



TOWN OF HENRIETTA
 County of Monroe
 State of New York
 475 Calkins Road, Rochester, NY 14623
 (585) 334-7700 • www.henrietta.org

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

Appeal No. SP-2022-044
 Date 9/23/22

Applicant: Floor and Decor Outlets of America, Inc.
 Name _____ Email _____
2500 Windy Ridge Parkway SE, Atlanta, GA 30339 (Attn. Alexander Shporer)
 No. & Street _____ City _____ State _____ Zip Code _____ Phone Number _____
 Business Owner: Same as above
 Name _____ Email _____
 No. & Street _____ City _____ State _____ Zip Code _____ Phone Number _____

Business Name: Floor & Decor

Business Address: Same as above

Property Owner: The Marketplace
 No. & Street _____ City _____ State _____ Zip Code _____
 Name _____ Email _____
1265 Scottsville Road, Rochester, NY 14624
 No. & Street _____ City _____ State _____ Zip Code _____ Phone Number _____

Architect/Engineer: Stonefield Engineering and Design, LLC (Zachary E. Chaplin, PE)
 Name _____ Email _____
584 Broadway, Suite 310, New York, NY 10012
 No. & Street _____ City _____ State _____ Zip Code _____ Phone Number _____

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

20 Miracle Mile Drive, Rochester (Town of Henrietta), NY 14623
 No. & Street _____ City _____ State _____ Zip Code _____
161.12-1-1.1/B Tax Map No. Commercial B-1 (MURA) Zoning District

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

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

Article: VI Section: 295 Subsection: 18 Paragraph: — of the Zoning Ordinance.

Description of Proposal: Demolition of existing Macy's portion of Marketplace Mall, and construction in its place of a freestanding ±64,300 square foot "Floor & Decor" retail store with a building height of 36 feet (±48 feet existing), whereas building height above 30 feet requires a special permit.

Multiple Dwelling Applications – Dwelling Units per Acre: N/A

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

Printed Name: Alexander Shporer Signature: [Signature]
[Signature] Received By 10/26/22 Date of Meeting* TBD Time
 (unless rescheduled)

*A meeting date will be assigned when applications are turned in but if the application is deemed incomplete, it will not be scheduled and the Applicant will be notified.

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

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

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

Applicant: Floor and Decor Outlets of America, Inc.

By: Alexander Shporer

Title: Construction Design Project Manager

Dated: September 19, 2022

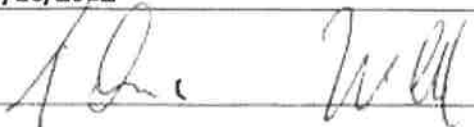
Signed: 

Owner: The Marketplace

By: Thomas C. Wilmot 

Title: _____

Dated: 09/16/2022

Signed: 

Floor and Decor Outlets of America, Inc.

**20 Miracle Mile Drive
Section 161.12, Block 1, Lot 1.1/B**

Letter of Intent

September 21, 2022

Floor and Decor Outlets of America, Inc. (“Floor & Decor”) is the prospective tenant of a portion of Marketplace Mall. Floor & Decor proposes to demolish the existing Macy’s and construct in its place an approximately 65,136 square foot freestanding Floor & Decor retail store.

Company Background

Floor & Decor is a leading specialty retailer of hard surface flooring, offering a broad selection of tile, wood, stone, related tools and flooring accessories. The company operates 181 stores in 33 major markets throughout the country. However, it does not yet have any stores in the Rochester area or elsewhere in Western New York, but a new store was recently approved in the Buffalo area (Town of Cheektowaga).

Zoning

The Property is in the B-1 Commercial District in which stores for the conducting of any retail business (not otherwise prohibited) are a permitted use. See Zoning Code § 295-14.A.(1).

Proposal

The proposed new building will be located generally within the same footprint as the existing Macy’s, with certain bump-outs for loading and other building features. An entrance to the mall and retail stores will be created from the outside, where Macy’s now adjoins the mall. Additionally, there will be a sixty (60) foot separation between the existing mall building and the proposed Floor & Decor building. This area is currently being designed, but likely will consist of open space, pedestrian areas and/or improvements such as benches, pavers and trash receptacles.

The proposed building will include a customer pickup area near the front entrance, including both an area where customers can pull their vehicle up to the building for larger orders, as well as designated “I’m Here” parking spaces from which customers announce their arrival and associates bring their small orders out to the designated spaces.

The project also proposes additional site improvements, including a loading area with two loading spaces and a trash compactor screened by a

retaining wall; landscaping; sidewalks; and parking along the east side of the building. The existing mall parking in the vicinity will remain and will be available for use by Floor & Decor customers. Applicant also proposes signs which are depicted on the building elevations.

Special Use Permit

This application for a special permit is triggered by § 295-18 of the Zoning Code, which requires a special use permit where proposed building height exceeds 30 feet. Floor & Decor proposes building height of 36 feet to top of parapet, and therefore a special use permit is required. For reference, the existing Macy's store has a building height of approximately 48 feet (see Building Elevations prepared by TC Architects, Incorporated, dated November 4, 1996, revised January 13, 1997, for Kaufmann's, which accompany this application). Thus, although the proposed building height exceeds the threshold for a special permit, it is substantially lower than the existing condition.

TOWN OF HENRIETTA, NEW YORK
AFFIDAVIT OF OWNERSHIP & CONSENT
SECTION 161.12, BLOCK 1, LOTS 1.1/B, 1.112, 1.1/A & 1.111

COUNTY OF MONROE)
) ss.
STATE OF NEW YORK)

I, Thomas C. Wilmot, being duly sworn, depose and say:

1. I am the Authorized Signatory of THE MARKETPLACE, f/k/a Miracle Mile Associates, a [New York?] [type of entity] ("Marketplace"), having its principal place of business at 1265 Scottsville Road, Rochester, NY 14624.

2. Marketplace is the ground tenant pursuant to (i) a certain lease between Hylan Flying Service, Inc., and Miracle Mile Associates, dated May 7, 1968, as evidenced by a Memorandum of Lease recorded June 29, 1971 in Liber 4130, Page 225, as supplemented by a Lease Supplement, Addendum and Modification to Lease Agreement dated October 2, 1974 and recorded October 4, 1974 in Liber 4733, Page 181, and (ii) a certain lease between Emil Muller and Hylan, and Miracle Mile Associates, as evidenced by a Memorandum of Lease recorded October 4, 1974 in Liber 4733, Page 174 (collectively, the "Ground Lease").

3. The Ground Lease pertains to certain property designated as Section 161.12, Block 1, Lots 1.1/B, 1.112, 1.1/A & 1.111 in the tax records of the Town of Henrietta, County of Monroe, State of New York, commonly known as Marketplace Mall (the "Property")

4. The Ground Lease vests in Marketplace the ability to develop and otherwise improve the Property.

5. Floor and Decor Outlet Centers of America, Inc. ("Floor & Decor") anticipates entering into a lease for a portion of the Property, formerly occupied by a Macy's department store, for the purpose of developing an approximately 67,300 square foot freestanding retail store engaged principally in the sale of hard surface flooring, related tools and flooring accessories (the "Project").

6. Marketplace authorizes Floor & Decor and its project team, consisting of its development consultant (CenterPoint Integrated Solutions), its attorneys (Gibbons P.C.), its engineers (Kimley-Horn), and its architects (SBLM Architects), to submit, speak on and act with respect to applications for special permit, site plan approval, area variances, exceptions, waivers, and any other zoning, building or other permits, approvals, and authorizations (the "Town Project Entitlements") as may be required from the Town of Henrietta and any of its boards, commissions, or agencies to construct the Project. This shall include, but not be limited to, authorization to appear in support of the Project before the Henrietta Town Board, Planning Board, Conservation Board and Zoning Board of Appeals.

7. Marketplace authorizes representatives of the boards, commissions and agencies from which Floor & Decor applies for Town Project Entitlements to enter the Property for purposes of inspection in connection with such applications.

