



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

Appeal No. SP-2021-018
Date 2/19/21

TOWN OF HENRIETTA
County of Monroe • State of New York
475 Calkins Road, P.O. Box 999, Henrietta, N.Y. 14667
(585) 334-7700 • www.henrietta.org

I (We) The Marketplace

Applicant
Business Name: (Same as above)

Contact Info: [Redacted] Phone Number [Redacted]

Business Address: 1265 Scottsville Road Rochester NY 14624
No. & Street City State Zip Code

Property Owner: (Same as Applicant)
Name Email

Hereby request from the Town Board for a Special Use Permit for the property located at:
3400 W. Henrietta Road
25, 30, 15, 1200, 1100 Miracle Mile Drive, Henrietta NY 14623
No. & Street City State Zip Code Phone Number
161.12-1-1.1/A, B, D, E, F, G 161.12-1-1.11 B-1 & MURAOD
Tax Map No. City State Zip Code Zoning District

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

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

Article: IXA Section: 295.34 Subsection: 2 Paragraph: C of the Zoning Ordinance.
Description of Proposal: Proposed Mixed Use Development within the Mixed-Use Redevelopment Overlay District

Multiple Dwelling Applications – Dwelling Units per Acre: 2 dwelling units/acre (proposed)

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

Architect/Engineer: BME Associates
Name [Redacted] Email [Redacted]
10 Lift Bridge Lane East Fairport NY 14450
No. & Street City State Zip Code Phone Number

Signature of Owner or Leasee: [Signature] V.P.

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

Signature of Agent: Jamie Fried 3/24/21 TBD
Received By Date of Meeting Time
(unless rescheduled)



February 19, 2021

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

**Re: Marketplace Mall
Special Permit Application – Mixed Use Development**

2742

Dear Board Members:

On behalf of The Marketplace, we submit the enclosed application for Special Permit to allow a mixed use development within the Mixed-Use Redevelopment Area Overlay District (MURA) that is the Marketplace Mall property. We request to appear at your March 24, 2021 Town Board meeting to present the Special Use Permit application. We have enclosed the following application materials for your review:

- Letter of Intent
- Special Use Permit Application Form
- Part I of the Full Environmental Assessment Form
- Part II EAF Narrative
- Statement of Professional and Consulting Fees
- Four (4) Mixed Use Development Exhibit
- \$150 Application Fee (Commercial)

The area of application is the 105.64 acre Marketplace Mall property. This project proposes a mixed-use development area on the Marketplace Mall property, which in turn will promote the long-term viability of the property by allowing a mixture of uses; some of which are not currently allowed in the underlying zoning.

The underlying zoning district for this property is Commercial B-1. Per §295-34.2.C of the Town Code, a special permit is required to allow a mixed-use development in a mixed-use overlay district.

The area of application under control by the applicant totals ±1,080,132 SF and consists of the existing primary Marketplace Mall structure (excluding the URMC/Sears lot area), the existing Sportsman's Warehouse structure, the existing Land's End structure, the existing M&T Bank structure, and a proposed 4-story, 150-unit residential apartment, senior housing structure (Marketplace Senior Housing). The Marketplace Senior Housing project is proposed to be established on a new ±3.6 acre lease parcel area within an existing lease parcel area (Tax Account Number 161.12-1-1.1/F), located to the west of Sportsman's Warehouse, which represents the location of the former Marketplace movie theater. The Marketplace Senior Housing use will be submitted as a separate application to the Town Board.

The Tables (1 & 2) below identify the proposed uses within the Marketplace Mall property area of application, and the allowable uses within the MURA per §295-34-4.C(3) of the Town Code:

Table 1: Proposed Uses within the Marketplace Mall Property Area of Application

Use	Description	Area
Industrial/Medical/Office	URMC Leaseback Area	42,139 SF
	Non-Retail Mall Area	87,212 SF
	M&T Bank	3,588 SF
	Subtotal	132,939 SF
Commercial	Macy's (first floor)	95,000 SF
	JCPenney	128,513 SF
	Dick's Sporting Goods	82,257 SF
	Sportsman's Warehouse	55,000 SF
	RPM Raceway	52,599 SF
	Dave & Buster's	33,144 SF
	Small Shop Retail (total)	249,101 SF
	Land's End	13,044 SF
	Subtotal	708,658 SF
	Residential (Proposed)	Marketplace Senior Apartments (Total 4 stories)
Civic Space	Common Areas (not including URMC lot/bldg.)	73,630 SF
	Food Court (not included above)	13,255 SF
	Subtotal	86,885 SF
	TOTAL	1,080,132 SF

Table 2: Proposed Uses within the Marketplace Mall Area of Application (per 295-34.4.C(3))

Use	Industrial/Medical/Office	Commercial	Residential	Civic Space
Minimum Allowed	0%	30%	30%	5%
Maximum Allowed	35%	65%	65%	20%
Proposed	12.3%	65.6%	14.0%	8.1%

The above shows that the proposal meets the mixed use requirements of Section 295-34.3.D of the Town Code as it provides the minimum three uses of residential, commercial and civic space, and that the second- and third-largest component use categories each comprise at least 5% of the mixed use at minimum.

