

AS ACTED UPON DURING A DULY NOTICED OPEN MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL AT 475 CALKINS ROAD, HENRIETTA, NEW YORK ON FEBRUARY 12, 2020 AT 7:00 P.M.

RESOLUTION #4-75/2020 To Issue Negative Declaration and Accept SEQR Determination for UR Medicine Orthopaedics & Physical Performance Center.

On Motion of
Councilwoman Sefranek

Seconded by
Councilman Stafford

WHEREAS, an application was filed with the Town of Henrietta, including revised application materials dated January 31, 2020, by The Marketplace, a New York Limited Partnership (the "Applicant") with respect to its property at or about 10 Miracle Mile Drive, at or about the Marketplace Mall, primarily but not solely concerning the area commonly known as the former Sears Building, Tax Map ID Nos. 161.12-01-1.1/C, 161.12-1-1.1/B, and 161.12-1-1.11 (the "Property"), seeking a Special Use Permit pursuant to Section 295-14[B](6) of the Henrietta Town Code to allow redevelopment at the Property for the purposes of operation of a medical center to be known as "UR Medicine and Orthopaedics & Physical Performance Center," consisting of approximately 480,000 SF at full build out (the "Project"), all as more specifically depicted in the Application and associated Concept Plan submitted with such Application (the "Concept Plan"), and

WHEREAS, the Applicant further requests Special Use Permit approval pursuant to Section 295-18 to allow the height of the proposed Project to be +/- 115 feet in height, and

WHEREAS, the applicant further requests an allowance for remote parking pursuant to the Code at Section 295-44[B], and

WHEREAS, approvals will also likely be needed by the Planning Board for site plan and subdivision approval, and

WHEREAS, the Project is subject to the State Environmental Quality Review Act ("SEQR"), constituting a Type 1 Action, and

WHEREAS, the Henrietta Town Board has previously declared its intent to serve as Lead Agency for purposes of environmental review of the Project pursuant to SEQR and, 30 days having passed and no objections being received thereto, is the Lead Agency, and

WHEREAS, the Henrietta Town Board has carefully considered all relevant information submitted and collected in relation to the Project, including but not limited to the application materials, information provided by Town consultants, testimony provided at public hearings and presentations, etc., and

WHEREAS, the Town Board has duly considered and examined all relevant environmental issues and has completed Parts 2 and 3 of the EAF, and carefully considered the information contained therein.

THEREFORE, BE IT RESOLVED, the Town Board hereby approves the attached Part 2 of said EAF.

BE IT FURTHER RESOLVED, that the Town Board hereby finds that the Project will not have any significant adverse environmental impacts, as more fully set forth in Part 3 of the EAF, including in the attachment thereto.

BE IT FURTHER RESOLVED, that the Town Board hereby approves Part 3 of the EAF, confirming its findings in Part 2 of the EAF, and setting forth its basis and reasoning for finding that there are no potential significant adverse environmental impacts.

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to execute Part 3 of the EAF.

BE IT FURTHER RESOLVED, that in accordance with its adoption of Part 3 of the EAF, the Town Board hereby issues a Negative Declaration with regard to the Action, finding that the Project will not have any significant adverse environmental impacts.

BE IT FURTHER RESOLVED, that the Town Board hereby directs that the Negative Declaration be filed in accordance with SEQR Regulations.

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute such necessary documents and to take such other actions as will facilitate an orderly and proper SEQR process.

Duly put to a vote:

Councilmember Barley	voting	Aye
Councilmember Stafford	voting	Aye
Councilmember Sefranek	voting	Aye
Councilmember Bolzner	voting	Aye
Supervisor Schultz	voting	Aye

Carried



January 31, 2020

Town Board
Town of Henrietta
475 Calkins Road
Henrietta, NY 14467

**Re: URMC Orthopaedics & Performance Center
@ The Marketplace
Application #2019-30 & 31**

2677

Dear Board Members:

On behalf of The Marketplace and URMC, we submit to the Board updated and summary information concerning the two (2) Special Use Permit applications referenced above that are pending before the Town Board. This information is provided as a result of our appearance before the Town Board on January 22, 2020, and per the request of the Town Board per your letter of January 27, 2020.

We offer the following information for your consideration at your February 12, 2020 Town Board meeting:

- Updated Architectural Detail of a 7-story, $\pm 115'$ Tower (full build)
- Updated Architectural Renderings (Phase 1 and full build-out)
- URMC Fire Safety Plan and CEMP
- URMC Building Occupancy Exhibit (BME Exhibit)
- Proposed Subdivision Plan (BME DWG. 2677-01)

Building Height:

The proposed clinical tower design has been refined as part of the advancement of the overall project design. As a result, URMC has determined the tower can be reduced by one-story and that space re-allocated within the existing mall space to be occupied by URMC. As a result, this is the building height proposed as of January 31, 2020:

Phase 1: 4 stories with roof top mechanicals
Top of roof elev = $\pm 65'$

Phase 2: 7 stories with 5th floor mechanical space and 2 additional floors
Top of roof elev = $\pm 115'$
7th floor elev = $\pm 100'$

Enclosed are updated architectural elevations and renderings to represent both the Phase 1 and Phase 2 construction of the clinical tower. Thus, the proposal for the Special Use Permit for building height is a 7-story building with a height of $\pm 115'$, excluding roof top mechanicals, penthouses, stair towers, etc.

Fire Safety Plan:

We enclose documents prepared by URM C that outlines the fire safety and the Comprehensive Emergency Management Plan (CEMP) for the proposed Orthopaedic Center. The plans illustrate that URM C's own response is structured in a manner that the Fire Department should not experience a significant increase in service load. URM C has vast experience in managing multi-story and high occupancy structures for fire safety.

We have also been in discussion with the Town Fire Marshal. He has indicated that fire safety and evacuation should not be a concern as the buildings will comply with the NYS building and fire code. In addition, the revised tower height at 7 stories places the top floor within the $\pm 100'$ service range of the HFD's aerial apparatus.

URM C Property Limits:

We enclose two maps for your information. The subdivision plan (BME DWG. 2677-01) shows the proposed 19.1 acre lot to be subdivided for conveyance from The Marketplace to URM C. The second map shows the space that could ultimately be occupied by URM C and thus be the area for the Special Use Permit for the Use within the B-1 district. This space includes the building area within proposed Lot 1, but also an additional 1.03 acres of mall space as URM C Option Space where they would lease or purchase (contingent upon appropriate Town approvals for the lot line amendment) the space from The Marketplace. Thus, the total area for the Use Special Use Permit is 20.15 acres.

We believe this letter and enclosures provides the requested information per your January 27th letter, and clearly identifies the parameters of both Special Use Permit applications.

In addition, this information also clearly shows that the proposed action will not have a significant impact upon emergency services. This, combined with the supplemental SEQRA information submitted on December 23, 2019, and testimony provided at the January 22, 2020 public hearing should allow the Town Board to issue a SEQRA negative declaration.

We will be in attendance at your February 12th meeting to answer any remaining questions concerning the applications. If you require any additional information prior to then, please contact our office.

Sincerely,
BME ASSOCIATES



Peter G. Vars, P.E.

PGV:blr

Encl.

c: J. McKenna; Wilmorite Inc.



Ambulatory Orthopaedics Campus

W. Henrietta Rd.

Jefferson Rd.

Miracle Mile Dr.

Hylan Dr.



Aerial View



Ambulatory Orthopaedics Campus

W. Henrietta Rd.

Jefferson Rd.

Miracle Mile Dr.

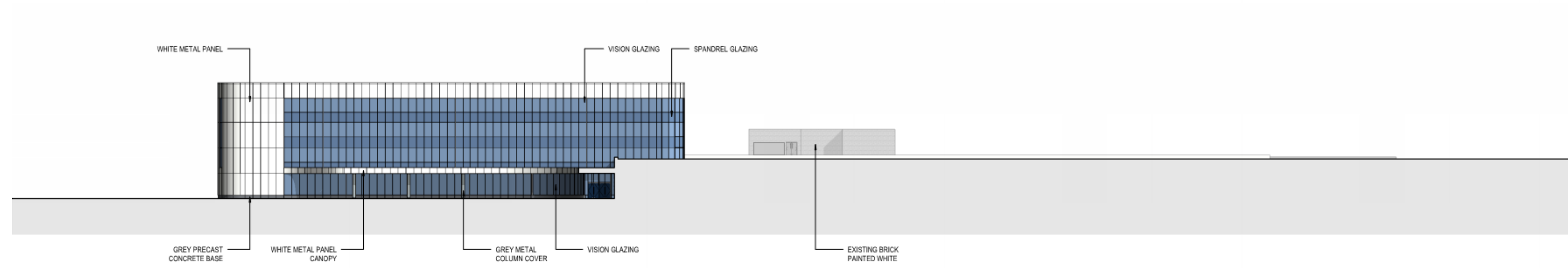
Hylan Dr.