Sworn and Subscribed to before me **THE MARKETPLACE**

this 16th day of September, 2022.

Sharlene A. Buckingham By:
Notary Public [affix seal below]

Thomas C. Wilmot
Name: Thomas C. Wilmot
Title:

SHARLENE A. BUCKINGHAM
No. 01BU4612860
Notary Public, State of New York
Qualified in Genesee County
My Commission Expires Aug. 31, 2025

FLOOR & DECOR

October 7, 2022

Jennifer L. Miranda
Deputy Town Clerk and Receiver of Taxes
Town of Henrietta
475 Calkins Road
Rochester, New York 14623

**Re: Floor and Decor Outlets of America, Inc.
Application for Special Use Permit
Marketplace Mall
20 Miracle Mile Drive
Section 161.12, Block 1, Lot 1.1/B**

Dear Ms. Miranda:

I am the Construction Design Project Manager for Floor and Decor Outlets of America, Inc. ("Floor & Decor"). As such, I am responsible for overseeing the project entitlements process to develop a Floor & Decor store at the referenced location. This includes Floor & Decor's application to the Town Board for a special use permit.

Floor & Decor is represented by the law firm Gibbons P.C. This letter shall serve as authorization for Gibbons P.C. and its attorneys, specifically including but not limited to Howard D. Geneslaw, Esq., to act on Floor & Decor's behalf regarding the special use permit application and other matters involving permitting and entitlements for this project. Please include him on any communications concerning the special use permit application.

Very truly yours,

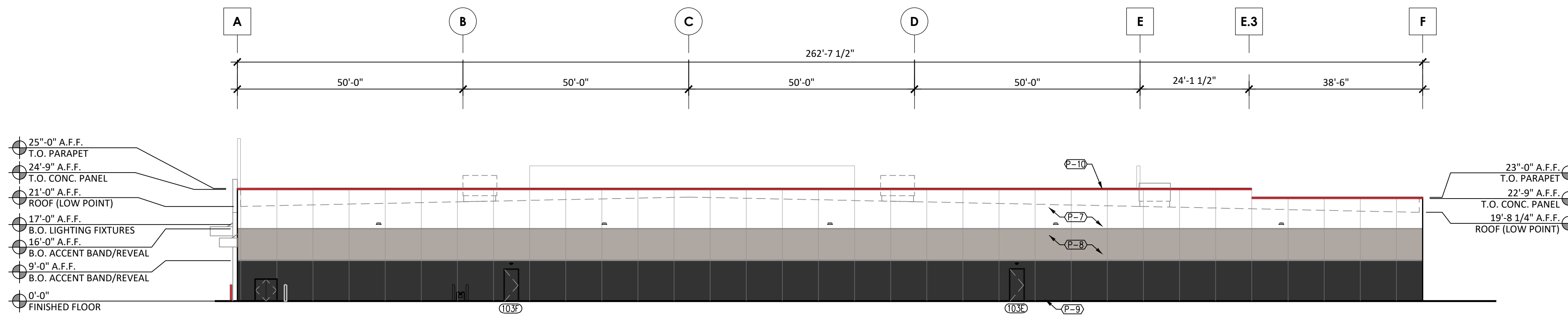


Alexander Shporer
Construction Design Project Manager



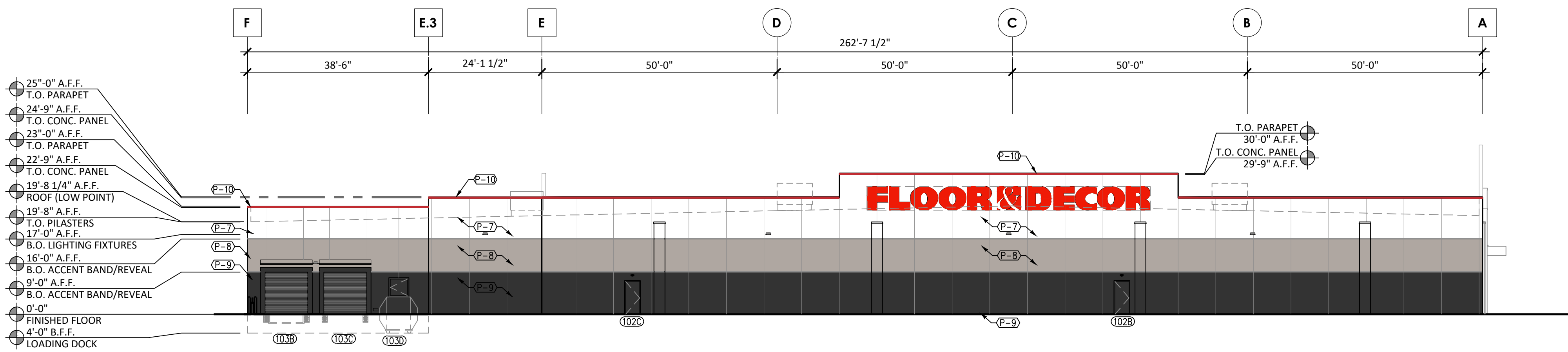
PAINT COLOR SCHEDULE

MARK	MATERIAL	MANUFACTURER	COLOR	FINISH	NOTES
P-7	PAINT	SHERWIN WILLIAMS	SW 7006 EXTRA WHITE	SATIN	
P-8	PAINT	SHERWIN WILLIAMS	SW 7044 AMAZING GRAY	SATIN	
P-9	PAINT	SHERWIN WILLIAMS	SW 7048 URBANE BRONZE	SATIN	
P-10	PAINT	SHERWIN WILLIAMS	SW 6868 REAL RED	SATIN	METAL COPING TO BE PREFINISHED "REAL RED" TO MATCH P-10



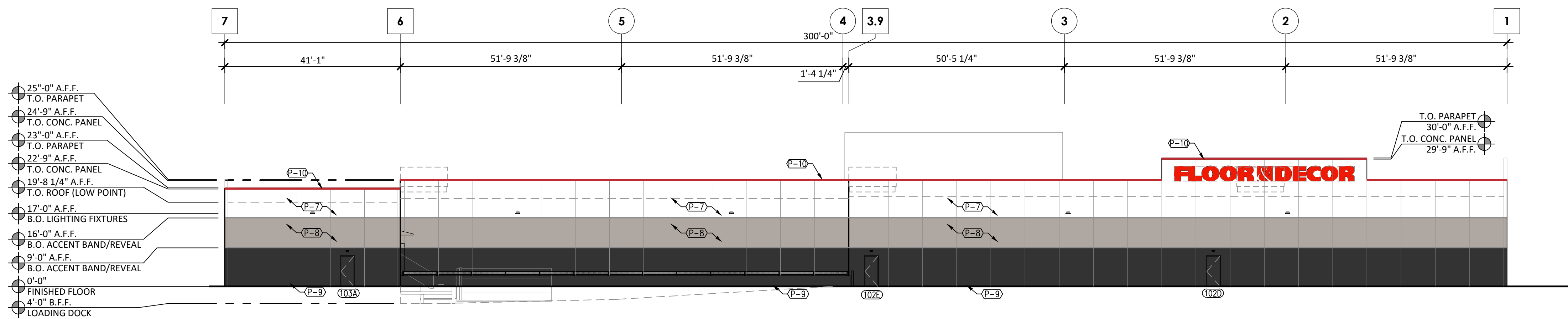
4 RIGHT ELEVATION (WEST)

SCALE: 1/16" = 1'-0"