Table 2 indicates that the proposed mixed use development meets the Town Code area of application percentage requirements for Industrial/Medical/Office and Civic Space uses. The proposed Commercial and Residential use percentages are not within the use percentage ranges per the Town Code. However, per §295-34.4.C(4) of the Town Code, *“the Town Board shall have the ability to increase or decrease the minimum and maximum percentage requirements.”* As such, the applicant requests that the Town Board grant the establishment of the Marketplace Mall mixed use development area which meets the intent of the code to provide multiple uses, while allowing flexibility for future development while promoting the long-term viability of the property.

We are requesting a Special Permit per §295-34.2.C of the Town Code to allow the establishment of a mixed-use development in a mixed-use overlay district. We acknowledge that there are factors that the Town Board must consider per §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 mixed-use development is consistent with the existing Marketplace Mall application area which currently consists of multiple uses within numerous structures.

- 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 mixed-use development does align with the vision, goals and recommendations of the Town's Comprehensive Plan. The proposal furthers the Town's goal to re-develop the Marketplace with mixed-uses that was the impetus to establish the MURA for this area of the Town. As stated in the Comprehensive Plan, "reuse of vacant and underutilized commercial and industrial properties needed to be encouraged." As such, the proposed mixed-use development application area accomplishes this goal by allowing for the repurposing of previously developed vacant parcels and by providing additional opportunities in the Town of Henrietta (i.e. Senior Housing).

- 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 Town Code states: "The intent of the Mixed-Use Redevelopment Area Overlay District is to provide opportunities for the redevelopment of existing vacant, underutilized and single-use properties in areas of potential transition from single-use commercial and industrial properties into more vibrant mixed-used neighborhoods." "The Mixed-Use Redevelopment Area allows for the integration of residential and nonresidential uses with a compatible mix of businesses and multiple-dwelling housing opportunities of various styles and densities."

Therefore, the proposed Special Use Permit application for a mixed-use development area aligns with the purpose and intent of the Mixed-Use Redevelopment Overlay District.

- 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 mixed-use development will not be a nuisance or create any of the conditions noted above that are out of the ordinary within the Marketplace Mall property or the vicinity of the project. Future redevelopment 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 mixed-use development proposal will not create any hazards or dangers to the public, or persons in the vicinity of the use. The proposed application area will be redeveloped in accordance with the Town of Henrietta and appropriate County/State agency standards. The Marketplace Mall property mixed-use development area includes emergency access routes and ample parking to serve the application area.

- 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 mixed-use development application area 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). The site is currently developed, and the proposed mixed-use development will utilize existing vehicular access to the site (Miracle Mile Drive) and maintain the existing stormwater runoff patterns for the previously developed site. Disturbances to the application area necessary for demolition, building construction, surface treatments and the associated landscape areas and will be completed meeting the NYSDEC requirements to minimize impacts to the environment and surrounding area. The application area is not located within an agricultural district. A Part I Short Form Environmental Assessment Form for the proposed action 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 proposed mixed-used development area, as the application area within the Marketplace Mall property is currently developed and contains multiple uses. Any re-development will be constructed to conform to the surrounding property and be consistent with the functionality of the Marketplace Mall property. The Marketplace Mall mixed-use development offers significant assets such as access to Town, County and State roads, ample parking, parcel size, as well as existing stormwater management, utility and public transportation infrastructure. The proposed mixed-use development application area is buffered to lands external from the Marketplace Mall property to the west and south via an existing vegetated buffer.

- 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 property offers adequate existing assets, including those listed above, and the proposed mixed-use development application area will not create or contribute to any known existing inadequacies in the area. The area of application does not require an extension of existing infrastructure. The Marketplace Mall property is currently served by emergency services and the proposed uses do not alter their ability to serve.

- 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.*

The proposed mixed-use development is anticipated to enhance the Marketplace Mall by allowing for the repurposing of vacant areas that were previously developed, and by introducing new uses not currently provided on the property but allowed per the MURA overlay to the underlying zoning district. Future redevelopment areas will be designed to not interfere with onsite pedestrian and vehicular traffic circulation throughout the Marketplace Mall property. Both pedestrian and vehicular access will be provided to allow connectivity to adjacent areas on the Marketplace Mall property.

Enclosed is a Mixed Use Development Exhibit which highlights the proposed Marketplace Mall mixed-use development area. We look forward to appearing at the March 24, 2021 Town Board meeting to present this Special Permit application. We also request that the application is referred to the Planning Board for their March 16, 2021 meeting for a discussion item prior to the Town Board meeting.

