



TOWN OF HENRIETTA  
 APPLICATION TO TOWN BOARD  
 - SPECIAL USE PERMIT -

Appeal No. SP-2023-012  
 Date 3/21/23

TOWN OF HENRIETTA  
 County of Monroe • State of New York  
 475 Calkins Road, P.O. Box 999, Henrietta, N.Y. 14467  
 (585) 334-7700 • [www.henrietta.org](http://www.henrietta.org)

I (We) Brian McKinnon  
 Applicant

Business Name: East River Henrietta LLC

Contact Info: bmckinnon@christa.com [Redacted] [Redacted]  
 Email Phone Number

Business Address: 64 Commercial Street Suite 401, Rochester, NY 14614  
 No. & Street City State Zip Code

Property Owner: East River Henrietta LLC  
 Name Email

64 Commercial St, Suite 401 Rochester, NY 14614 [Redacted]  
 No. & Street City State Zip Code Phone Number

Hereby request from the Town Board for a Special Use Permit for the property located at:  
84, 85 and 135 Lehigh Station Rd. (NE/SE corners of E. River/Lehigh Station, Henrietta, NY 14586)  
 No. & Street City State Zip Code  
174.020-1-43; 174.04-1-21.1; 174.04-1-21.2 Industrial/MUEC  
 Tax Map No. Zoning District

If property is under a purchase option, indicate date option expires: N/A

Under the Zoning Ordinance, a Special Permit is requested pursuant to:

Article: IXA Section: 295 Subsection: 34.2 Paragraph: A of the Zoning Ordinance.

Description of Proposal: Special Use Permit Modification Required - for an alteration to a previously approved mixed use development concept plan. (SP-2021-017)

Multiple Dwelling Applications – Dwelling Units per Acre: North: 8.7 Units/Acre, South: 9.6 Units/Acre

Does this exceed allowed amount per Henrietta Code §295-13[E](1)(b)  Yes  No

Architect/Engineer: Chris Snyder / Passero Associates csnyder@passero.com  
 Name Email

242 W. Main St., Suite 100 Rochester, NY 14614  
 No. & Street City State Zip Code Phone Number

Signature of Owner or Leasee: [Signature]

NOTE: If signature is other than owner, written authorization from owner must accompany application.  
 Acceptance of this form is tentative and it will not be processed if incorrectly filed.

Signature of Agent: [Signature]

J. Fried 4/26/23 TBD  
 Received By Date of Meeting Time  
 (unless rescheduled)



TOWN OF HENRIETTA  
 APPLICATION TO TOWN BOARD  
 - SPECIAL USE PERMIT -

Appeal No. SP-2023-013  
 Date 3/21/22

TOWN OF HENRIETTA  
 County of Monroe • State of New York  
 475 Calkins Road, P.O. Box 999, Henrietta, N.Y. 14467  
 (585) 334-7700 • [www.henrietta.org](http://www.henrietta.org)

I (We) Brian McKinnon

Applicant

Business Name: East River Henrietta LLC

Contact Info: bmckinnon@christa.com

Email

Phone Number

Business Address: 64 Commercial Street Suite 401, Rochester, NY 14614

No. & Street

City

State

Zip Code

Property Owner: East River Henrietta LLC

Name

Email

64 Commercial St, Suite 401 Rochester, NY 14614

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Phone Number

Hereby request from the Town Board for a Special Use Permit for the property located at:

84, 85 and 135 Lehigh Station Rd. (NE/SE corners of E. River/Lehigh Station, Henrietta, NY 14586)

No. & Street

City

State

Zip Code

174.020-1-43; 174.04-1-21.1; 174.04-1-21.2

Industrial/MUEC

Tax Map No.

Zoning District

If property is under a purchase option, indicate date option expires: N/A

Under the Zoning Ordinance, a Special Permit is requested pursuant to:

Article: IXA Section: 295 Subsection: 34.3 Paragraph: C of the Zoning Ordinance.

Description of Proposal: Special Use Permit requesting approval of single family attached dwellings in an industrial/MUEC District. Attached single family dwellings are identified on the Mixed-Use Overlay Component Use Table as an "S" requiring an additional special use permit.

Multiple Dwelling Applications – Dwelling Units per Acre: North: 8.7 Units/Acre, South: 9.6 Units/Acre

Does this exceed allowed amount per Henrietta Code §295-13[E](1)(b)  Yes  No

Architect/Engineer: Chris Snyder / Passero Associates csnyder@passero.com

Name

Email

242 W. Main St., Suite 100 Rochester, NY 14614

No. & Street

City

State

Zip Code

Phone Number

Signature of Owner or Leasee: 

NOTE: If signature is other than owner, written authorization from owner must accompany application. Acceptance of this form is tentative and it will not be processed if incorrectly filed.