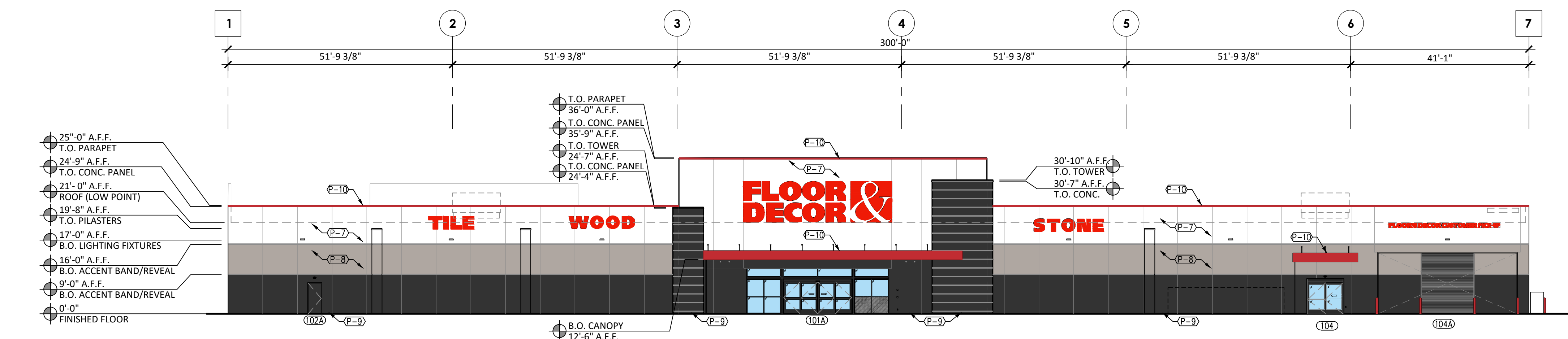
3 LEFT ELEVATION (EAST)

SCALE: 1/16" = 1'-0"



2 REAR ELEVATION (SOUTH)

SCALE: 1/16" = 1'-0"



1 FRONT ELEVATION (NORTH)

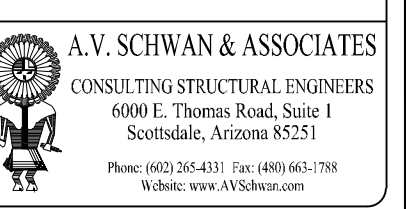
SCALE: 1/16" = 1'-0"



2500 WINDY RIDGE PARKWAY, SE ATLANTA, GA 30339



SBLM Architects AA-0003434 33 Walt Whitman Road, Suite 300A Huntington Station, NY 11746 Telephone (516) 683 5088



A.V. SCHWAN & ASSOCIATES CONSULTING STRUCTURAL ENGINEERS 6090 E. Truman Road, Suite 1 Scottsdale, Arizona 85221 Phone (480) 364-4111 Fax (480) 663-7111 Website www.avschwan.com



dilassociates consulting engineers 3600 Route 66, Suite 100 #501 Houston, TX 77057



CCI CONSULTANTS, INC. 2043 WOODLAND PARKWAY, SUITE 500 ST. LOUIS, MISSOURI 63146-4250 314.991.3323



STONEFIELD Rutherford, NJ - New York, NY - Boston, MA Princeton, NJ - Tampa, FL - Denver, CO www.stonfield.com 584 Broadway, Suite 310, New York, NY 10012 Phone 718.606.8305

PROJECT

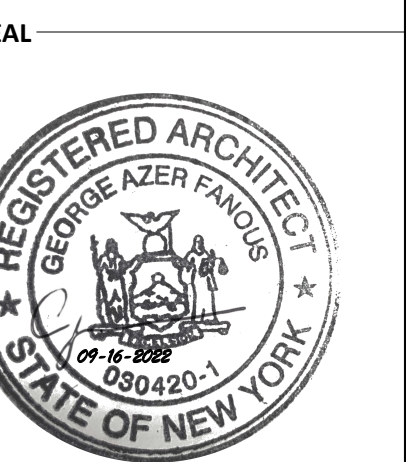
FLOOR & DECOR
HENRIETTA, NY

1 MIRACLE MILE DR. HENRIETTA, NY 14623

ISSUE DATE: 09/16/2022
STORE NUMBER: 65,136 SF
AREA: 021038
JOB NUMBER: 2019 Q2
PROTOTYPE:

ISSUE

SUN SET 09/16/22

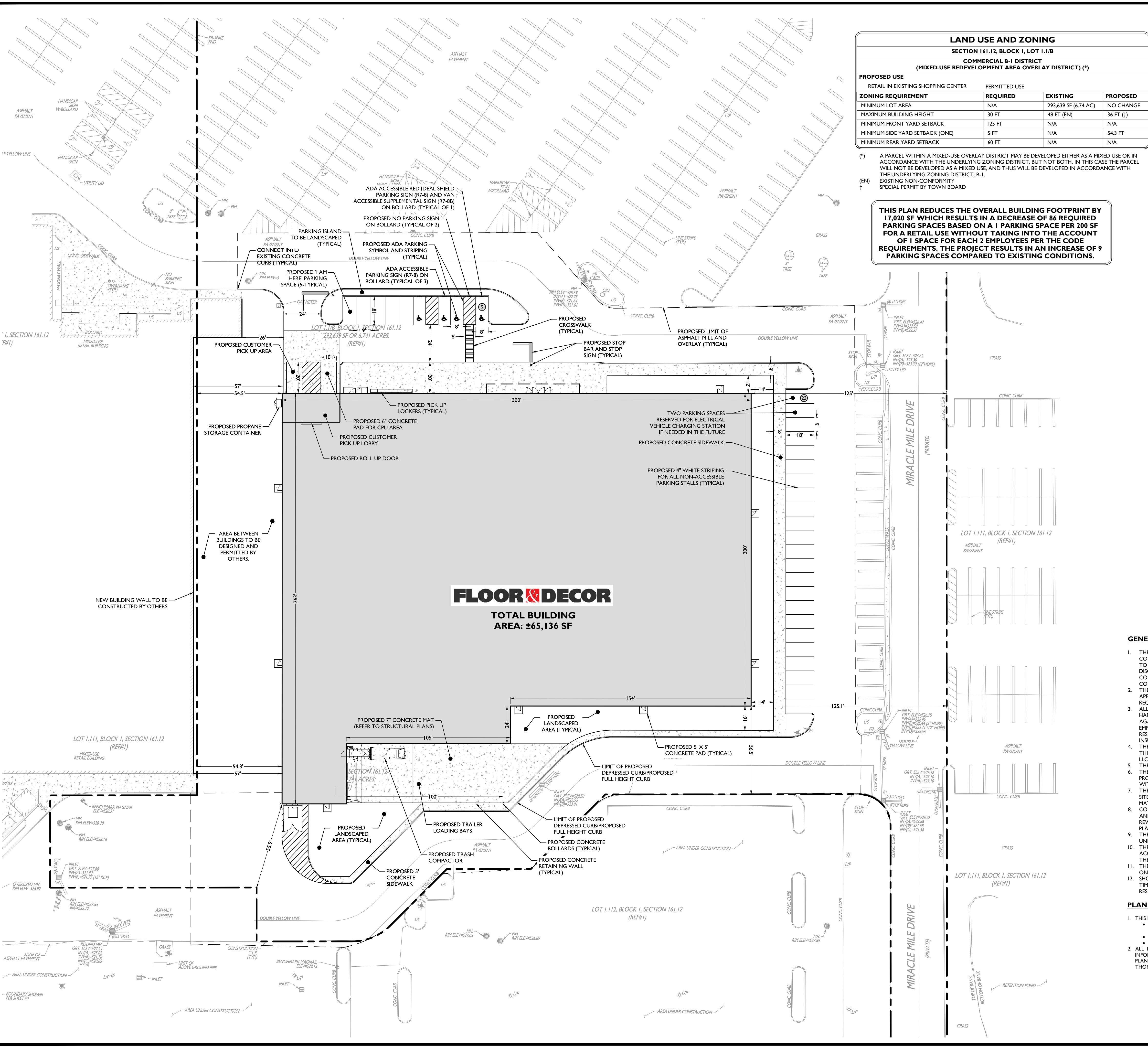


SHEET

EXTERIOR ELEVATIONS

DRAWN: GA

CHECKED: GF/PK



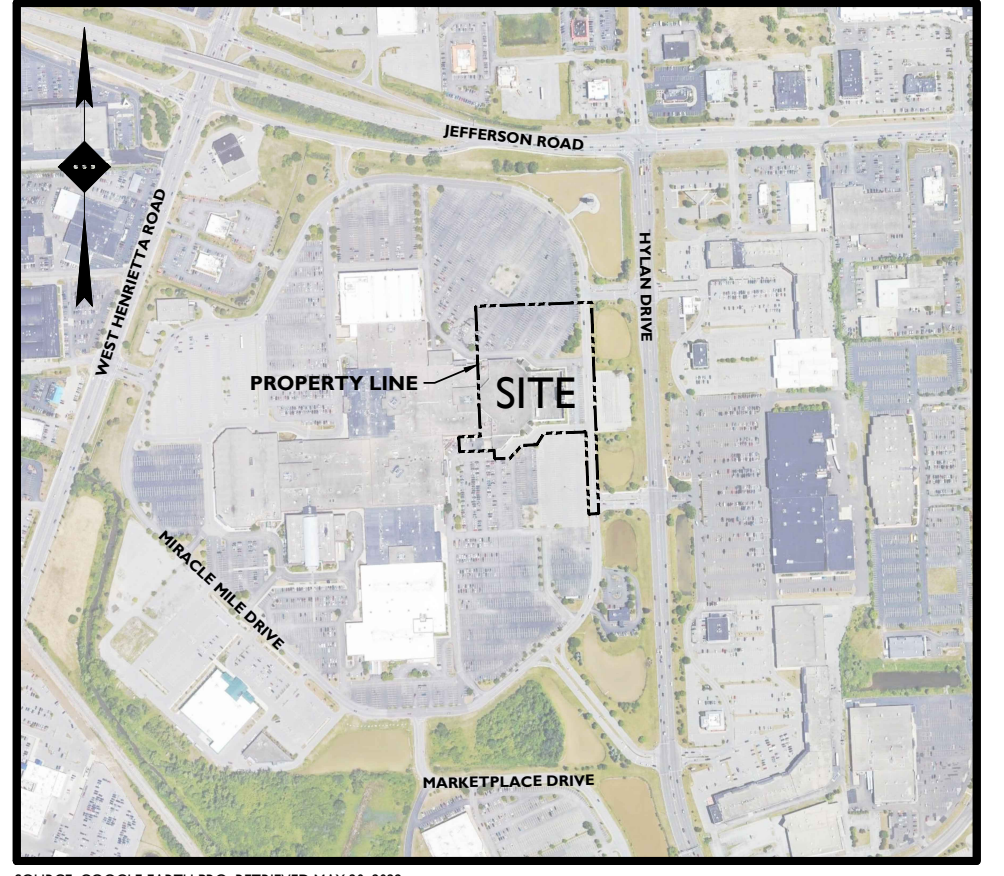
LAND USE AND ZONING			
SECTION 161.12, BLOCK 1, LOT 1.1/B			
COMMERCIAL B-1 DISTRICT (MIXED-USE REDEVELOPMENT AREA OVERLAY DISTRICT) (*)			
PROPOSED USE		PERMITTED USE	
RETAIL IN EXISTING SHOPPING CENTER			
ZONING REQUIREMENT	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	N/A	293,639 SF (6.74 AC)	NO CHANGE
MAXIMUM BUILDING HEIGHT	30 FT	48 FT (EN)	36 FT (†)
MINIMUM FRONT YARD SETBACK	125 FT	N/A	N/A
MINIMUM SIDE YARD SETBACK (ONE)	5 FT	N/A	54.3 FT
MINIMUM REAR YARD SETBACK	60 FT	N/A	N/A

(*) A PARCEL WITHIN A MIXED-USE OVERLAY DISTRICT MAY BE DEVELOPED EITHER AS A MIXED USE OR IN ACCORDANCE WITH THE UNDERLYING ZONING DISTRICT, BUT NOT BOTH. IN THIS CASE THE PARCEL WILL NOT BE DEVELOPED AS A MIXED USE, AND THUS WILL BE DEVELOPED IN ACCORDANCE WITH THE UNDERLYING ZONING DISTRICT, B-1.

(EN) EXISTING NON-CONFORMITY SPECIAL PERMIT BY TOWN BOARD

THIS PLAN REDUCES THE OVERALL BUILDING FOOTPRINT BY 17,020 SF WHICH RESULTS IN A DECREASE OF 86 REQUIRED PARKING SPACES BASED ON A 1 PARKING SPACE PER 200 SF FOR A RETAIL USE WITHOUT TAKING INTO THE ACCOUNT OF 1 SPACE FOR EACH 2 EMPLOYEES PER THE CODE REQUIREMENTS. THE PROJECT RESULTS IN AN INCREASE OF 9 PARKING SPACES COMPARED TO EXISTING CONDITIONS.

SYMBOL	DESCRIPTION
---	PROPERTY LINE
- - - -	SAWCUT LINE
---	PROPOSED CURB
---	PROPOSED FLUSH CURB
○	PROPOSED SIGNS / BOLLARDS
□	PROPOSED CONCRETE
▨	PROPOSED ASPHALT REPAIR STRIP



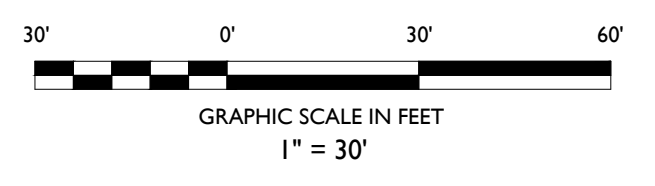
AERIAL MAP
SCALE: 1" = 800'