Per NYSRR 617.4 the application is considered an Unlisted action under SEQR. The Town Board has declared their intent to designate themselves lead agency at their January 27th meeting for the SEQRA process. Additional materials will be provided for your distribution to involved and interested agencies. A SEQRA Full Environmental Assessment Form (EAF), Part 1 & Part 2 Narrative are enclosed for this application and also for the subsequent Marketplace Senior Apartments application to allow a proposed 4-story ($\pm 151,650$ SF total), 150-unit residential apartment, senior housing structure within of the Marketplace Mall Mixed Use Development area.

The Marketplace looks forward to working with the Town of Henrietta to bring this transformative project to reality. 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



Ryan T. Destro, P.E.

/RTD

Encl.

c: James Wilmot; The Marketplace
Eric Wright; The Marketplace
Shawn Griffin; Harris Beach, PLLC.
Ryan Brandt; Rochester Cornerstone Group, Ltd.

MEMORANDUM

To: Steve Schultz, Supervisor; Town of Henrietta
From: Peter G. Vars, P.E.; BME Associates
Date: March 12, 2021
Re: **Marketplace Mall Mixed-Use Redevelopment Area Special Permits** **2742**

As requested, we provide the Town with the information known to date for the phasing of mixed-use development at the Marketplace Mall. The following information accompanies the Mixed-Use Development and Phasing Exhibit (BME Dwg. 2742-03), which illustrates the mixed-uses and phasing plan for the property.

1. URMC Development: March 2021

The conversion of the former Sears building and Sears wing of the mall to a medical use for ambulatory surgery, physical therapy, and other related functions commenced in the first quarter of 2021. The project received approval from the Town of Henrietta in the first quarter of 2020.

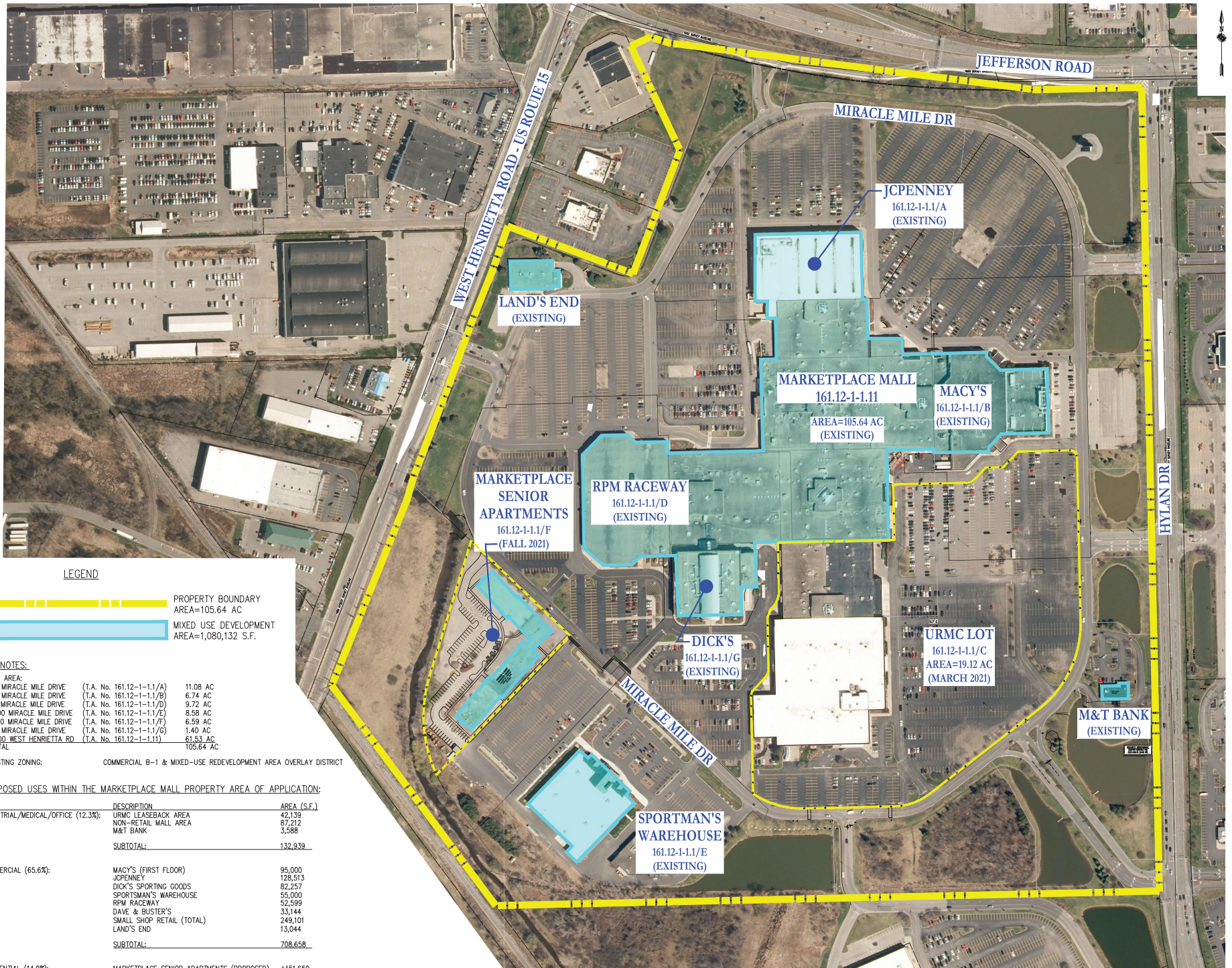
2. Marketplace Senior Apartments: Fall 2021

