

# 9

# Parklands and Recreational Resources

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## Acronyms/Abbreviations

|           |                                  |
|-----------|----------------------------------|
| LWCF..... | Land and Water Conservation Fund |
| NPS ..... | National Park Service            |
| UB .....  | University at Buffalo            |

# 9 Parklands and Recreational Resources

This chapter describes the effect of the Proposed Action on recreation, parklands, and open space resources in the study area. Where adverse impacts are identified, the chapter recommends mitigation measures and strategies.

## 9.1 REGULATORY CONTEXT

Parklands are protected under Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 USC § 303, as amended). Section 4(f) prohibits the federal agencies from using land from publicly owned parks, recreation areas (including recreational trails), wildlife and water fowl refuges, or public and private historic properties, unless there is no feasible and prudent alternative to that use and the action includes all possible planning to minimize harm to the property resulting from such a use.

There are similar requirements for land acquired or developed under Section 6(f) of the Land and Water Conservation Fund (LWCF) Act of 1965 (16 USC 4601-4 to 4601-11, et seq.) and Section 110 of the Urban Parks and Recovery Act of 1978 (16 U.S.C. § 2501–2514).

Locally, open space preservation is a priority, as reported in the town of Amherst Bicentennial Comprehensive Plan. An open space system is conceived as an integral part of future land use in Amherst, and the plan identifies the following strategies to meet this vision:

- Designate a town-wide open space and greenway network through regulatory approaches, public acquisition, and private landowner conservation
- Encourage conservation development with incentives for the dedication of open space in private developments
- Initiate a public open space acquisition program consistent with the open space, recreation, and greenway network

Similarly, the Town of Tonawanda 2014 Comprehensive Plan identifies the important open space and recreation features of the community and provides recommendations towards the continued provision of parks and recreation services as well as protection of open spaces.

## 9.2 METHODOLOGY

Open spaces and recreational resources in this chapter are identified as publicly accessible areas that can be regularly utilized by the community—including during designated periods—for active or passive recreation. Publicly accessible open spaces can be under government control or owned by a private entity so long as public access to the property is allowed. Recreational resources that could potentially be affected by the Proposed Action include local, city, state, or federal parklands, trails,

school recreational areas and athletic fields, as well as recreational facilities that provide access to the public at no cost or for a nominal fee. Private open spaces not included in this analysis include residential yards and other facilities (such as health clubs or private schools) that are accessible to a limited population.

Parkland or other protected recreational resources identified within or bordering the study area are presented in this chapter. The information for parklands was compiled through internet research, site surveys, and use of maps and/or geographic information systems (GIS) databases provided by Erie County. The study area for assessing the impacts on parks, recreational land, and open space is the 1/4-mile radius on either side of the Proposed Action alignment and 1/2-mile radius around the proposed station locations. The resources within the study area were evaluated to determine direct or indirect impacts resulting from constructing or operating the Proposed Action.

To meet the federal regulations, resources were evaluated for Section 4(f) and Section 6(f).

A “use” of a Section 4(f) resource, as defined in 23 CFR 774.17, occurs when:

- Land is permanently incorporated into a transportation facility;
- There is a temporary occupancy of land that is adverse and does not meet the Section 4(f) conditions under 23 CFR 774.13(d); or
- There is a constructive use of a Section 4(f) resource.

This chapter addresses Section 4(f) related to public parks and recreation areas. Wildlife or waterfowl refuge areas were not identified within the study area. Publicly or privately-owned historic sites listed or eligible for listing on the National Register of Historic Places are addressed in Chapter 8, “Historic and Cultural Resources”.

Section 6(f) is included in the LWCF of 1965, which provides funds and matching grants to federal, state, and local governments to acquire land and water for recreational purposes. Section 6(f) states that those properties acquired or developed with LWCF funds will not be converted to a use other than public outdoor recreation without the approval of the U.S. Secretary of the Department of the Interior, acting through the National Park Service (NPS) and at the request of the state delegate/state liaison officer. Under the LWCF Act, if there is a conversion of a Section 6(f) resource (in whole, or in part), to a non-recreational use, replacement of the property is required.