GENERAL NOTES

- THE CONTRACTOR SHALL VERIFY AND FAMILIARIZE THEMSELVES WITH THE EXISTING SITE CONDITIONS AND THE PROPOSED SCOPE OF WORK (INCLUDING DIMENSIONS, LAYOUT, ETC.) PRIOR TO INITIATING THE IMPROVEMENTS IDENTIFIED WITHIN THESE DOCUMENTS. SHOULD ANY DISCREPANCY BE FOUND BETWEEN THE EXISTING SITE CONDITIONS AND THE PROPOSED WORK THE CONTRACTOR SHALL NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC. PRIOR TO THE START OF CONSTRUCTION.
- THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND ENSURE THAT ALL REQUIRED APPROVALS HAVE BEEN OBTAINED PRIOR TO THE START OF CONSTRUCTION. COPIES OF ALL REQUIRED PERMITS AND APPROVALS SHALL BE KEPT ON SITE AT ALL TIMES DURING CONSTRUCTION.
- ALL CONTRACTORS WILL TO THE FULLEST EXTENT PERMITTED BY LAW, INDEMNIFY AND HOLD HARMLESS STONEFIELD ENGINEERING & DESIGN, LLC, AND ITS SUB-CONSULTANTS FROM AND AGAINST ANY DAMAGES AND LIABILITIES INCLUDING ATTORNEY'S FEES ARISING OUT OF CLAIMS BY EMPLOYEES OF THE CONTRACTOR IN ADDITION TO CLAIMS CONNECTED TO THE PROJECT AS A RESULT OF NOT CARRYING THE PROPER INSURANCE FOR WORKERS COMPENSATION, LIABILITY INSURANCE, AND LIMITS OF COMMERCIAL GENERAL LIABILITY INSURANCE.
- THE CONTRACTOR SHALL NOT DEVIATE FROM THE PROPOSED IMPROVEMENTS IDENTIFIED WITHIN THIS PLAN SET UNLESS APPROVAL IS PROVIDED IN WRITING BY STONEFIELD ENGINEERING & DESIGN, LLC.
- THE CONTRACTOR IS RESPONSIBLE TO DETERMINE THE MEANS AND METHODS OF CONSTRUCTION.
- THE CONTRACTOR SHALL NOT PERFORM ANY WORK OR CAUSE DISTURBANCE ON A PRIVATE PROPERTY NOT CONTROLLED BY THE PERSON OR ENTITY WHO HAS AUTHORIZED THE WORK WITHOUT PRIOR WRITTEN CONSENT FROM THE OWNER OF THE PRIVATE PROPERTY.
- THE CONTRACTOR IS RESPONSIBLE TO RESTORE ANY DAMAGED OR UNDERMINED STRUCTURE OR SITE FEATURE THAT IS IDENTIFIED TO REMAIN ON THE PLAN SET. ALL REPAIRS SHALL USE NEW MATERIALS TO RESTORE THE FEATURE TO ITS EXISTING CONDITION AT THE CONTRACTOR'S EXPENSE. CONTRACTOR IS RESPONSIBLE TO PROVIDE THE APPROPRIATE SHOP DRAWINGS, PRODUCT DATA, AND OTHER REQUIRED SUBMITTALS FOR REVIEW. STONEFIELD ENGINEERING & DESIGN, LLC WILL REVIEW THE SUBMITTALS IN ACCORDANCE WITH THE DESIGN INTENT AS REFLECTED WITHIN THE PLAN SET.
- THE CONTRACTOR IS RESPONSIBLE FOR TRAFFIC CONTROL IN ACCORDANCE WITH MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.
- THE CONTRACTOR IS REQUIRED TO PERFORM ALL WORK IN THE PUBLIC RIGHT-OF-WAY IN ACCORDANCE WITH THE APPROPRIATE GOVERNING AUTHORITY AND SHALL BE RESPONSIBLE FOR THE PROCUREMENT OF STREET OPENING PERMITS.
- THE CONTRACTOR IS REQUIRED TO RETAIN AN OSHA CERTIFIED SAFETY INSPECTOR TO BE PRESENT ON SITE AT ALL TIMES DURING CONSTRUCTION & DEMOLITION ACTIVITIES.
- SHOULD AN EMPLOYEE OF STONEFIELD ENGINEERING & DESIGN, LLC BE PRESENT ON SITE AT ANY TIME DURING CONSTRUCTION, IT DOES NOT RELIEVE THE CONTRACTOR OF ANY OF THE RESPONSIBILITIES AND REQUIREMENTS LISTED IN THE NOTES WITHIN THIS PLAN SET.

PLAN REFERENCE MATERIALS

- THIS PLAN SET REFERENCES THE FOLLOWING DOCUMENTS INCLUDING, BUT NOT LIMITED TO:
 - BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY STONEFIELD ENGINEERING AND DESIGN, DATED 4/22/2022.
 - ARCHITECTURAL PLAN PREPARED BY SRM, ELECTRONICALLY RECEIVED ON 9/2/2022.
 - AERIAL MAP OBTAINED FROM GOOGLE EARTH PRO SATELLITE IMAGERY, RETRIEVED 9/16/2022.
- ALL REFERENCE MATERIAL LISTED ABOVE SHALL BE CONSIDERED A PART OF THIS PLAN SET AND ALL INFORMATION CONTAINED WITHIN THESE MATERIALS SHALL BE UTILIZED IN CONJUNCTION WITH THIS PLAN SET. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN A COPY OF EACH REFERENCE AND REVIEW IT THOROUGHLY PRIOR TO THE START OF CONSTRUCTION.



ISSUE	DATE	BY	DESCRIPTION
1	09/21/2022	MC	ISSUED FOR REVIEW

NOT APPROVED FOR CONSTRUCTION

STONEFIELD
engineering & design

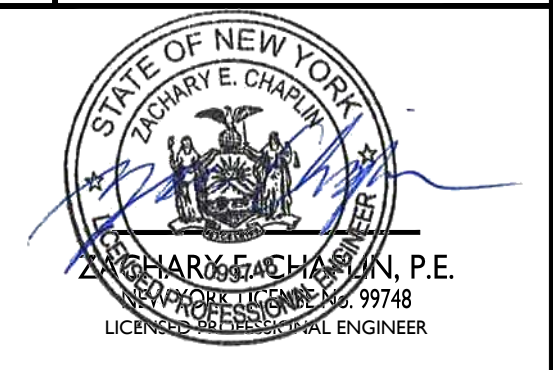
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www.stonefielddesign.com

584 Broadway, Suite 310, New York, NY 10012
Phone 718.606.8305

SITE PLANS

PROPOSED FLOOR & DECOR

LOT 1.1/B, BLOCK 1, SECTION 161.12
20 MIRACLE MILE DRIVE
TOWN OF HENRIETTA
MONROE COUNTY, NEW YORK



STONEFIELD
engineering & design

SCALE: 1" = 30' PROJECT ID: NYC-220045

TITLE: **SITE PLAN**

DRAWING: **1 OF 1**

U:\STONEFIELD\COMPS\ALBANY\220045\CENTERPOINT INTEGRATED SOLUTIONS - 20 MIRACLE MILE DRIVE\HENRIETTA NYC220045\DWG\04-01.DWG

SURVEY NOTES

- 1. THIS SURVEY AND THE BOUNDARIES SHOWN HEREON ARE THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED DURING MARCH OF 2022 BASED ON AVAILABLE MAPS AND DEEDS OF RECORD AND PHYSICAL EVIDENCE. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND AGREEMENTS OF RECORD THAT A TITLE SEARCH MAY DISCLOSE.
- 2. THIS SURVEY IS VALID ONLY WHEN A DIGITAL OR BLUE SEAL IS AFFIXED HERETO.
- 3. THE CERTIFICATION SHOWN HEREON IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- 4. UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.
- 5. ANY SUBSURFACE UTILITIES SHOWN HAVE BEEN LOCATED FROM MARKOUTS OBSERVED ON SITE DURING THE FIELD SURVEY. AND SURFACE FEATURES SUCH AS VALVES, MANHOLES AND GRATES, STORM DRAINAGE AND OR SANITARY INVERTS ARE DEPICTED BASED ON OBSERVATIONS MADE IN THE FIELD. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION USED, THE SURVEY HAS NOT PHYSICALLY LOCATED THE UTILITIES. BEFORE ANY EXCAVATIONS ARE BEGUN, THE PROPER UTILITY AGENCIES MUST BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
- 6. BEARINGS ARE REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM (NAD83) WEST ZONE. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), ESTABLISHED VIA RTK GPS OBSERVATIONS.
- 7. BENCHMARK = MAG NAD 83 = 528.31 (NAVD88); BENCHMARK = MAG NAD 83 = 528.12 (NAVD88).
- 8. BASEMENT OR BELOW GRADE STRUCTURES (IF ANY) UNKNOWN.

SURVEY REFERENCES

- 1. SUBDIVISION MAP ENTITLED "UR MEDICINE ORTHOPEDICS & PHYSICAL PERFORMANCE CENTER, TOWN OF HENRIETTA, MONROE COUNTY, NEW YORK" PREPARED BY BNE ASSOCIATES DATED DECEMBER 2019, LAST REVISED FEBRUARY 24, 2020, HAVING DRAWING NUMBER 2075-01 AND FILED IN THE OFFICE OF THE MONROE COUNTY CLERK ON FEBRUARY 28, 2020, IN LIBER 368 OF MAPS, AT PAGE 131.
- 2. A DOCUMENT BETWEEN CANANDAGUA NATIONAL BANK AND TRUST COMPANY, HYLAN ENTERPRISES, INC. THE MARKET PLACE, MHP HENRIETTA, LLC, HPHO, LLC, RUSGOMALD, SANDRA LEE, SPIRO, LLC AND UNIVERSITY OF ROCHESTER, BEING RECORDED IN THE OFFICE OF THE MONROE COUNTY CLERK ON DECEMBER 30, 2020 IN LIBER 12444 AT PAGE 155.
- 3. A MAP ENTITLED "SURVEY, THE MARKETPLACE, TOWN OF HENRIETTA, MONROE COUNTY, NEW YORK, STATE" PREPARED BY SEAN BROWN ASSOCIATES, P.C., DATED FEBRUARY 26, 1986.