The development of a 4-story, 150-unit senior apartment building is planned for fall 2021 construction. The project will be located on a lease parcel within the mall property at the site of the former Marketplace theatre, to the west of Sportsman Warehouse. The project will introduce a residential use component onto the Marketplace site. The applications for the necessary Special Permit for the use have been submitted to the Town Board for consideration at their March 24, 2021 meeting. After receiving the Special Permit, the necessary application for site plan approval will be submitted.

3. Remaining Commercial / Retail Uses: Existing

The remaining current commercial, civic, retail, and entertainment uses on the mall property will remain as is as of this current date. The submitted map exhibit illustrates these uses which consist of the primary mall building itself, excluding the URMC building/lot, and outparcel buildings of M&T Bank, Lands End, and Sportsman Warehouse. The primary mall building includes the civic/public spaces for walkers and also the food court area.

Marketplace Mall is commencing its transition to a mixed-use property. The year 2021 will see the introduction of the medical/surgery use and the residential use to the mall property. The new uses will compliment each other and the existing commercial and civic uses within the property.



LEGEND

- PROPERTY BOUNDARY
AREA=105.64 AC
- MIXED USE DEVELOPMENT
AREA=1,080,132 S.F.

SITE NOTES:

1. SITE AREA:

25 MIRACLE MILE DRIVE (T.A. No. 161.12-1-1.1/A)	11.08 AC
20 MIRACLE MILE DRIVE (T.A. No. 161.12-1-1.1/B)	6.74 AC
15 MIRACLE MILE DRIVE (T.A. No. 161.12-1-1.1/D)	9.72 AC
1200 MIRACLE MILE DRIVE (T.A. No. 161.12-1-1.1/E)	8.58 AC
1100 MIRACLE MILE DRIVE (T.A. No. 161.12-1-1.1/F)	6.59 AC
30 MIRACLE MILE DRIVE (T.A. No. 161.12-1-1.1/G)	1.40 AC
3400 WEST HENRIETTA RD (T.A. No. 161.12-1-1.1)	61.53 AC
TOTAL	105.64 AC

2. EXISTING ZONING: COMMERCIAL B-1 & MIXED-USE REDEVELOPMENT AREA OVERLAY DISTRICT

PROPOSED USES WITHIN THE MARKETPLACE MALL PROPERTY AREA OF APPLICATION:

USE	DESCRIPTION	AREA (S.F.)
INDUSTRIAL/MEDICAL/OFFICE (12.3%):	URCM LEASEBACK AREA	42,139
	NON-RETAIL MALL AREA	87,212
	M&T BANK	3,588
	SUBTOTAL:	132,939
COMMERCIAL (65.6%):	MACY'S (FIRST FLOOR)	95,000
	JCPENNEY	128,513
	DICK'S SPORTING GOODS	82,257
	SPORTSMAN'S WAREHOUSE	55,000
	RPM RACEWAY	52,599
	DAVE & BUSTER'S	33,144
	SMALL SHOP RETAIL (TOTAL)	249,101
	LAND'S END	13,044
SUBTOTAL:	708,658	
RESIDENTIAL (14.0%):	MARKETPLACE SENIOR APARTMENTS (PROPOSED)	±151,650
	(TOTAL 4 STORIES)	
CIVIC SPACE (8.1%):	COMMON AREAS (NOT INCLUDING URCM LOT/BLDG)	73,630
	FOOD COURT (NOT INCLUDED ABOVE)	13,255
	SUBTOTAL:	86,885
TOTAL:		1,080,132

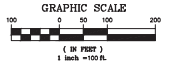
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NO.	REVISION
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BME ASSOCIATES
 ENGINEERS & SURVEYORS LANDSCAPE ARCHITECTS
 1000 WEST HENRIETTA ROAD, SUITE 200
 ROCHESTER, NEW YORK 14620
 PHONE: 585.477.2000
 FAX: 585.477.2000
 WWW.BMEASSOCIATES.COM

MARKETPLACE SENIOR APARTMENTS
 PROJECT NUMBER: 2742
 PROJECT OWNER: J. WEST
 PROJECT ENGINEER: S. DEBIO
 DRAWN BY: [Name]
 SCALE: [Scale]
 DATE ORDERED: [Date]
 PROJECT NO.: [Number]
 DRAWING NO.: [Number]





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

Appeal No. SP2021-009
Date Updated 02/19/2021

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

I (We) Rochester's Cornerstone Group, Ltd.
Applicant
Business Name: Rochester's Cornerstone Group, Ltd.