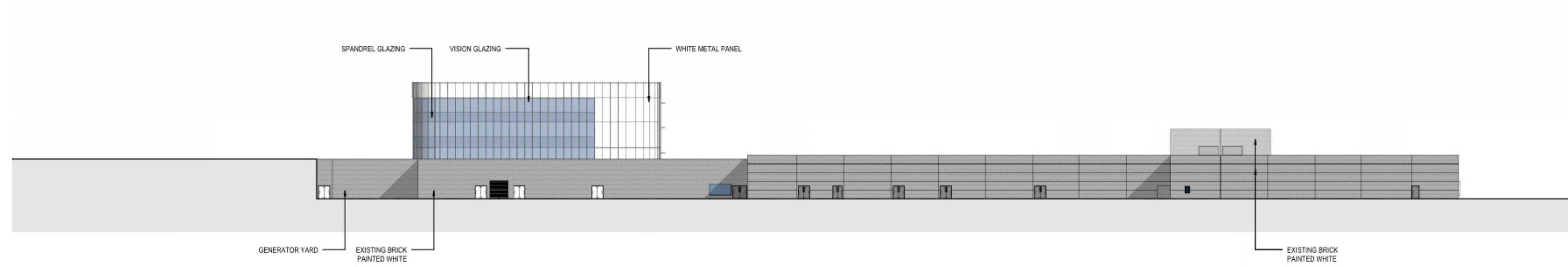
Aerial View - Future

Ambulatory Orthopaedics Campus

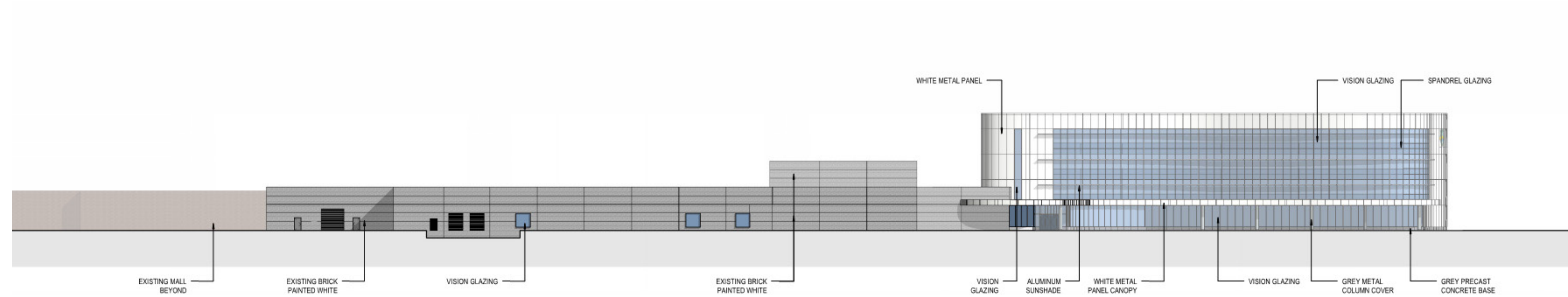
North Elevation



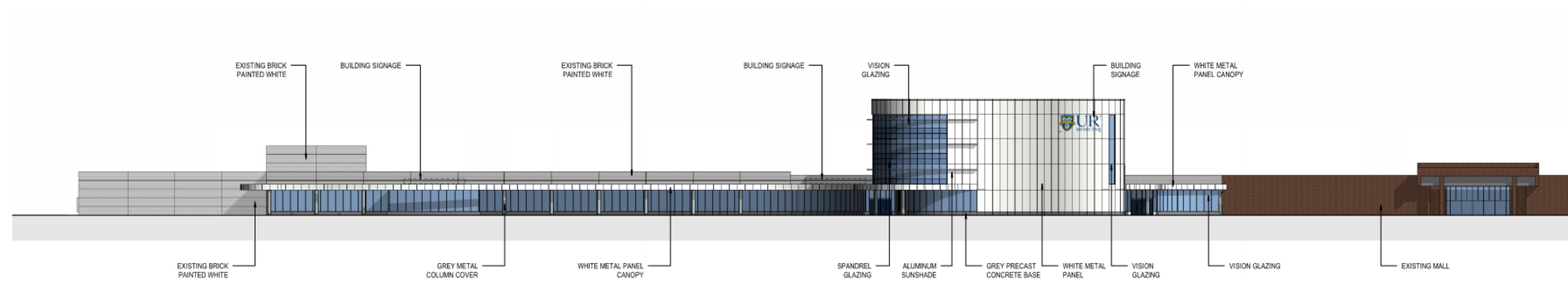
West Elevation



South Elevation

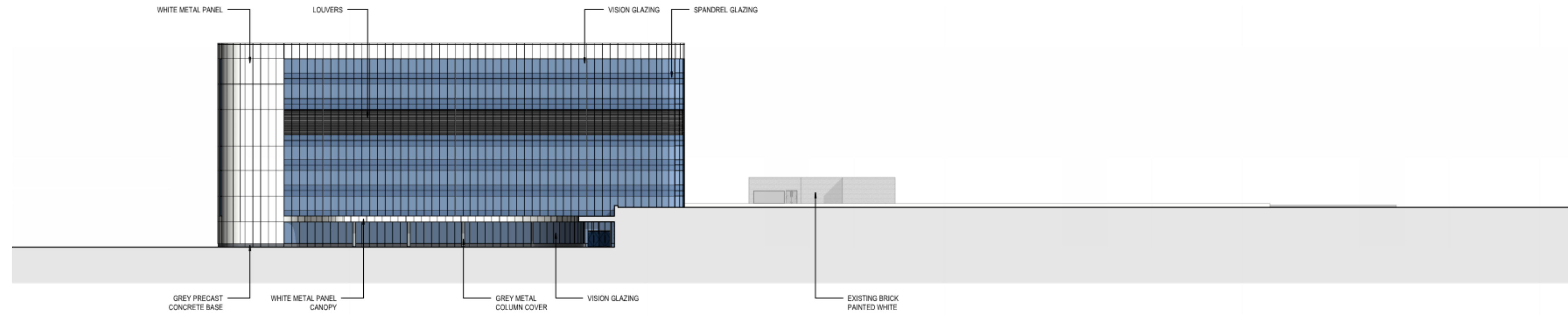


East Elevation

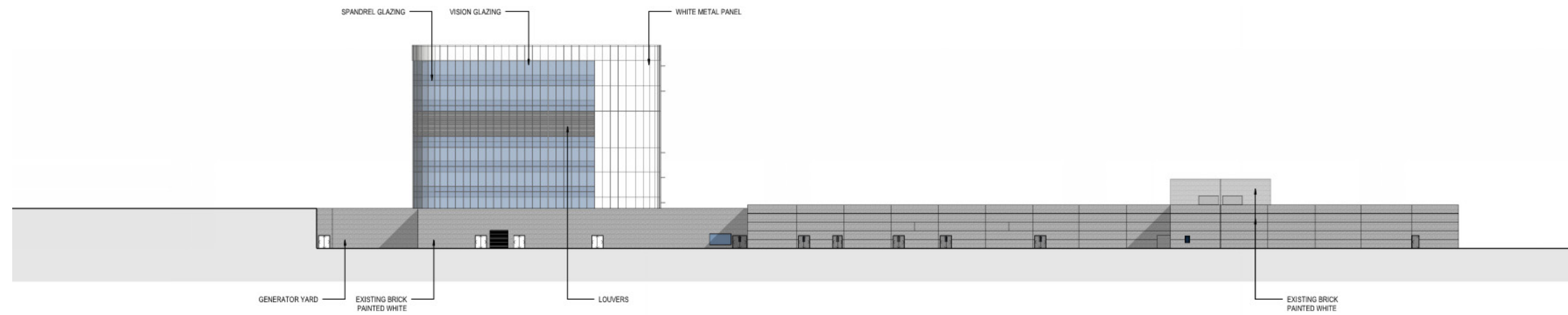


Ambulatory Orthopaedics Campus

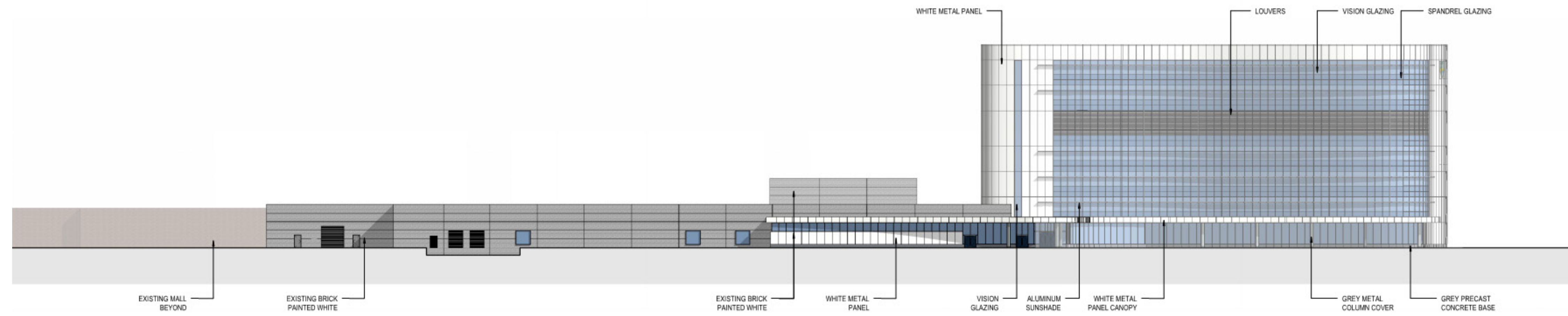
North Elevation



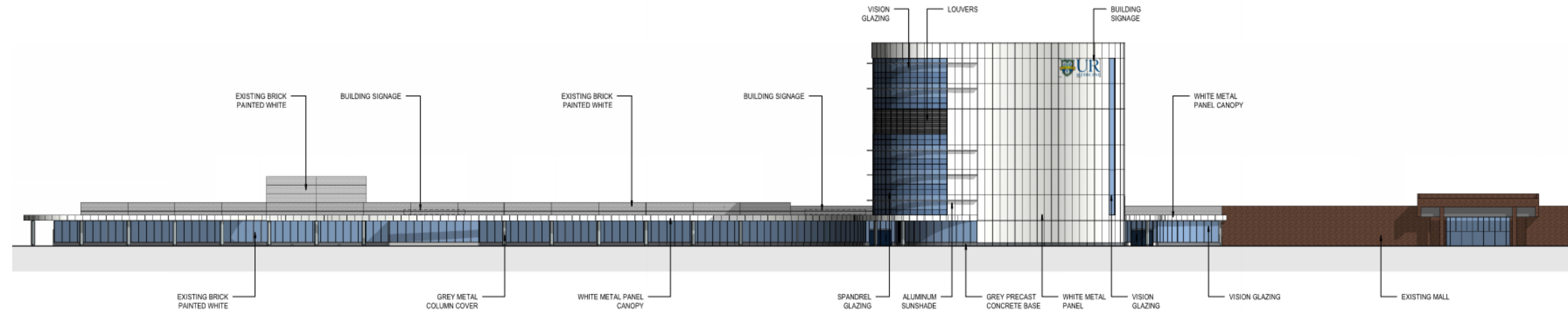
