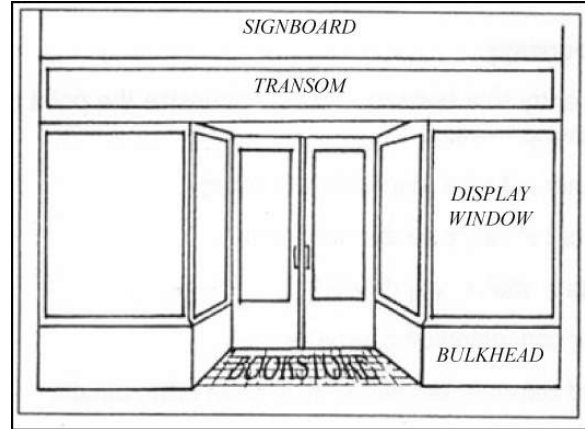
SPANDREL – The wall area or panel between the top of an opening and the bottom of one above it.

STOREFRONT – The street level of a store or business, including the windows, entrance, cornice, and signage.



STREETSCAPE – The overall view of a street and its component elements, including the street, sidewalk, buildings, signs, street furniture, lampposts, etc., and also including less tangible factors such as rhythm, solid-to-void ratio, changes, or consistency in building height, and changes or consistency in building setback.

TRANSOM – The opening over a door or window, often for ventilation, and containing a glazed or solid SASH, usually hinged or pivoted.



VERGEBOARD – *See Bargeboard*

VOUSSOIR – The wedge-shape stones that form an arch.

WATERTABLE - Band or belt course at the junction between the foundation and the wall above. This band usually protrudes and is sloped to shed water away from the foundation.



VILLAGE OF WILLIAMSVILLE

HISTORIC LANDMARK DESIGN STANDARDS

CHAPTER 6: MAINTENANCE

MAINTENANCE

HISTORIC BUILDINGS ARE USUALLY

constructed of higher-quality materials than are available on the market today and were designed to last much longer than new buildings are today. However, like all buildings, historic buildings need regular maintenance in order to ensure that they continue to function as they were designed. A carefully maintained historic building generally leads to much lower renovation costs in the future. Whenever maintenance is undertaken, careful records should be kept in order to keep track of maintenance cycles, help pinpoint potential problems over time, and avoiding duplication of work.

- Having a well-maintained, watertight roof is essential to the maintenance of any building. Any roof leaks to the interior should be quickly patched. Any areas of visibly missing shingles on the roof should be repaired quickly, and in a color that matches the original as closely as possible.
- Metal flashing surrounding roof elements such as chimneys or vent pipes should be inspected visually on a regular basis. If their edges become bent or pulled up, these flashing areas can become major sources of water infiltration into the building. If flashing is replaced, be sure that the same material is used for the new flashing as the old, because copper and galvanized steel can react chemically with each other if in contact.

(continued on next page)



Metal flashing is used to make watertight the edges of roof elements such as chimneys and vents, and is used at roof valleys.

- Gutters and downspouts, where they exist, should always provide a continuous path from the roof to the ground. Downspouts must not end partially down the building, because this sends large amounts of water into the walls of the building at this point, which destroys the wall and causes rot and/or structural issues. Once downspouts reach the ground, they should disperse water 24-36 inches away from the building foundation.
- The functioning of gutters and downspouts can be observed in rainy weather. Binoculars can be used to determine if there are cracks or splits in the bottom of gutters or the sides of downspouts that are limiting their effectiveness and allowing water to flow into adjacent surfaces. Another indicator of cracks in the bottom of gutters is when large icicles form at a specific location on the bottom of gutters in very cold weather.
- “Yankee” gutters are effective for draining rainwater from the roof, provided that they remain horizontal on the roof. However, they often become bent due to ice damage. Damaged or bent yankee gutters should be replaced.
- Gutters should be cleared of leaves and debris twice a year. One of those times should be at the beginning of winter following the fall foliage season. This is an extremely important maintenance task necessary to ensure that rain and snow drains correctly from the roof, but is often overlooked. Leaf guards are available for gutters that can reduce, but not eliminate, this task.



INAPPROPRIATE

Downspouts that do not lead all the way to the ground discharge their water into the walls of the building, causing severe deterioration.

- The slope of the ground adjacent to the building should be maintained such that it slopes away from the building, so that water will flow away from foundation and basement walls, rather than in to them, causing leaks. The ground adjacent to buildings tends to wash away from rainwater, so regrading may be occasionally necessary, every few decades.
- Salt should not be used for ice removal on concrete or stone walks or on driveways near historic buildings. The salt destroys the surface of the walks, deteriorates adjacent stone foundations, and is tread on shoes into the building, destroying decks and floors. Sand is a harmless alternative and should be used in lieu of salt.
- A regular painting cycle should be established for areas of exposed wood and metal, including the exposed faces of wood windows. Surfaces should be carefully cleaned and prepared prior to receiving a new coat of paint. The most common reason for paint failing very quickly after being applied is inadequate surface preparation.
- Brick or stone that has been previously painted should be kept painted on a regular cycle. The masonry surface should be cleaned of debris before paint is applied. Brick or stone that has not been previously painted should not be painted.
- Waterproof coatings should not be applied to masonry. These coatings tend to trap moisture within the masonry, causing internal damage to the wall during freeze-thaw cycles.



INAPPROPRIATE

A regular painting cycle should be established to keep exposed wood surfaces with consistent protection from the weather.

- Chimneys and parapets should be regularly inspected, ideally once a year, to ensure that no cracks have developed and that adequate mortar remains between bricks. If a large crack is present, it should be repaired quickly. If mortar in large areas of the chimney or parapet does not come out to the surface of the brick or stone, the surface should be re-pointed with new mortar, which must match the original mortar in hardness and composition so as not to damage the brick or stone surrounding it. Chimneys and parapets tend to endure more weathering than other surfaces of the building because they are so exposed.
- Exterior brick or stone walls should be visually inspected on a regular basis. Cracks or bulges should be noted, as they may be a sign of larger structural issues behind the surface. If mortar in large areas of the walls does not come out to the surface of the brick or stone, the surface should be re-pointed with new mortar, which must match the original mortar in hardness and composition so as not to damage the brick or stone.
- Exterior wood clapboard should be visually inspected for large dark areas, suggesting mold or rot. This generally does not occur if the surface is kept adequately painted. Areas of rotted wood should be cut away and replaced with wood of the same profile and exposure.
- On buildings constructed with a heavy timber frame, wood sill beams should not be exposed to the weather. They should always been covered with a layer of wood clapboard that is kept adequately painted. In the event that a sill beam has been left exposed, it should be



Chimneys and parapets should be inspected regularly for cracks and mortar integrity.



On heavy timber buildings, structural beams should remain covered and not be exposed to the weather.

checked for rot using an awl. If it is rotted to a significant depth, the rotted portions of the sill beam must be replaced with a new beam of similar size connected into the heavy timber structure.

- Exterior storm windows should be closed during the winter months in order to ensure the minimum amount of weather damage occurs the wood windows behind them.
- Repair or replace missing or broken glass as soon as possible.
- Lighting protection systems should be kept in good repair.
- Acetylene torches and other sources of open flame should not be used near historic buildings.

Also see *Preservation Brief 47: Maintaining the Exterior of Small and Medium Size Historic Buildings*, included in Appendix D.

HISTORIC LANDMARK DESIGN STANDARDS

APPENDIX A: BIBLIOGRAPHY

BIBLIOGRAPHY

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VILLAGE OF WILLIAMSVILLE

HISTORIC LANDMARK DESIGN STANDARDS

APPENDIX B: WILLIAMSVILLE HISTORIC PRESERVATION RESOURCES

CERTIFICATE OF APPROPRIATENESS APPLICATION

VILLAGE OF WILLIAMSVILLE HISTORIC PRESERVATION COMMISSION

PROCEDURE FOR FILING APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

REMINDER: Except for routine maintenance, no work may be done to the exterior or site of a designated landmark or property within a historic district until a Certificate of Appropriateness (C of A) has been obtained from the Historic Preservation Commission (HPC).

1. Applicant obtains application form from the Building Department.
 - Complete the form by printing or typing all information requested.
 - Include all required attachments (maps, plans, drawings, photographs, samples, etc.)
 - Provide correct number of required copies of form and attached: 2 (two) signed originals and 8 (eight) copies of the form and attachments are required.
 - Submit forms and attachments to Building Department. Building Department will review application for completeness and will reject incomplete applications.
 - There is no fee for filing this application.
2. The Building Department shall notify the HPC and forward copies of the application to the HPC members. The date the application is accepted by the Building Department constitutes the date of filing.
3. All applications submitted prior to 30 (thirty) days before the next scheduled HPC meeting will be reviewed at that meeting.
4. Applicant or a designee must appear before the HPC on scheduled date to explain proposed changes to designated landmark or historic district property. Such person shall be prepared to answer questions regarding various aspects of the proposed work and be authorized to agree to any modifications or conditions required by the HPC.
5. HPC Design Review Committee shall consider the application and make its recommendation to the full Commission. This committee is available to assist the property owner in complying with the requirements of the historic preservation ordinance. After preliminary review, applicant may be asked to make modifications to bring proposed work into compliance.
6. HPC will review application and Design Review Committee's recommendation. HPC shall then vote to approve or deny the C of A. Such decision shall be forwarded to the Building Department and the Town Clerk's Office within 65 days of the date of filing of the application. Any application not acted upon within 65 days shall be deemed approved. Applicant may request an extension of the decision deadline date beyond 65 days if so desired.
7. The C of A issued by the HPC shall be in addition to and not in lieu of any building permit or zoning approvals required by any other ordinance of the Village of Williamsville or any other agency.

APPENDIX B: WILLIAMSVILLE HISTORIC PRESERVATION RESOURCES

VILLAGE OF WILLIAMSVILLE HISTORIC PRESERVATION COMMISSION CERTIFICATE OF APPROPRIATENESS CHECKLIST

PROJECT NAME: _____

ADDRESS: _____

This checklist is for use by the applicant and the Building Department as a guide to insure that all necessary information has been provided. Applicant should note that different information is required for major alteration projects and new construction than is needed for minor changes, such as lighting fixtures, fences, windows that do not involve size change.

The checklist should be completed by the applicant and submitted along with the application.

Applicant should be aware that he/she may be required to appear before other boards such as the Zoning Board of Appeals or the Planning Board.

	Applicant: Have You Included the Following?	Building Dept. Use Only
1. Site Plan indicating building locations, pavement, landscaping, sidewalks, topography, adjacent land use, and lighting (not all required).		
a. Name, address, telephone number	_____	_____
b. Northpoint, scale and date & dimensioned	_____	_____
c. Boundaries of property, plotted to scale	_____	_____
d. Parking and truck-loading areas detailed	_____	_____
e. Access and egress drives detailed	_____	_____
f. Location of outdoor storage dumpsters, or other above-ground utility or accessory structures	_____	_____
2. Building elevations, drawn to scale		
a. Name and address of applicant	_____	_____
b. Orientation and date	_____	_____
c. Proposed changes, indicating height of buildings, proposed elevation, proposed materials, proposed colors	_____	_____
3. Submit catalogue illustrations of each proposed architectural element: doors, windows, shutters, lighting fixtures, awnings, fences. Also submit labeled samples of each proposed color, and new or replacement material such as siding, shingles, brick, paving stones (one sample per item). Samples should be at least 6" x 6".	_____	_____

Continued

APPENDIX B: WILLIAMSVILLE HISTORIC PRESERVATION RESOURCES

Certificate of Appropriateness Checklist

Page 2 of 2

4. Submit two sets of color photographs of all relevant elevations of present structures including all architectural details (doors, windows, moldings, clapboard reveal, etc.) and all materials presently used. _____
5. Signs (if applicable) – Submit eight (8) copies of sign rendering plus two renderings in true color of proposed sign. Show location of sign and distances to property lines and public rights-of-way. Use a scale of not less than 1" = 1' in length, or 1/4" = 1' for larger signs. Show all lettering, decoration or other devices in scale and in the style font that will appear on the sign. Show structural details of sign, including method of attachment to building or ground mounting. If the sign is mounted on the building, an elevation drawing of the building façade(s) must show the sign drawn in legible scale clearly indicating: location of all current signs on the building, location of proposed sign, location of all doors and windows, width and height of building. In the case of buildings with more than one occupant, the area of the building façade ascribed to the applicant must be shown. In all cases, a color photograph of legible size must be submitted, clearly showing the entire building or site and all signs thereon. If the sign is to be illuminated, show method and source of illumination. Indicate if the sign is one-sided or two-sided. _____

Application for Certificate of Appropriateness must include the following information when applicable:

Landscaping – Include location, caliper, species of major plant material. Differentiate between existing and proposed landscaping. Submit catalogue cuts or photographs of unusual plant material.