Contact Info: [Redacted] [Redacted]
Email Phone Number

Business Address: 460 White Spruce Blvd Rochester NY 14623
No. & Street City State Zip Code

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

Hereby request from the Town Board for a Special Use Permit for the property located at:
1100 Miracle Mile Drive, Henrietta NY 14623
No. & Street City State Zip Code
161.12-1-1.1/F B-1 & MURAOD
Tax Map No. Zoning District
If property is under a purchase option, indicate date option expires: N/A

Under the Zoning Ordinance, a Special Permit is requested pursuant to: 295-34.2[C] & 295-34.3[B]

Article: ~~17A~~ Section: ~~295-34~~ Subsection: ~~6~~ Paragraph: ~~6~~ of the Zoning Ordinance.
Description of Proposal: Proposed 4-story, +/- 150-unit residential apartment, senior housing structure within the Mixed-Used Redevelopment Area Overlay District

Multiple Dwelling Applications – Dwelling Units per Acre: 2 dwelling units/acre (proposed)

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

Architect/Engineer: BME Associates [Redacted]
Name Email
10 Lift Bridge Lane East Fairport NY 14450 [Redacted]
No. & Street City State Zip Code Phone Number

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

Signature of Agent: Ryan T. Deeter BME Associates

Janine Fried 02/24/2021 5:30 p.m.
Received By Date of Meeting Time
(unless rescheduled)



February 19, 2021

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

Re: Marketplace Senior Apartments **2742**
Special Permit Application – Senior Housing within a Mixed Used Development

Dear Board Members:

On behalf of Rochester's Cornerstone Group, Ltd., we submit the enclosed application for Special Permit to allow the construction of senior housing within the Mixed-Use Redevelopment Area Overlay District (MURA) that is the Marketplace Mall property per Section 295-34.2.H & 295-34.3.B of the Town Code. We request to appear at your March 24, 2021 Town Board meeting to present the Special Use Permit application. We have enclosed the following application materials for your review:

- Letter of Intent
- Special Use Permit Application Form
- Statement of Professional and Consulting Fees
- Owner Authorization to Make Application
- Four (4) Concept Site Plans
- Application Fee (Paid on January 22, 2021)

The area of application includes a new ± 3.6 -acre lease parcel area within an existing lease parcel area (Tax Account Number 161.12-1-1.1/F), located to the west of Sportsman's Warehouse, which represents the location of the former Marketplace movie theater. This project proposes the construction of a proposed 4-story ($\pm 151,650$ SF total), 150-unit residential apartment, senior housing structure as part of the Marketplace Mall Mixed Use Development area.

The underlying zoning district for this property is Commercial B-1. Senior housing is permitted within the Commercial B-1 zoning district because of the granting of a Special Permit for the Marketplace property by the Town Board. This application is submitted as per §295-34.3.B and Appendix B in the Town Code, senior housing is allowed in the MURA with a distinct special permit.

The Town Code identifies standards for residential density as well as component percentage ranges required for the allowable uses within a Mixed-Use Overlay District. Per §295-34.4.D.(1) of the Town Code, the maximum multiple-dwelling residential density is 18 dwelling units per acre. The proposed 150-unit senior housing structure placed within the 105.6-acre Marketplace Mall property results in a density of 1.42 (≈ 2 dwelling units per acre); thus, meeting the Town Code requirement.

The proposed $\pm 151,650$ SF new residential use represents 14% of the $\pm 1,080,132$ SF Marketplace Mall Mixed Use Development area. Therefore, the proposed senior housing application meets the intent of the MURA by introducing a new residential use not currently present within the Marketplace Mall Mixed Use Development area.

We are requesting a Special Permit per §295-34.3.B of the Town Code to allow the construction senior housing in the MURA. We acknowledge that there are factors that the Town Board must consider per §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 senior housing redevelopment is consistent with the existing Marketplace Mall structures and approved (URMC) structure within the surrounding area and immediate vicinity on the Marketplace Mall property. Immediately northeast of the proposed senior housing structure exists the Marketplace Mall primary structure and the Sportsman's Warehouse structure is located to the southeast. The senior housing structure is proposed within a developed portion of the Marketplace Mall property and with a proposed height of less than 50' it complies with the Town Code height requirement of the MURA.