West Elevation



South Elevation

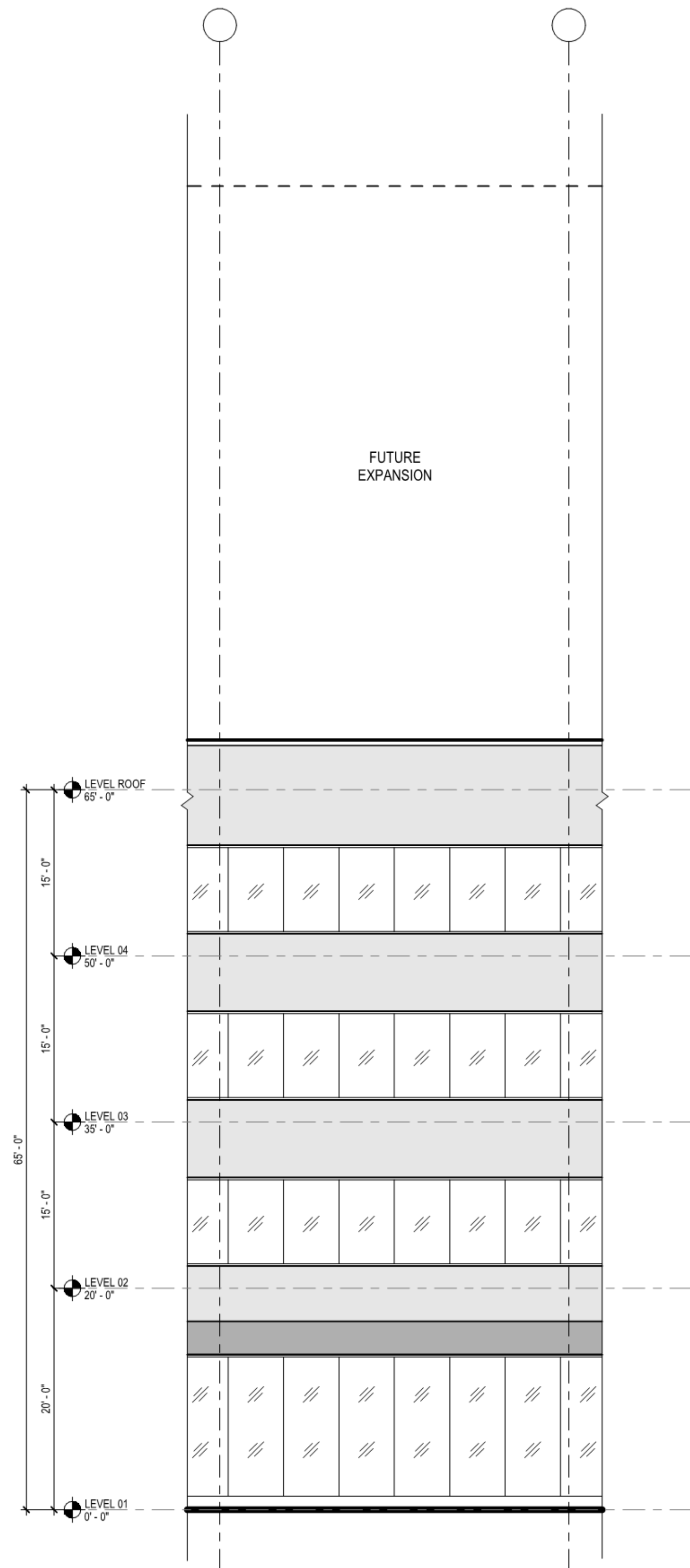


East Elevation

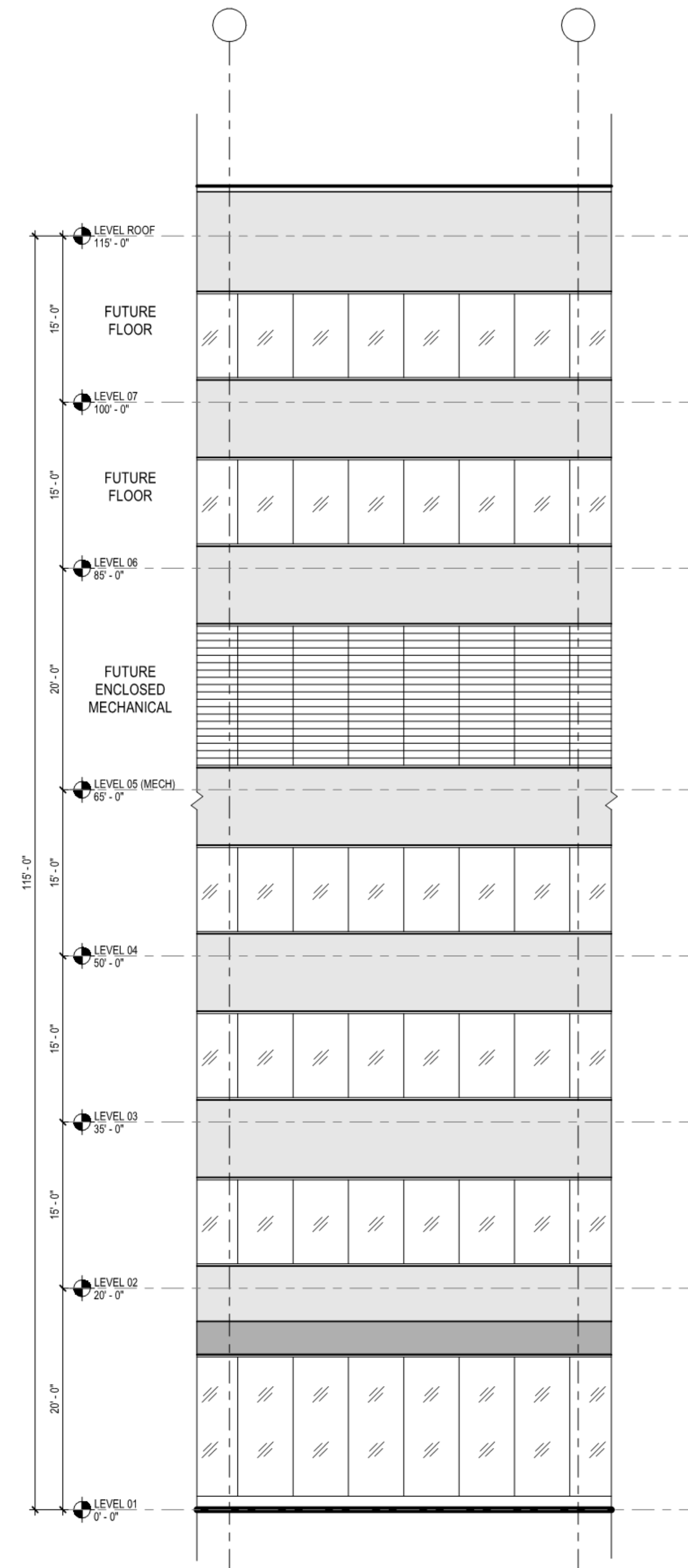




Ambulatory Orthopaedics Campus



Initial Floor-to-Floor Heights



**Future Floor-to-Floor Heights
Proposed Clinic Building Floor-to-Floor Heights**



December 23, 2019

Town Board
Town of Henrietta
475 Calkins Road
Henrietta, NY 14467

Re: UR Medicine Orthopedics & Physical Performance Center

2677

Dear Board Members:

On behalf of The Marketplace, we submit the enclosed supplemental information to the application on file with the Town for Special Use Permits to allow a Campus for (i) medical, office, research, educational, and related uses, including an ambulatory surgery and outpatient care center at the subject property, and (ii) construction and operation of a multi-story tower exceeding the permitted height at the subject property. The property is located at 10 Miracle Mile Drive at Marketplace Mall within the Town's Commercial B-1 zoning district. We request to appear at your January 22, 2020 Town Board meeting and public hearing for Special Permits. We have enclosed 10 copies of the following supplemental materials for your review:

- Cover Letter
- Full EAF Form – Part 2
- Supplemental Part 2 Information Narrative

The property is located on the southern side of Marketplace Mall in the former Sears Building and portions of the adjacent Marketplace Mall property and parking lots, west of Hylan Drive. URMC will purchase approximately 19.1 acres from The Marketplace consisting of the Sears building and its wing within the mall and surrounding property. The approximate 20-acre lot will be subdivided out from the overall 125-acre Marketplace Mall property. We are requesting the Special Use Permits per Article VI, §295-14 (B) (6) and §295-18 of Town Code to allow the proposed use and the proposed building height within the B-1 district. The applicant is also requesting of the Town Board to allow URMC the use of remote parking spaces, per Article XI, §295-44 (B) of Town Code. The necessary space for remote parking would be located within the Marketplace Mall property and utilize an existing parking lot.

The enclosed information is provided to assist the Town Board in their review of the application as it pertains to SEQRA. The information submitted shows that the proposed redevelopment will not have a significant impact on the environment. A comprehensive traffic analysis is being completed and will be submitted to the Town, NYSDOT and MCDOT within the end of the month.

Upon receipt of the Special Use Permits, a Site Plan application will be submitted to the Town of Henrietta Planning Board. The site plans prepared will provide the detailed information for onsite parking and circulation, utility service, grading design, and landscape and lighting design, all with supporting calculations. The site plans will be prepared per the Town of Henrietta Site Plan Review checklist.

We thank you for your consideration of this application. Please contact our office if you require any additional information concerning the Special Use Permit application prior to the meeting.

Sincerely,
BME ASSOCIATES



Peter G. Vars, P.E.

/PGV

Encl.

c: Jim Mckenna; The Marketplace
Paul Wilmot; The Marketplace
Shawn Griffin; Harris Beach PLLC
Ashley Champion; Nixon Peabody LLP

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: UR Medicine Orthopaedics & Physical Performance Center		
Project Location (describe, and attach a general location map): Marketplace Mall former Sears site 1(0 Miracle Mile Drive)		
Brief Description of Proposed Action (include purpose or need): Redevelopment of the existing sears building and wing of Marketplace Mall for new construction of a +/-480,000 GSF Ambulatory Surgery Center including up to a seven story tower on an approximately 20.2 acre lot to be created. The first phase of construction will be up to +/-344,000 GSF the future phases will total up to +/-136,000 GSF of build out. The improvements to the site will include re-construction of the parking areas and access drives. The actions required are a Special Use Permit for the proposed use, and the building height up to 7 stories (+/-134 feet), subdivision, and site plan review and approvals.		
Name of Applicant/Sponsor: The Marketplace, a New York Limited Partnership		Telephone: [REDACTED]
		E-Mail: [REDACTED]
Address: 1265 Scottsville Road		
City/PO: Rochester	State: New York	Zip Code: 14624
Project Contact (if not same as sponsor; give name and title/role): Tom Wilmot		Telephone: [REDACTED]
		E-Mail: [REDACTED]
Address: (Same as Above)		
City/PO:	State:	Zip Code:
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, Special Use Permit for Proposed Use, and building height	December 6, 2019
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Planning Board, Subdivision and Site Plan approvals	December 20, 2019
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Monroe County Water Authority, Water Supply	December 20, 2020
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No	Monroe County DOT, traffic review	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT, Traffic review	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No _____
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No _____
C.4. Existing community services.	
a. In what school district is the project site located?	Rush Henrietta School District
b. What police or other public protection forces serve the project site?	Monroe County Police Department
c. Which fire protection and emergency medical services serve the project site?	Town of Henrietta
d. What parks serve the project site?	Veterans Memorial Park

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)?	Commercial - Existing Marketplace Mall - The proposal requires a special use permit to allow medical, office, research, educational, and related uses at the subject property.
b. a. Total acreage of the site of the proposed action?	+/-125 acres
b. Total acreage to be physically disturbed?	+/-30 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	+/-125 acres
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No % +/- 25% Units: square feet (expansion to existing Marketplace Mall)
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) ii. Is a cluster/conservation layout proposed? iii. Number of lots proposed? iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Commercial Subdivision - for a Medical, office, research, education and related uses within the Existing mall <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Will the proposed action be constructed in multiple phases? i. If No, anticipated period of construction: ii. If Yes: • Total number of phases anticipated • Anticipated commencement date of phase 1 (including demolition) • Anticipated completion date of final phase • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No _____ months 3 9 month 2020 year 7 month 2023 year The first phase includes up to +/-344,000 GSF, with future phases to follow with up to +/-136,000 GSF of additional building.

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	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

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

i. Total number of structures 1 (surgery center and clinic tower)

ii. Dimensions (in feet) of largest proposed structure: +/-134 height; +/-540 width; and +/-750 length

iii. Approximate extent of building space to be heated or cooled: 480,000 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: _____

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: _____ 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): _____

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: _____ 48,000 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: Monroe County Water Authority
- 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: _____ 48,000 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): _____

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

If Yes:

- Name of wastewater treatment plant to be used: VanLare Treatment Plan
- 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: _____

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 _____ acres (impervious surface)
 _____ Square feet or 20.2 acres (parcel size)

ii. Describe types of new point sources. Drainage will be consistent with the existing mall drainage patterns with all the parking and roof drainage conveyed to the existing stormwater management facility on the Marketplace mall property.

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)?
Drainage will be conveyed to the existing stormwater management area at Marketplace Mall. Drainage from the proposed site currently drains to the existing pond. Once subdivided the drainage will be conveyed off the property to the facility.

• 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 (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (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): _____

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): _____

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? (refer to prepared Traffic Study) 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): _____
 unknown

iii. Parking spaces: Existing 1720 Proposed 1720 Net increase/decrease 0

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:
Modifications to internal circulation roads, parking within the Mall

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: TBD

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

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

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

i. During Construction:		ii. During Operations:	
• Monday - Friday:	<u>7 am to 7 pm</u>	• Monday - Friday:	<u>7 am to 7 pm</u>
• Saturday:	<u>8 am to 5 pm</u>	• Saturday:	<u>7 am to 1 pm</u>
• Sunday:	<u>none</u>	• Sunday:	<u>closed</u>
• Holidays:	<u>none</u>	• Holidays:	<u>closed</u>

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:
 During construction operations _____

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

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:
 The redevelopment of the lot will include LED dark sky compliant light fixtures including proposed 30' light poles for parking areas and 12' poles for pedestrian ways. _____

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

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: _____

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: _____ unknown tons per _____ (unit of time)
 • Operation : _____ unknown 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: Material separation and recycling _____

 • Operation: recycling programs _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: approved landfill disposal _____

 • Operation: approved landfill disposal and medical waste disposal. _____

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): Interstate highway

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	+/- 19.5	+/- 18.4	- 1.1
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>Lawn and landscape bedding areas, and courtyards.</u>	+/- 0.7	+/- 1.8	+ 1.1

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): 828079, V00126, 828170, 828077
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

DEC ID sites listed above are not located on the Marketplace Mall site. Sites V00126 and 828077 are listed under non-registry sites as completed. Site 828079 is a 4 acre site located at 39 Commerce Dr., west of W.Henrietta Rd. and just north of Ruby Gordon and is currently being monitored. Site 828170 when searched on the Environmental Site Remediation Database was no longer on the sites record.

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: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ N/A 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	_____	60 %
Claverack	_____	20 %
Lakemont	_____	20 %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: 100 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % 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 821-9 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) HR-17

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: _____
Name - Pollutants - Uses: Red Creek and tributaries – Unknown Toxicity – Recreation; Aquatic Life

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: _____

m. Identify the predominant wildlife species that occupy or use the project site: birds _____ small mammals _____	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

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: _____

iii. Brief description of attributes on which listing is based: _____

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

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: _____

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: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

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

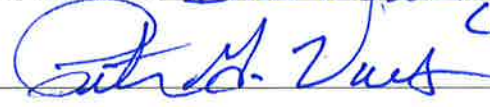
Attach any additional information which may be needed to clarify your project.

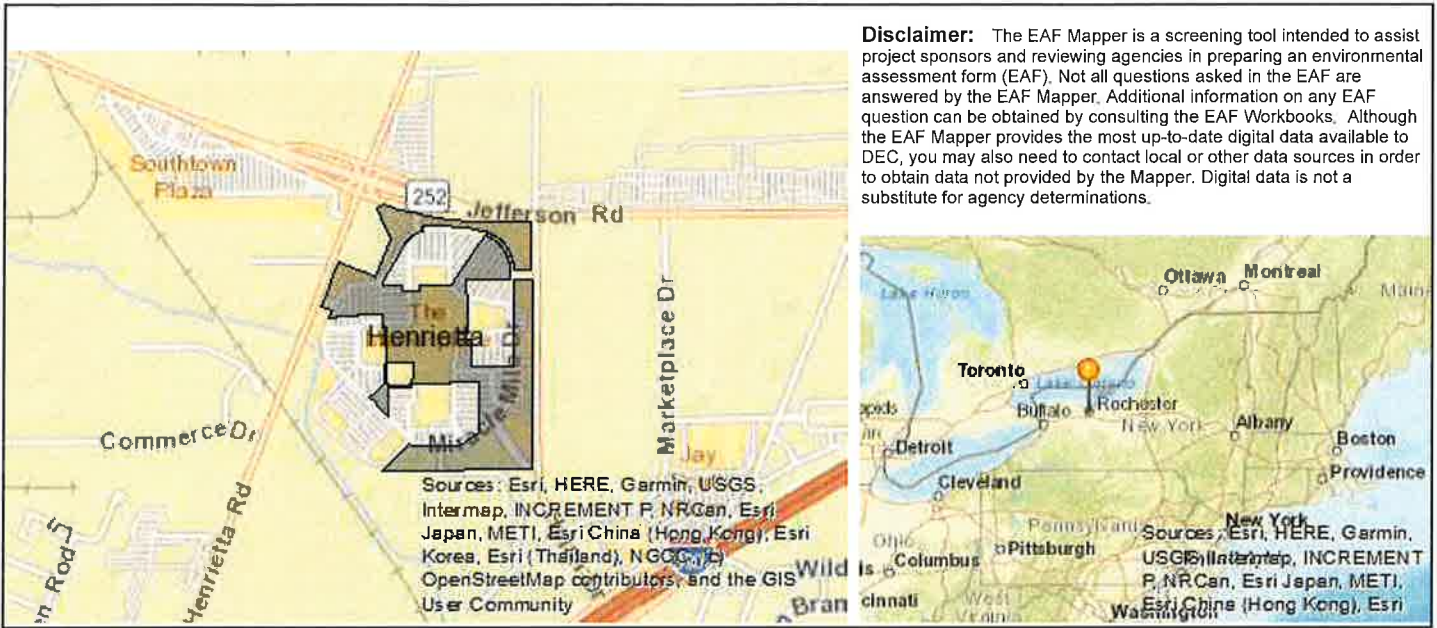
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

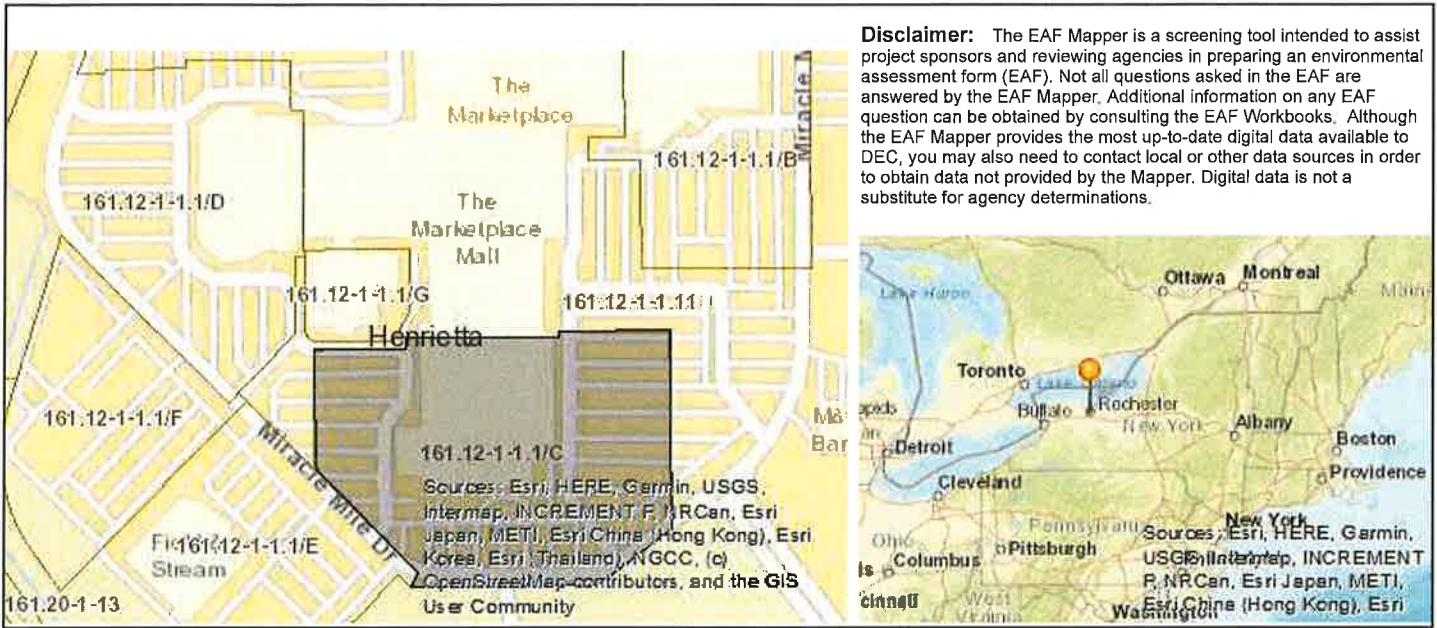
Applicant/Sponsor Name PETER G. VANDS BME ASSOCIATES Date December 6, 2019

Signature  Title Project Manager



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]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	828079, V00126, 828170, 828077
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]	821-9
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):53.5

E.2.h.iv [Surface Water Features - DEC Wetlands Number]	HR-17
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Red Creek and tributaries – Unknown Toxicity – Recreation;Aquatic Life
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]	No
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]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



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]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	828079, 828170
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]	821-9
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]	Yes

E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Red Creek and tributaries – Unknown Toxicity – Recreation;Aquatic Life
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]	No
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]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project :
 Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding.
 (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

 NO YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

 NO YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

 NO YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.)
 If “Yes”, answer questions a - h. If “No”, go to Section 18.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3)
 If “Yes”, answer questions a - g. If “No”, proceed to Part 3.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Project : URMC

Date : 1/17/2020

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

This Negative Declaration expressly incorporates as support/reasoning the following, which the Town Board adopts as its reasoning to support its Negative Declaration:

The Full EAF Part 3 Narrative - URMC @ Marketplace; and

The December 6, 2019 Letter from BME Associates, "Re: UR Medicine Orthopaedics & Physical Performance Center."

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

Application materials and supplements. Town consultant reports and testimony.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Henrietta Town Board _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: UR Medicine Orthopedics & Physical Performance Center

Name of Lead Agency: Henrietta Town Board

Name of Responsible Officer in Lead Agency: Stephen L. Schultz

Title of Responsible Officer: Henrietta Town Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Christopher E. Martin, P.E.

Address: 475 Calkins Road, P.O. Box 999, Henrietta, NY 14467

Telephone Number: (585) 359-7056

E-mail: cmartin@henrietta.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Full Environmental Assessment Form Part 3 Narrative – URMC @ Marketplace

This narrative addresses potential impacts that have been identified in the associated EAF Part 2, and is based upon all information in the record, including testimony, application materials and supplemental materials provided to the Town of Henrietta.

1. Impact on Land

The proposed action will consist of the redevelopment of ±20 acres of mall property for the new construction of a clinical multi-story tower on the existing Marketplace Mall property including the redevelopment of the existing Sears building and associated mall wing and adjacent parking areas to construct the medical campus. No expansion of the current development footprint for parking or stormwater facilities or other improvements are proposed with the project. Thus, the proposed development will wholly comprise the redevelopment of an existing developed commercial area and will not require clearing of green or otherwise undeveloped lands, substantially limiting impacts to land.

The proposed site does not include slopes 15% or greater, and the redevelopment will not impact any known or unknown water table depth or bedrock as the project site is already a developed use. Given the site is developed, this proposed action will not result in significant earthwork excavation and removal of more than 1,000 tons would occur. The project site is also not located within a Coastal Erosion hazard area.

The proposed action will include phasing, but will not involve the project site to be left as an active construction site for longer than approximately two years. This is because the majority of expansion will occur within the shell of the building. The first phase of construction will be up to approximately 344,000 gsf, and the future phases will total up to approximately 136,000 gsf.

2. Impact on Geological Features

The project will not affect geological features, as no geological features or designated National Natural Landmarks have been identified with the proposed project area.

3. Impact on Surface Water

The project site does not contain any Federal or State Regulated surface water bodies. The disturbance limits of the proposed action will not affect the wetlands or Red Creek that are southeast of the property boundary. Per the Environmental Resource Mapper, a portion of the project site is within a State Regulated Wetland check zone. The portion of the check zone within the project site includes all impervious surfaces such as the existing Sears building and adjacent parking area and road network. The proposed development will wholly comprise the redevelopment of an existing developed commercial area that currently comprises building(s) and pavement.

The proposed action will not result in the creation of a new water body. The existing stormwater management facilities, that are currently utilized by the Marketplace Mall, are appropriately sized and will attenuate the stormwater runoff generated from the project's parking areas and building. Stormwater runoff patterns and controls will be maintained with the proposed redevelopment. It

is anticipated that there will be no increase in impervious surfaces draining to the existing stormwater ponds, rather an increase in greenspace on the project site will result. The stormwater design will be completed per municipal and NYSDEC standards to ensure that the existing runoff and discharge rates are maintained. A construction erosion control plan and Stormwater Pollution Prevention Plan (SWPPP) that will combine with the overall stormwater design and requirements of the NYSDEC GP-0-15-002 will be prepared to control silt runoff and provide an outline on how the owner will address the construction and post construction stormwater condition. The construction erosion control plan will be designed per the NY Standards and Specifications for Erosion and Sediment Control.

The proposed action will not involve the application of pesticides or herbicides and will not cause the construction of new, or expansion of existing, wastewater treatment facilities.

4. Impact on Groundwater

The proposed use will not result in new or additional use of ground water or introduce contaminants to ground water. The project will result in an increase of water usage/demand per day for the medical campus which is estimated at up to 48,000 gallons per day for employees and patient use at full buildout. However, there will be no impact on the groundwater as a result of the new demand because the water supply will not be from groundwater and no new water supply wells are proposed. The project will connect with the existing public water supply within the Marketplace Mall site that provides adequate capacity and will be able to effectively serve the proposed development's needs.

The project will not involve wastewater discharge to groundwater, as the site will be served by proposed sanitary laterals to an existing public sanitary sewer system that runs within the Marketplace Mall site. The Van Lare Treatment Plant has sufficient capacity to handle the additional wastewater flow.

5. Impact on Flooding

The project site is located within a 100 year floodplain, flood zone AE & X, as indicated on the Flood Insurance Rate Map, Community-Panel Number 36055C0334G, dated August 28, 2008. The project site is not located within a designated floodway, nor will development occur within a designated floodway. The redevelopment for new construction will occur above the base flood elevations on commercial land that is already fully developed with building(s) and paved area(s), and no fill of regulated flood areas are proposed.

The existing on-site stormwater management facilities will be utilized to collect and attenuate the runoff volume from the impervious surface, these facilities are sized appropriately and currently serve the overall Marketplace Mall property. The stormwater design will be completed per municipal and NYSDEC standards to ensure that the runoff does not contribute or create a potential situation for flooding. The project design will maintain existing drainage patterns in the on the project site and will not exceed capacity of downstream drainage structures. An increase in the greenspace available on the project site is also proposed. The project site will meet or exceed all Town of Henrietta and NYSDEC standards and requirements in regard to the stormwater design and discharges from the site.

6. Impacts on Air

The project will not create a state regulated air emissions source, and therefore does not have an impact on air. During construction, sources of air emissions are limited to construction equipment and related portable generators, and construction material delivery vehicles. However, this is small, short term, and limited to the periods of construction. No air permit is required for construction equipment and generators, nor for any of the proposed uses.

7. Impact on Plants and Animals

Per the NYSDEC Mapper Summary Report there are no endangered, threatened or rare animals or plants within the vicinity of the project site. The fact that the predominant current land use on the property and adjacent to the property is commercial means that the site is not an identified resource or habitat for plants and animals. The proposed project's disturbance limits do not include the removal of forested areas or disturbance to stormwater ponds in the area because the project is to be developed on commercial land that is already fully developed with building(s) and paved area(s). Additional landscape plantings as well as an increase in greenspace with the development are proposed as part of the project. Therefore, the proposed action does not have an impact on flora and fauna.

8. Impact on Agricultural Resources

The project site is not located within or adjacent to a designated Agricultural District or farmland protection area nor do farmlands exist on the site. The project site does not contain any prime agricultural soils. Per the USDA Natural Resources Conservation Service Web Soil Survey for Monroe County, the predominant soil types present on-site include primarily: Odessa Silt Loam, Cosad loamy fine sand, and Claverack loamy fine sand. These soils are primarily poorly drained soils. The site is within a heavily developed area of the Town and therefore, the project does not result in any impact to agricultural resources.

9. Impact on Aesthetic Resources

The site is not visible from any officially designated federal, state, or local scenic or aesthetic resource, nor does the proposed action result in the elimination of screening or designated scenic views. The former Sears building will be the shell for the new ambulatory surgery center and the former Sears wing and new multi-story structure will be used to house patient services functions, including those relating to diagnosis and treatment, as well as complementary uses.

The proposed use is far removed from residential neighborhoods which are closest located south of the Marketplace Mall. These residential neighborhoods are buffered by existing wooded areas, I-390, and various large-scale commercial development and plazas.

Within a mile from the proposed medical campus, off Calkins Road, exist other medical uses such as the new VA center, Calkins Corporate Park, and Rochester Regional Health facilities.

While the proposal requires a special permit due to its proposed height, the project is proposed central to a heavily developed and commercialized corridor/area, includes several buildings and structures that exceed three stories in height, and is thus an appropriate area for a building of this height (~115 feet).

Moreover, the RIT campus is located within the Town and within 3 miles of the proposed project. RIT has multiple buildings that are five-seven stories tall. The tallest building on campus reaches close to 134' at its peak.

10. Impact on Historic Archeological Resources

Per the NYS Department of Parks, Recreation and Historic Preservation (OPRHP) State Historic Preservation Office (SHPO) Cultural Resource Information System (CRIS) online resource, the project site is within an area designated as sensitive for archaeological sites. However, given the site has been fully developed for over thirty years, there is no potential or impact to cultural resources. The CRIS online resource also shows that there are no National or State Registered Historic Places located within or adjacent to the project boundaries. The proposed project will be a redevelopment of the existing vacant Sears building and associated parking areas, and no new disturbance is proposed outside of the limits of existing disturbed soils.

11. Impact on Open Space and Recreation

The proposed project property limits are not located within any Town of Henrietta designated open space, park, wild or conservation lands and is not currently or expected to be used by the community as an open space resource. In fact, the project site is located within the heavily developed commercial core of the Town. Given that the site is part of a developed shopping mall, the property is currently not used for recreational activities or provides an opportunity for outdoor recreational activities. Therefore, the project does not create a loss of recreational opportunities or reduction of open space resources in the Town of Henrietta.

12. Impact on Critical Environmental Area

The project site is not located within or adjacent to a critical environmental area.

13. Impact on Transportation

The Marketplace Mall site is served by an extensive existing highway network that was constructed to support a fully flourishing Mall property, including West Henrietta Road to the west, Jefferson Road to the north, and Hylan Drive to the east. The Mall also has access to Interstate 390 to the south. Miracle Mile Drive provides perimeter access around the entire Mall, and the project will be accessed directly from multiple entrances on Miracle Mile Drive, similar to how the Sears building was once accessed. A comprehensive traffic study has been prepared by the applicant in consultation with the New York State Department of Transportation (NYSDOT), the Monroe County Department of Transportation (MCDOT), and the Town of Henrietta. The main hours of operation of the URM site will be offset from the typical peak use of the Mall's other tenants and surrounding commercial retail properties whose peak hours are weekday evenings and weekends. The Town's traffic consultant has reviewed the study and concluded generally that the proposed development will have only minimal impact on traffic.

Moreover, both NYSDOT and MCDOT have provided comments on the traffic relative to the proposed Project, and neither has identified any potentially significant adverse environmental impacts.

Parking of vehicles will be within the current Marketplace Mall parking lot, with improvements being proposed for better lot circulation for vehicles and pedestrians. Public transportation will continue to be made available at the site for patients and employees that live closer to Rochester.

14. Impact on Energy

It is anticipated that the completion of the orthopaedic and performance center will result in up to approximately 480,000 gross square feet of building and may cause an increase in the use of energy. The property is currently served by gas and electric utilities and will continue to be served. Design and construction of the new facilities will utilize current energy saving materials, features, and systems.

15. Impact on Noise, Odor, and Light

The proposed orthopaedics and ambulatory surgery center will be one of the most comprehensive centers for orthopaedic surgery and outpatient care and will be designed to conform with local, State and County agency requirements as necessary.

Construction of the project may result in an increase in noise from construction equipment used in the construction process above ambient noise levels, however, the impact will be small because the noise will be short term. Construction operations will occur during work hours specified in the Town Code. For building operations, noise will be contained within the proposed structure, and regulated by Town Code. No blasting is proposed.

The proposed use will not generate any odor or emit routine odors.

The project will include new exterior lighting for parking areas that will replace the existing poles in the vacant Sears parking lot. The fixtures will include LED dark sky compliant light fixtures including proposed 30' light poles for parking areas and 12' poles for pedestrian walkways and will comply with Town Code concerning exterior lighting. The proposed lighting will be consistent with the surrounding commercial and industrial land uses.

Exterior lighting on the building will be limited to 22 feet in height, except for a single sign comprising the URM logo signange.

16. Impact on Human Health

The proposed action does not involve hazardous wastes or risks to human health. The project site is not located within a designated remediation site, and no spills have been reported at the site. Within 2,000 ft of the project site there are sites listed on the NYSDEC Environmental Site Remediation database, but these sites are not located on the Marketplace Mall property or immediately adjacent to.

Moreover, while the initial proposed height of the building may have been too tall to be properly accessed by available fire safety apparatus, the reduced height of 115 feet will permit access by fire apparatus.

17. Consistency with Community Plans

The project is consistent with adopted land use regional land use plans. The proposed redevelopment use will align with the vision, goals and recommendations of the Town's Comprehensive Plan. The plan outlines the encouragement of the reuse of vacant and underutilized commercial and industrial properties in the Town, such as the Sears building at the Mall, as well as describes the future land uses surrounding and including Marketplace Mall to be

a mixed-use redevelopment area. This project will be transformative for Marketplace Mall, reinventing it as a mixed-use property in the heart of Henrietta's commercial corridor.

The proposed use will be within the commercial B-1 zoning district of the Town. The Code generally states that the principal purpose of the commercial districts are to provide for businesses to meet the local service needs of residents and visitors that are drawn from neighborhood and regional populations. Adjacent zoning districts to the property include commercial and industrial. The commercial districts in the Town are located along major transportation corridors and within areas served by public infrastructure that can be adequately buffered from residential neighborhoods. In sum, the proposal is consistent with the area and zoning district, and will be a benefit to the Town and the residents. The project's proposed uses are permitted via a special permit, and are not specially prohibited within the B-1 District.

18. Consistence with Community Character

The project is consistent with the community character, as the proposed campus will be constructed at the current vacant Sears building and surrounding property and be consistent with the heavily commercial zoned area.

The proposed use of this property will be consistent with the existing uses within the surrounding area and immediate vicinity of the Marketplace Mall property. The area is a highly developed commercial area of the Town. Immediately south of the proposed develop exists a commercial plaza that houses Best Buy, Target and Lowe's, to the east is Jay Scutti Plaza that houses Wegmans and other mixed uses. Other medical uses, including the new VA center, are located further south of the subject property. Commercial and Industrial districts abut the property of the proposed use. The proposed use will be of comparable size to various buildings within this commercialized and industrialized corridor of the Town. The RIT campus located in the Town, approximately 1.5 miles from the proposed use, has up to five existing buildings that are five to seven stories tall. Within the immediate vicinity of the property, uses include an office building, monument signs, and hotels that are all greater than three stories in height and blend into the character of the area.

The project does not eliminate any existing facilities used to protect or deemed important to the community as well as does not remove affordable or low-income housing from the area. In fact, proposed use will repurpose a significant vacant commercial building and parking lot. The project will not put undo burden on community resources such as schools, emergency responders, or municipal services or contribute to any known existing inadequacies in the area.



December 6, 2019

Town Board
Town of Henrietta
475 Calkins Road
Henrietta, NY 14467

Re: UR Medicine Orthopaedics & Physical Performance Center

2677

Dear Board Members:

On behalf of The Marketplace, we submit the enclosed applications for Special Use Permits to allow a Campus for (i) medical, office, research, educational, and related uses, including an ambulatory surgery and outpatient care center at the subject property, and (ii) construction and operation of a multi-story tower exceeding the permitted height at the subject property. The property is located at 10 Miracle Mile Drive at Marketplace Mall within the Town's Commercial B-1 zoning district. We request to appear at your December 11, 2019 Town Board meeting to initiate the Special Use Permit review process. We have enclosed the following application materials for your review:

- Letter of Intent
- Part I of the Long Form Environmental Assessment Form
- Letter of Authorization from Property Owner
- Special Use Permit Application Form (Use)
- Special Use Permit Application Form (Clinic Tower Height)
- Statement of Professional and Consulting Fees
- Four (4) Preliminary Concept Site Plans
- Four (4) Preliminary Architectural Drawings
- \$300 Application Fee (Commercial - \$150 x 2 applications)

The property is located on the southern side of Marketplace Mall in the former Sears Building and portions of the adjacent Marketplace Mall property and parking lots, west of Hylan Drive. URMC will purchase approximately 20.2 acres from The Marketplace consisting of the Sears building and its wing within the mall and surrounding property. The approximate 20-acre lot will be subdivided out from the overall 125-acre Marketplace Mall property. The proposal calls for the repurposing of the vacant Sears building as the shell for the new ambulatory surgery center with new construction within the Sears wing, including a multi-story structure, up to 7 stories ($\pm 134'$), to house patient services functions, including those relating to diagnosis and treatment, as well as complementary uses. The project will be developed in phases and could total up to approximately 480,000 gross square feet, with the first phase of up to 344,000 gross square feet.

We are requesting the Special Use Permits per Article VI, §295-14 (B) (6) and §295-18 of Town Code to allow the proposed use and the proposed building height within the B-1 district. The applicant is also requesting of the Town Board to allow URMC the use of remote parking spaces, per Article XI, §295-44 (B) of Town Code. The necessary space for remote parking would be located within the Marketplace Mall property and utilize an existing parking lot. We acknowledge that there are factors that the Town Board must consider §295-54 of Town Code when reviewing a special permit request. For your consideration, we offer the following information to assist you in your review of the criteria:

- A. *Whether the proposed use is substantially consistent in its scale and character with those uses permitted and the existing built permitted uses in the subject zoning district and neighborhood or will otherwise impair such uses due to inconsistency.*

The proposed use of this property will be consistent with the existing uses within the surrounding area and immediate vicinity of the Marketplace Mall property. The area is a highly developed commercial area of the Town. Immediately south of the proposed develop exists a commercial plaza that houses Best Buy, Target and Lowe's, to the east is Jay Scutti Plaza that houses Wegmans and other mixed uses. Other medical uses including the new VA center are located further south of the subject property. Commercial and Industrial districts abut the property of the proposed use. The proposed use will be of comparable size to various buildings and monument signs within this commercialized and industrialized corridor of the Town. The RIT campus located in the Town, approximately 1.5 miles from the proposed use, has up to five existing buildings that are five to seven stories tall. Within the immediate vicinity of the property include an office building, monument signs, and hotels that are greater than three stories in height and blend into the nature of the area.

The proposed use is far removed from residential neighborhoods which are located south of the Marketplace Mall. The residential neighborhoods are buffered by existing wooded areas, I-390, and various large-scale commercial development and plazas.

As the nation's shopping habits have changed, retailers have lost foot traffic and closed mall properties, but large-scale stores are finding new lives as medical complexes in recent studies. Both URMC and The Marketplace are in line with a national trend in the reclamation and repurposing of mall properties by academic medical centers. The proposed use will revive a now vacant space and provide a well needed asset to the community and surrounding area. The project is anticipated to attract new tenants to Marketplace Mall that currently has 100 tenants, which will remain.

- B. *Whether the proposed use aligns with the vision, goals and recommendations of the Comprehensive Plan and other applicable plans and studies conducted by or on behalf of the Town.*

The proposed use does align with the vision, goals and recommendations of the recent Comprehensive Plan conducted on behalf of the Town. As stated in the Comprehensive Plan it is to be encouraged to reuse vacant and underutilized commercial and industrial properties. The proposal will be utilizing a currently vacant department store at Marketplace Mall. Also, the Comprehensive Plan describes the future land uses surrounding and including Marketplace Mall to be a mixed-use redevelopment area. This project will be transformative for Marketplace Mall, reinventing it as a mixed-use property providing retail, entertainment and services all under one roof, and in the heart of Henrietta's commercial corridor.

- C. *Whether the proposed use aligns with the purpose, intent, and applicable design and development standards of the zoning district(s) in which the use is proposed to be located.*

The proposed use will be within the commercial B-1 zoning district of the Town. The code generally states that the principal purpose of the commercial districts is to provide for businesses to meet the local service needs of residents and visitors that are drawn from neighborhood and regional populations and in a manner that can support the desired visual character of the Town. The commercial districts in the Town are located along major transportation corridors and within areas served by public infrastructure that can be adequately buffered from adjacent residential neighborhoods. The proposed uses are also not specially prohibited within the B-1 District.

The proposed use will be designed according to the Town of Henrietta Town Code and design and development guidelines as well as appropriate County/State agency standards. The proposed use will comply with appropriate building setback requirements as listed in the code. Landscaped islands are proposed in between the parking area and Miracle Mile Drive to break up the impervious surfaces.

As part of this Special Permit Application the applicant is requesting to allow the construction of a multi-story tower that will be up to approximately 134 feet tall. This is a necessary structure and space for the campus to be able to accommodate a high number of patients, as the demand for orthopaedic care and need for additional capacity in the region has skyrocketed upward. The project is contemplated to include ambulatory surgery rooms, clinical exam rooms for outpatient visits, the Center for Human Athleticism & Musculoskeletal Performance and Prevention (CHAMPP), physical therapy, occupational therapy and rehabilitation spaces, a diagnostic imaging suite dedicated to orthopaedics, with x-ray devices, MRI machines and other services, facilities, and technologies all in one convenient location for the community.

- D. Whether the proposed use will be a nuisance in law or in fact due to its being materially noxious, offensive or injurious by reason of the production of or emission of dust, smoke, refuse, poisonous substances, odors, fumes, noise, radiation, vibration, unsightliness or similar conditions, or will contaminate waters.*

The proposed orthopaedics and performance center will not be a nuisance or create any of the conditions noted above that are out of the ordinary within the Commercial B-1 zoning district in the vicinity of the project. The center will be one of the most comprehensive centers for orthopaedic surgery and outpatient care in the United States and will be designed to conform with local, State and County agency requirements as necessary.

- E. Whether the proposed use will create material hazards or dangers to the public or to persons in the vicinity from fire, explosion, electricity, radiation, traffic congestion, crowds, parking of vehicles, or other causes.*

The proposed use and building height will not create any hazards or dangers to the public, or persons in the vicinity of the use. The proposed development will be designed in accordance with the Town of Henrietta and appropriate County/State agency standards. Parking of vehicles will be on-site within in the current Marketplace Mall parking lot, with improvements being proposed for better lot circulation for vehicles and pedestrians. A traffic study was prepared for the applicant and concluded that the projected trip generation will not create a traffic impact on the surrounding highway network. The main hours of operation of the URMC site will be offset from the typical peak use of the Mall's other tenants and surrounding properties whose peak hours are weekday evenings and weekends. The redevelopment of this property will result in a wider dispersion of the traffic. Also, surrounding transportation network was constructed to support a fully flourishing Mall property.

- F. Whether the proposed use will create materially adverse impacts that cannot be adequately mitigated, such as to adversely impact natural resources or the environment, agriculture, community services or other areas required to be addressed by the State Environmental Quality Review Act (SEQRA).*

The proposed use and building height will not create adverse impacts to natural resources, the environment, agriculture, community services or other areas required to be addressed by the State Environmental Quality Review Act (SEQRA) as the site is located on an already developed property. The proposed use will repurpose the vacant Sears building as well as utilize the surrounding parking lots, vehicular access points to the site, and existing stormwater management facilities for site runoff. Disturbance to the project site are necessary for demolition, building pad, and parking lot reconfiguration and will be completed meeting the NYSDEC requirements to minimize impacts to the environment and surrounding area. The project site is not located within an agricultural district. The proposed building height does not result in any visual impacts as it is consistent with other buildings in the vicinity and does not abut any residential zoned districts. A Part I Long Form Environmental Assessment Form is enclosed with this application.

- G. *Whether the physical conditions and characteristics of the site are suitable for the proposed use considering site size, configuration, location, access, topography, vegetation, soils, and hydrology for effective stormwater management and, if necessary, the ability to be screened from neighboring properties and public roads.*

The physical conditions and characteristics of the site are suitable for the propose use as the site is a developed commercial property. The campus will be constructed at the current vacant Sears building and surrounding property and be consistent with the commercially zoned area. The Marketplace Mall redevelopment site offers significant assets such as highway access, ample parking, parcel size, as well as existing stormwater management facilities and infrastructure. The closest residential homes are greater than 0.6 miles away and are currently buffered from Marketplace Mall by existing commercial plazas, wooded areas, and I-390.

- H. *Whether there are adequate public infrastructure, utilities, community facilities and emergency services, either existing or to be provided by the applicant or others, to effectively serve the proposed use. A proposed use shall not create or contribute to an existing inadequacy.*

The Marketplace Mall site offers adequate existing assets, including those listed above, and the proposed use shall not create or contribute to any known existing inadequacies in the area. The location of the campus at the Mall does not require an extension of existing infrastructure or creation of new parking lots. Ample parking will be available for both patients and employees, with also sufficient parking remaining to serve the mall and its tenants. The Mall is currently served by emergency services and the proposed use does not alter their ability to serve. The proposed building height is similar to structures at nearby R.I.T which is served by local emergency service providers. The Mall also provides close proximity to major highways and road networks in order to serve a signification portion of upstate NY, and provides availability to public transportation for patients and employees that live closer to Rochester. URMIC evaluated many different sites around the Rochester area and weighed critical factors such as those listed above, and the Marketplace Mall site meets all of the objectives quite well.

- I. *Whether the proposed use will provide, maintain, or enhance, as necessary, safe and efficient vehicular traffic patterns, nonmotorized travel, and pedestrian circulation as well as, where feasible, access to public spaces, parks, recreation, and open space resources.*

This facility will combine ambulatory surgery and other essential orthopaedic services in one convenient location. The proposed use is anticipated to enhance a once occupied building and

parking area to be of a use that will better serve the community. The center itself and its surrounding campus will be designed for patients with mobility challenges. Improvements will be made to ensure adequate traffic circulation and pedestrian circulation throughout the campus. Both pedestrian and vehicular access will be provided to other portions of the Mall property, to the outer ring road (Miracle Mile Drive) and the planned pedestrian network of the surrounding area.

We have enclosed a conceptual Site Plan showing an approximate preliminary rendering of the proposed development, which includes the surgery center, new clinic tower, and associate parking lots and circulation throughout the campus. Access to the center will be from Miracle Mile Drive, consisting of direct access points to the parking area, utilizing existing curb cut locations as necessary and installing proposed entrances to create a vehicular and pedestrian friendly campus. Existing stormwater management facilities along the southern and eastern side of Miracle Mile Drive will be utilized to address site runoff. Also included is architectural elevations illustrating the intent of the proposed surgery center and clinic tower. These plans will be subject to a formal Site Plan review before the Town Planning Board upon completion of the Special Use Permits process.

We look to the Town Board to declare its intent to act as lead agency at your December 11, 2019 meeting and begin the coordinated review process for this project, which is a Type I action under SEQRA. We would also request at the December 11, 2019 meeting that the Town Board call for a public hearing on this application at your January 22, 2020 meeting.

Both the applicant, The Marketplace, and URMC look forward to working with the Town of Henrietta to bring this transformative project to reality, and repurposing Marketplace Mall as a destination in the region for comprehensive orthopaedic surgery and outpatient care along with reinvigorating its entertainment and retail services. We thank you for your consideration of this application.

Please contact our office if you require any additional information concerning the Special Use Permit application prior to the meeting.

Sincerely,
BME Associates



Peter G. Vars, P.E.

Encl.

c: Jim Mckenna; The Marketplace
Paul Wilmot; The Marketplace
Shawn Griffin; Harris Beach PLLC
Ashley Champion; Nixon Peabody LLP