Lighting – Include placement on building or in ground and/or height and diameter/thickness of pole. Include catalogue cuts of fixtures. Include lighting characteristics (amount of illumination, where light spills, foot candles).

Steps and Ramps – Location, materials to be used, placement on building façade. Include railing style, height, catalogue illustrations.

Awnings – Placement on building facades, materials used, catalogue cuts, drawing to scale, height from grade, color of materials.

Roofing, Siding, Trim – Clapboard reveal of present siding and proposed siding, present and proposed roofing and trim materials (submit sample), preparation of structure for roofing, siding and/or trim.

APPENDIX B: WILLIAMSVILLE HISTORIC PRESERVATION RESOURCES

VILLAGE OF WILLIAMSVILLE HISTORIC PRESERVATION COMMISSION

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Building Department Use:	
Date Received: _____	Forwarded to HPC Members on _____
Form complete? _____	
All required attachments	2nd original to HPC file _____
Included? _____	

Two signed originals of this application shall be accompanied by 8 (eight) copies of all maps, plans, drawings, and photographs. Large items shall be folded with project name shown.

PROJECT NAME _____

Location _____

SBL Number _____

OWNER _____ Phone _____

Address _____

APPLICANT _____ Phone _____

Address _____

PERSON APPEARING FOR APPLICATION _____ Phone _____

Address _____

PROJECT PRESENT USE _____

PROJECT PROPOSAL OR CHANGE (Describe in detail all proposed alterations, modifications, or changes and show these on floor plans, sections, and/or elevations. Use additional sheets if necessary) _____

(THIS IS A TWO-PAGE FORM)

APPENDIX B: WILLIAMSVILLE HISTORIC PRESERVATION RESOURCES

Certificate of Appropriateness Application

Page 2 of 2

Is this parcel: A designated landmark? _____ A landmark site? _____

Is it in a historic district? _____

Size of parcel in acreage _____

Present Zoning _____

Does this project require either Zoning Board of Appeals or Planning Board approval? _____

Does this project require variances to the requirements of the New York State Uniform Fire Prevention and Building Code? _____

What hardship, if any, might you incur if work is not allowed? _____

Will this work require the removal, demolition or relocation of any feature, landscape element, or structure on the site? _____

If so, designate in detail on plans.

I certify that, to the best of my knowledge, the information on this application is complete and accurate and that the project described will be completed as stipulated in this request.

Signature of Applicant _____ Date _____

Owner (If other than above):

I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

Signature of Owner _____ Date _____

Reviewed by _____
For the Historic Preservation Commission

Date _____

Disposition: _____ Granted _____ Denied

Date _____

WILLIAMSVILLE HISTORIC PRESERVATION ORDINANCE

This section contains the Village's preservation ordinance as of September 5, 2014, excerpted from the Village Code. Consult the Village of Williamsville to determine if there have been changes to the ordinance since that date.

Chapter 47. HISTORIC PRESERVATION

[HISTORY: Adopted by the Board of Trustees of the Village of Williamsville 6-10-1996 as L.L. No. 3-1996.[1] Amendments noted where applicable.]

GENERAL REFERENCES

Zoning — See Ch. 112.

[1]: Editor's Note: This local law superseded former Ch. 47, Historic Preservation, as amended, adopted 5-9-1983 as L.L. No. 4-1983.

§ 47-1. Purpose.

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts is necessary to promote the economic, cultural, educational and general welfare of the public. Inasmuch as the identity of a people is founded in its past and inasmuch as Williamsville has many significant historic, architectural and cultural resources which constitutes its heritage, this act is intended to:

A. Protect and enhance the landmarks and historic districts which represent distinctive elements of Williamsville's historic, architectural and cultural heritage.

B. Foster civic pride in the accomplishments of the past.

C. Protect and enhance Williamsville's attractiveness to visitors and support and stimulate the village's economy.

D. Ensure the harmonious, orderly and efficient growth and development of the village.

§ 47-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADAPTIVE REUSE

Conversion of a building originally designed for a certain purpose to a different purpose.

ALTER

To change one (1) or more exterior architectural features of a landmark, an improvement on a landmark site or a structure within a historic district.

APPENDIX B: WILLIAMSVILLE HISTORIC PRESERVATION RESOURCES

BUILDING

Any structure or part thereof having a roof supported by columns or walls for the shelter or enclosure of persons or property.

BUILDING INSPECTOR

The Inspector of Building of the Village of Williamsville.

CERTIFICATE OF APPROPRIATENESS

A certificate issued by the Preservation Commission approving plans for alteration, construction, removal or demolition of a landmark, an improvement to a landmark site or a structure within a historic district.

CONSTRUCTION

Building an addition or making an alteration to an existing structure or building a new principle or accessory structure.

DEMOLITION

Destruction of a building, structure or improvement.

EXTERIOR

Architectural style, design, general arrangement and components of the outer surfaces of an improvement, building or structure as distinguished from the interior surfaces, including but not limited to the kind and texture of building material and the type and style of windows, doors, signs and other such exterior fixtures.

FACADE

The exterior of a building or structure that can be viewed.

HISTORIC DISTRICT

A geographically definable area so designated pursuant to this Code.

IMPROVEMENT

Any building, structure, place, parking facility, fence, gate, wall, work of art or other object constituting a physical betterment or any part thereof.

LANDMARK

Property, object, structure or natural feature or any part thereof so designated pursuant to this Code.

LANDMARK SITE

A significant historical or cultural site(s) where buildings or structures no longer exist so designated pursuant to this Code.

OWNER

A person, firm or corporation which owns the fee of property or a lessor state therein, a mortgage or vendee in possession, a receiver, an administrator, an executor, a trustee, or any other person, firm or corporation in control of property.

PRESERVATION

Retention of essential character of an improvement, object, building, natural feature or structure as embodied in its existing form, integrity and material. This term includes the retention of trees, landscaping and vegetative cover of a site. This term may include temporary stabilization work as well as on-going maintenance of historic building materials.

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PRESERVATION COMMISSION or COMMISSION

The Historic Preservation Commission for the Village of Williamsville established in this chapter.

PROPERTY

Land and improvements thereon.

RECONSTRUCTION

Reproduction of the exact form and detail of a vanished building, structure, improvement, or part thereof as it appeared at a specific time.

REHABILITATION

Repair or alteration that enables buildings, structures or improvements to be efficiently utilized while preserving those features of buildings, structures or improvements that are significant to their historic, architectural or cultural values.

RESTORATION

Recovery of the form and details of a building, structure or improvement and its site during a particular time.

SITE

A plot or parcel of land.

STRUCTURE

Anything constructed or erected which requires permanent or temporary location on the ground. This term shall include but not be limited to buildings, walls, fences, signs, billboards, lighting fixtures, screen enclosures and works of art.

VILLAGE

The Village of Williamsville, County of Erie, State of New York.

VILLAGE BOARD

The Village Board of the Village of Williamsville, Erie County, New York.

VILLAGE CLERK

Village of Williamsville Village Clerk.

§ 47-3. Historic Preservation Commission.

A. There is hereby created a commission to be known as the “Village of Williamsville Historic Preservation Commission.”

B. The Commission shall consist of seven (7) members. Commission members shall serve a term of four (4) years with the exception of the initial term, in which four (4) members shall serve a term of four (4) years and three (3) members shall serve a term of two (2) years.

C. Appointment of Commissioners shall be made by the Village Board.

D. To the extent available, the Commission should consist of the following:

(1) At least one (1) shall be an architect.

(2) At least one (1) shall be a historian.

(3) At least one (1) shall be an individual from the business community.

(4) At least one (1) shall be an archeologist.

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(5) At least one (1) member shall be from the Village of Williamsville Historical Society.

(6) At least one member shall be from the Village of Williamsville Planning and Architectural Review Board.

[Added 3-25-2013 by L.L. No. 1-2013[1]]
[1]: Editor's Note: This local law also provided for the renumbering of former Subsection D(6) as Subsection D(7).

(7) All members shall have demonstrated significant interest and commitment to the field of historic preservation.

E. The Chairperson and the Vice Chairperson shall be elected by and from voting members of the Commission. The term of office shall be two (2) years. If the Chairperson or Vice Chairperson cannot fulfill their term of office, a Chairperson or Vice Chairperson shall be elected by and from the membership to fulfill the remainder of the term until the next regular election.

F. If any commissioner resigns or otherwise cannot fulfill their term of office, the Village Board shall appoint an interim member to serve the remainder of the term.

G. The Chairperson shall ensure that minutes of all Commission meetings are suitably recorded, prepared and distributed.

H. The powers of the Commission shall include:

(1) To recommend designation of historic landmarks, sites and districts to the Village Board for their consideration.

(2) To advise and recommend to the Village Board on matters of employment of staff and professional consultants as necessary to carry out the duties of the Commission.

(3) To promulgate rules and regulations as necessary for the conduct of its business.

(4) To adopt criteria for the identification of significant historic architectural and cultural landmarks and/or for the delineation of historic districts.

(5) To conduct surveys of significant historic, architectural and cultural landmarks within the village.

(6) To make recommendations to the Village Board on acceptance or donation of facade easements and development rights; the acquisition of facade easements and development rights or other interests in real property as necessary to carry out the purposes of this act.

(7) To increase public awareness of the value of historic, cultural and architectural preservation by developing and participating in education programs.

(8) To make recommendations to the Village Board concerning the utilization of state, federal or private funds to promote the

APPENDIX B: WILLIAMSVILLE HISTORIC PRESERVATION RESOURCES

preservation of landmarks and historic districts within the village.

(9) To recommend acquisition of a landmark or structure by the village where its preservation is essential to the purposes of this act and where private preservation is not feasible.

(10)

To approve or disapprove applications for certificates of appropriateness, subject to review by the Building Inspector pursuant to this act.

I. The Commission shall meet at least monthly if any business is pending. Meetings may be held at any time on the written request of any two (2) Commission members. The Commission must meet at least once quarterly.

J. A quorum for the transaction of business shall consist of a majority of the Commission members, but not less than a majority of the full authorized membership may grant or deny a certificate of appropriateness.

§ 47-4. Designation of historical landmarks, historic sites and historic districts.

A. The Commission may recommend designation of an individual property as a landmark, subject to Village Board approval, if it:

(1) Is associated with the lives of individuals or of people or of events significant in the national, state or local history.

(2) Embodies the distinctive characteristics of a type, a period or a method of construction.

(3) Represents the work of a master architect or designer or possesses high artistic values.

(4) Represents a significant or distinguished entity whose components may lack individual or special distinction.

(5) Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.

B. The Commission may recommend designation of a property or a group of properties as a historic site, subject to Village Board approval, if it contains significant historical or cultural sites where buildings or structures no longer exist, such as a battlefield, cemetery or former transportation facility; or sites which may yield information important to area history or prehistory.

C. The Commission may recommend designation of a group of properties as a historic district, subject to Village Board approval, if it:

(1) Contains properties which meet one (1) or more of the criteria for designation as a landmark;

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(2) Is an area that represents several periods or styles of architecture typical of different areas of history;

(3) Is an area that has several buildings of the same architectural period or style and thus constitutes unified architectural streetscape consistency or a significant community uniformity of style; or

(4) Is an area connected with significant events or cultural happenings or developments involving ethnic, religious groups or other groups of special historical interest; and

(5) By reason of possessing such qualities, it constitutes a distinct section of the Village of Williamsville.

D. The boundaries of each proposed historic district designated henceforth shall be specified in detail and shall be filed in writing in the Village Clerk's office for public inspection.

E. Notice of a proposed designation shall be sent by the Village Clerk thirty (30) days prior to a public hearing to the owner(s) of any property(ies) proposed for historic designation. The notice shall describe the property proposed for designation, summarize the proposed action and announce the date, time and location of the public hearing. A copy of the notice of proposed designation shall also be sent to the Village Board.

F. once the Historic Preservation Commission has issued notice of a proposed designation, no building permits shall be issued by the Building Commissioner, except for emergency repairs, until a final determination on the proposed designation has been reached. The Historic Preservation Commission shall provide a copy of any notice of proposed designation to the Building Commissioner.

G. Notice of proposed designation shall also be sent to the Village of Williamsville Highway Department, Village of Williamsville Planning Board, Town of Amherst Assessors Department and any other village department and/or county or state agency as appropriate. Each department/agency shall be given thirty (30) days from the date of transmission to provide comments on the proposed designation to the Historic Preservation Commission.