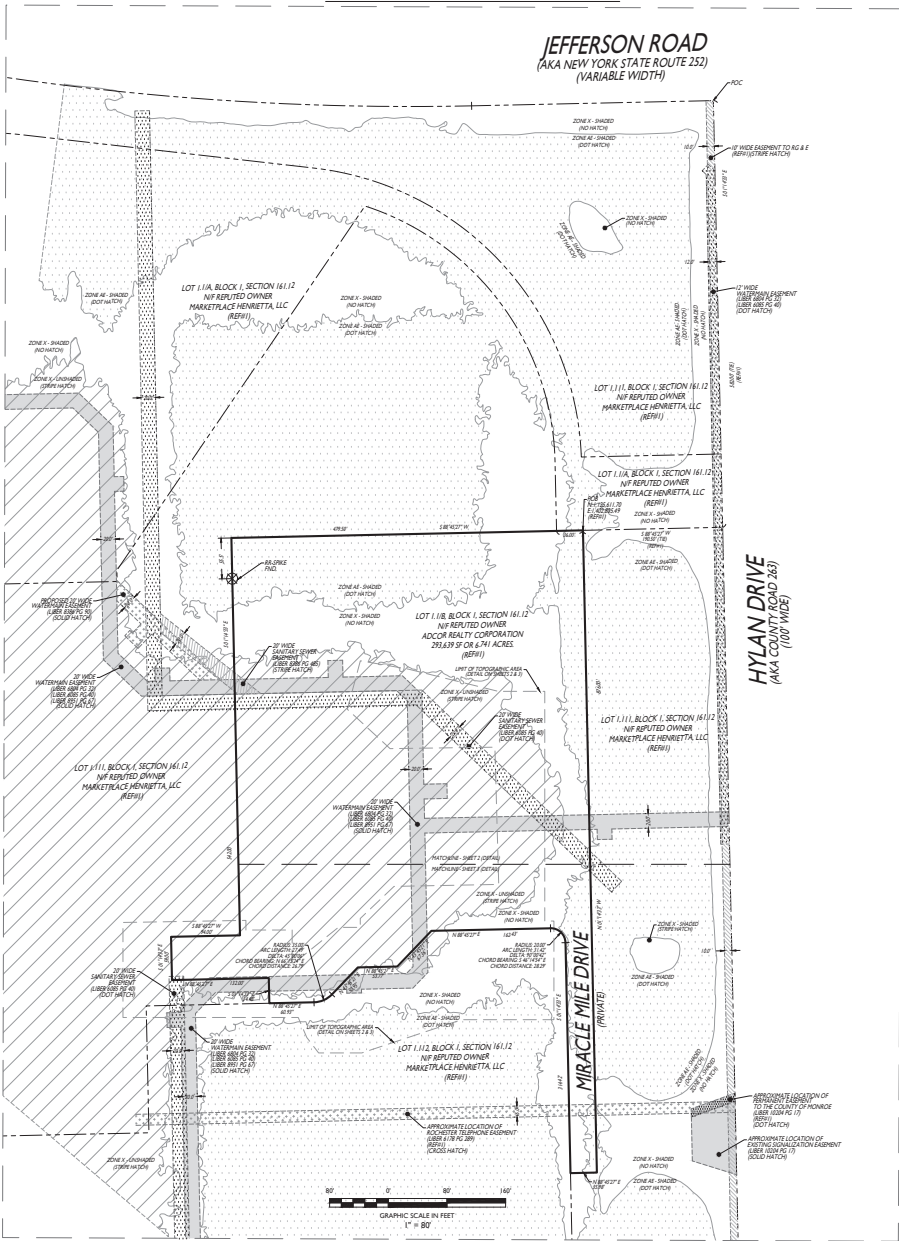
FLOOD NOTE

BY GRAPHIC FLOTTING ONLY, THIS PROPERTY IS PARTIALLY IN ZONE X (UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ZONE X (SHADED) AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF ITS ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE AND AREAS PROTECTED BY LEVES FROM THE ITS ANNUAL CHANCE FLOOD) AND ZONE AE (SHADED) BASE FLOOD ELEVATION OF 57' (NAVD 88) DETERMINED OF THE FLOOD INSURANCE RATE MAP, COMMUNITY NO. 38493, MAP NUMBER 30505C0304G WHICH BEARS AN EFFECTIVE DATE OF AUGUST 28, 2006 (AREAS SHOWN ON SHEET 11).

SYMBOL DESCRIPTION

- EASEMENT
- - - - - PROPERTY LINE
- - - - - ADJACENT PROPERTY LINE

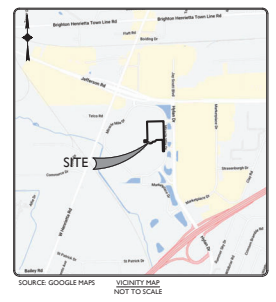
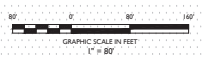
OVERALL BOUNDARY



JEFFERSON ROAD
(AKA NEW YORK STATE ROUTE 252)
(VARIABLE WIDTH)

HYLAN DRIVE
(AKA COUNTY ROAD 263)
(100' WIDE)

MIRACLE MILE DRIVE
(PRIVATE)



NYP (PC NUMBER) = 163727074

STONEFIELD
engineering & design
Rutherford, NJ • New York, NY
Princeton, NJ • Tampa, FL • Detroit, MI
www.stonefielddesign.com

Headquarters: 92 Park Avenue, Rutherford, NJ 07070
Phone 201.340.4468 • Fax 201.340.4472

BOUNDARY & PARTIAL TOPOGRAPHIC SURVEY

MAP OF SURVEY OF:

LOT 1.1.I.B. BLOCK 1, SECTION 161.12
20 MIRACLE MILE DRIVE
TOWN OF HENRIETTA
MONROE COUNTY, NEW YORK

ISSUE	DATE	DRAWN BY	CHECK BY	FIELD DATE	FIELD CREW	DESCRIPTION
1	4/22/2022	MZ/TR	TR	3/29/2022	CP/JD	FOR ISSUE

SUBJECT TO RESTRICTIONS, EASEMENTS OF RECORD AND OTHER FACTS WHICH A CURRENT TITLE SEARCH MIGHT DISCLOSE.

Thomas F. Miller
Digitally signed by Thomas F. Miller
Date: 2022.09.20 05:04:28 -0400
STATE OF NEW YORK
THOMAS F. MILLER
LICENSED LAND SURVEYOR