- 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 senior housing structure aligns with the vision, goals and recommendations of the Town's Comprehensive Plan. The proposal furthers the Town's goal to re-develop the Marketplace with mixed-uses that was the impetus to establish the MURA for this area of the Town. As stated in the Comprehensive Plan, "reuse of vacant and underutilized commercial and industrial properties needed to be encouraged." As such, the proposed senior housing application accomplishes this goal by repurposing a previously developed vacant parcel and by providing additional senior housing opportunities in the Town of Henrietta.

- 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 Town Code states: "The intent of the Mixed-Use Redevelopment Area Overlay District is to provide opportunities for the redevelopment of existing vacant, underutilized and single-use properties in areas of potential transition from single-use commercial and industrial properties into more vibrant mixed-used neighborhoods." "The Mixed-Use Redevelopment Area allows for the integration of residential and nonresidential uses with a compatible mix of businesses and multiple-dwelling housing opportunities of various styles and densities."

Therefore, the proposed Special Use Permit application for senior housing as part of a mixed-use redevelopment area aligns with the purpose and intent of the Mixed-Use Redevelopment Overlay District. The proposed redevelopment has been designed to meet the standards for density and the intent to provide multiple uses within a Mixed-Use Overlay District.

- 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 senior housing residential use will not be a nuisance or create any of the conditions noted above that are out of the ordinary within the Marketplace Mall property or the vicinity of the project. The proposed senior housing structure 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 senior housing proposal 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. The proposed height of the senior housing structure will be less than the MURA Code maximum of 50', which can be served by the Fire District's aerial apparatus. The layout of the senior housing redevelopment area includes emergency access routes to serve the application area.

- 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 senior housing project to be located within the Marketplace Mall Mixed Use Development area 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 a previously developed portion of the Marketplace Mall property. The proposed senior housing structure will utilize existing vehicular access to the site (Miracle Mile Drive) and maintain the existing stormwater runoff patterns for the previously developed site. Disturbance to the project site necessary for demolition, building construction, surface treatments and the associated landscape areas 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 building height of the proposed senior housing structure is less than 50' which complies with the requirements of the Town Code for the Mixed-Use Redevelopment Area Overlay District. A Part I Long Form Environmental Assessment Form for the proposed action 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 proposed senior housing use as part of the mixed-used redevelopment district, as the site is located within the developed portion of the Marketplace Mall Mixed Use Development area. The proposed senior housing structure will be constructed to conform to the surrounding property and be consistent with the functionality of the Marketplace Mall property. The Marketplace Mall property offers significant assets such as access to Town, County and State roads, ample parking, parcel size, as well as existing stormwater management, utility and public transportation infrastructure. The proposed senior housing application area is buffered to lands external from the Marketplace Mall property to the west and south via an existing on-site vegetated buffer proposed to remain and the proposed building will meet all setback requirements of the MURA to the exterior property lines.

- 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 property offers adequate existing assets, including those listed above, and the proposed mixed-use redevelopment application area will not create or contribute to any known existing inadequacies in the area. The location of the proposed senior housing structure does not require an extension of existing infrastructure. The Marketplace Mall property is currently served by emergency services and the proposed use does not alter their ability to serve. The proposed senior housing structure will have a height of less than 50' and is proposed to be served on (2) sides of the structure with aerial fire apparatus access roads (Miracle Mile Drive to the north and the existing drive aisle to the east), that meet the standards of the Town of Henrietta and the International Fire Code. The proposed building height can be served with the existing apparatus of the Fire District.

- 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.*

The proposed senior housing structure is anticipated to enhance the Marketplace Mall by repurposing a vacant area that was previously developed, and by introducing a new use not currently provided on the property, but allowed per the MURA overlay to the underlying zoning district. The proposed senior housing development will be designed to not interfere with onsite pedestrian and vehicular traffic circulation throughout the Marketplace Mall property. Both pedestrian and vehicular access will be provided to allow connectivity to adjacent areas on the Marketplace Mall property.

We have enclosed a conceptual Site Plan of the proposed Marketplace Senior Apartments. Upon completion of the Special Permit process, we will prepare the necessary site plans for Planning Board Site Plan review. Also included are architectural exhibits illustrating the height and intent of the proposed senior housing structure. These plans will be subject to building permit review by the Town Building and Fire Prevention Department upon completion of the Special Use Permits process.

We look forward to appearing at the March 24, 2021 Town Board meeting to present this Special Permit application. We also request the application is referred to the Planning Board for their March 16, 2021 meeting for a discussion item prior to the Town Board meeting.

Per NYSCRR 617.4 the application is considered an Unlisted action under SEQR. The Town Board declared their intent to designate themselves lead agency at their January 27th meeting for the SEQRA process. The SEQRA determination for this project will be completed by the Town Board as part of their review of the Marketplace Mall Mixed Use Development Special Use Permit application.