Signature of Agent: 



Received By

4/26/23

Date of Meeting  
(unless rescheduled)

TBD

Time

**Statement of Applicant and Owner with Respect to Reimbursement  
of Professional and Consulting Fees**

In conjunction with an application made to the Town of Henrietta, the undersigned states, represents and warrants the following:

- 1) I/We am/are the applicant and owner with respect to an application to the Town of Henrietta.
- 2) I/We have been advised of, are aware of and agree to comply with the obligation to reimburse the Town of Henrietta for any and all professional and consulting fees incurred by the Town in conjunction with this and any other applications by me/us, including but not limited to engineering and/or legal fees, all as more fully set forth in the Henrietta Town Code.
- 3) I/We have been provided with, or have otherwise reviewed the Henrietta Town Code provisions related to the obligation to reimburse the Town with respect to professional and consulting fees, and agree to comply with the same.
- 4) I/We understand that this obligation shall not be dependent upon the approval or success of the application.
- 5) I/We further agree that in the event the Town of Henrietta is required to refer for collection an outstanding debt for such professional and/or consulting fees due to the Town of Henrietta, I/we shall be obligated to pay the reasonable attorney's fees incurred as a result of the Town's efforts to collect such fees. Reasonable attorney's fees shall also include any and all disbursements that may result from the commencement of litigation.
- 6) Each party to the application, including the applicant and the owner, shall be jointly and severally liable for all consulting and professional fees and expenses incurred in conjunction with the application.

Applicant: East River Henrietta LLC

By: Brian McKinnon

Title: Agent for

Dated: March 20, 2023

Signed: 

Owner: East River Henrietta LLC

By: David Christa

Title: Manager

Dated: March 20, 2023

Signed: 



March 20, 2023

Town of Henrietta  
Attn: Supervisor Schultz/Town Board  
475 Calkins Road  
Henrietta, NY 14467

**Re: Lehigh Station South  
84, 85 and 135 Lehigh Station Road (174.020-1-43; 174.04-1-21.1; 174.04-1-21.2)  
Letter of Intent – Request for Special Use Permits  
Zoning: Industrial/Mixed-Use Employment Center Overlay District (MUEC)**

Dear Supervisor Schultz and Members of the Board:

On behalf of our client, East River Henrietta LLC, we respectfully submit the attached materials for consideration of a two (2) Special Use Permits, as listed below:

1. The alteration of a previously approved mixed use development concept plan, in accordance with §295-34.2C, and;
2. The proposal of attached single-family dwellings, a specially permitted use in the MUEC Zoning District in accordance with tables in Appendix A, 295 Attachment 1, §295-34.3C.

We request the Town Board declare their intent to serve as lead agency at its March 22<sup>nd</sup> Board meeting, with the public hearing being held at the April 26, 2023, Board meeting.

### **Proposal**

The proposed project includes 58.48 acres on the northwest side of Lehigh Station and East River Road, and 78.52 acres on the southwest side for a total of 137 acres. A Special Use Permit was previously approved for residential development on the north side and  $\pm$ 500,000 SF of Industrial development on the south side of Lehigh Station Road. We are requesting a new Special Use permit to modify the approval by replacing a portion of the Industrial use area on the south side with residential space consisting of  $\pm$ 236 single family attached dwellings. The northern portion of the site has been developed in accordance with previous approvals. This project meets all the mixed-use overlay requirements, including but not limited to buffer, greenspace, and parking regulations, throughout the development.

### **Comprehensive Plan**

The proposal to add additional single family attached dwellings on the south side of Lehigh Station Road is consistent with the 2003 Town of Henrietta Comprehensive Plan (“Plan”), and all subsequent updates to the plan. The additional residential development on the south side complements the existing residential development on the north side of Lehigh Station, which is consistent with the character of the surrounding neighborhood centered on East River Road. The creation of the mixed-use overlay district follows the first smart growth principle outlined in the Plan which states to mix land uses. The proposed change to this

project better aligns with the character of the mixed-use overlay district which requires specific percentages of industrial, commercial, residential, and civic spaces for new developments. The proposed development plan with inclusion of residential units on the south side, therefore, is more consistent with the Comprehensive Plan.

### **Code Compliance**

The replacement of a portion of the industrial land use area for residential development on the south side of Lehigh Station Road still complies with the factors used in evaluating the previously approved Special Use Permit. Letters A-I in §295-54 of the Town of Henrietta Zoning Code were addressed in that approval and do not change significantly in this proposal. Since the previous Special Use Permit was issued, the town has made changes to §295-34.4 of the Zoning Code, April 2022, which specifies mixed-use overlay district density shall be calculated based on the number of dwelling units per usable acreage that is not constrained from development by cultural or natural features such as wetlands, steep slopes greater than 15%, and floodplains. To meet this new section of the code, the recalculated density on the north side of Lehigh Station Road is 8.7 units/acre and the proposed density on the south side is 9.6 units/acre; where 8 units/acre are permitted in the MUEC. This update is also reflected in the updated site plan.

### **Conclusion**

We are requesting a special use permit for the single family attached residential development in the industrial/MUEC district. A new full environmental assessment form is being provided with updated trip generation information, as well as water and sewer demand calculations. These calculations reveal that the project changes do not exceed the existing capacities of the street network, water system or sewer system, respectively, nor does it create any significant environmental impacts.

In support of our request, attached please find:

- (14) Letter of Intent
- (14) Special Use Permit Application
- (14) Owner Authorization Letter
- (14) Trip Generation Letter
- (14) Site Plans
- (14) Full Environmental Assessment Form (FEAF)
- (1) Check for \$150.00 Fee
- (1) Check for \$75.00 Fee
- (1) Electronic Copy of Application

If you have any questions or require additional information regarding this matter, please do not hesitate to contact me at any time at (585) 325-1000. Thank you for your consideration.