### 9.3 EXISTING CONDITIONS

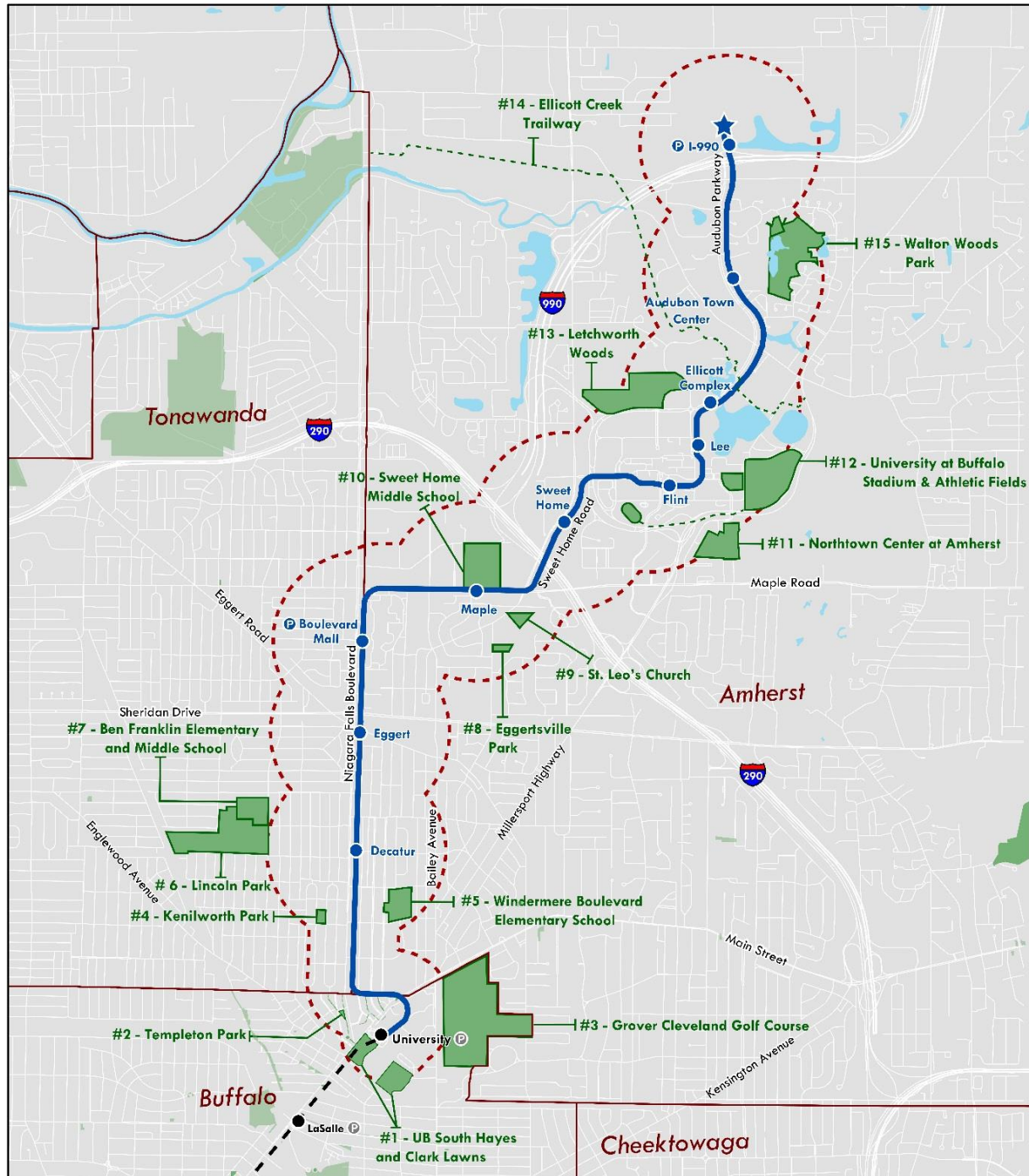
As shown in Figure 9-1, 15 parks, recreational lands, or open spaces are within the study area. Table 9-1 provides an inventory of the open spaces and recreational resources found within the study area, including the type, facilities, and owner/operator.

**Table 9-1. Parks, Recreation Areas, and Open Space within the Study Area**

| Map No. | Name  | Type                                     | City/Town | Owner / Operator                | Facilities  |
|---------|---|--|-----------|---------------------------------|---|
| 1       | University at Buffalo South Hayes and Clark Lawns | Lawns and athletic fields                | Buffalo   | University at Buffalo           | Athletic facilities   |
| 2       | Templeton Park                                    | Neighborhood park                        | Buffalo   | City of Buffalo                 | Grassy area   |
| 3       | Grover Cleveland Golf Course                      | Golf course                              | Buffalo   | Erie County                     | Golf course and facilities  |
| 4       | Kenilworth Park                                   | Neighborhood park                        | Tonawanda | Town of Tonawanda               | Playground and athletic facilities                                    |
| 5       | Windermere Boulevard Elementary School            | School and associated recreational areas | Amherst   | Amherst Central School District | Athletic facilities and playground                                    |
| 6       | Lincoln Park                                      | Neighborhood park                        | Tonawanda | Town of Tonawanda               | Pavilions, playground, athletic fields, walking trails, swimming pool |
| 7       | Ben Franklin Elementary and Middle School         | School and associated recreational areas | Tonawanda | Ken-Ton School District         | Athletic facilities   |
| 8       | Sweet Home Middle School                          | School and associated recreational areas | Amherst   | Sweet Home School District      | Athletic facilities   |
| 9       | Eggertsville Community Park                       | Neighborhood park                        | Amherst   | Town of Amherst                 | Playground, athletic facilities, and trail                            |
| 10      | St. Leo's Church                                  | Church and associated recreational areas | Amherst   | St. Leo's Church                | Athletic facilities   |
| 11      | Northtown Center at Amherst                       | Athletic complex                         | Amherst   | Northtown Center at Amherst     | Multipurpose sports facility (ice rink) and athletic fields           |
| 12      | University at Buffalo Stadium & Athletic Fields   | Campus facilities                        | Amherst   | University at Buffalo           | Stadium and athletic facilities                                       |
| 13      | Letchworth Woods                                  | Wooded area                              | Amherst   | University at Buffalo           | Wooded area   |
| 14      | Ellicott Creek Trailway                           | Trail                                    | Amherst   | Town of Amherst                 | Multi-use trail   |
| 15      | Walton Woods Park                                 | Wooded area                              | Amherst   | Town of Amherst                 | Wooded area and trail   |

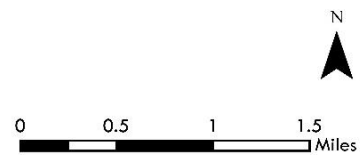
Source: WSP, 2019

**Figure 9-1. Parks, Recreation Areas, and Open Space within the Study Area**



**Metro Rail Expansion**

- Study Area
- Proposed Alignment
- Proposed Station
- Proposed Storage/Light Maintenance Facility
- Proposed Park & Ride
- Existing Station
- Existing Metro Rail Line
- City and Town Boundary
- Existing Park & Ride
- Parks and Open Space



Source: Erie County, 2019

### **9.3.1 UB South Hayes and Clark Lawns<sup>1</sup>**

The University at Buffalo (UB) South Hayes Lawn is at the entrance of the UB South campus along Main Street. This lawn contains no athletic facilities. The Clark Lawn along Rotary Road inside the campus contains three baseball fields.