Rochester Cornerstone Group, Ltd., looks forward to working with the Town of Henrietta to bring this transformative project to reality. 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

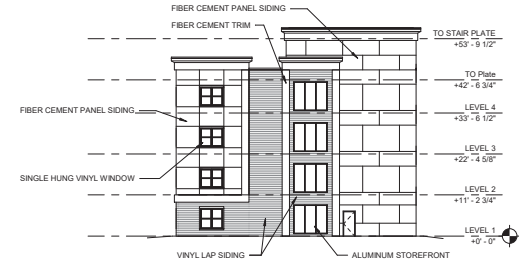


Ryan T. Destro, P.E.

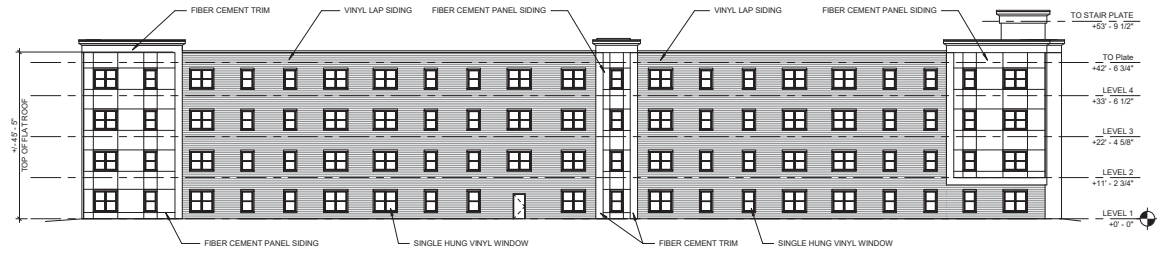
/RTD

Encl.

c: Ryan Brandt; Rochester Cornerstone Group, Ltd.
James Wilmot; The Marketplace
Eric Wright; The Marketplace
Shawn Griffin; Harris Beach, PLLC.



3 EXTERIOR ELEVATION - NORTH
1/16" = 1'-0"



2 EXTERIOR ELEVATION - EAST
1/16" = 1'-0"

UNIT MIX	
1 BEDROOM UNIT	142
2 BEDROOM UNIT	8
TOTAL UNITS	150



1 EXTERIOR ELEVATION - NORTH
1/16" = 1'-0"

Drawn By: Author
Checked By: Checker
Project Manager: PM

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Revisions

NO.	DESCRIPTION

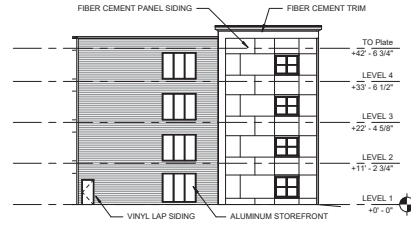
RCG Marketplace Senior
SWBR Project Number 20661.00