Sincerely,



Jess Sudol, PE  
President, Passero Associates

March 13, 2023

Town Planning and Zoning Department  
Town of Henrietta

**Re: Lehigh Station South**

To whom it may concern:

I, **Brian McKinnon, as agent for** \_\_\_\_\_ owner/manager of subject property at Lehigh Station Road give permission and consent to Passero Associates to make the necessary applications to all Town Boards (Planning & Zoning), Permits and Approvals on my behalf for the above project.

Thank you.

  
\_\_\_\_\_  
Signature

**Brian McKinnon**  
\_\_\_\_\_  
Print Name

**03/15/23**  
\_\_\_\_\_  
Date

March 17, 2023

Town Planning and Zoning Department  
Town of Henrietta

**Re: Lehigh Station South**

To whom it may concern:

I, David Christa owner/manager of subject property at Lehigh Station Road give permission and consent to Passero Associates and Brian McKinnon (as agent) to make the necessary applications to all Town Boards (Planning & Zoning), Permits and Approvals on my behalf for the above project.

Thank you.



---

Signature

**David Christa**

Print Name

**03/17/23**

Date



## Traffic Analysis

The purpose of this letter is to provide a trip generation assessment related to the proposed project consisting of ±352 apartment units, 236 single family lots and ±300,000 SF of Industrial buildings to be located at the 84, 85, and 135 Lehigh Station Road.

A Traffic Impact Study was performed by McFarland Johnson dated November 10, 2020 analyzing the same project area. At that time, the project scope consisted of 325 residential units and 500,000 SF of Industrial buildings.

### Proposed Development

Data contained in Trip Generation, 11th Edition, published by the Institute of Transportation Engineers (ITE) was used to project the volume of traffic generated by the proposed development. Data published by the ITE is the nationally accepted standard for generating trips for new uses. Table I summarizes the volume of projected site trips during the weekday AM and PM peak hours.

### PROPOSED TRIP GENERATION

LEHIGH NORTH RESIDENTIAL						
Dependent Factor (X):	Independent Factor (X=Dwelling Units) (X=352)					
	Rate/Formula	Total	Enter		Exit	
AM Peak Hour:	$T = 0.44(X) - 11.61$	130	30	23%	100	77%
PM Peak Hour:	$T = 0.39(X) + 0.34$	138	84	61%	54	39%

LEHIGH SOUTH RESIDENTIAL						
Dependent Factor (X):	Independent Factor (X=Dwelling Units) (X=236)					
	Rate/Formula	Total	Enter		Exit	
AM Peak Hour:	$T = 0.44(X) - 11.61$	92	21	23%	71	77%
PM Peak Hour:	$T = 0.39(X) + 0.34$	92	56	61%	36	39%

LEHIGH SOUTH INDUSTRIAL						
ITE Use:	ITE CODE 130 - General Light Industrial					
Dependent Factor (X):	Independent Factor (X=1000 Sq. Ft. GFA) (X=300)					
	Rate/Formula	Total	Enter		Exit	
AM Peak Hour:	$T = 0.68(X) + 3.81$	102	83	81%	19	19%
PM Peak Hour:	$\ln(T) = 0.72 \ln(X) + 0.38$	102	22	22%	80	78%



The table below compares the proposed 2023 Trip Generations to those developed in the McFarland Johnson Traffic Impact Study, dated November 10, 2020.

**PROPOSED TRIP GENERATION COMPARISON**

	AM Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
2023 Proposed	134	190	324	162	170	332
November 10, 2020 TIS	192	125	317	129	214	343
Trip Gen Difference	-58	65	7	33	-44	-11

Using the AM and PM trip generations from the tables above, a summary of estimated trip distributions to East River Road can be found in the table below. Trip distribution percentages were used from the McFarland Johnson TIS.

**PROPOSED TRIP DISTRIBUTION**

LEHIGH SOUTH RESIDENTIAL TRIP DISTRIBUTION TO EAST RIVER ROAD						
	AM			PM		
	DIST.	Total	% Total	DIST.	Total	% Total
Entering	60%	21	13	60%	56	34
Exiting	60%	71	43	60%	36	22
Total		92	56		92	56

**Conclusions**

While there is minor variation in the projected AM and PM Peak Hour site generated traffic based on the proposed land use modifications, the total trips generated remains similar to those proposed by the previously submitted November 2020 TIS. Given these considerations, no further study is warranted or recommended.

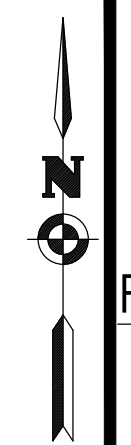
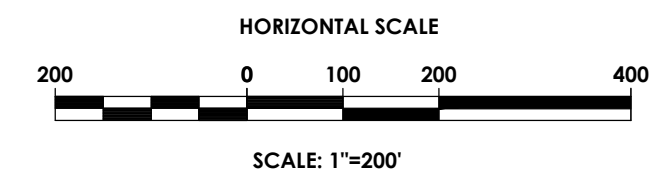
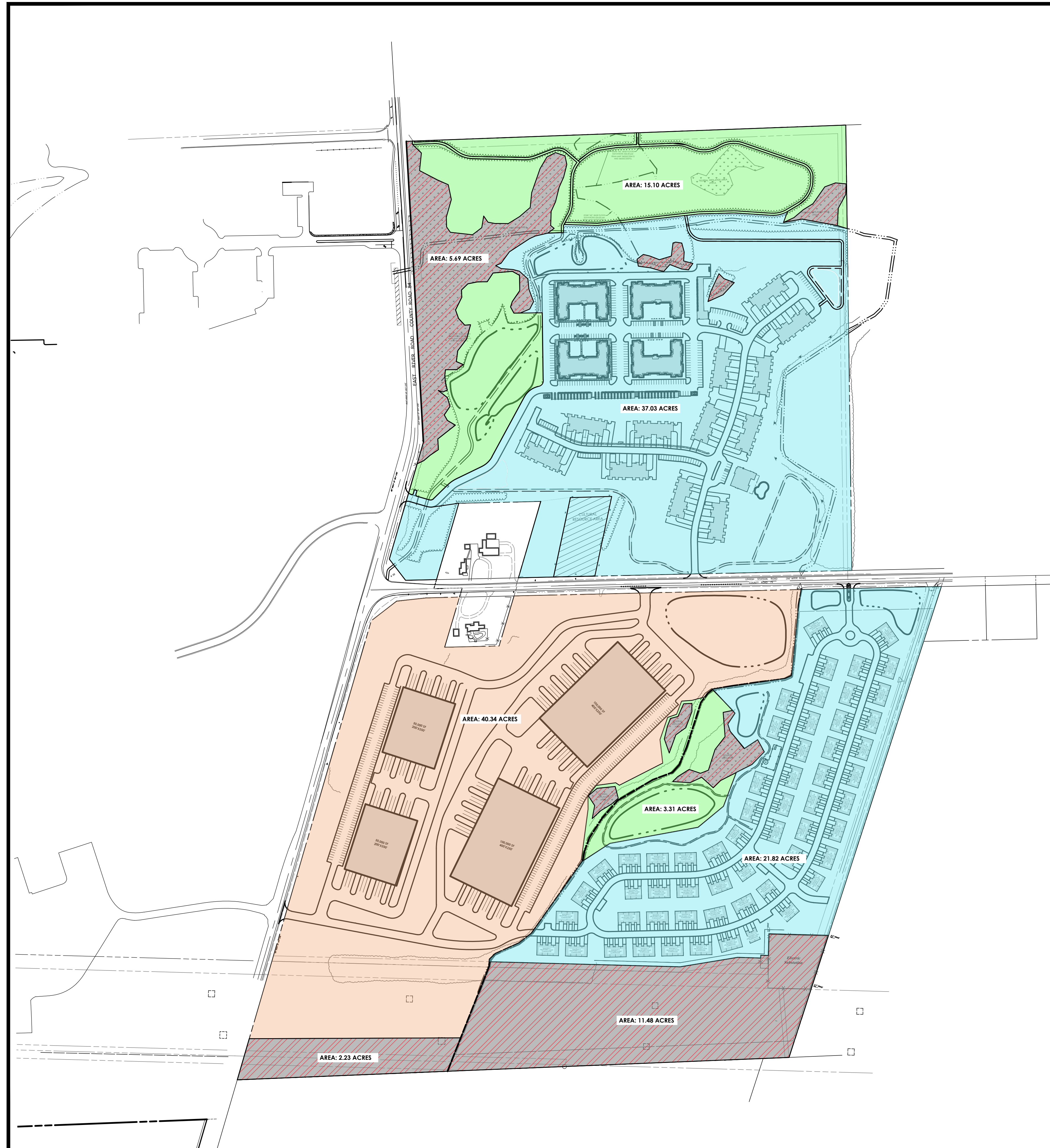
If you have any questions or are in need of additional information, please do not hesitate to contact our office.

Sincerely,

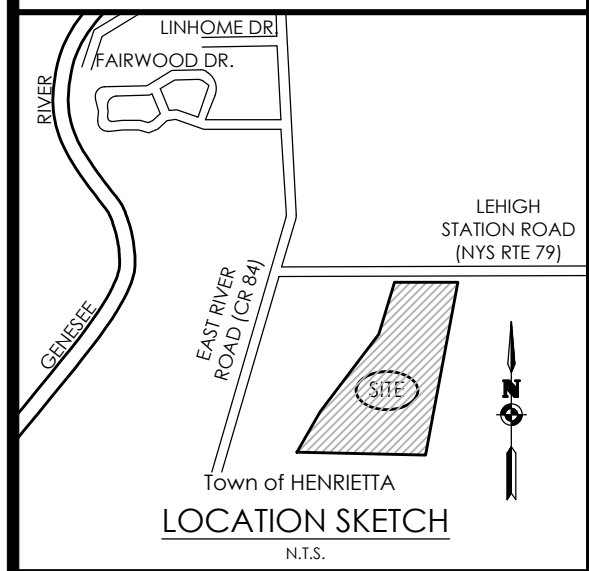


Andrew Burns  
Senior Project Engineer





MIXED USE EMPLOYMENT OVERLAY DISTRICT LAND USE REQUIREMENTS				
	REQUIRED (%)	REQUIRED ACERAGE (BASED ON 137 AC - UNUSABLE AREA AC)	PROVIDED (%)	PROVIDED ACERAGE (BASED ON 137 AC - UNUSABLE AREA AC)
INDUSTRIAL	30% MIN	35.28 ACRES	34.35%	40.39 ACRES
	70% MAX	82.32 ACRES		
COMMERCIAL	0% MIN	0 ACRES	N/A	N/A
	20% MAX	23.52 ACRES		
RESIDENTIAL	20% MIN	23.52 ACRES	50.00%	58.80 ACRES
	50% MAX	58.80 ACRES		
CIVIC SPACE	10% MIN	11.76 ACRES	15.65%	18.41 ACRES
	30% MAX	35.28 ACRES		
UNUSABLE	N/A	N/A	N/A	19.40 ACRES



Client:  
**COMMERCIAL STREET PARTNERS**  
 COMMERCIAL STREET SUITE 401  
 ROCHESTER, NY, 14614

**PASSERO ASSOCIATES**  
 242 West Main Street Suite 100  
 Rochester, New York 14614  
 (585) 323-1000  
 Fax: (585) 325-1691  
 Principal-in-Charge: Jess D. Sudol, PE  
 Project Manager: Andrew Burns, EIT  
 Designed by: Briana Mitchell

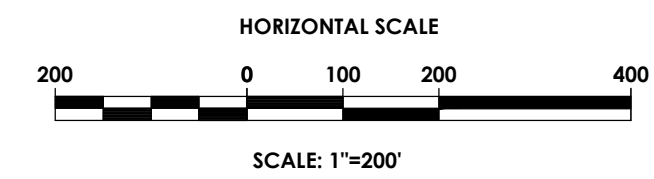


Revisions		
No.	Date	Description
1	04/24/23	SK LAND USE REVISION
2	05/02/23	SK UNIT DENSITY REVISION

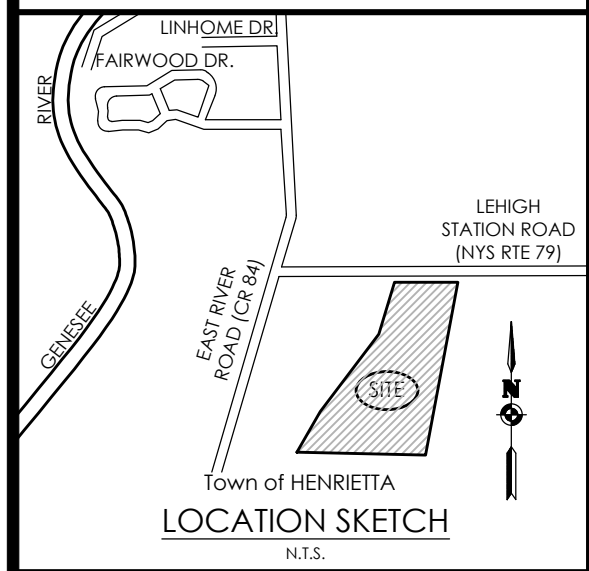
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**OVERALL SITE PLAN**  
 LEHIGH STATION &  
 EAST RIVER INDUSTRIAL  
 BEING PART OF TOWN LOTS 1 & 2, SECTION 13,  
 TOWNSHIP 14, RANGE 4, PHELPS & GORHAM PURCHASE  
 Town/City: HENRIETTA  
 County: MONROE State: NEW YORK

Project No:  
**20192793.0007**  
 Drawing No. C 101 Sheet No. 1  
 Scale: 1" = 200'  
 Date: APRIL 2023



- 1 **PHASE 1:**  
**±350 APARTMENTS**  
**(CURRENTLY IN CONSTRUCTION)**
- 2 **PHASE 2:**  
**±68 TOWNHOME UNITS**  
**(YEAR 1-2)**
- 3 **PHASE 3:**  
**±51 TOWNHOME UNITS**  
**(YEAR 2-3)**
- 4 **PHASE 4:**  
**±105 TOWNHOME UNITS**  
**(YEAR 3-4)**
- 5 **PHASE 5:**  
**±300,000 SF OF INDUSTRIAL SPACE**  
**(TBD)**



Client:  
 COMMERCIAL STREET PARTNERS  
 COMMERCIAL STREET SUITE 401  
 ROCHESTER, NY, 14614

**PASSERO ASSOCIATES**  
 242 West Main Street Suite 100 (585) 325-1000  
 Rochester, New York 14614 Fax: (585) 325-1891  
 Principal-in-Charge Jess D. Sudol, PE  
 Project Manager Andrew Burns, EIT  
 Designed by Briana Mitchell



Revisions			
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1	04/24/23	SK	LAND USE REVISION
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**PHASING PLAN**

**LEHIGH STATION & EAST RIVER INDUSTRIAL**  
 BEING PART OF TOWN LOTS 1 & 2, SECTION 13,  
 TOWNSHIP 14, RANGE 4, PHELPS & GORHAM PURCHASE  
 Town/City: HENRIETTA  
 County: MONROE State: NEW YORK

Project No.  
**20192793.0007**


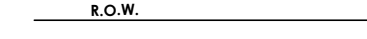
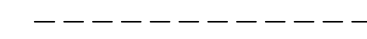

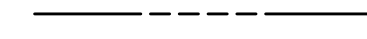
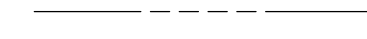


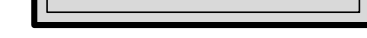
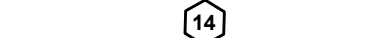




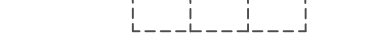






Drawing No. <b>C 101</b>	Sheet No. <b>1</b>
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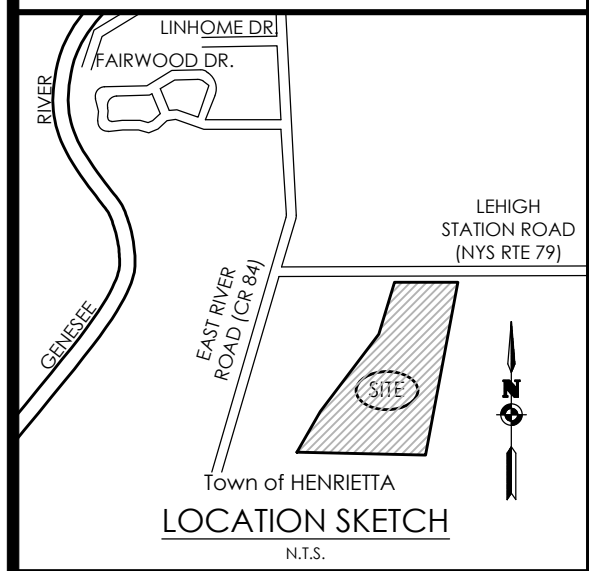
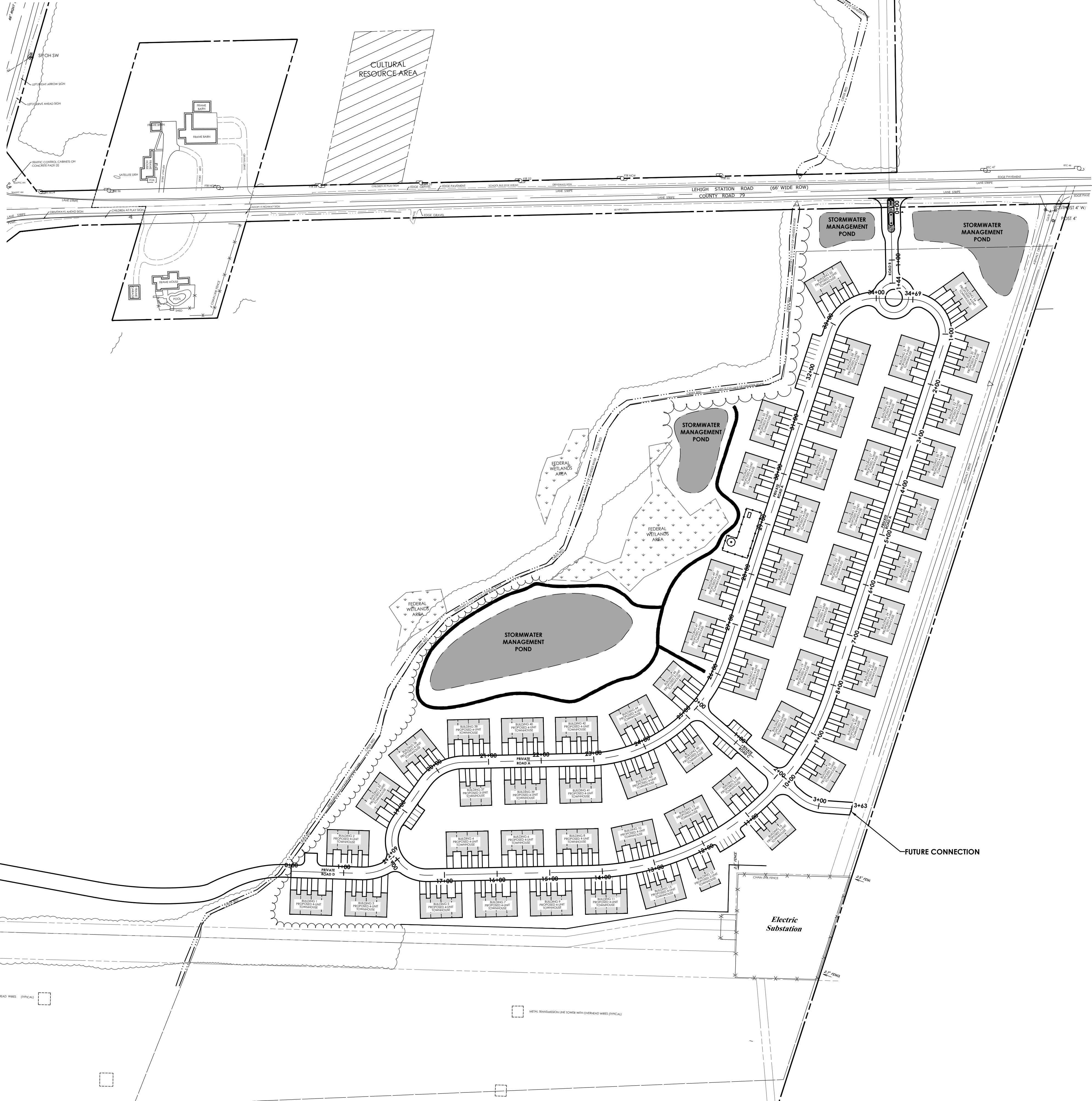
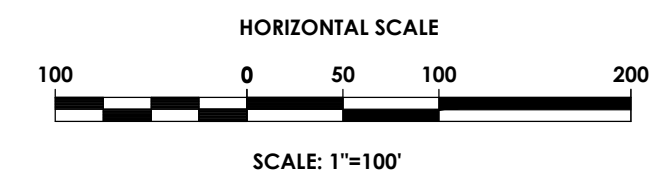
Scale:  
**1" = 200'**

Date  
**APRIL 2023**



LEGEND - SITE:

-  PROPERTY BOUNDARY
-  E.O.W. RIGHT OF WAY
-  EXISTING CENTER LINE ROAD
-  SETBACK
-  PROPOSED EASEMENT LINE
-  EXISTING EASEMENT LINE
-  EXISTING BUILDING
-  PROPOSED BUILDING
-  PROPOSED PARKING COUNT
-  PROPOSED ACCESS RAMP
-  PROPOSED LAND BANKED PARKING
-  PROPOSED PAVEMENT STRIPING
-  PROPOSED CURB
-  PROPOSED SIGN
-  EXISTING SIGN
-  PROPOSED LIGHT POLE
-  PROPOSED FENCE
-  PROPOSED BUILDING MOUNTED LIGHT
-  PROPOSED STONE DUST TRAIL
-  PROPOSED ASPHALT TRAIL
-  EXISTING CREEK BED



Client:  
COMMERCIAL STREET PARTNERS  
COMMERCIAL STREET SUITE 401  
ROCHESTER, NY, 14614

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**OVERALL SITE PLAN**

**LEHIGH STATION & EAST RIVER INDUSTRIAL**  
BEING PART OF TOWN LOTS 1 & 2, SECTION 13,  
TOWNSHIP 14, RANGE 4, PHELPS & GORHAM PURCHASE  
Town/City: HENRIETTA  
County: MONROE State: NEW YORK

Project No. <b>20192793.0007</b>	
Drawing No. <b>C 102</b>	Sheet No. <b>2</b>
Scale: <b>1" = 100'</b>	
Date: <b>APRIL 2023</b>	

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Lehigh Mixed-Use Development		
Project Location (describe, and attach a general location map): 84 Lehigh Station (174.02-1-43), 85 Lehigh Station (174.04-1-21.1), and 135 Lehigh Station Road (174.04-1-21.2); NE/SE corner E. River Road		
Brief Description of Proposed Action (include purpose or need): The proposal is to construct a mixed-use development including multifamily dwellings, townhouses, and commercial/industrial buildings of three properties totaling 137 +/- acres. The proposed project consists of ± 236 single family lots, ±352 apartment units, and ±300,000 SF of Industrial space to be located at the northeast and southeast corner of Lehigh Station Road and East River Road. A Special Use Permit was previously approved for ±500,000 SF of Industrial space on the south side of Lehigh Station Road. We are requesting a new Special Use permit to modify the approval by replacing some Industrial Space on the south side with an additional residential area on the southern side of Lehigh Station Road with ±236 single family dwellings. The northern portion of the site has not changed any of the previously proposed land uses. Since the original approval, the Town has implemented additional zoning regulations that include a mixed-use overlay. This project meets all the mixed-use overlay requirements, including but not limited to buffer, greenspace, and parking regulations, throughout the development. The project includes new roadways, sidewalks, trails, public water, sanitary sewers, pump station, and storm water management areas. The federal wetlands on both parcels will not be disturbed, and an existing Cultural Resource Area on the north side of Lehigh Station Road will be protected.		
Name of Applicant/Sponsor: East River Henrietta LLC		Telephone: [REDACTED]
		E-Mail: bmckinnon@christa.com
Address: 64 Commercial Street Suite 401		
City/PO: Rochester	State: NY	Zip Code: 14614
Project Contact (if not same as sponsor; give name and title/role): Jess Sudol, P.E., Passero Associates		Telephone: [REDACTED]
		E-Mail: jsudol@passero.com
Address: 242 West Main Street, Suite 100		
City/PO: Rochester	State: NY	Zip Code: 14614
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board - SUP	03/17/2023
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board - Site Plan Approval	May 2023
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	MCDOT, MCWA, MCDPH, MCPW - approval of road access, public water and sanitary services	May 2023
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

NYS Heritage Areas: West Erie Canal Corridor  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Mixed-Use Employment Center Overlay District

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Rush-Henrietta Central School District

b. What police or other public protection forces serve the project site?  
Monroe County Sheriff's Office and New York State Police

c. Which fire protection and emergency medical services serve the project site?  
Henrietta Fire District, CHS Mobile Integrated Healthcare

d. What parks serve the project site?  
Brookdale Preserve, Veteran's Memorial Park, Empire United Soccer Complex

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Mixed-Use Residential, Industrial, Civic Space

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 137 acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ 85 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 137 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
Residential/Industrial

ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? 237  
iv. Minimum and maximum proposed lot sizes? Minimum 0.1 ac (res.) Maximum 44 ac (ind.)

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_ 3  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ 8 month 2023 year  
• Anticipated completion date of final phase \_\_\_\_\_ 12 month 2024 year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

Utilities and stormwater management areas will be constructed during the initial phase. Construction activities will be conducted in a manner acceptable to the Town and thus will be of minimal disruption to the community. Further, the project site is in a developing area with ambient sounds/noise from vehicles traversing local roads.



f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	352
At completion of all phases	236	_____	_____	352

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures 4

ii. Dimensions (in feet) of largest proposed structure: 40 height; 250' width; and 400' length

iii. Approximate extent of building space to be heated or cooled: 300,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: Storm water management areas

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: +/- 7.5 acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
Earth Fill

## D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes: \_\_\_\_\_

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes: \_\_\_\_\_

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 96,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes: \_\_\_\_\_

- Name of district or service area: Town of Henrietta Water District Extension #2
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes: \_\_\_\_\_

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes: \_\_\_\_\_

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes: \_\_\_\_\_

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 96,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

Sanitary Wastewater/Industrial

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes: \_\_\_\_\_

- Name of wastewater treatment plant to be used: Monroe County Purewaters
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 Sanitary sewer and pump station will be construct on site to serve the proposed use \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_  
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 46.10 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 137 acres (parcel size)  
 ii. Describe types of new point sources, culvert end sections connected to stormwater management facility outlet structures  
 \_\_\_\_\_  
 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 Runoff will be captured in new catch basins, grass lined swales, etc., and will be directed to new stormwater management facilities where it will be detained an released under control to the existing drainage paths  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No  
 iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ 0 \_\_\_\_\_ Proposed +/-3,000 Net increase/decrease +/-3000

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:  
 New internal roadways and ingress/egress points to Lehigh Station & East River Roads are proposed.

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 To be determined

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):  
 Local Utility

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 AM - 4 PM _____</li> <li>• Saturday: _____ 7 AM - 4 PM _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations: <span style="color: red;">Residential</span></p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 24/7 _____</li> <li>• Saturday: _____ 24/7 _____</li> <li>• Sunday: _____ 24/7 _____</li> <li>• Holidays: _____ 24/7 _____</li> </ul>
--	--

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 Sources of noise include the operation of heavy equipment, and noise from sawing, concrete mixing, and interior demolition. These noises will temporary, and will occur only during construction hours. Construction related noise will cease after the construction of the building and site.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

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n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 Low-voltage architectural lighting, entrance lighting, and parking lot lighting fixtures are included in this development. All lighting will be cast downward and will be dark-sky compliant.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 The site is located in an area zoned industrial but used agriculturally.  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Coverture	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	46.1	+46.1
• Forested	26.38	7.52	-18.86
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	101	66.26	-34.74
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	1.02	8.52	+7.5
• Wetlands (freshwater or tidal)	8.6	8.6	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ >7 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Odessa Silt Loam	_____	_____	35 %
Ontario Loam	_____	_____	25 %
Churchville Silt Loam	_____	_____	10 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ +/-1.5 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 40 % of site  
 Moderately Well Drained: \_\_\_\_\_ 7 % of site  
 Poorly Drained \_\_\_\_\_ 53 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 67.4 % of site  
 10-15%: \_\_\_\_\_ 29.8 % of site  
 15% or greater: \_\_\_\_\_ 2.8 % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 821-62 Classification C
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_



<p>m. Identify the predominant wildlife species that occupy or use the project site:</p>		
Deer _____	Various Bird Species _____	Woodchucks _____
Squirrels _____	Foxes _____	Rabbits _____
Raccoons _____	Chipmunks _____	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>		
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>		
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>		
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>		
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>		
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: <u>MONRcn6</u></p>		
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>		
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>		
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: Eligible property: McNall-Howlett Farm, Eligible property: McNall-Caswell House

iii. Brief description of attributes on which listing is based:  
 McNall-Howlett Farmstead - Archeo & Historic Site based on rural heritage of the Genesee River Valley

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No  
 84 Lehigh Station

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: NYS Erie Canal, National Register in 2014, Designated a National Historic Landmark in 2017

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): NYS Canal System nationally sign. work of the early 20th century affected transportation and maritime commerce for nearly half a century

iii. Distance between project and resource: \_\_\_\_\_ +/- 4 miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

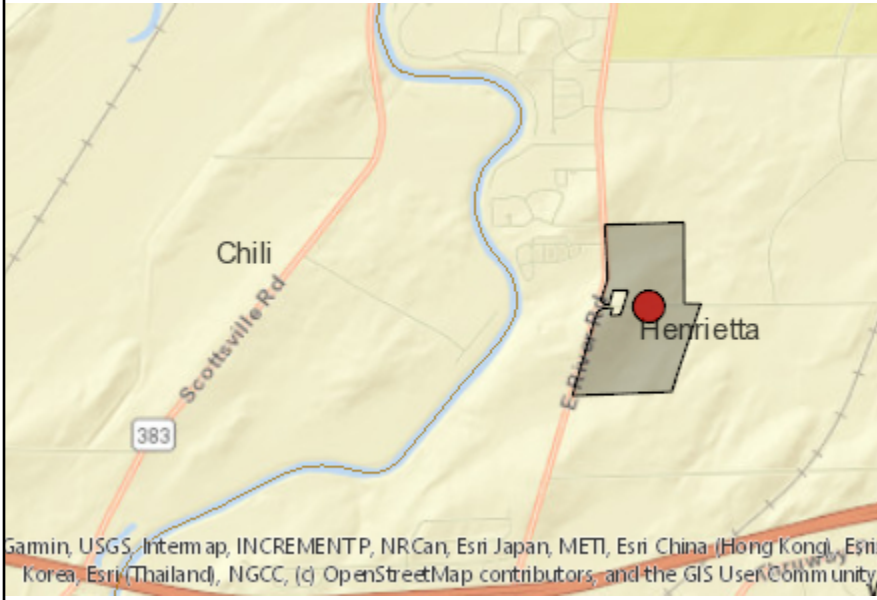
**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name East River Henrietta LLC Date 03/15/2023

Signature Jess Sudol Title President, Passero Associates

Jess Sudol, P.E., as Agent for East River Henrietta LLC



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	821-62
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes

E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	MONRcn6
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:McNall-Howlett Farm, Eligible property:McNall-Caswell House
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No