### **9.3.2 Templeton Park**

Templeton Park is just west of the existing Metro Rail University Station and is bounded by Bellevue Avenue to the north, Larchmont Road to the east and south, and Radcliffe Road to the west. The park is a grassy triangle with trees.

### **9.3.3 Grover Cleveland Golf Course**

The Grover Cleveland Golf Course (located in Buffalo) is a 5,621-yard, par 69 course that is owned by Erie County. The golf course is the site of the original Country Club of Buffalo and was designed by two of the most famous golf architects of the early 20th century: Walter J. Travis and Donald Ross. The study area contains only a small portion of the course and is bounded by Main Street to the north, Eggert Road to the east, Lebrun Road to the south, and Bailey Avenue to the west.

### **9.3.4 Kenilworth Park**

Kenilworth Park is a neighborhood park bound by Lyndale Avenue on the west, Ford Avenue on the south, and Hawthorne Avenue on the east. The park contains playground equipment, an activities shed, and open space.

### **9.3.5 Windermere Boulevard Elementary School**

Windermere Boulevard Elementary School is located on Windermere Boulevard, between Niagara Falls Boulevard and Bailey Avenue, between Oxford Avenue and Cambridge Boulevard. The school grounds consist of a school building, playground, and tennis courts. The playground and tennis courts are open to the public.

### **9.3.6 Lincoln Park**

Lincoln Park is in Tonawanda and is bounded by Highland Avenue to the north, Parkhurst Boulevard to the east, Decatur Road to the south, and the Tonawanda Rail-to-Trail to the west. The park is within the proposed Decatur Station area and sits adjacent to the Ben Franklin Elementary and Middle School and Adams Athletic Field. The park contains baseball diamonds, benches, picnic and grill areas, playgrounds, walking trails, ice rink, pavilion, and swimming pool. The pavilion (on the east side of Lincoln Park Arena) is available for year-round rentals. The park recently received a Green Innovation Grant from the New York State Environmental Facilities Corporation, as well as additional funding from the New York State Department of Environmental Conservation and a Community Block Grant to implement stormwater management practices.

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<sup>1</sup> Numbers in parentheses correspond to the numbering in Figure 9-1.

### **9.3.7 Ben Franklin Elementary and Middle Schools**

The schools are within the proposed Decatur Station area and sit adjacent to Lincoln Park, fronting Parkhurst Boulevard. The schools contain a playground and athletic fields, including Adams Athletic Field.

### **9.3.8 Sweet Home Middle School**

Sweet Home Middle School is on the north side of Maple Road, west of Sweet Home Road. The school grounds consist of a school building and athletic facilities to the east and north of the school building, extending to Meyer Road. The athletic facilities, including little league fields, basketball courts, and a track are generally available to the public to use.

### **9.3.9 Eggerstville Community Park**

Eggerstville Community Park is located off Sweet Home Road south of Maple Road in Amherst. The park contains a basketball court, benches, playground, and a small pavilion. The park also provides a walking trail through a small natural wooded area that runs along Bizer Creek.

### **9.3.10 St. Leo's Church**

St. Leo's Church is located on the east side of Sweet Home Road, south of Maple Road in Amherst. The church property contains a Roman Catholic Church, a maintenance facility, a large parking lot, a baseball diamond, and a garden.

### **9.3.11 Northtown Center at Amherst**

The Northtown Center at Amherst is a multipurpose sports facility to the south of the UB North Campus. The center is bounded by Amherst Manor Drive to the north and west, Audubon Town Park to the east, and Maple Road to the south. The facility includes three National Hockey League regulation ice pads, one Olympic-size ice pad, a full-service pro shop, a restaurant, and a sports training facility. A softball field is in front of the center, adjacent to the parking lot off Amherst Manor Drive. Audubon Town Park, although not located within the study area, is a large open space and recreational resource to the east of the center.