Rochester's Cornerstone Group
460 White Spruce Blvd.
Rochester, NY 14623

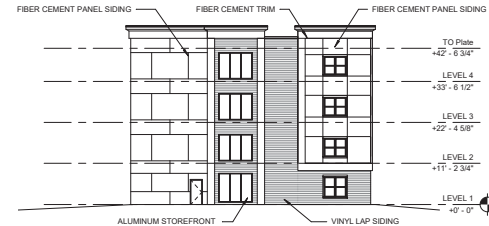
A-201

Exterior Elevations

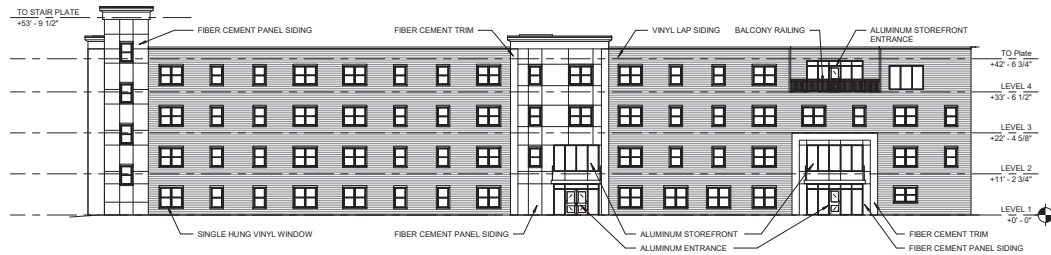
01/22/2021
SCHEMATIC DESIGN



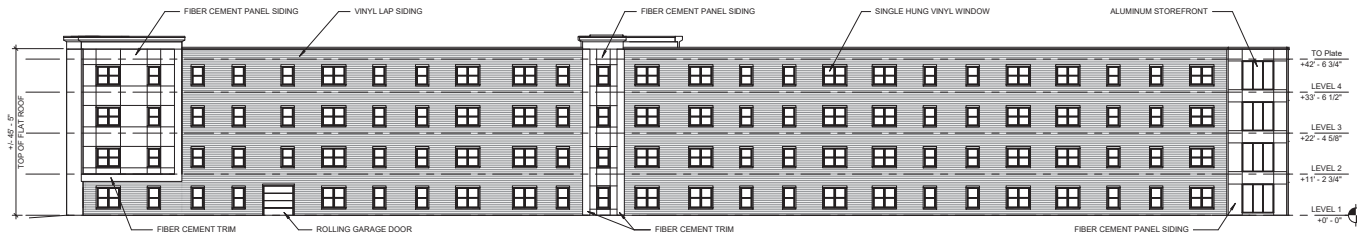
4 EXTERIOR ELEVATION - SOUTH
1/16" = 1'-0"



3 EXTERIOR ELEVATION - WEST
1/16" = 1'-0"



2 EXTERIOR ELEVATION - WEST
1/16" = 1'-0"



1 EXTERIOR ELEVATION - SOUTH
1/16" = 1'-0"

Drawn By: Author
Checked By: Checker
Project Manager: PM

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Revisions

RCG Marketplace Senior
SWBR Project Number 20661.00

Rochester's Cornerstone
Group
460 White Spruce Blvd.
Rochester, NY 14623

A-202

Exterior Elevations

01/22/2021
SCHEMATIC DESIGN

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: Marketplace Mall Mixed Use Development Area & Marketplace Senior Apartments		
Project Location (describe, and attach a general location map): Town of Henrietta, Marketplace Mall: 15, 20, 25, 30, 1100, & 1200 Miracle Mile Drive and 3400 West Henrietta Road.		
Brief Description of Proposed Action (include purpose or need): 1. Establishment of a mixed used development area within the Mixed Use Redevelopment Area (MURA) Overlay District 2. Proposed 4-Story, +/- 150-unit residential apartment senior housing structure building and associated parking areas and pedestrian sidewalk connections within a MURA.		
Name of Applicant/Sponsor: The Marketplace	Telephone: [REDACTED]	E-Mail: [REDACTED]
Address: 1265 Scottsville Road		
City/PO: Rochester	State: NY	Zip Code: 14624
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	E-Mail:
Address:		
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, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TB - Special Use Permit (Mixed use development) TB - Special Use Permit (Senior Housing)	February 19, 2021
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PB -Site Plan Approval	April 2021
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	MCWA - Water MCDOH - Water	April 2021
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - SPDES General Permit NYSHCR - HFA funding	2021
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? Yes No

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

NYS Heritage Areas: West Erie Canal Corridor

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

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Commercial B-1 & Mixed-Use Redevelopment Area Overlay District

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

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

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
Monroe County Sheriff

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)? Establishment of a Mixed Use Development area and construction of a Residential Apartment Building within it.

b. a. Total acreage of the site of the proposed action? _____ ±105.6 acres
b. Total acreage to be physically disturbed? _____ ±3.6 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ ±105.6 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ 100 (residential) _____ Units: _____ Introducing 150 units _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

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	_____	_____	_____	150
At completion of all phases	_____	_____	_____	150

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

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ 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: _____ 18,260 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: MCWA
- 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: _____ 18,260 gallons/day

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

Sanitary Wastewater

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 Plant
- 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 _____ acres (parcel size)
 ii. Describe types of new point sources. Storm sewer pipes

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)?
on-site storm sewer system to Red Creek (same as existing condition).

• 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 Hydroflouorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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? Yes No

If Yes:

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

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

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

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: _____

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: _____

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

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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ Per Approved Town Hours • Saturday: _____ Per Approved Town Hours • Sunday: _____ Per Approved Town Hours • Holidays: _____ N/A 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ All Day • Saturday: _____ All Day • Sunday: _____ All Day • Holidays: _____ All Day
--	---

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:
 Typical 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:
Building mounted and parking lot poles per Town standards.

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: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

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

- Construction: _____

- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____

- Operation: _____

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

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

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

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

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	+/-3.15	±1.95	-1.2
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			0
• Other Describe: <u>lawn/landscape/trees</u> _____ _____	+/-0.45	+/- 1.65	+/-1.2

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

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

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

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:

Waylands soils complex	_____	18.3 %
Odessa Silt Loam	_____	56.8 %
Loamy Fine Sand	_____	24.9 %

d. What is the average depth to the water table on the project site? Average: _____ N/A 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 NYS Wetland, Federal Waters, 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

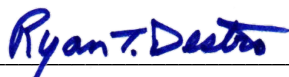
Attach any additional information which may be needed to clarify your project.

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 The Marketplace Date 02/19/2021

Signature  BME Associates Title Project Engineer
 (Agent for The Marketplace)



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



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	828079
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]	NYS Wetland, Federal Waters
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]	Yes
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