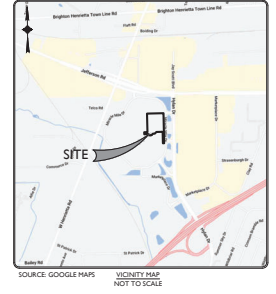
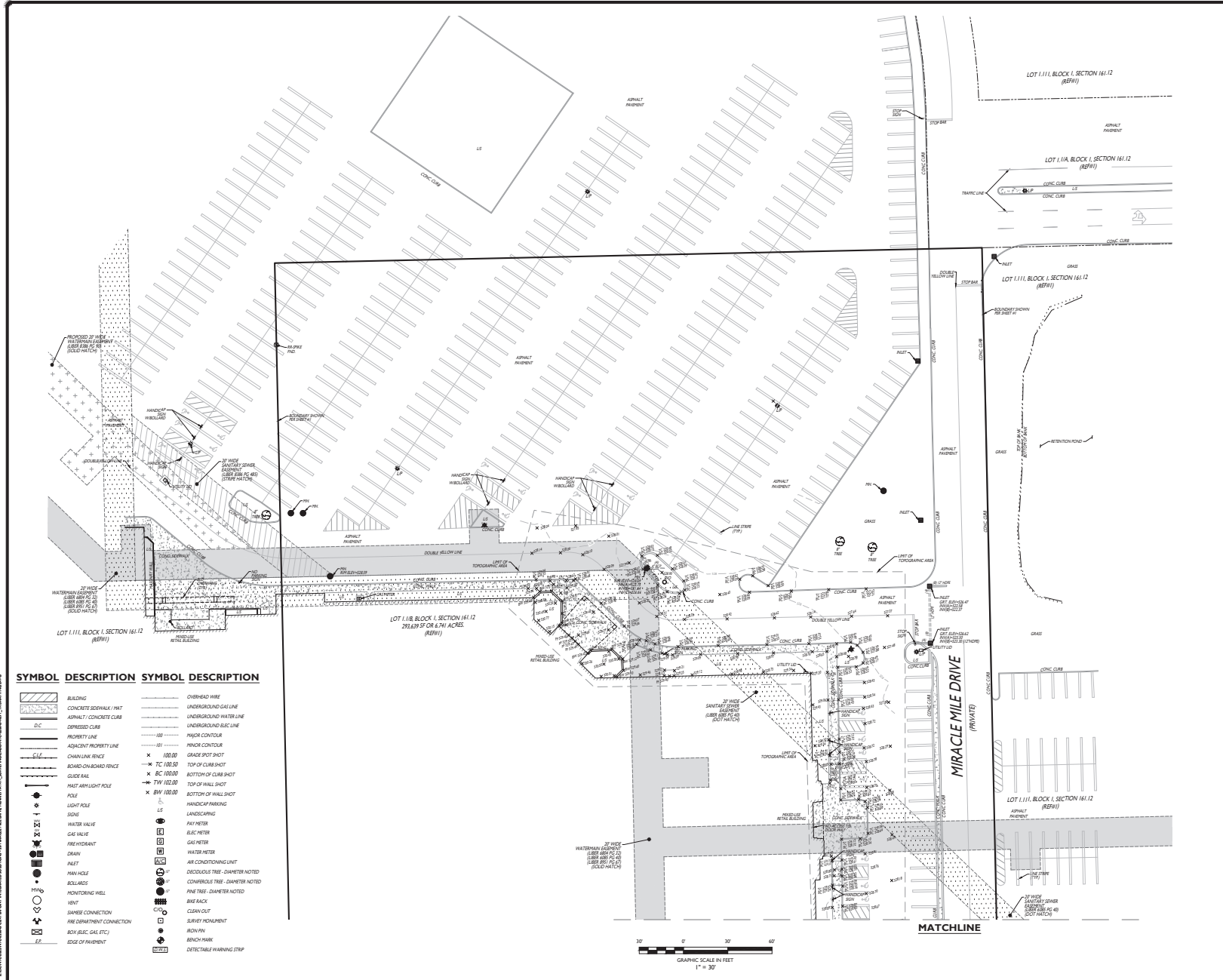
THOMAS F. MILLER
NEW YORK LAND SURVEYOR NO. 50948
LICENSED PROFESSIONAL LAND SURVEYOR
NEW YORK CERTIFICATE OF REGISTRATION NO. 15115

SCALE: 1"=80' PROJECT ID: NYC-220645 SHEET: 1 OF 3

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BOUNDARY & PARTIAL TOPOGRAPHIC SURVEY

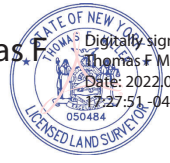
MAP OF SURVEY OF:

LOT 1.1.B. BLOCK 1, SECTION 161.12
20 MIRACLE MILE DRIVE
TOWN OF HENRIETTA
MONROE COUNTY, NEW YORK

ISSUE	DATE	DRAFT BY	CHECK BY	FIELD DATE	FIELD CREW	DESCRIPTION

SUBJECT TO RESTRICTIONS, EASEMENTS OF RECORD AND OTHER FACTS WHICH A CURRENT TITLE SEARCH MIGHT DISCLOSE.

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Thomas F. Miller
Date: 2022.09.20
17:27:51 -04'00'



THOMAS F. MILLER
NEW YORK LAND SURVEYOR NO. 050484
LICENSED PROFESSIONAL LAND SURVEYOR
NEW YORK CERTIFICATE OF AUTHORIZATION NO. 16116

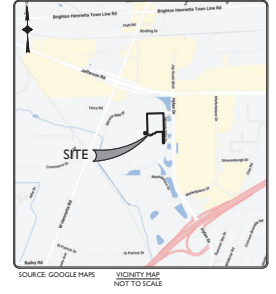
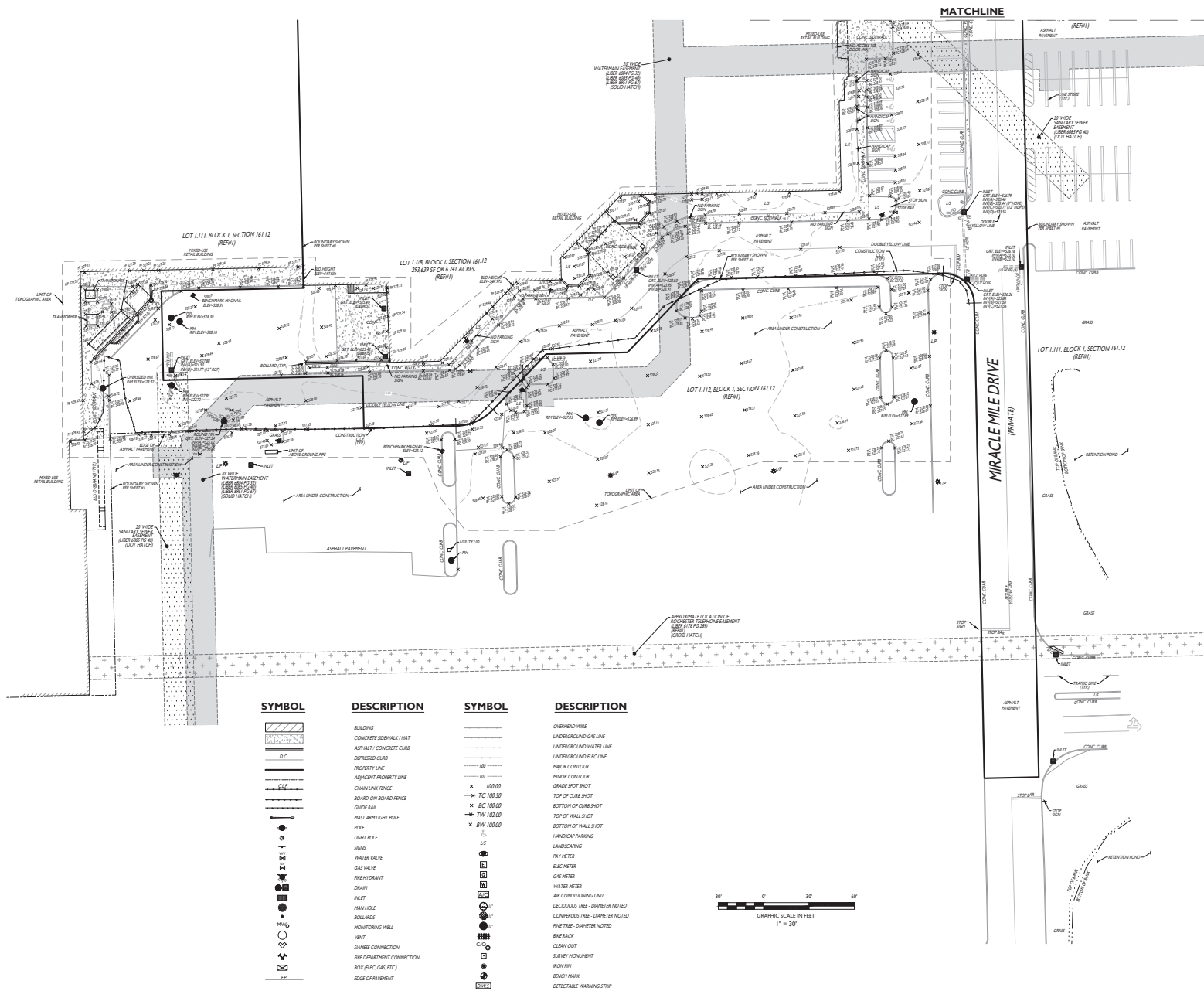
SCALE: 1"=30' PROJECT ID: NYC-220645 SHEET: 2 OF 3