H. The Commission shall hold a public hearing prior to recommending designation of any landmark, historic site or historic district. The Commission, property owner and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark, or historic district. The record may also contain staff reports, public comments or other evidence offered outside of the hearing. A public hearing notice must be published by the Village Clerk in the village's designated official newspaper at

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least fifteen (15) days prior to the hearing date.

I. The Commission will recommend to the Village Board the designation of a historic landmark, site or district. The Village Board will also conduct a public hearing prior to acting on the recommendation.

J. The Commission shall file notice of each property designated as a landmark and of the boundaries of each designated historic district with the Erie County Clerk's office, the Village of Williamsville Clerk's office, the Village of Williamsville Building Department and the Town of Amherst Assessors Department.

K. Minutes of any business conducted by the Historic Preservation Commission shall be placed on file in the Village of Williamsville Clerk's office.

§ 47-5. Certificates of appropriateness.

No person shall carry out any exterior alteration, restoration, reconstruction, excavation, grading, demolition, new construction or moving of a designated landmark or property within a historic district nor shall any person make any material change to such property, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements which affect the appearance or cohesiveness of the landmark or historic district without first obtaining a certificate of appropriateness from the Historic Preservation Commission.

§ 47-6. Criteria for approval of certificates of appropriateness.

A. In passing upon an application for a certificate of appropriateness, the Historic Preservation Commission shall not consider changes to the interior of buildings.

B. The Commission's decision shall be based upon the following principles:

(1) Features which contribute to the character of the historic landmark or district shall be retained with as little alteration as possible.

(2) Any alteration of existing features shall be compatible with its historic character as well as with the surrounding property.

(3) New construction shall be compatible with the property in which it is located and/or surrounding historic district.

C. In applying the principle of compatibility, the Commission shall consider the following factors:

(1) The general design, character and appropriateness to the property of the proposed alteration or new construction.

(2) The scale of proposed alteration or new construction in relation to itself, surrounding properties and the neighborhood.

(3) Texture, materials and color and their relation to the property itself, surrounding properties and the neighborhood.

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(4) Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape and the rhythm of spacing of properties on streets, including setback.

(5) The importance of historic, architectural or other features to the significance of the property.

D. Notwithstanding any provision of the Code to the contrary, review by the Commission of any proposed work to a landmark that would otherwise be subject to architectural review by the Planning/Architectural Review Board pursuant to § 112-23F shall satisfy the requirements of architectural review, and such project shall not be subject to further architectural review by the Planning/Architectural Review Board with respect to that work.

[Added 10-15-2013 by L.L. No. 8-2013]

§ 47-7. Application for certificate of appropriateness.

A. Prior to the commencement of any work requiring a certificate of appropriateness the owner shall file an application for such certificate with the Historic Preservation Commission. The application shall contain:

(1) Names, address and telephone number of the applicant.

(2) Location and photographs of the property.

(3) Elevation drawings of proposed changes, if available.

(4) Perspective drawings, including relationship to adjacent properties, if available.

(5) Samples of color and/or materials to be used.

(6) Where the proposal includes signs or lettering, a scale drawing showing the type(s) of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination and a plan showing the sign's proposed location on the property.

(7) Any other information which the Commission may deem necessary in order to visualize the proposed work.

B. No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Historic Preservation Commission. The Commission shall act to approve or deny a certificate of appropriateness within sixty-five (65) days of the date upon which a completed application is filed with the Historic Preservation Commission. If the application is not acted upon within sixty-five (65) days, the application shall be deemed approved. The applicant may request an extension of the decision deadline date if so desired. The certificate of

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appropriateness required by this act shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the Village of Williamsville.

§ 47-8. Hardship criteria.

A. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish that:

(1) The property is incapable of earning a reasonable return regardless of whether that return represents the most profitable return possible.

(2) The property cannot be adapted for any other use permitted by the Village of Williamsville Zoning Ordinance[1] which would result in a reasonable return.

[1]: Editor's Note: See Chapter 112, Zoning.

(3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

B. An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that:

(1) The property is incapable of earning a reasonable return regardless of whether that

return represents the most profitable return possible.

§ 47-9. Hardship application procedure.

A. After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship application process.

B. The Commission shall hold a public hearing on the hardship application, at which time an opportunity will be provided for proponents and opponents of the application to present their views.

C. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.

D. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy shall be filed with both the Village Clerk's Office and with the Building Department. The Commission's decision shall state the reasons for granting or denying the hardship application.

E. No building permit or demolition permit shall be issued while the hardship application is pending. The Commission shall make a determination on whether a hardship exists. Building and demolition permits shall be issued in accordance with that determination.

§ 47-10. Maintenance and repair required.

A. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any architectural feature of a landmark or property within a historic district which does not involve a change in design, material, color or outward appearance.

B. No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any architectural feature which would, in the judgment of the Historic Preservation Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself. Examples of such deterioration include:

(1) Deterioration of exterior walls or other vertical supports.

(2) Deterioration of roof or other horizontal members.

(3) Deterioration of exterior chimneys.

(4) Deterioration or crumbling of exterior stucco or mortar.

(5) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.

(6) Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for public safety.

§ 47-11. Administration and enforcement.

A. Administration. The Building Inspector shall administer and enforce the provisions of this chapter. In connection with overseeing this responsibility, the Building Inspector shall provide a permit procedure coordinated with the established building permit procedure.

B. Enforcement. All work performed pursuant to this chapter shall conform to any requirements included herein. It shall be the duty of the Building Inspector to inspect periodically any such work to assure compliance. In the event that work is found that is not being performed in accordance with the certificate of appropriateness, the Building Inspector shall issue a stop-work order and all work shall immediately cease. No further work shall be undertaken on the project as long as the stop-work order is in effect.

C. The certificate of appropriateness shall be displayed on the building in a location conspicuously visible to the public while work pursuant to the certificate is being done.

§ 47-12. Penalties for offenses.

A. Any person who violates any provision of this chapter or any regulation adopted

APPENDIX B: WILLIAMSVILLE HISTORIC PRESERVATION RESOURCES

hereunder is guilty of an offense punishable by a fine not exceeding two hundred fifty dollars (\$250.) or imprisonment for a period not to exceed fifteen (15) days, or both. Each week's continued violation shall constitute a separate violation.

B. Failure to comply with any of the provisions of this chapter shall result in the termination of any permits issued or any proceedings commenced under provisions of this chapter.

C. Any person(s) who demolishes, alters, constructs or permits a landmark to fall into a serious state of disrepair which results in a violation of this chapter shall be required to restore the property and its site to an appearance acceptable to the Historic Preservation Commission. Any action to enforce this subsection shall be brought by the Village Attorney upon authorization by the Village Board. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

D. The Village of Williamsville, the Williamsville Historic Preservation Commission, their agents, servants, employees and/or boards shall not grant, permit or license any applicant who, with the intent to avoid the requirements of this chapter, significantly adversely affects a designated historic property or, having the legal power to prevent it, allows significant adverse effect to occur, unless the Historic Preservation Commission and/or the Board of Trustees determines that circumstances justify granting such assistance despite the

adverse effect created or permitted by the applicant.

[Added 4-25-2005 by L.L. No. 2-2005]

§ 47-13. Appeals.

Any person aggrieved by a decision of the Historic Preservation Commission relating to designation, hardship or a certificate of appropriateness may, within thirty (30) days of the filing of the decision in the Village Clerk's office, file a written application with the Village Board for review of the decision. The Village Board shall schedule a public hearing on the matter without unnecessary delay. The appeal of the Commission's decision may be based only upon the record and criteria utilized by the Commission to render its decision. If new information becomes available subsequent to the Commission's decision, a new application must be submitted to the Commission. The Village Board's decision on the appeal shall be considered final.

§ 47-14. Conflict with other provisions.

Where this chapter imposes greater restrictions than are imposed by the provisions of any law, ordinance or regulation, the provisions of this chapter shall apply. Where greater restrictions are imposed by any law, ordinance or regulation, such greater restrictions shall apply.

§ 47-15. Compliance with provisions required.

No decision to carry out or approve an action subject to the provisions of this chapter shall be rendered by any department, board, commission, officer or employee of the village. This shall not prohibit environmental, engineering, economic feasibility or other studies, preliminary planning or budgetary processes nor the granting of an application relating only to technical specifications and requirements, but not authorizing commencement of action until full compliance with this chapter has been met.

§ 47-16. Jurisdiction.

This chapter shall apply to the entire corporate limits of the Village of Williamsville.

§ 47-17. Severability.

If any section, clause or provision of this chapter or the application thereof to any persons is adjudged invalid, the adjunction shall not effect other sections, clauses or provisions or the application thereof which can be sustained or given effect without the invalid section, clause or provision or application, and to this end the various sections, clauses or provisions of this chapter are declared to be severable.

§ 47-18. When effective.

This chapter shall take effect immediately.

VILLAGE OF WILLIAMSVILLE

HISTORIC LANDMARK DESIGN STANDARDS

APPENDIX C: SECRETARY OF THE INTERIOR'S STANDARDS

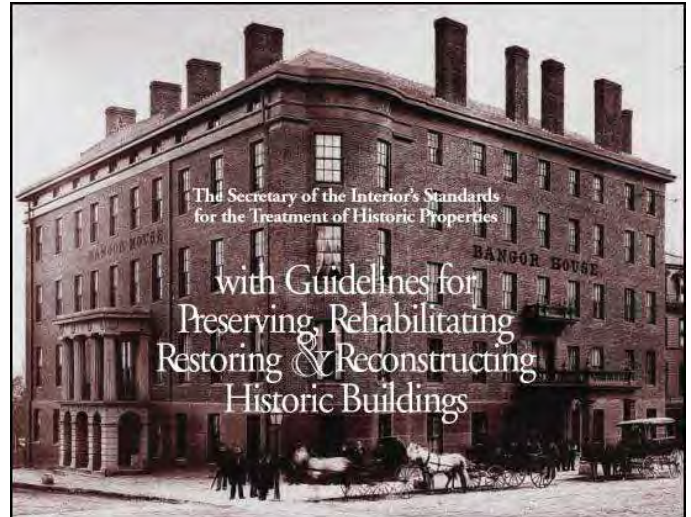
TEXT OF THE SECRETARY OF THE INTERIOR'S STANDARDS

THE SECRETARY OF THE INTERIOR'S Standards are the guiding principles behind all historic preservation projects in the United States. They were originally developed by the National Park Service in 1976 and revised in 1990.

There are actually four sets of Standards - for Preservation, Rehabilitation, Restoration, and Reconstruction. The set of Standards that applies to the vast majority of projects including most proposed changes to landmark structures in the Village of Williamsville is the Standards for Rehabilitation.

The following pages include the Standards for Rehabilitation, which are a list of ten guiding principles, as well as several pages of general rehabilitation guidance that is issued by the National Park Service with the Standards.

The ten principles are intended to be somewhat non-specific and open-ended in order to apply to any rehabilitation scenario.



Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Guidelines for Rehabilitating Historic Buildings

Introduction

In **Rehabilitation**, historic building materials and character-defining features are protected and maintained as they are in the treatment **Preservation**; however, an assumption is made prior to work that existing historic fabric has become damaged or deteriorated over time and, as a result, more repair and replacement will be required. Thus, latitude is given in the **Standards for Rehabilitation and Guidelines for Rehabilitation** to replace extensively deteriorated, damaged, or missing features using either traditional or substitute materials. Of the four treatments, only **Rehabilitation** includes an opportunity to make possible an efficient contemporary use through alterations and additions.

Identify, Retain, and Preserve Historic Materials and Features

Like **Preservation**, guidance for the treatment **Rehabilitation** begins with recommendations to identify the form and detailing of those architectural materials and features that are important in defining the building's historic character and which must be retained in order to preserve that character. Therefore, guidance on *identifying, retaining, and preserving* character-defining features is always given first. The character of a historic building may be defined by the form and detailing of exterior materials, such as masonry, wood, and metal; exterior features, such as roofs, porches, and windows; interior

materials, such as plaster and paint; and interior features, such as moldings and stairways, room configuration and spatial relationships, as well as structural and mechanical systems.

Protect and Maintain Historic Materials and Features

After identifying those materials and features that are important and must be retained in the process of **Rehabilitation** work, then *protecting and maintaining* them are addressed. Protection generally involves the least degree of intervention and is preparatory to other work. For example, protection includes the maintenance of historic material through treatments such as rust removal, caulking, limited paint removal, and re-application of protective coatings; the cyclical cleaning of roof gutter systems; or installation of fencing, alarm systems and other temporary protective measures. Although a historic building will usually require more extensive work, an overall evaluation of its physical condition should always begin at this level.

Repair Historic Materials and Features

Next, when the physical condition of character-defining materials and features warrants additional work *repairing* is recommended. **Rehabilitation** guidance for the repair of historic materials such as masonry, wood, and architectural metals again begins with the least degree of intervention possible such as patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading them according to recognized preservation methods. Repairing also includes the limited replacement in kind—or with

Note: The Guidelines for Rehabilitating Historic Buildings in this chapter have already appeared in *The Secretary of the Interior's Standards for Rehabilitation & Illustrated Guidelines for Rehabilitating Historic Buildings*, published in 1992.



Originally built as single-family, semi-detached duplexes, these houses were rehabilitated for a new use as rental apartments. While some alteration to non-significant interior features and spaces was necessary in each one, the exteriors were essentially preserved. Photos: Mistick, Inc.

compatible substitute material—of extensively deteriorated or missing parts of features when there are surviving prototypes (for example, brackets, dentils, steps, plaster, or portions of slate or tile roofing). Although using the same kind of material is always the preferred option, substitute material is acceptable if the form and design as well as the substitute material itself convey the visual appearance of the remaining parts of the feature and finish.

Replace Deteriorated Historic Materials and Features

Following repair in the hierarchy, **Rehabilitation** guidance is provided for *replacing* an entire character-defining feature with new material because the level of deterioration or damage of materials precludes repair (for example, an exterior cornice; an interior

staircase; or a complete porch or storefront). If the essential form and detailing are still evident so that the physical evidence can be used to re-establish the feature as an integral part of the rehabilitation, then its replacement is appropriate. Like the guidance for repair, the preferred option is always replacement of the entire feature in kind, that is, with the same material. Because this approach may not always be technically or economically feasible, provisions are made to consider the use of a compatible substitute material.

It should be noted that, while the National Park Service guidelines recommend the replacement of an entire character-defining feature that is extensively deteriorated, they never recommend removal and replacement with new material of a feature that—although damaged or deteriorated—could reasonably be repaired and thus preserved.

Design for the Replacement of Missing Historic Features

When an entire interior or exterior feature is missing (for example, an entrance, or cast iron facade; or a principal staircase), it no longer plays a role in physically defining the historic character of the building unless it can be accurately recovered in form and detailing through the process of carefully documenting the historical appearance. Although accepting the loss is one possibility, where an important architectural feature is missing, its replacement is always recommended in the **Rehabilitation** guidelines as the *first* or preferred, course of action. Thus, if adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced, and if it is desirable to re-establish the feature as part of the building's historical appearance, then designing and constructing a new feature based on such information is appropriate. However, a *second* acceptable option for the replacement feature is a new design that is compatible with the remaining character-defining features of the historic building. The new design should always take into account the size, scale, and material of the historic building itself and, most importantly, should be clearly differentiated so that a false historical appearance is not created.

Alterations/Additions for the New Use

Some exterior and interior alterations to a historic building are generally needed to assure its continued

use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include providing additional parking space on an existing historic building site; cutting new entrances or windows on secondary elevations; inserting an additional floor; installing an entirely new mechanical system; or creating an atrium or light well. Alteration may also include the selective removal of buildings or other features of the environment or building site that are intrusive and therefore detract from the overall historic character.

The construction of an exterior addition on a historic building may seem to be essential for the new use, but it is emphasized in the **Rehabilitation** guidelines that such new additions should be avoided, if possible, and considered *only* after it is determined that those needs cannot be met by altering secondary, i.e., non character-defining interior spaces. If, after a thorough evaluation of interior solutions, an exterior addition is still judged to be the only viable alternative, it should be designed and constructed to be clearly differentiated from the historic building and so that the character-defining features are not radically changed, obscured, damaged, or destroyed.

Additions and alterations to historic buildings are referenced within specific sections of the **Rehabilitation** guidelines such as Site, Roofs, Structural Systems, etc., but are addressed in detail in *New Additions to Historic Buildings*, found at the end of this chapter.

VILLAGE OF WILLIAMSVILLE

HISTORIC LANDMARK DESIGN STANDARDS

APPENDIX D: PRESERVATION BRIEFS

LIST OF PRESERVATION BRIEFS

THE NATIONAL PARK SERVICE, DIVISION OF Technical Preservation Services, offers a series of Preservation Briefs which provide guidance on a range of preservation-specific topics associated with the preservation, rehabilitation and restoration of historic buildings. The Preservation Briefs are available on-line at <http://www.cr.nps.gov/hps/tps/briefs/presbhom.htm>. Hard copies of the Briefs may be purchased from the Government Printing Office Online Bookstore / TPS Publications Catalog at <http://bookstore.gpo.gov/>. The following list identifies the 47 briefs currently available. Briefs marked in **bold** are included in this appendix for reference.

01: Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings

02: Repointing Mortar Joints in Historic Masonry Buildings

03: Conserving Energy in Historic Buildings

04: Roofing for Historic Buildings

05: The Preservation of Historic Adobe Buildings

06: Dangers of Abrasive Cleaning to Historic Buildings

07: The Preservation of Historic Glazed Architectural Terra-Cotta

08: Aluminum and Vinyl Siding on Historic Buildings: The Appropriateness of

Substitute Materials for Resurfacing Historic Wood Frame Buildings

09: The Repair of Historic Wooden Windows

10: Exterior Paint Problems on Historic Woodwork

11: Rehabilitating Historic Storefronts

12: The Preservation of Historic Pigmented Structural Glass (Vitrolite and Carrara Glass)

13: The Repair and Thermal Upgrading of Historic Steel Windows

14: New Exterior Additions to Historic Buildings: Preservation Concerns

15: Preservation of Historic Concrete

16: The Use of Substitute Materials on Historic Building Exteriors

17: Architectural Character - Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character

18: Rehabilitating Interiors in Historic Buildings - Identifying Character-Defining Elements

19: The Repair and Replacement of Historic Wooden Shingle Roofs

20: The Preservation of Historic Barns

21: Repairing Historic Flat Plaster - Walls and Ceilings

APPENDIX D: PRESERVATION BRIEFS

22: The Preservation and Repair of Historic Stucco

23: Preserving Historic Ornamental Plaster

24: Heating, Ventilating, and Cooling Historic Buildings: Problems and Recommended Approaches

25: The Preservation of Historic Signs

26: The Preservation and Repair of Historic Log Buildings

27: The Maintenance and Repair of Architectural Cast Iron

28: Painting Historic Interiors

29: The Repair, Replacement, and Maintenance of Historic Slate Roofs

30: The Preservation and Repair of Historic Clay Tile Roofs

31: Mothballing Historic Buildings

32: Making Historic Properties Accessible

33: The Preservation and Repair of Historic Stained and Leaded Glass

34: Applied Decoration for Historic Interiors: Preserving Historic Composition Ornament

35: Understanding Old Buildings: The Process of Architectural Investigation

36: Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes

37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing

38: Removing Graffiti from Historic Masonry

39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings

40: Preserving Historic Ceramic Tile Floors

41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront

42: The Maintenance, Repair and Replacement of Historic Cast Stone

43: The Preparation and Use of Historic Structure Reports

44: The Use of Awnings on Historic Buildings: Repair, Replacement and New Design

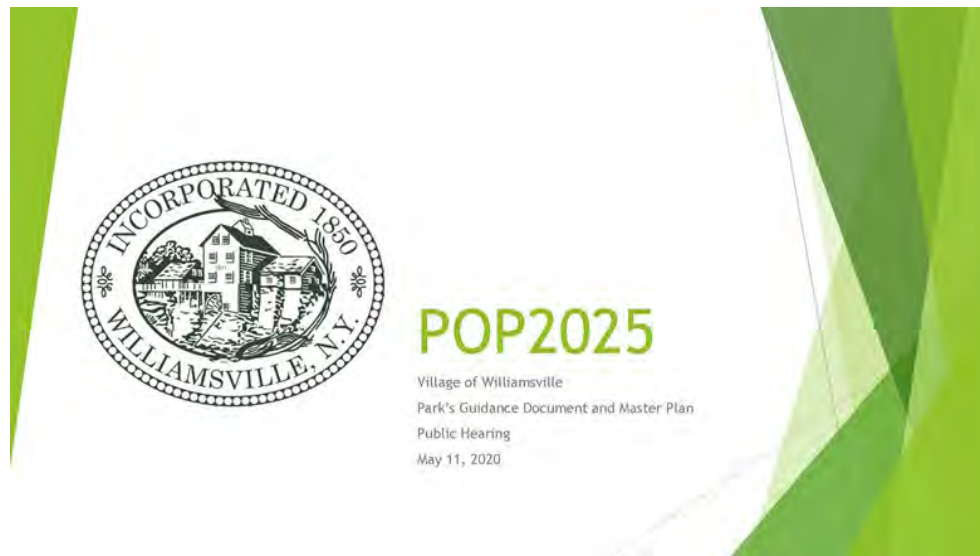
45: Preserving Historic Wooden Porches

46: The Preservation and Reuse of Historic Gas Stations

47: Maintaining the Exterior of Small and Medium Size Historic Buildings

APPENDIX C - EXISTING PLANNING DOCUMENTS AND STUDIES

POP 2025



2009 Community Plan

- ▶ Details specific guidelines for the village's future in the areas of:
 - ▶ Development
 - ▶ Infrastructure design and updates
 - ▶ Capital projects
 - ▶ Formation of municipal policies and decision making.
- ▶ 2.3 Land Use Objectives and Actions
 - ▶ Objective 4: Create a Village Wide "Green Highway"
 - ▶ Action 1: Prepare a Park Improvement Plan
 - ▶ Action 3: Carry Park Across Main Street
 - ▶ Action 4: Create a Recreational Greenway
 - ▶ Objective 1: Ensure that Village Zoning is Consistent with the Comprehensive Plan

Parks Guidance Document (PGD)

- ▶ Living document addressing all Village owned parks
 - ▶ Garrison Park
 - ▶ Island Park
 - ▶ South Long Park
 - ▶ Lehigh Railroad District
 - ▶ Lehigh Memorial Trail
 - ▶ Park-like Areas
 - ▶ 1812 Park (Triangle)
 - ▶ Volunteer park (PLA)
- ▶ Glen Park is jointly owned and has its own document
- ▶ Broken into four main sections
 - ▶ Overview
 - ▶ Existing Conditions
 - ▶ Operations and Maintenance
 - ▶ Future Plans and Developments
- ▶ Aligned with New York Statewide Comprehensive Outdoor Recreation Plan (SCORP)
 - ▶ Outlines four “overarching themes”
 - ▶ Directly addresses 8 of NYS Parks, Recreation and Historic Preservation Office’s stated goals
 - ▶ Can be leveraged for Grant funding

Objective 1: Ensure that Village Zoning is Consistent with the Comprehensive Plan

- ▶ Public Hearing on Downzoning South Long Park and Lehigh Depot to R3: June 10, 2019
- ▶ Revised property boundaries to separate DPW property and Village Square Lane from Park
 - ▶ Combined 135 Milton Street into Park boundary
- ▶ Downzoning must go to Planning Board before final decision can be made
- ▶ NEXT STEP:
 - ▶ Parks Committee is proposing new Zoning designation: Urban Open Space
 - ▶ provides regulations and guidance for new development and rehabilitation in and around our parks and natural assets to preserve their quality and character





Objective 4: Create a Village Wide "Green Highway"

- ▶ A ribbon of green:
 - ▶ connecting Island Park and Glen Park with Amherst State Park
- ▶ Not readily visible or easily accessible from Main Street
- ▶ Each park functions in relative isolation
- ▶ Better physical and visual connections would allow them to function as a larger unit and create a regional system of interconnected parks
 - ▶ Glen Park Sign
 - ▶ Volunteer Pocket Park
- ▶ Ideally this would take place in the context of an overall Village park plan

Objective 4, Action 1: Prepare a Park Improvement Plan

- ▶ A unified park plan to ensure that the Village can properly plan for park improvements
 - ▶ Draw together all the various recommendations and components into one document
 - ▶ Include feasibility and fiscal analysis
 - ▶ 2007 Budget: \$40,000 to \$85,000 - **COMPLETED FOR FREE**
- ▶ Park's Committee started in earnest last summer
 - ▶ Island Park Pool closure
 - ▶ Damaged playground equipment at S. Long
 - ▶ S. Long Land Swap and Section House
- ▶ Started by updating the 2009 Parks Survey - completed in May 2019

Parks Survey Summary - Island Park

- ▶ Important Features
 - ▶ 47.2% Kayak/Canoe Launch
 - ▶ 36.7% Additional Walking Paths
 - ▶ 32.8% Playground Equipment
 - ▶ 18.4% Additional Children's Toys/playground
 - ▶ 29.4% Cookout Facilities/Picnic Tables
 - ▶ 26.5% Permanent Band Shell
 - ▶ 24.7% More attractive entry to the Bridge
 - ▶ 19.7% Additional Restrooms
 - ▶ 18.4% Gazebo/Shelter Improvements
- ▶ Splash Pad, Pool, or other water feature
 - ▶ 49.1% Zero Depth Splash Pad
 - ▶ 41.7% A convertible multi-use facility incorporating water play with a covered area for seating or stage/band shell
 - ▶ 38.3% Park Fountain
 - ▶ 26.2% Educational Water Table incorporating Ellicott Creek



Future Plans and Developments

- ▶ Island Park Buildings/Infrastructure
 - ▶ Bathroom
 - ▶ Repair and upgrade the finishes in the bathrooms ✓
 - ▶ Pavilion
 - ▶ Paint a mural on the back wall
 - ▶ Clean and paint roof framing
 - ▶ Purchase retractable sides ✓
 - ▶ Remove railings along the west side of the pavilion, create an expanded patio area; improve landscaping.
 - ▶ Construct Performance Shelter/Stage
 - ▶ Remediate significant shoreline erosion as part of LWRP
 - ▶ Repair/modify Weir/Dam system as part of LWRP

Future Plans and Developments

Island Park Buildings/Infrastructure

- ▶ **Parking**
 - ▶ Add medians and trees in library lot and municipal lot
 - ▶ Make less car-centric, possibly narrow parking lot
 - ▶ Requires cooperation with the Town of Amherst
- ▶ **Paths**
 - ▶ Create improved paths and connections
 - ▶ Establish a grander entry/new bridge
 - ▶ Install visible "Island Park" entry arch on Main Street similar to Glen park
 - ▶ Establish an alternative or additional entry over dam on east side of island
- ▶ Add kayak/canoe launch
- ▶ **Playground Equipment**
 - ▶ Replace big toy with modern inclusionary playground for ages 2 to 12
 - ▶ Consider replace playground equipment
- ▶ **Pool Replacement**
 - ▶ Consider a new water feature to take the pool's place, Splash pad?



Proposed Improvements:

- 1 Gateway monument (along the lines of mill stone at pathway between library and Village Hall)
- 2 Improved connection to Main Street and Glen Park: add pedestrian walkway along east side of library, similar in character to pedestrian corridor along west side
- 3 Reduce parking lot width to free up space for new pedestrian walkway
- 4 Raised crosswalk
- 5 Landscape improvement and pedestrian sidewalk along rear of library
- 6 Gateway arch at entrance to Island Park
- 7 Future pedestrian access when dam is replaced
- 8 Picnic table with grill on post, located under trees (8 each this end of park)
- 9 Lower creek viewing area (small seating area under willow tree)
- 10 Existing restrooms and water fountain

- 11 Splash pad (approx. capacity: 64 children)
- 12 Replace existing play equipment with accessible playground
- 13 Existing shelter with picnic tables
- 14 Utilize existing block building for kayak-related storage and rentals
- 15 Kayak storage racks
- 16 Tiered boulders provide access to water
- 17 Flagstone/paver terrace and creek overlook with single kayak launch and accessible gangway
- 18 Gravel Lawn
- 19 Retain 13' wide path for vehicular access to pavilion
- 20 Multisuse amphitheater on tiered (18', 16' 24") concrete stage to accommodate Williamsville Community Band (90 members), Amherst Symphony (100 members), outdoor movies, etc.

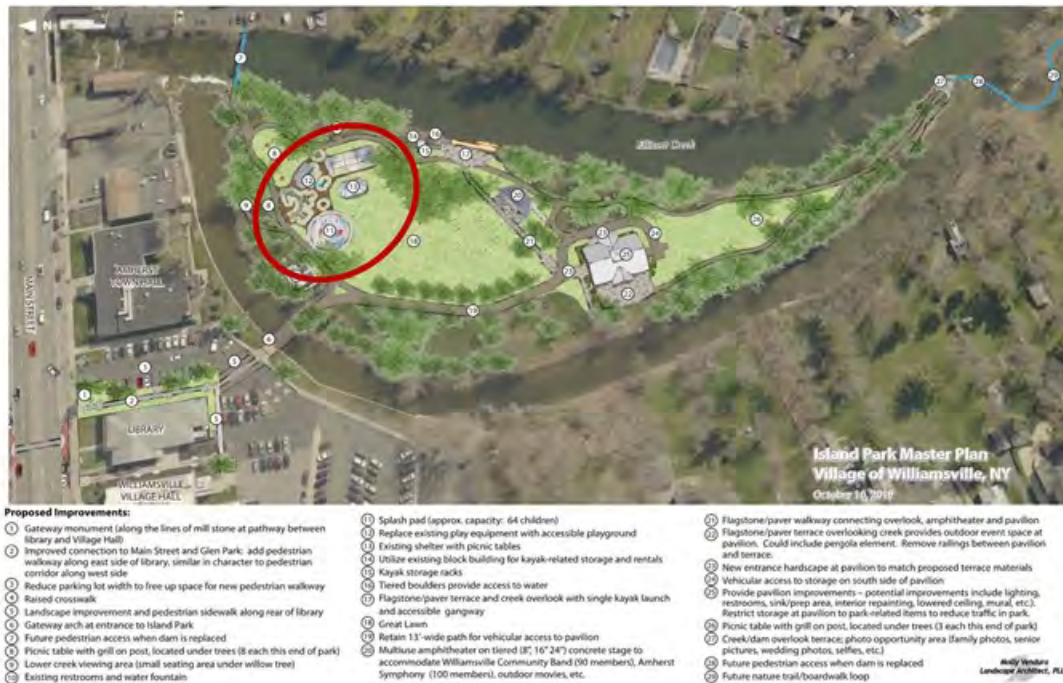
- 21 Flagstone/paver walkway connecting overlook, amphitheater and pavilion
- 22 Flagstone/paver terrace overlooking creek provides outdoor event space at pavilion. Could include pergola element. Remove railings between pavilion and terrace.
- 23 New entrance hardscape at pavilion to match proposed terrace materials
- 24 Vehicular access to storage on south side of pavilion
- 25 Provide pavilion improvements – potential improvements include lighting, restrooms, sink/prep area, interior repainting, lowered ceiling, mural, etc.). Restrict storage at pavilion to park-related items to reduce traffic in park
- 26 Picnic table with grill on post, located under trees (1 each this end of park)
- 27 Creek/dam overlook terrace, photo opportunity area (family photos, senior pictures, wedding photos, selfies, etc.)
- 28 Future pedestrian access when dam is replaced
- 29 Future nature trail/boardwalk loop

Andy Vanders
Landscape Architect, PLLC





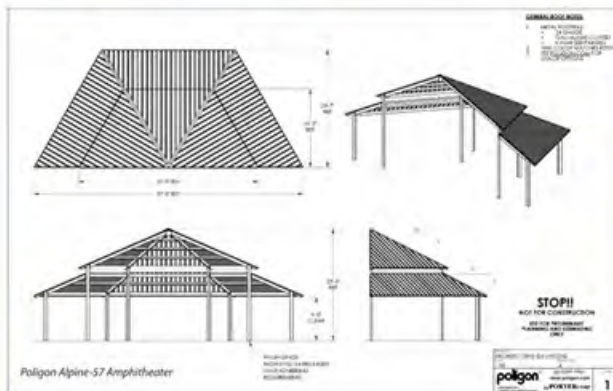




Poligon Alpine-57 Amphitheater

Band pavilion benchmarking:

- spoke with three local music instructors and members of Amherst Symphony, Orchard Park Community Band, Erie County Wind Ensemble and others
- W Seneca Pavilion is too small, but Orchard Park pavilion is a good size for about 80 adult performers
- to accommodate 100 performers, add 6' to the depth of the stage at Orchard Park Pavilion
- Set stage height equal to standard riser height (8', 16' or 24')
- Orchard Park pavilion stage is approximately 43.5' wide x 27' deep



Island Park Master Plan - additional images Village of Williamsville, NY

October 16, 2019

New Island Park Playground - Fall 2020



- ▶ Parks Committee interviewed two consultants
 - ▶ Head-to-head design competition based on \$125000 equipment budget
 - ▶ Solicited input from Mill Middle School students
- ▶ Scope of site demolition and improvements to be completed by DPW staff
- ▶ Community Build needs volunteers

- ▶ Complete Replacement of all existing playground equipment
- ▶ Includes:
 - ▶ 2-5 playground with two slides + bucket swings
 - ▶ 4 person inclusionary "We Saw"
 - ▶ 4 swings, "buddy swing" and inclusionary Oodle Swing
 - ▶ 3 slides, Mobius Strip and net Climbers + various other climbers, balance beams and monkey bars arrange in a challenge course
 - ▶ Phase two: ZipKrooz
- ▶ Estimated Construction Value \$180000
- ▶ Made possible by a \$125000 DASNY Grant thanks to Assemblywoman Karen McMahon



Splash Pad

- ▶ Original Position shown not compatible with playground wood chips
- ▶ Pad will require:
 - ▶ A dedicated 3" waterline at 100-150 GPM
 - ▶ An 8'x10' Utility room in the bathroom building or old pool house for mechanicals
 - ▶ A 4" drain line
 - ▶ All new utilities must cross the creek
- ▶ Estimated Construction Cost \$200000 without utility improvements
 - ▶ Utility improvements estimated at \$80000 to \$150000
- ▶ Is this the right place for a water feature?



RESILIENT NEW YORK INITIATIVE: ELLICOTT CREEK (Summarized presentation)

Intended for
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233

Document type
Interim Final Report

Date
April 2021

SUMMARIZED PRESENTATION OF THE RESILIENT NEW YORK FLOOD MITIGATION INITIATIVE ELLICOTT CREEK, NEW YORK



Prepared for:
Project Team:



RESILIENT NEW YORK FLOOD MITIGATION INITIATIVE

Introduction

Historical Initiatives

Flood mitigation has historically been an initiative in western New York and in the Ellicott Creek watershed. In 1929, a new 1,100-foot long channel and gate controlled dam was constructed in the Village of Williamsville upstream of Glen Falls. Upstream of the new channel, Ellicott Creek was also cleaned, deepened, and widened for a distance of 1,400 feet. In 1932, a 2,800 foot length of Ellicott Creek was cleaned, deepened and widened just upstream of the Village of Williamsville. Six miles of the creek were cleared and snagged by the USACE in 1958-1959 from Sheridan Drive to 2,700 feet downstream of Sweet Home Road. A diversion channel was constructed along the downstream end of Ellicott Creek by Erie County in 1965 (FEMA, 2019).

Development in the Ellicott Creek floodplain is restricted by zoning ordinances and building codes in the Town of Cheektowaga (FEMA, 2019). Since 1977, the Town of Amherst floodplain regulations have required that all new construction be flood proofed to the elevation of the 1% annual chance flood event (ACE), commonly referred to as the 100-year flood (FEMA, 1992).

A 2011 flood mitigation report for the Town of Amherst recommended various measures including flood-proofing structures to two feet above the base flood elevation, implementation of a flood early warning system, open space and farmland conservation, purchase of repetitive loss structures, channel maintenance, updating town ordinances, developing a flood awareness/education program, and floodproofing evacuation routes (URS, 2011).

Floodplain Development

General recommendations for high risk floodplain development follow four basic strategies:

1. Remove the flood prone facilities from the floodplain
2. Adapt the facilities to be flood resilient under repetitive inundation scenarios
3. Develop nature-based mitigation measures (e.g., floodplain benches, constructed wetlands, etc.) to lower flood stages in effected areas
4. Up-size bridges and culverts to be more resilient to ice jams, high flow events, and projected future flood flows due to climate change in effected areas

In order to effectively mitigate flooding along substantial lengths of a watercourse corridor, floodplain management should restrict the encroachment on natural floodplain areas. Floodplains act to convey floodwaters downstream, mitigate damaging velocities, and provide areas for sediment to accumulate safely. The reduction in floodplain width of one reach of a stream, often leads to the increase in flooding upstream or downstream. During a flood event, a finite amount of water with an unchanging volume must be conveyed and, as certain conveyance areas are encroached upon, floodwaters will often expand into other sensitive areas.

A critical evaluation of existing floodplain law and policies should be undertaken to evaluate the effectiveness of current practices and requirements within this watershed. Local floodplain regulations should be consistent with the National Flood Insurance Program (NFIP) and Federal Emergency Management Agency (FEMA) regulations since the Town of Amherst, Village of

RESILIENT NEW YORK FLOOD MITIGATION INITIATIVE

Williamsville, Town of Lancaster, and Town of Cheektowaga are participating communities in the NFIP and should involve a floodplain coordinator and a site plan review process for all proposed developments. This review should be in accordance with local regulations and the NFIP requirements, which require the community to determine if any future proposed development could adversely impact the floodplain or floodway resulting in higher flood stages and sequentially greater economic losses to the community.

Resilient NY Initiative

In November of 2018, New York State Governor Andrew Cuomo announced the Resilient NY program in response to devastating flooding in communities across the State in the preceding years. A total of 48 high-priority flood prone watersheds across New York State are being addressed through the Resilient NY program. Flood mitigation studies were commissioned using advanced modeling techniques and field assessments to identify priority projects in these 48 flood-prone watersheds, develop state-of-the-art studies to reduce flooding and ice jams, and improve ecological habitats in the watersheds (NYSGPO, 2018). The Ellicott Creek watershed was chosen as a study site for this initiative.

The New York State Department of Environmental Conservation (NYSDEC) is responsible for implementing the Resilient NY program with contractual assistance from the New York State Office of General Services (NYSOGS). High-priority watersheds were selected based on several factors, such as frequency and severity of flooding and ice jams, extent of previous flood damage, and susceptibility to future flooding and ice-jam formations (NYSGPO, 2018).

The Resilient NY flood studies will identify the causes of flooding within each watershed and develop effective and ecologically sustainable flood and ice-jam hazard mitigation projects. Potential flood mitigation measures will be evaluated using hydrologic and hydraulic (H&H) modeling to quantitatively determine flood mitigation strategies that would result in the greatest flood reduction benefits. In addition, the flood mitigation studies incorporate the latest climate change forecasts and assess open water and ice-jam hazards where future flood risks have been identified.

This report is not intended to address detailed design considerations for individual flood mitigation alternatives. The mitigation alternatives discussed are conceptual projects that have been initially developed and evaluated to determine their flood mitigation benefits. A more in-depth engineering design study would still be required for any mitigation alternative chosen to further define the engineering project details. However, the information contained within this study can inform such in-depth engineering design studies and be used in the application for state and federal funding and/or grant programs.

The goals of the Resilient NY Program are to:

1. Perform comprehensive flood and ice jam studies to identify known and potential flood risks in flood-prone watersheds
2. Incorporate climate change predictions into future flood models
3. Develop and evaluate flood hazard mitigation alternatives for each flood-prone stream area, with a focus on ice-jam hazards

RESILIENT NEW YORK FLOOD MITIGATION INITIATIVE

The overarching purpose of the initiative is to evaluate a suite of flood and ice-jam mitigation projects that local municipalities can undertake to make their community more resilient to future floods. The projects should be affordable, attainable through grant funding programs, able to be implemented either individually or in combination in phases over the course of several years, achieve measurable improvement at the completion of each phase, and fit with the community way of life. The information developed under this initiative is intended to provide the community with a basis for assessing and selecting flood mitigation strategies to pursue; no recommendations are made as to which strategies the community should pursue.

The flood mitigation and resiliency study for Ellicott Creek began in July of 2019 and a final flood study report is expected to be issued in the summer of 2021.

BRIEF SUMMARY OF METHODOLOGY

Public Outreach – Engagement Meeting #1 – July 2019

- Gather information from participants on where flooding occurs within the Ellicott Creek watershed, what specific areas are impacted and discuss how this information will be used to assist in the collection of data and identification and assessment of high-risk areas in the watershed
- Attended by representatives of the New York State Department of Environmental Conservation (NYSDEC), Gomez & Sullivan Engineers, OBG, Part of Ramboll (OBG), Highland Planning, LLC, U.S. Army Corps of Engineers(USACE), New York State Department of Transportation (NYSDOT), New York State Office of Emergency Management (NYSOEM), Erie County Department of Environment and Planning, Erie County Soil and Water Conservation District, Erie County Department of Homeland Security and Emergency Services, Lake Erie Watershed Protection Alliance Town of Concord, Town of West Seneca, Town of Amherst, and Buffalo Niagara Waterkeeper

Field Assessment

- Rapid "windshield" river corridor inspection with photo documentation of inspected areas
- Measurement and rapid hydraulic assessment of bridges, culverts, and dams
- Geomorphic classification and assessment, including measurement of bankfull channel widths and depths at key cross sections
- Preliminary identification of potential flood hazard mitigation alternatives, including those requiring further analysis

Hydraulic Analysis

- Detailed hydraulic analysis of the target area using state of the art computer modeling
- Analysis of current and predicted future flood peak discharges
- Evaluation of potential modifications to improve conveyance of open water



RIGHT SIZING CULVERTS

Climate Robust Culvert Design

Upsizing culverts to
convey larger, more
intense storms



Existing Condition



Future Condition

RIGHT SIZING CULVERTS

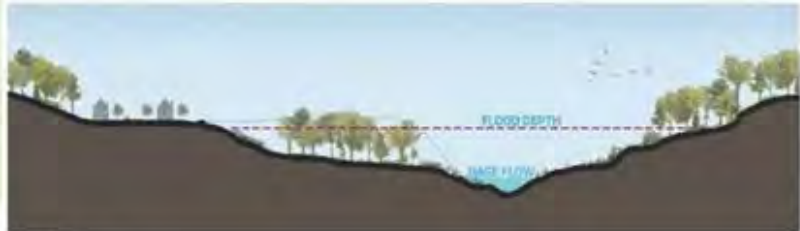
FLOODPLAIN BENCHES

Floodplain Bench

A low area adjacent to the creek providing flood storage



Existing Condition



Future Condition

PROTECTIVE LEVEE

Protective Levee

A permanent barrier to protect residential & commercial property



Existing Condition



Future Condition

PROTECTIVE LEVEE

RIGHT SIZING BRIDGES

Climate Robust Bridge Design

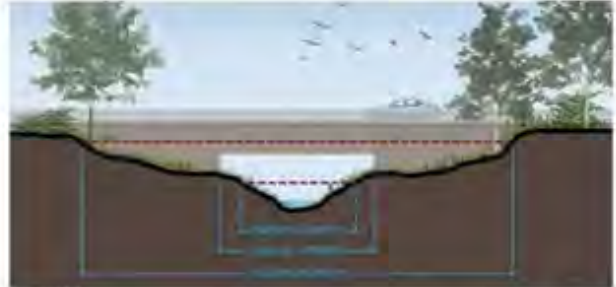
Upsizing bridges to convey larger, more intense storms



www.gomezandsullivan.com



Existing Condition



Future Condition

RIGHT SIZING BRIDGES

4/10/2019 4:13

ELLICOTT CREEK: TARGET AREA

The Towns of Amherst, Cheektowaga and Lancaster, and the Village of Williamsville were chosen as the target areas due to the record of historical flooding and the amount of development along the creek. Three specific high risk flood areas were identified:

HIGH RISK AREA #1: MAIN STREET (ROUTE 5) TO NYS THRUWAY (I-90)

HIGH RISK AREA #2: GREATER BUFFALO INTERNATIONAL AIRPORT RUNWAY TO GENESEE STREET

HIGH RISK AREA #3: STONEY ROAD IN THE TOWN OF LANCASTER



**ELLICOTT CREEK:
TARGET AREA**

HIGH RISK AREA #1: MAIN STREET (ROUTE 5) TO NYS THRUWAY (I-90)



**ELLICOTT CREEK:
TARGET AREA**

HIGH RISK AREA #2: GREATER BUFFALO INTERNATIONAL AIRPORT RUNWAY TO GENESEE STREET



ELLICOTT CREEK: TARGET AREA

HIGH RISK AREA #3: STONEY ROAD IN THE TOWN OF LANCASTER



HIGH RISK AREA #1: MAIN STREET (ROUTE 5) TO NYS THRUWAY (I-90)



Alternative #1-1: Modify Wehrle Drive Bridge

- Widen and raise bridge to increase flow area
- Create small flood bench at right side of bridge opening
- Reduce water levels upstream of Wehrle Drive Bridge
- Significant potential to reduce flood depths (up to 1.2 feet)
- The Rough Order Magnitude cost to modify this bridge is \$6.0 million



HIGH RISK AREA #1: MAIN STREET (ROUTE 5) TO NYS THRUWAY (I-90)



Alternative #1-2: Flood Bench Creation Between Island Park and Wehrle Drive

- Lower floodplain elevation to increase flow area
- Reduce water levels between Island Park and NYS Thruway
- Considerable potential to reduce flood depths (up to 0.8 feet)
- The Rough Order Magnitude cost to add flood benches is \$1.8 million



HIGH RISK AREA #1: MAIN STREET (ROUTE 5) TO NYS THRUWAY (I-90)



Alternative #1-3: Modify Wehrle Drive Bridge and Flood Bench Creation Between Island Park and Wehrle Drive

- Widen and raise bridge to increase flow area
- Lower floodplain elevation to increase flow area
- Reduce water levels between Island Park and NYS Thruway
- Significant potential to reduce flood depths (up to 1.3 feet)
- The Rough Order Magnitude cost to replace bridge and add flood benches is \$7.8 million



HIGH RISK AREA #2: UPSTREAM OF GREATER BUFFALO INTERNATIONAL AIRPORT



Alternative #2-1: Modify Railroad Bridge

- Widen and raise bridge to increase flow area
- Create small flood bench at left side of bridge opening
- Reduce water levels from Railroad Bridge to Genesee Street
- Considerable potential to reduce flood depths (up to 0.8 feet)
- The Rough Order Magnitude cost to remove this bridge is \$1.1 Million



HIGH RISK AREA #2: UPSTREAM OF GREATER BUFFALO INTERNATIONAL AIRPORT



Alternative #2-2: Flood Bench Creation Between Rein and Transit Roads

- Lower floodplain elevation to increase flow area
- Reduce water levels from Railroad Bridge to Transit Road
- Minor potential to reduce flood depths (up to 0.1 feet)
- The Rough Order Magnitude cost to create flood benches is \$1.5 Million



HIGH RISK AREA #2: UPSTREAM OF GREATER BUFFALO INTERNATIONAL AIRPORT



Alternative #2-3: Flood Bench Creation Between Transit Road and Main Street (Bowmansville)

- Lower floodplain elevation to increase flow area
- Reduce water levels from Railroad Bridge to Genesee Street
- Moderate potential to reduce flood depths (up to 0.4 feet)
- The Rough Order Magnitude cost to create flood benches is \$3.7 Million



HIGH RISK AREA #2: UPSTREAM OF GREATER BUFFALO INTERNATIONAL AIRPORT



Alternative #2-4: : Modify Airport Runway Culverts

- Increase flow area through culverts
- Reduce water levels upstream of Airport
- Cost to replace culverts is expected to be significant
- Replacing culverts would cause extended disruption to airport operations
- Alternative not considered feasible



HIGH RISK AREA #3: STONEY ROAD IN THE TOWN OF LANCASTER



Alternative #3-1: Flood Bench Creation Between Harris Hill and Stoney Roads

- Lower floodplain elevation to increase flow area
- Reduce water levels in vicinity of Stoney Road
- Minor potential to reduce flood depths (up to 0.1 feet)
- The Rough Order Magnitude cost to create flood benches is \$5.7 Million



HIGH RISK AREA #3: STONEY ROAD IN THE TOWN OF LANCASTER



Alternative #3-2: Flood Bench Creation Between Stoney and Pavement Roads

- Lower floodplain elevation to increase flow area
- Reduce water levels between Stoney and Pavement Roads to upstream of Pavement Road
- Significant potential to reduce flood depths (up to 1.2 feet)
- The Rough Order Magnitude cost to create flood benches is \$7.3 Million



BASIN WIDE ALTERNATIVES

Early Warning Flood Detection System

- Provide communities with more advanced warning of potential flood conditions
- Early forecast and warning involves the identification of imminent flooding, implementation of a plan to warn the public, and assistance in evacuating persons and some personal property
- The Rough Order Magnitude cost for a flood detection system is approximately \$120,000 excluding annual maintenance and operational costs

Flood Buyout Programs

- Removes vulnerable properties from flood area and improves community flood resilience
- Most effective when program acquires continuous swaths of land
- Properties may be purchased through a combination of federal, state, or local funds
- Costs vary (may include tax base implications)



BASIN WIDE ALTERNATIVES

Flood Proofing

- Mitigates flooding benefits to buildings, contents, utilities, and equipment
- Strategies include interior modifications/retrofit measures, dry floodproofing, wet floodproofing, and barrier measures
- Regulations do not allow for most strategies to be applied to residential structures
- Costs vary

Area Preservation/Floodplain Ordinances

- Minimizes development within sensitive areas (wetlands, forests, riparian areas, open spaces) to maintain and/or improve runoff rates and flood storage
- Accomplished via watershed scale planning efforts through land use planning, zoning, and regulatory codes and ordinances
- Consultation with NYSDEC is available, may provide insurance rate benefits through FEMA CRS



NEXT STEPS

ADDITIONAL DATA MODELING / ENGINEERING DESIGN REPORT & DOCUMENTS

- Additional data modeling to more precisely quantify the level of reduction in flood stage for each preferred alternative. This effort supports the development of an Engineering Report and preliminary design documents

STATE/FEDERAL REGULATORY COMPLIANCE

- A pre-application meeting with the agencies to discuss the preferred alternatives and any regulatory obstacles for alternatives encroaching on federal and/or state wetlands.



NEXT STEPS

ADDITIONAL DATA MODELING / ENGINEERING DESIGN REPORT & DOCUMENTS

- Additional data modeling to more precisely quantify the level of reduction in flood stage for each preferred alternative. This effort supports the development of an Engineering Report and preliminary design documents

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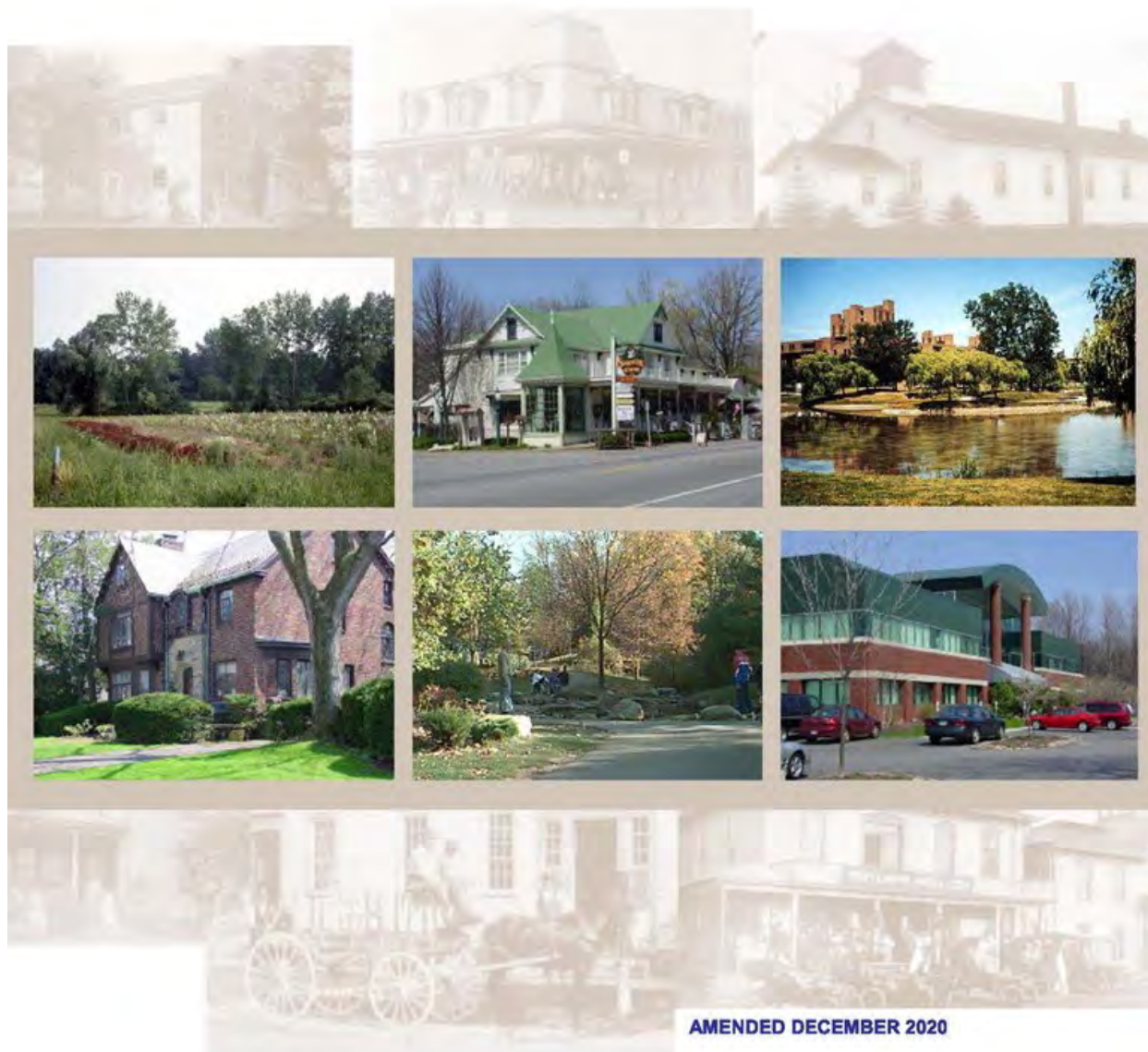
FUNDING OPPORTUNITIES

- New York State Division of Homeland Security and Emergency Services (NYSDHSES)
- Regional Economic Development Councils/Consolidated Funding Applications (CFA)
 - Water Quality Improvement Project (WQIP) Program
 - Climate Smart Communities (CSC) Grant Program
- Natural Resources Conservation Service (NRCS)
 - Emergency Watershed Protection (EWP) Program
- Federal Emergency Management Agency (FEMA)
 - Hazard Mitigation Grant Program (HMGP)
 - Building Resilient Infrastructure and Communities (BRIC) Program
 - Flood Mitigation Assistance (FMA) Program
- New York State Department of Transportation (NYSDOT)
 - Bridge NY Program



TOWN OF AMHERST BICENTENNIAL COMPREHENSIVE PLAN (Excerpt)

Town of Amherst Bicentennial Comprehensive Plan



code enforcement, efforts to increase owner occupancy in the existing structures, or acquisition and redevelopment are options that could be explored.

10.6 WILLIAMSVILLE

10.6.1 Overview and Urban Design Analysis

The Williamsville focal planning area is located along Main Street between the I-290 interchange to the west and Youngs Road to the east. It is unique among the focal planning areas in that it is mostly located within the Village of Williamsville, although it does include areas in the Town of Amherst east of I-290 and west of Youngs Road. Key issues identified in the *Inventory and Analysis Report* for this focal planning area include:

- Character and viability of the traditional village core:
 - Economic positioning of Main Street vis-à-vis regional shopping opportunities
 - Form and type of new development in relation to traditional village fabric (including impacts of automobile-oriented uses)
 - Design treatment of gateway entrances to village
- Geometry and function of Main Street as a major arterial creates “pedestrian-unfriendly” character and impacts small businesses
- Opportunity to relate master plan for Amherst State Park (under development) to other parks and land uses in the Village

The Williamsville focal area is centered on Main Street and its associated commercial activity. Although the focal area encompasses areas within both the Town of Amherst and the Village of Williamsville, the political boundaries cannot be identified “on the ground.”

The two mile stretch of Main Street (State Route 5) located between Interstate-290 and Youngs Road is the civic and social heart of both the Village of Williamsville and the Town of Amherst. Over this relatively short distance, the corridor includes both the Town and Village government buildings, the iconic Williamsville Water Mill, the historical commercial center of the Village, the North campus of the Erie Community College, and Williamsville South High School.

The Village of Williamsville Community Plan (2010) delineates three “context zones” along Main Street that characterize the form and scale of development and its relationship with surrounding places. The Community Plan further cites the need for a balance between mobility and character so that a revitalized Main Street



1
Parking lot next to Ellicott Creek



3
Rear parking / Village Core



4
Rock Street



2
Ellicott Creek / Island Park



Aerial of Williamsville



5
Main Street / Union Road



6
Main Street



7
Main Street / I-290



8
Main Street



9
Main Street / Village Core



10
Main Street

WILLIAMSVILLE FOCAL PLANNING AREA - EXISTING CONDITIONS

TOWN OF AMHERST BICENTENNIAL COMPREHENSIVE PLAN



Figure 29

WALLACE ROBERTS & TODD, LLC

could fulfill its role as a transportation corridor while enhancing its character and sustaining its role as a center for both the Village and Town. To achieve this balance a “context sensitive approach” to transportation planning was employed to form a vision for Main Street and its business district.

As noted in the *Community Plan*, Williamsville’s commercial core along Main Street offers an alternative to surrounding suburban-style shopping areas. The Plan’s vision for Main Street is comprised of three distinct zones which are characterized by their land use. (*Amended 09-08-15; BCPA-2014-01*)

The first zone is a Town-Village transition area extending from the I-290 to the Village line. All of this area is traditional in form as discussed in Section 3.3.2 and shown on Map Figure 6-A (*Amended 9-3-19; BCPA-2017-01A*). Its location near the I-290 provides the opportunity for improvements to the zone as a gateway from Amherst to Main Street and the Village.

The second zone can be characterized as the Main Street Commercial Core extending from the western Village line/Union Road to Evans Street/Garrison Road. The character of the commercial uses in this zone is radically different from the typical strip commercial uses and is rooted in its long history as a traditional village “downtown”. Key characteristics of this area include multi-story buildings, a consistent building edge near the street, inviting ground floor facades, and a mix of architectural styles that emerged through Village history. The majority of businesses offer parking to the rear of their properties.

Within this zone is the Village Core-Civic area, located between Cayuga road and Ellicott Creek. This area is the heart of the Village and includes the Town and Village municipal buildings, Island Park, Glen Park, and the historic Williamsville Water Mill. The Village Core’s proximity to Glen Park, Island Park and Ellicott Creek provides a unique opportunity to reinforce the open space and also the commercial activity with enhanced connections to the parks. Pedestrian safety related to heavy through traffic along Main Street and parking are issues that need to be addressed as they are major reasons why retailers choose to leave the area. (*Amended 09-08-15; BCPA-2014-01*)

The final land use area extends from Evans Street/Garrison Road to Youngs Road and reflects a transitional mix of uses and forms from some of the tallest buildings in the Village to traditional and suburban forms approaching Youngs Road as shown on Map Figure 6-A. This includes some retail, residential, offices, and Williamsville South High Schools. At Youngs Road is the North Campus of Erie Community College, which potentially provides a student population to support retail services on Main Street given a better walking environment and mix of uses closer to campus.

A primary issue affecting Main Street is the physical design of the street itself and the traffic speeds it promotes. Discussions have been ongoing to address this problem by encouraging the New York State Thruway Authority and NYSDOT to study the development of improved capacity at a toll barrier along the I-90 and improved toll operations at Williamsville. In addition, physical alterations to Main Street could “calm” traffic, particularly through the Village core.

The Village has taken several steps toward maintaining and improving the character of these three zones and calming traffic along Main Street. (*Amended 09-08-15; BCPA-2014-01*)

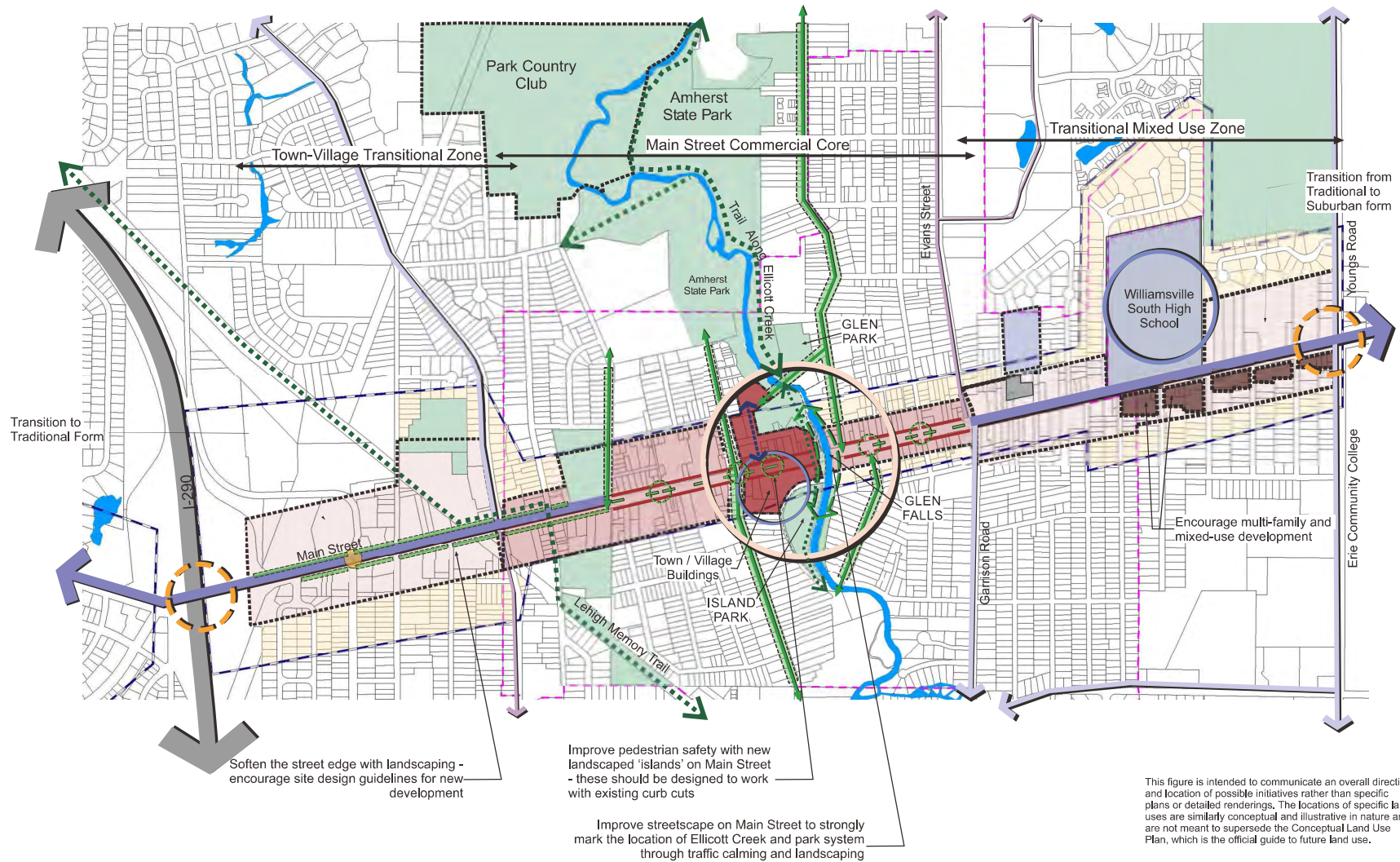
- In 2011 the Village adopted a new mixed-use zoning district for the Main Street corridor. The new district establishes a set of graphic standards to guide development of the corridor.
- In 2013 the Village began an initiative called Picture Main Street. Picture Main Street envisions a revitalized corridor that functions as the center of civic, business, and social life. The Picture Main initiative includes redevelopment of the Spring Street Corridor as the access to an improved and lively Water Mill district. (*Amended 09-08-15; BCPA-2014-01*)
- The Town, Village and Amherst Industrial Development Agency collaborated to complete the Main Street Corridor Market study in 2013. The Study indicates that the Village is poised for higher-density redevelopment over the next two decades; stressing the future market strength for housing and related commercial development.

10.6.2 Concept Plan and Strategies

Given the three distinctive character zones of Main Street, the concept for the Williamsville focal area is to strengthen Main Street as a backbone that connects different uses and developments while recognizing that each area has its own issues and opportunities for future development.

At the heart of the concept is to position Main Street as a destination for persons attracted by the village ambience and sense of place, “niche” shopping experiences, and restaurants. Connecting Ellicott Creek, Glen Park, Amherst State Park, and Island Park to Main Street is a key opportunity that will help to reinforce Main Street’s attractiveness. The bridge over the creek and adjacent uses provide the most obvious opportunities to “imprint” the park physically upon the character of the street, thus enhancing its distinctive character. This can be accomplished through landscaping; new and visible pathways that connect to the creek and parks; site design guidelines that ensure the sensitive layout of uses, parking, and loading; small plazas for sitting that provide space to take in the views; and changes in the texture of

The Williamsville concept plan seeks to ***strengthen Main Street as destination*** for persons attracted by its sense of place, while recognizing the difference between distinctive “character zones” along the street.

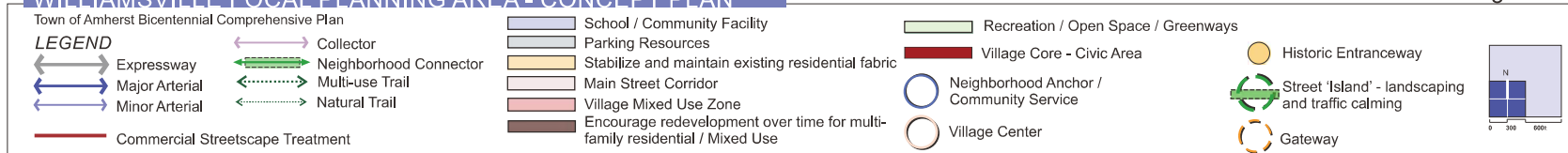


This figure is intended to communicate an overall direction and location of possible initiatives rather than specific plans or detailed renderings. The locations of specific land uses are similarly conceptual and illustrative in nature and are not meant to supersede the Conceptual Land Use Plan, which is the official guide to future land use.

WILLIAMSVILLE FOCAL PLANNING AREA - CONCEPT PLAN

May 2017

Figure 30





Neon Forest Circle, Longmont, Colorado
Multi-family development



Source: Parsons
Conceptual Main Street streetscape improvements



York, Pennsylvania
Small plaza



Troutdale, Oregon
Landscape buffer treatment
along auto-oriented street



Forest Park, St. Louis, Missouri
Landscape buffer treatment for auto-oriented portions of Main Street



Portland, Oregon
Streetscape enhancement:
planting, lamp and banners



Lake Oswego, Oregon
Outdoor seating on pedestrian-friendly street



Seaside, Oregon
Landscape buffer treatment



Millwaukee, Wisconsin
Water related space

Main Street itself through different paving to slow traffic in the area. These initiatives need not be limited to the Village core and the bridge over the creek. A consistent landscaping approach and signage system can conceptually extend the idea along the length of Main Street through traffic islands created to slow traffic, “bumpouts” at key intersections, and other streetscape improvements.

Although the emphasis should be focused on the Village core to retain and enhance its character, improvements are also warranted to the other zones to create a more consistent, pedestrian-friendly image along the length of the Main Street corridor. These improvements should include landscape improvements along the edges of automobile-oriented commercial uses to soften their edge at the street and improved pedestrian connections to Main Street through new trails and designated neighborhood streets.

Specifically, the concept plan for the Williamsville focal area includes the following initiatives and strategies (Figures 30 and 31):

- Improve the streetscape on Main Street and the bridge in the Village core to strongly mark the presence of the creek and park system. Bumpouts, small plazas, and improved pathways to the parks should be considered to enhance the potential for the area as a civic gathering space.
- Similar to the recommendations for traditional commercial areas in Eggertsville and Snyder, encourage traditional forms of commercial and mixed-use development/redevelopment. Appropriate site design guidelines should be established to address issues such as build-to lines, shared parking provisions, transition and landscaping requirements, signage, streetscape, lighting, and compatible architectural design.
- Create a cohesive village center focus around the Williamsville Water Mill (“Mill Village”). This concept includes a restored Water Mill to include public uses, appropriately-scaled redevelopment of the area surrounding the Mill and along Spring Street, and links to Glen Falls and Park, Island Park, and historic Main Street.
- Encourage shared parking in the Village core to increase the parking supply.
- Designate public parking lots and provide a signage and marketing system to guide shoppers to these locations. The lots potentially include the Township parking lot, lots surrounding Rock Street, the lot used for Glen Park at the base of Rock Street, and the lot just east of Evans Street on the north side of Main Street.
- Develop enhanced pedestrian connections along Rock Street between the parking lot, parks, and Main Street. A sidewalk, railing, lighting, and signage should be considered.
- Create guidelines for streetscape improvements and traffic calming measures along Main Street. These should include consideration of traffic “islands” that function as medians but

are not continuous, allowing opportunities for left turns into businesses while providing pedestrian refuges for safe crossings of Main Street. These features will also help to visually reduce the width of the roadway and contribute to slowing traffic.

- Revise local codes to encourage outdoor seating for restaurants.
- Encourage upper floor residential and office use above stores.
- Promote compatible infill development along Main Street and Spring Street with defined standards for building and parking locations; building height, scale, and mass; and streetscape treatment.
- Initiate physical improvements to the intersection of I-290 and Main Street as a gateway to Amherst and Main Street. Similarly, implement enhanced signage and lighting at Youngs Road and Evans/Garrison Road as entries to Williamsville and the Village core.
- Create design guidelines for the western zone along Main Street from I-290 to Los Robles/Grove Streets. These guidelines should address the location of buildings and parking, site layout, and landscaping requirements along the frontage to Main Street.
- Reinforce neighborhood connections to local amenities by improving key streets as “neighborhood connector streets.” These streets should receive priority consideration for tree planting and other improvements.
- Consolidate underutilized properties over time and encourage multi-family and appropriately scaled mixed-use development east of Evans Street along Main Street. This development should be planned to be sensitive to land uses adjacent to the Main Street corridor while reinforcing Williamsville as an activity center. Appropriate uses include upper floor residential above ground level stores and offices and residential buildings of a size and scale that fit into the local context. Guidelines should be created that encourage new development to be pulled towards the front property line with parking facilities located in the rear.

10.7 BOULEVARD CENTRAL DISTRICT (BCD)

(Amended 12-14-20; BCPA-2020-03)

10.7.1 Overview and Urban Design Analysis

Located in the western side of the Town and home to many of its largest commercial centers, the Boulevard Central District Focal Planning Area is bounded on the west by Niagara Falls Boulevard, on the north by Interstate 290 (I-290) and on the south by Sheridan Drive. The area has been designated as a Federal Opportunity Zone, and many of its non-residential land parcels

ERIE COUNTY HAZARD MITIGATION PLAN ((Excerpt)



Section 9.46: Village of Williamsville

9.46 Village of Williamsville

This section presents the jurisdictional annex for the Village of Williamsville. It includes resources and information to assist public and private sectors to reduce losses from future hazard events. This annex is not guidance of what to do when a disaster occurs. Rather, this annex concentrates on actions that can be implemented prior to a disaster to reduce or eliminate damage to property and people. This annex includes a general overview of the municipality and who in the village participated in the planning process; an assessment of the Village of Williamsville's risk and vulnerability; the different capabilities utilized in the village; and an action plan that will be implemented to achieve a more resilient community.

9.46.1 Hazard Mitigation Planning Team

The following individuals have been identified as the Village of Williamsville's hazard mitigation plan primary and alternate points of contact. The Village of Williamsville followed the planning process described in Section 3 (Planning Process) in Volume I of this plan update. This annex was developed over the course of several months with input from many village departments, including: Emergency Services and Public Works. The Director of Emergency Services represented the community on the Erie County Hazard Mitigation Plan Planning Partnership and supported the local planning process requirements by securing input from persons with specific knowledge to enhance the plan. All departments were asked to contribute to the annex development through reviewing and contributing to the capability assessment, reporting on the status of previously identified actions, and participating in action identification and prioritization.

The following table summarizes municipal officials that participated in the development of the annex and in what capacity. Additional documentation on the municipality's planning process through Planning Partnership meetings is included in Section 3 (Planning Process) and Appendix C (Meeting Documentation).

Table 9.46-1. Hazard Mitigation Planning Team

Primary Point of Contact	Alternate Point of Contact
Name/Title: James Zymanek, Amherst Emergency Services Address: 5565 Main Street, Williamsville, NY 14221 Phone Number: 716-839-6707 Email: jzymanek@apdny.org	Name/Title: Dominic Creamer, Amherst Emergency Services Address: 5565 Main Street, Williamsville, NY 14221 Phone Number: 716-839-6707 Email: dcreamers@apdny.org
NFIP Floodplain Administrator	
Name/Title: Tim Master, Code Enforcement Officer Address: 5565 Main Street, Williamsville, NY 14221 Phone Number: 716-570-2473 Email: Tmasters@village.williamsville.ny.us	
Additional Contributors	
Name/Title: Tim Bivonen, DPW Crew Chief Method of Participation: Provided capabilities information via worksheets	

9.46.2 Municipal Profile

The Village of Williamsville is in the northeast quadrant of Erie County. It is one square mile in size and lies mainly within the Town of Amherst with a small portion in the Town of Cheektowaga. Interstate 90 runs through the southern part of the village. The community developed where the major road between Batavia and Buffalo crossed Ellicott Creek. The available waterpower from the Creek attracted millers. The first mill was built by Jonas Williams in 1811. The village was named for Mr. Williams when the town incorporation in 1850. During the War of 1812, American troops stationed within the Village of Williamsville. Williamsville has several parks. Glen Park which offers views of Ellicott Creek as it falls over the Onondaga