### **9.3.12 UB North Athletic Facilities**

The UB North Campus has several athletic facilities:

- The Walter Kunz Stadium provides practice facilities for intramural activities, clubs, marching band, and team practices. The 4,000-seat stadium on the northwest side of the UB North Campus has an eight-lane, 400-meter running track that also features a steeplechase course with a water jump.
- The UB Stadium is the second facility on the UB North Campus and is used primarily for football, soccer, and track and field events, and is the home field of the Buffalo Bulls.
- Alumni Arena is an indoor gym used by UB athletic programs but is also available to the public for use.
- Other athletic fields throughout the UB North Campus are used by athletic programs, club teams, use by students, or are available for general public use.



### 9.3.13 Letchworth Woods

Letchworth Woods is a forested area associated with the UB North Campus that is largely inaccessible to the public but is used for academic excursions.

### 9.3.14 Ellicott Creek Trailway

Ellicott Creek Trailway is an asphalt path used for biking, walking, running, and rollerblading. The multi-use path travels along Ellicott Creek for 7 miles from Niagara Falls Boulevard and Irwin Place to North Forest Road and Maple Road. The trailway intersects the Proposed Action at Audubon Parkway and Frontier Road.

### 9.3.15 Walton Woods Park

Walton Woods Park is roughly bounded by residential streets associated with the Audubon Community. The park features a lake and several trails, including a 1.4-mile loop trail. The park is accessible year-round and offers several activity options, benches, a gazebo, wildlife watching, and an accessible paved path. Walton Woods Park was funded through the Land and Water Conservation Act and is therefore, considered a Section 6(f) resource.

## 9.4 FUTURE WITHOUT THE PROPOSED ACTION

As reported in section 9.2, open space preservation is a priority for both Amherst and Tonawanda.

The Amherst Bicentennial Comprehensive Plan identifies proposed multi-use trails in the study area. These include a trail connection from Cascade Drive and Sundridge Drive along the stub streets into the Sweet Home School District property to connect areas west of Sweet Home Road with Nature View Park. Over the long term, a park could be developed in this area. In addition, a new trail is proposed along Hopkins Road from Tonawanda Creek to the I-990. This trail would be integrated into a larger system that connects water features such as Tonawanda Creek, with a major element of the town-wide system along the north side of I-990. However, these are concepts with an undetermined date of implementation.

Impacts to open space resources were not identified within the study area under the No Action condition. The No Action condition would not adversely impact existing or planned parklands or recreational areas within the study area. However, the No Action condition would not provide for a shared-use path along Audubon Parkway. Thus, the No Action condition would not enhance or improve recreational opportunities in the study area.

## 9.5 PROPOSED ACTION

The Proposed Action would remain largely in the existing transportation right-of-way, except for some private properties, as described in Chapter 4, “Property Acquisitions and Displacements.” Under the Proposed Action, there would not be encroachment on parks, recreation areas, or open space resources. In addition, the Proposed Action would maintain a continued separation between the rail right-of-way and adjacent open space resources. It is anticipated that access to parks, recreation areas, and open spaces would remain as it is currently.

It is anticipated that the Proposed Action would have a positive effect on several park and recreational resources. The proximity of several proposed stations to existing park and recreational resources would provide increased access, specifically for pedestrians or bicyclists, to these facilities.

There would not be *direct* use of Section 4(f) park resources under the Proposed Action. Under Section 774.15, a *constructive* use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished.

As discussed above, the Proposed Action would not substantially impair the activities, features, or attributes of the parks adjacent to the corridor; therefore, there would not be constructive use of Section 4(f) park resources under the Proposed Action.

The Proposed Action would not result in the conversion of Walton Woods Park, a Section 6(f) park, to a non-recreational use. Therefore, replacement of the Section 6(f) property would not be required.

## **9.6 MITIGATION**

The Proposed Action would not result in adverse impacts to parklands and recreational resources. Therefore, mitigation is not required.