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
[Symbol]	BUILDING	[Symbol]	OVERHEAD WIRE
[Symbol]	CONCRETE SIDEWALK / MAT	[Symbol]	UNDERGROUND GAS LINE
[Symbol]	ASPHALT / CONCRETE CURB	[Symbol]	UNDERGROUND WATER LINE
[Symbol]	DEPRESSED CURB	[Symbol]	UNDERGROUND BLUE LINE
[Symbol]	PROPERTY LINE	[Symbol]	MAJOR CONTOUR
[Symbol]	ADJACENT PROPERTY LINE	[Symbol]	MINOR CONTOUR
[Symbol]	CHAIN LINK FENCE	[Symbol]	GRADE SPOT SHOT
[Symbol]	BOARD-ON-BACKED FENCE	[Symbol]	TOP OF CURB SHOT
[Symbol]	GLIDE RAIL	[Symbol]	BOTTOM OF CURB SHOT
[Symbol]	POST-AND-RAIL POLE	[Symbol]	TOP OF HALL SHOT
[Symbol]	POLE	[Symbol]	BOTTOM OF HALL SHOT
[Symbol]	LIGHT POLE	[Symbol]	HANDICAP PARKING
[Symbol]	SIGN	[Symbol]	LANDSCAPING
[Symbol]	WATER VALVE	[Symbol]	PAY METER
[Symbol]	GAS VALVE	[Symbol]	ELECTRIC METER
[Symbol]	FIRE HYDRANT	[Symbol]	GAS METER
[Symbol]	DRAIN	[Symbol]	WATER METER
[Symbol]	WELL	[Symbol]	AIR CONDITIONING UNIT
[Symbol]	MAN HOLE	[Symbol]	DIODELUMES TREE - DIAMETER NOTED
[Symbol]	BOLLARDS	[Symbol]	CONIFEROUS TREE - DIAMETER NOTED
[Symbol]	MONITORING WELL	[Symbol]	PIKE TREE - DIAMETER NOTED
[Symbol]	WELL	[Symbol]	BIKE RACK
[Symbol]	SHARPE CONNECTION	[Symbol]	CLEAN OUT
[Symbol]	BOX (ELEC. GAS ETC.)	[Symbol]	SURVEY MONUMENT
[Symbol]	EDGE OF PAVEMENT	[Symbol]	IRON PIN
		[Symbol]	BENCH MARK
		[Symbol]	DEFLECTABLE WARNING STRIP



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BOUNDARY & PARTIAL TOPOGRAPHIC SURVEY

MAP OF SURVEY OF:
LOT 1.118, BLOCK 1, SECTION 161.12
20 MIRACLE MILE DRIVE
TOWN OF HENRIETTA
MONROE COUNTY, NEW YORK

NO.	DATE	BY	FOR

SUBJECT TO RESTRICTIONS, EASEMENTS OF RECORD AND OTHER FACTS WHICH A CURRENT TITLE SEARCH MIGHT DISCLOSE.

Digitally signed by
Thomas F. Miller
Date: 2022.09.20
0504872730-04'00'

THOMAS F. MILLER
NEW YORK LAND SURVEYOR NO. 50948
LICENSED PROFESSIONAL LAND SURVEYOR
NEW YORK CERTIFICATE OF AUTHORIZATION NO. 11115

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

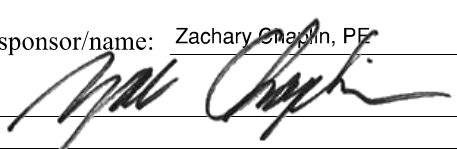
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

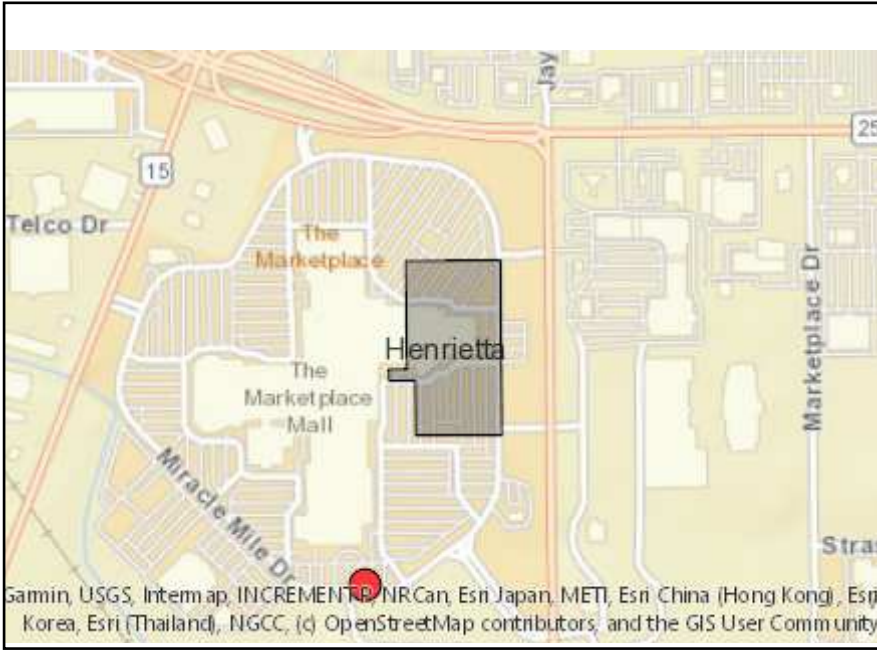
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Floor & Decor Henrietta			
Project Location (describe, and attach a location map): 20 Miracle Mile Drive - Section 161.12, Block 1, Lot 1.1/B			
Brief Description of Proposed Action: Floor and Decor Outlets of America, Inc. ("Floor & Decor") is the prospective tenant of a portion of the Marketplace Mall. Floor & Decor proposes to demolish the existing Macy's and construct, in its place, an approximately 65,136 square foot freestanding Floor & Decor retail store. The proposed new building will be located generally within the same footprint as the existing Macy's, with certain bump-outs for loading and other building features. Access to the facility will be similar to the old Macy's circulation around Miracle Mile Drive and the surrounding access driveways. New utilities are proposed as well as signage, stormwater management systems, site lighting and landscaping.			
Name of Applicant or Sponsor: Zachary Chaplin, PE - Stonefield Engineering and Design		Telephone: [REDACTED]	
Address: 854 Broadway Suite 310		E-Mail: [REDACTED]	
City/PO: New York		State: NY	Zip Code: 10012
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: See footnotes below		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		6.74 acres	
b. Total acreage to be physically disturbed?		3.94 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.74 acres (property acreage for the development lease area)	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

#2:
 -Town of Henrietta: Engineering & Planning Department Approval and Planning Board Approval
 -Town of Henrietta: Town Board Approval of Special Use Permit
 -Town of Henrietta: Zoning Board of Appeals Approval for Signage
 -New York State Department of Environmental Conservation (NYSDEC): State Pollutant Discharge Elimination System (SPDES) Permit

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. 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? b. 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?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/>	+
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____ Stormwater runoff will be collected and conveyed to the existing stormwater management system on site _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ After reviewing the NYS DEC Info Mapper, the nearest remediation site is located approximately 2,000 feet away from the project area. Therefore, it is believed that this site will not effect the projects redevelopment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Zachary Onaglin, PE</u> Date: <u>September 21, 2022</u>		
Signature: <u></u> Title: <u>Project Manager</u>		



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



Gamin, USGS, Intermap, INCREMENTP, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes