



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental forms/documentation.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.monroecountybusiness.org/application.

Please send completed application via email to EconomicDevelopment@monroecounty.gov. A **non-refundable** application fee of \$350.00 is required. Please see page 12 for additional information on costs and fees.

I. APPLICANT

A. Applicant Information

Name: 2695 Commercial LLC
Address: 7 Van Auker Street
City/State/Zip: Rochester, NY 14608
Tax Id No.: [REDACTED]
Contact Name: [REDACTED]
Title: Managing Member
Telephone: [REDACTED]
E-Mail: [REDACTED]

B. Applicant's Legal Counsel

Name: Peter Lutz
Firm: Hodgson Russ LLP
Address: 90 Linden Oaks, Suite 110
City/State/Zip: Rochester, NY 14625
Telephone: [REDACTED]
Email: [REDACTED]

C. Owners of Applicant Company (must total 100%). If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
<u>Michael M. Spoleta</u>	<u>25</u>	<u>Managing Member</u>
<u>David Spoleta</u>	<u>25</u>	<u>Member</u>
<u>Lacy Morgan Katz Trust</u>	<u>24.5</u>	<u></u>
<u>Robyn K Morgan Trust</u>	<u>24.5</u>	<u></u>
<u>TM I Irrevocable Trust</u>	<u>.5</u>	<u></u>
<u>RLT I Irrevocable Trust</u>	<u>.5</u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

D. Is the business applying for assistance certified as an MWBE or service-disabled veterans' agency? ☐ Yes ☒ No

II. PROJECT

A. Address of proposed project facility

Address: 105 Fair Avenue

Tax Map Parcel Number: 176.05-1-59.23

City/Town/Village: Henrietta

School District: Henrietta

Zip: 14467

Current Legal Owner of Property:

2695 Commercial LLC

B. Benefits Requested (Check all that apply)

☒ Sales Tax Exemption

☒ Mortgage Recording Tax Exemption

☒ Real Property Tax Abatement

☐ Industrial Revenue Bond Financing

C. Description of project (check all that apply)

☒ New Construction

☐ Existing Facility

☐ Acquisition

☐ Expansion

☐ Renovation/Modernization

☐ Acquisition of machinery/equipment

☐ Other (specify) _____

D. Proposed User(s)/Tenant(s) of the Facility

If there are multiple Users/Tenants, please attach additional pages.

Are the user and owner related entities? ☐ Yes ☐ No

Company Name: Same as Applicant

Address: _____

City/State/Zip: _____

Tax ID No: _____

Contact Name: _____

Title: _____

Telephone: _____

Email: _____

% of facility to be occupied by user/tenant 100

E. Owners of User/Tenant Company (must total 100%)

If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
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_____	_____	_____
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_____	_____	_____
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_____	_____	_____
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_____	_____	_____
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F. Project Timeline

Proposed Date of Acquisition: _____

Proposed Commencement Date of Construction: 09-01-2026

Anticipated Completion Date: 12-31-2027

G. Contractor(s)

Spoleta Construction Corp.

7 Van Auker Street, Rochester, NY 14608

II. PROJECT (cont'd)

H. DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY

NAICS Code: **53**

Fair Ground Apartments is a proposed new age-restricted residential development designed exclusively for adults age 55 and older. The project will be constructed adjacent to the existing Fairview at Town Center Apartment Homes, which is owned and operated by the same organization. The development will expand housing opportunities for older adults seeking independent living accommodations in a professionally managed community.

The project consists of a four-story apartment building containing 86 residential units and approximately 106,376 square feet of living space. Two detached garage buildings totaling 6,624 square feet will also be constructed to provide parking and storage for residents.

The residential unit mix includes:

- * 41 one-bedroom apartments
- * 34 two-bedroom apartments
- * 11 three-bedroom apartments

The development has been thoughtfully designed to meet the needs of active adults and seniors by providing modern, accessible housing options that support independent living while fostering a sense of community. The project will offer residents a maintenance-free lifestyle with convenient access to local shopping, healthcare services, recreation, dining, and other community amenities.

The Fair Ground Apartments project represents a significant private investment in the local community and will generate substantial economic activity during construction through the employment of contractors, subcontractors, suppliers, and related trades. Upon completion, the development will create permanent employment opportunities, including property management, leasing, maintenance, and groundskeeping positions necessary to support the operation of the community.

Fair Ground Apartments will serve adults age 55 and older who are seeking high-quality rental housing that allows them to maintain an active and independent lifestyle. The community is intended for individuals and couples who desire the convenience of professionally managed housing without the responsibilities associated with home ownership, including maintenance, repairs, lawn care, and snow removal.

The development will provide housing options for a broad range of older adults, including retirees, empty nesters, and individuals looking to downsize from single-family homes while remaining in the community they know and value. The mix of one-, two-, and three-bedroom apartments will accommodate varying household sizes and lifestyles, allowing residents flexibility to host family members and caregivers when needed.

As the population of older adults continues to grow, there is an increasing need for attractive, accessible, and age-appropriate housing options. Fair Ground Apartments will help address this demand by providing modern rental housing designed specifically for residents age 55 and older. The project will allow seniors to remain active and engaged within the community while benefiting from proximity to healthcare providers, retail services, recreational opportunities, and social activities.

By expanding the availability of quality housing for older adults, the project will support the community's long-term housing needs while contributing to local economic development and enhancing the overall quality of life for its residents.

II. PROJECT (cont'd)

I. Would the project be undertaken without financial assistance from the Agency? ☐ Yes ☒ No

Please explain why financial assistance is necessary.

Financial assistance through COMIDA is necessary to help offset the substantial costs associated with developing the Fair Ground Apartments project. Like many multifamily residential developments, the project faces significant financial challenges due to rising construction costs, increased material pricing, labor shortages, higher interest rates, and escalating financing expenses.

The proposed development requires a substantial upfront capital investment for site development, infrastructure improvements, building construction, utilities, and related project costs. While the demand for quality rental housing in the area remains strong, rental rates must remain competitive and affordable within the local market, limiting the ability to recover escalating development costs through rents alone.

COMIDA assistance will help bridge the gap between project costs and achievable revenues, improving the overall financial feasibility of the development. The incentives will enable ownership to move forward with the project, create new housing opportunities, generate construction and permanent jobs, and expand the local tax base through new investment.

Without financial assistance, the project's financial viability would be significantly challenged, potentially resulting in delays, reductions in scope, or the inability to proceed as planned. COMIDA support will provide critical assistance that helps make the project economically feasible while delivering long-term benefits to the community through increased housing availability, job creation, and economic growth.

J. Are other facilities or related companies located within New York State?

☐ Yes ☐ No

Location:

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? ☐ Yes ☒ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

☐ Yes ☒ No

If Yes to either question, explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant or User's competitive position in its respective industry:

K. State Environmental Quality Review (SEQR) Act Compliance

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR).

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

☐ YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

☐ NO

III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

☐ **JOBSPUS**

Requirements:

- Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ **LEASEPLUS**

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ **ENHANCED JOBSPUS**

Requirements:

- A minimum \$15 million investment **AND**
- A minimum of 100 new jobs

☐ **GREEN JOBSPUS**

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

☐ **SHELTER RENT**

For student housing or affordable housing projects.

☒ **Housing**

☐ **Local Tax Jurisdiction Sponsored PILOT**

☐ **NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT**

IV. APPLICANT PROJECT COSTS

- A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipment of the project by the APPLICANT.

Building Construction or Renovation

- a. Materials a. \$ 12,135,000.00
b. Labor b. \$ 8,090,000.00

Site Work

- c. Materials c. \$ 1,174,000.00
d. Labor d. \$ 826,000.00
e. Non-Manufacturing Equipment e. \$ _____
f. Manufacturing Equipment f. \$ _____
g. Equipment Furniture and Fixtures g. \$ 275,000.00
h. Land and/or Building Purchase h. \$ _____
i. Soft Costs (Legal, Architect, Engineering) i. \$ 1,105,000.00
Other (specify) j. Construction Interest j. \$ 895,000.00
k. _____ k. \$ _____
l. _____ l. \$ _____
m. _____ m. \$ _____

Total Project Costs \$ 24,500,000.00
(must equal Total Sources)

- B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ _____
b. Taxable Industrial Revenue Bond b. \$ _____
c. Bank Financing c. \$ 18,375,000.00
d. TOTAL Public Sources d. \$ _____

Identify below each state and federal grant/credit totaling the amount for d.)

_____ \$ _____
_____ \$ _____
_____ \$ _____
_____ \$ _____

- e. Equity e. \$ 6,125,000.00

TOTAL SOURCES \$ 24,500,000.00
(must equal Total Project Costs)

- C. Has the applicant made any arrangements for the financing of this project

☒ Yes ☐ No

If yes, please specify bank, underwriter, etc.

Five Star Bank

V. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTIONS USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name _____

- A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement, and/or equipping of the project by the user(s)/tenant(s) for which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

- a. Materials a. \$ _____
b. Labor b. \$ _____
c. Non-Manufacturing Equipment c. \$ _____
d. Manufacturing Equipment d. \$ _____
e. Furniture and Fixtures e. \$ _____
Other (specify): f. _____ f. \$ _____

g. _____ g. \$ _____

h. _____ h. \$ _____

i. _____ i. \$ _____

Total Project Costs \$ _____

Value of Incentives
2695 Commercial LLC

A. IDA PILOT Benefits:

Current Assessment	\$360,000
Value of New Construction & Renovation Costs	\$13,309,000
Estimated New Assessed Value Subject to IDA	\$13,669,000
Current Taxes	\$6,710
Current Taxes Escalator	2%
PILOT Terms - Years	13
County Tax rate/\$1,000	5.36000
Local Tax Rate* Tax Rate/\$1,000	0.75000
School Tax Rate /\$1,000	12.53000
Total Tax Rate	18.64000

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	\$1,086,720
Estimated duration of ST exemption:	12/31/2027

C. Mortgage Recording Tax Exemption (MRTE) Benefit:

Estimated Value of MRTE:	\$137,812
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D. Industrial Revenue Bond Benefit

IRB inducement amount:	\$0
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E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives:	\$3,419,911
Project Construction Costs:	\$24,500,000
	13.96%

PILOT Schedule

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT***	Net Exemption**
	Total	\$415,950	\$58,202	\$972,361	\$1,446,514	\$3,641,893	\$2,195,379
1	90%	\$7,134	\$998	\$16,676	\$24,808	\$248,080	\$223,272
2	90%	\$7,276	\$1,018	\$17,010	\$25,304	\$253,041	\$227,737
3	90%	\$7,422	\$1,039	\$17,350	\$25,810	\$258,102	\$232,292
4	90%	\$7,570	\$1,059	\$17,697	\$26,326	\$263,264	\$236,938
5	90%	\$7,722	\$1,080	\$18,051	\$26,853	\$268,530	\$241,677
6	80%	\$15,752	\$2,204	\$36,824	\$54,780	\$273,900	\$219,120
7	70%	\$24,101	\$3,372	\$56,340	\$83,813	\$279,378	\$195,565
8	60%	\$32,777	\$4,586	\$76,623	\$113,986	\$284,966	\$170,979
9	50%	\$41,791	\$5,848	\$97,694	\$145,332	\$290,665	\$145,332
10	40%	\$51,152	\$7,157	\$119,577	\$177,887	\$296,478	\$118,591
11	30%	\$60,871	\$8,517	\$142,297	\$211,685	\$302,408	\$90,722
12	20%	\$70,958	\$9,929	\$165,878	\$246,765	\$308,456	\$61,691
13	10%	\$81,424	\$11,393	\$190,345	\$283,163	\$314,625	\$31,463

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: 2695 Commercial LLC

Applicant: ☒ or User/Tenant: ☐

Applicant/Tenant creating jobs must submit most recent NYS-45 or equivalent.

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	0	2	1	3
Part Time (PTE)	0	0	0	0
Total	0	2	1	3

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name 2695 Commercial LLC

Applicant: ☒ and/or User/Tenant: ☐

The County of Monroe Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Monroe County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Monroe County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs are vital to the overall employment opportunities and economic growth in Monroe County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices ("construction workers"), during the construction phase of projects.

2-1-2

100% Local Labor

Applicants receiving IDA benefits **must** ensure that the it and/or its contractor/developer hire **100% of its construction workers from the local labor market.**

2-1-2

Local Labor Market

For the purpose of this policy, the local labor market is defined as construction workers residing in the following counties in New York State: Monroe, Genesee, Livingston, Orleans, Ontario, Seneca, Steuben, Wayne, Wyoming and Yates.

2-1-2

Bid Processing

Local participation in qualified projects receiving IDA economic incentives and benefits is vital to the economic growth of Monroe County. As such, all applicants/contractors/developers of a qualified project with a minimum \$5,000,000 investment must place any and all invitations to bid in the Builders Exchange of Rochester Plan Room (<https://robex.com/planroom/>) two weeks before the bids are due.

2-1-2

Monitoring

A third-party auditing firm ("Project Monitor") will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

Once approved for IDA benefits, all applicants will be required to provide to the Project Monitor and the Exemption Processor (as hereinafter defined) the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project; and
2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions.

All Monroe County IDA projects are subject to local monitoring by the IDA and the Project Monitor. Proof of residency or copy of drivers' license shall be checked by the Project Monitor during the Project Monitor's periodic inspection of the project.

The Project Monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, the Project Monitor shall notify the applicant and contractor of such non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or the Project Monitor shall notify the applicant that the project is in violation of the Monroe County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

2.1.8

Signage

The applicant/contractor/developer of an IDA approved project shall be required to maintain a sign, provided by the Project Monitor, on the project site at all times during construction. This sign shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible.

2.1.8

Exemption Process

In some instances, use of 100% local labor may not be possible for any of the following reasons:

- Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers (a copy of the equipment warranty confirming the use of specific installers must be provided). The granting of an exemption for the use of non-local labor on warranty related grounds is expressly conditioned on either (i) said non-local sub-contractors being enrolled in a New York State certified apprenticeship program (proof of such enrollment shall be provided to the IDA upon request) or (ii) the hiring of an apprentice/apprentices or local construction laborer(s) to assist in the installation.
- Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work (proof of communication with local contractors, or details of the specialized construction must be provided);
- Significant cost differentials in bids whereby use of local labor significantly increases the cost of the project. Three (3) bids are required and a cost differential of 25% is deemed significant. Where there is a significant cost differential, that if the local labor contractor agrees to reduce the bid to the average of the two bids, no waiver will be granted. However, if the average is still 25% or more, a waiver will be granted (copies of all bids/proposals received, including pricing, must be provided to confirm cost differential).
- No local labor available for the project (if local bids were solicited with no response, please provide a copy of the bid, explain how it was advertised, and list who the bids were requested from).

The request to secure an exemption for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party exemption monitor (the "Exemption Processor") and received by the Exemption Process forty-five (45) days in advance of work commencing. The request will be reviewed by the Exemption Processor and forwarded to the IDA, at which time the IDA's Executive Director shall have the authority to approve or disapprove the exemption. The Exemption Processor shall report each authorized exemption to the Board of Directors at its monthly meeting.

The applicant has read the Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

2695 Commercial LLC

(APPLICANT COMPANY)

(TENANT COMPANY)

Signature: Michael J. Speltz Bartner, Title: _____, Date: 6/8/26

Signature _____, Title _____, Date _____

IX. FEES

Transaction Type	Fees
Real Property Tax Abatement (PILOT Agreement) including Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption.	Application Fee: Non-refundable \$350.00 IDA Fee: 0.75% of the total project cost Legal Fee: 33% of the IDA fee. Minimum fee of \$4,000.
Sales Tax Exemption* and/or partial Mortgage Recording Tax Exemption	Application Fee: Non-refundable \$350.00 IDA Fee: 0.50% of the total project cost Legal Fee: 33% of the IDA fee. Minimum fee of \$4,000 if transaction includes mortgage recording tax exemption. Minimum fee of \$750 if transaction is sales tax exemption only.
Small Business Sales Tax Exemption (Non-retail projects with total project costs under \$500,000)	Application Fee: Non-refundable \$350.00 IDA Fee: Flat fee of \$750 (\$500 for certified M/WBE or certified service disabled Veterans) Legal Fee: Flat fee of \$750
Bond: Taxable or Tax-Exempt Including any/all of the following: 1. PILOT Agreement 2. Sales Tax Exemption 3. Partial Mortgage Recording Tax Exemption	Application Fee: Non-refundable \$350.00 IDA Fee: 1.25% of the total project cost Legal Fee: 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.
Bond: Taxable or Tax-Exempt	Application Fee: Non-refundable \$350.00 IDA Fee: 1.00% of the total project cost Legal Fee: 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.

*If the sales tax benefits are required prior to closing, a non-refundable twenty-five percent (25%) of the IDA fee and Legal fees are payable at that time. This amount will be applied towards the IDA fee and Legal fee.

(APPLICANT COMPANY)

(TENANT COMPANY)




 Signature, Title Date

Signature _____, Title _____ Date _____

X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.
- C. Absence of Conflicts of Interest – The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employees of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described: _____
- D. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- E. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- F. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- G. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- H. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.
- I. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

TENANT COMPANY


Signature _____, Title _____, Date 6/8/26

Signature _____, Title _____, Date _____

County of Monroe Industrial Development Agency

MRB Cost Benefit Calculator

Date July 21, 2026
Project Title 2695 Commercial LLC
Project Location Town of Henrietta

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

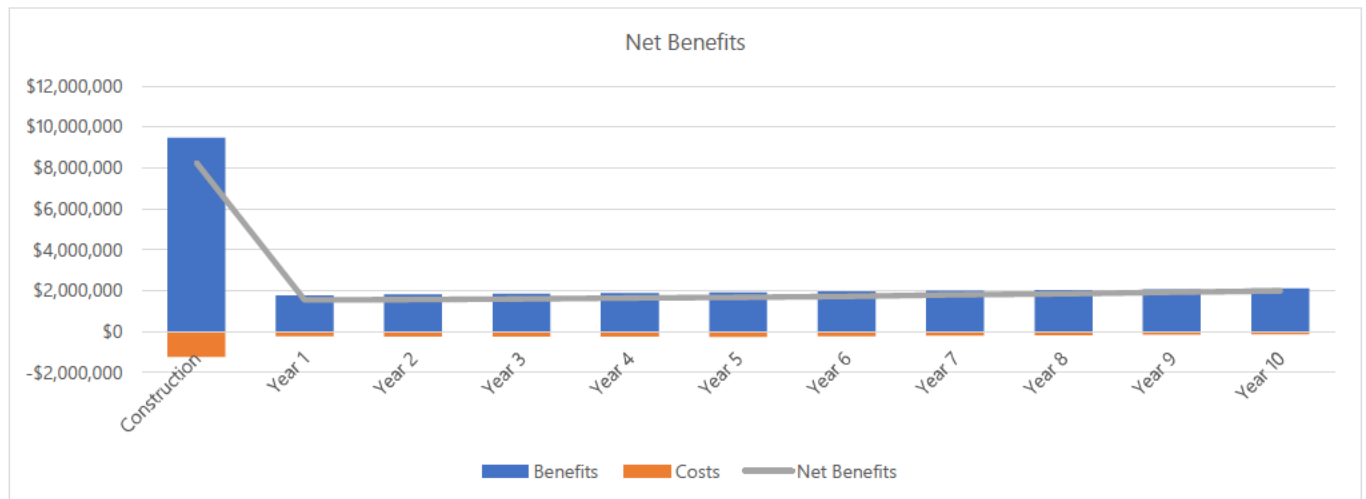
Project Total Investment

\$24,500,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	139	27	166
Earnings	\$7,550,491	\$1,401,904	\$8,952,395
Local Spend	\$19,600,000	\$4,802,268	\$24,402,268

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	30	8	38
Earnings	\$18,400,989	\$5,776,321	\$24,177,309

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

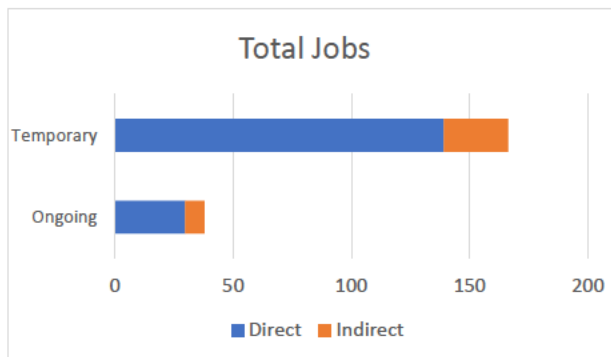
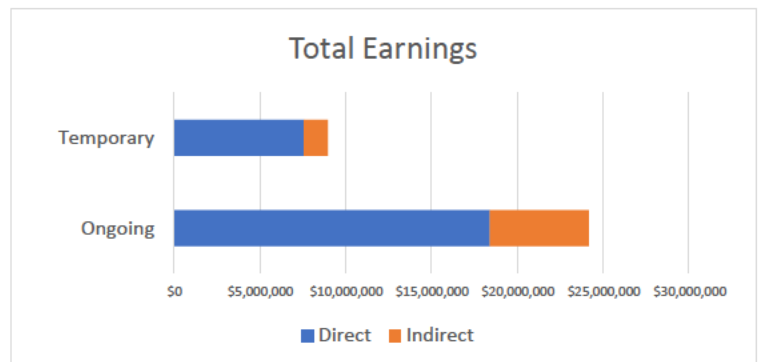


Figure 3



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$2,195,379	\$1,970,045
Sales Tax Exemption	\$1,086,720	\$1,086,720
Local Sales Tax Exemption	\$543,360	\$543,360
State Sales Tax Exemption	\$543,360	\$543,360
Mortgage Recording Tax Exemption	\$137,812	\$137,812
Local Mortgage Recording Tax Exemption	\$45,937	\$45,937
State Mortgage Recording Tax Exemption	\$91,875	\$91,875
Total Costs	\$3,419,911	\$3,194,577

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$34,972,124	\$31,486,940
To Private Individuals	\$33,129,704	\$29,943,203
Temporary Payroll	\$8,952,395	\$8,952,395
Ongoing Payroll	\$24,177,309	\$20,990,808
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,842,420	\$1,543,737
Increase in Property Tax Revenue	\$1,446,514	\$1,191,756
Temporary Jobs - Sales Tax Revenue	\$62,667	\$62,667
Ongoing Jobs - Sales Tax Revenue	\$333,240	\$289,314
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$1,886,743	\$1,699,425
To the Public	\$1,886,743	\$1,699,425
Temporary Income Tax Revenue	\$402,858	\$402,858
Ongoing Income Tax Revenue	\$1,087,979	\$944,586
Temporary Jobs - Sales Tax Revenue	\$62,667	\$62,667
Ongoing Jobs - Sales Tax Revenue	\$333,240	\$289,314
Total Benefits to State & Region	\$36,858,867	\$33,186,365

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$31,486,940	\$2,559,342	12:1
State	\$1,699,425	\$635,235	3:1
Grand Total	\$33,186,365	\$3,194,577	10:1

*Discounted at 2%

Additional Comments from IDA

Direct jobs are estimated based on new household spending.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

PURSUANT TO CALL A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, WAS DULY HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 15th DAY OF JULY 2015 AT 7:00 P.M.

RESOLUTION #14-185/2015

On Motion of
Councilman Mulligan

Seconded by
Councilman Breese

WHEREAS, on or about April 13, 2015, the Henrietta Town Clerk received three (3) applications (the "Applications") from Passero Associates on behalf of Morgan Management LLC, which applications were subsequently amended, and

WHEREAS, one application seeks to rezone approximately 9 acres of a 37.56 acre parcel located on the south side of Calkins Road (County Road 39), approximately 2,000 feet west of the intersection of East Henrietta Road (NYS Route 15A) and Calkins Road (tax map identification #176.05-1-59) ("37-Acre Parcel") that is currently zoned "Residential" to "Commercial," and said Property is currently owned by the 2695 East Henrietta Holdings, LLC, and

WHEREAS, a second application from Passero Associates submitted on behalf of Morgan Management LLC seeks a Special Use Permit to construct multi-family housing on 17 acres of land located at the southwest corner of the 37-Acre Parcel, and

WHEREAS, a third application from Passero Associates submitted on behalf of Morgan Management LLC seeks a rezoning from Residential R-1-15 to Commercial B-1 on an adjoining 11.38 acre parcel of property at 2695 East Henrietta Road on which the Dome Center is currently located (tax map parcel #176.06-1-74.1) ("11-Acre Parcel") and said Property is currently owned by the 2695 East Henrietta Holdings, LLC, and said 11-Acre Parcel is currently being used consistent with a Commercial B-1 use despite its Residential R-1-15 zoning due to its longstanding status as a pre-existing nonconforming use, and

WHEREAS, the Town's Comprehensive Plan also contemplates the construction of a Library in this area and a Recreation Center that may be constructed on a portion of the parcel of Town-owned property located at 475 Calkins Road (tax map identification number 176.05-1-55.11), and

WHEREAS, the Town declared the potential construction of the Library and Recreation Center, and the relief sought in the three (3) Applications, all being related elements, as a single Type 1 action (the "Action") subject to environmental review pursuant to the State Environmental Quality Review Act ("SEQR"), and

WHEREAS, the Town Board declared its intent to serve as lead agency in relation to the Action, more than 30 days has passed, and the Town has received no objections to its request to become lead agency, and

WHEREAS, Passero Associates has also submitted an Environmental Assessment

Form ("EAF") to the Town Board.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board is the Lead Agency for the Action.

BE IT FURTHER RESOLVED, that the Town Board, in its capacity as lead agency, has carefully considered all relevant documentary, testimonial and other evidence submitted and collected in relation to the Action, including the Applications, the EAF Parts 1, 2 and 3, the findings of the Town Engineer, and all other related information and documents submitted in relation to the Action.

BE IT FURTHER RESOLVED, with the assistance of its Town Engineer and Deputy Town Supervisor / Planning Board Chairman, the Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.

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

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

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

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

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

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

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

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Page	voting	Aye
Councilman Breese	voting	Aye
Supervisor Moore	voting	Aye

Carried

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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Town Center & Dome Redevelopment		
Project Location (describe, and attach a general location map): SW Corner of Calkins Road and East Henrietta Road		
Brief Description of Proposed Action (include purpose or need): Redevelopment of Dome parcel to include 1,600 Parking Spaces and a 5,000 SF Restaurant, 122 Market Rate Apartments, (2) 10,000 Commercial Pad Sites, a 30,000 SF Library and a 40,000 SF Town Recreation Center.		
Name of Applicant/Sponsor: Spoleta Development	Telephone: 585-436-2701	
	E-Mail: mmspoleta@spoleta.com	
Address: 7 Van Auker Street		
City/PO: Rochester	State: NY	Zip Code: 146085
Project Contact (if not same as sponsor; give name and title/role): Jess D. Sudol, P.E. - Passero Associates	Telephone: 585-325-1000	
	E-Mail: jsudol@passero.com	
Address: 242 W. Main Street, Suite 100		
City/PO: Rochester	State: NY	Zip Code: 14614
Property Owner (if not same as sponsor): Monroe County Fair Associates & Town of Henrietta	Telephone: 585-334-7700	
	E-Mail:	
Address: 2695 East Henrietta Road/475 Calkins Road,		
City/PO: Henrietta	State: NY	Zip Code: 14467585-3

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 Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Rezoning & Special Use Permit	4/15/15
b. City, Town or Village ☒ Yes ☐ No Planning Board or Commission	Site Plan Approval	6/1/15
c. City Council, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		6/1/15
d. Other local agencies ☒ Yes ☐ No	Conservation Board (Town)	6/1/15
e. County agencies ☒ Yes ☐ No	MCWA - Watermain Extension, Health Dept. - Water & Sewer, County DOT	6/1/15
f. Regional agencies ☐ Yes ☒ No		6/1/15
g. State agencies ☒ Yes ☐ No	DEC - Article 15 Permit & SPDES Permit	6/1/15
h. Federal agencies ☒ Yes ☐ No	FEMA - LOMAR	6/1/15
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
If Yes,		
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ 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 I

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):

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. If Yes, what is the zoning classification(s) including any applicable overlay district?	☒ Yes ☐ No
<u>R-1-15, R-2-15, B-1</u>	
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? <u>B-1, Commercial (+/- 9 Acres only)</u>	
C.4. Existing community services.	
a. In what school district is the project site located?	<u>Rush Henrietta Central</u>
b. What police or other public protection forces serve the project site?	<u>Monroe County Sheriff</u>
c. Which fire protection and emergency medical services serve the project site?	<u>Henrietta Fire District, Henrietta Volunteer Ambulance</u>
d. What parks serve the project site?	<u>Veterans Memorial Park</u>

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)? <u>Mixed (Civic, Multi-Family, Commercial, Recreational)</u>	
b. a. Total acreage of the site of the proposed action?	<u>+/- 56</u> acres
b. Total acreage to be physically disturbed?	<u>50</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>140</u> acres (Includes Town owned Land)
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)? % <u>50 (Domestic)</u> 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) <u>Residential, Commercial and Recreational</u>	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No	
iii. Number of lots proposed? <u>3</u>	
iv. Minimum and maximum proposed lot sizes? Minimum <u>9</u> Maximum <u>30</u>	
e. Will proposed action be constructed in multiple phases? ☒ Yes ☐ No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated	<u>3</u>
• Anticipated commencement date of phase 1 (including demolition)	<u>9</u> month <u>15</u> year
• Anticipated completion date of final phase	<u>9</u> month <u>18</u> year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: <u>Initial phase will include utility improvements to service future phases.</u>	

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				122
At completion				
of all phases				122

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

i. Total number of structures 5
ii. Dimensions (in feet) of largest proposed structure: 40 height; 145 width; and 315 length
iii. Approximate extent of building space to be heated or cooled: 100,000 square feet

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

i. Purpose of the impoundment: Compensatory Flood Storage & Stormwater Management
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: 6.5 million gallons; surface area: 2.5 acres
v. Dimensions of the proposed dam or impounding structure: 2 height; 50 length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Earth Fill

D.2. Project Operations

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

i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
• Volume (specify tons or cubic yards): _____
• Over what duration of time? _____
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐ Yes ☐ No
ix. Summarize site reclamation goals and plan: _____

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

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

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

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will 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: _____ 75,000 gallons/day

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

- Name of district or service area: Monroe County Water Authority
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

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

- Describe extensions or capacity expansions proposed to serve this project: _____
Extension of 8" dedicated main.
- Source(s) of supply for the district: MCWA - Hemlock Lake

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), 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: _____ 60,000 gallons/day

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

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

- Name of wastewater treatment plant to be used: Van Lare
- Name of district: Town of Henrietta Sewer 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

- ☒
- Yes
- ☐
- No
-
- ☒
- Yes
- ☐
- No

- 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

- 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

i. How much impervious surface will the project create in relation to total size of project parcel?

 Square feet or 35 acres (impervious surface)

 Square feet or 56 acres (parcel size)

ii. Describe types of new point sources. New Storm Sewers and Swales

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)?

Regional Stormwater Management Area on Town Parcel

- If to surface waters, identify receiving water bodies or wetlands:

- **Will stormwater runoff flow to adjacent properties?**

☒ Yes ☐ No

iv. Does 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

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)

☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☒ 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 semi-trailer truck trips/day: _____ 0-5

iii. Parking spaces: Existing _____ 1,000 Proposed +/- 2,150 Net increase/decrease +1,150

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:
Construction of a dedicated road off Calkins and private roads to connect the mixed uses

vi. Are public/private transportation service(s) or facilities available within ½ 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: _____
+/- 10 KW/HR

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

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

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

i. During Construction:	ii. During Operations:
• Monday - Friday: <u>7 AM - 4 PM</u>	• Monday - Friday: <u>Varies per use</u>
• Saturday: <u>7 AM - 4 PM</u>	• Saturday: <u>Varies per use</u>
• Sunday: <u>7 AM - 4 PM</u>	• Sunday: <u>Varies per use</u>
• Holidays: <u>N/A</u>	• Holidays: <u>Varies per use</u>

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No
 If yes:
 i. Provide details including sources, time of day and duration: _____

ii. Will 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:
 30' LED for Dome, 14' LED for Residential, 20' LED for Commercial, Recreation Center and Library

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 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: _____ 5 tons per _____ day (unit of time)
 • Operation : _____ 2 tons per _____ week (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Use of recycled materials and waste management
 • Operation: Recycling collection
 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: High Acres Landfill
 • Operation: High Acres Landfill

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 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): Town Park

ii. If mix of uses, generally describe: _____

Residential to South, Park to West, Commercial to North and East

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	13	35	+22
• Forested	1.5	1.0	-0.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	-	-	-
• Agricultural (includes active orchards, field, greenhouse etc.)	-	-	-
• Surface water features (lakes, ponds, streams, rivers, etc.)	1	3.5	+ 2.5
• Wetlands (freshwater or tidal)	-	-	-
• Non-vegetated (bare rock, earth or fill)	-	-	-
• Other Describe: <u>Lawn Area</u>	40.5	16.5	-24

c. Is the project site presently used by members of the community for public recreation? ☒ Yes ☐ No
i. If Yes: explain: Project includes Public Recreation Center

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:
Day Care East of site, Veterans Memorial Park to West

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >8 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:

Silt Loam	_____	60 %
Silty Clay	_____	40 %
_____	_____	%

d. What is the average depth to the water table on the project site? Average: _____ 2-6 feet

e. Drainage status of project site soils: ☐ Well Drained: _____ % of site
☒ Moderately Well Drained: _____ 80 % of site
☒ Poorly Drained _____ 20 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 95 % of site
☒ 10-15%: _____ 3 % of site
☒ 15% or greater: _____ 2 % 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	Tributary to Red Creek	Classification	C
• Lakes or Ponds:	Name	_____	Classification	_____
• Wetlands:	Name	_____	Approximate Size	_____
• Wetland No. (if regulated by DEC)	_____			

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

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: Squirrel _____ Groundhog _____ Rabbit _____		
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: <i>i. Describe the habitat/community (composition, function, and basis for designation):</i> _____ <i>ii. Source(s) of description or evaluation:</i> _____ <i>iii. Extent of community/habitat:</i> • Currently: _____ • Following completion of project as proposed: _____ • Gain or loss (indicate + or -): _____ acres acres 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? ☐ Yes ☒ No		
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? ☐ Yes ☒ No		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ 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? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____		
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No <i>i. If Yes: acreage(s) on project site?</i> _____ <i>ii. Source(s) of soil rating(s):</i> _____		
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: <i>i. Nature of the natural landmark:</i> ☐ Biological Community ☐ Geological Feature <i>ii. Provide brief description of landmark, including values behind designation and approximate size/extent:</i> _____ _____ _____		
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: <i>i. CEA name:</i> _____ <i>ii. Basis for designation:</i> _____ <i>iii. Designating agency and date:</i> _____		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	☐ Yes ☒ No
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	☐ Yes ☒ No
If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	☐ Yes ☒ No
If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	☐ Yes ☒ No
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Jess D. Sudol, PE Date 04/13/15

Signature  Title Associate/Civil Eng. Department Manager

PRINT FORM

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

Agency Use Only [If applicable]	
Project :	Henrietta Town Center
Date :	July 13, 2015

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

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

Tips for completing Part 2:

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

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

2. Impact on Geological Features

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

☒ NO☐ YES

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

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

3. Impacts on Surface Water

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

☐ NO☒ YES

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

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

I. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☒	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☒
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☒
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☒
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☒
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☒	☐

g. Other impacts: _____		☐	☐
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6. Impacts on Air

The proposed action may include a state regulated air emission source.
(See Part 1. D.2.f., D.2.h, D.2.g)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

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

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

☐ NO

☒ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☒	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☒	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☒	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☒	☐

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

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

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

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

d. Other impacts: _____		☐	☐
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☒	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☒	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☒	☐

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

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

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(See Part I. D.2.j)

☐ NO☒ YES

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

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

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(See Part I. D.2.k)

☐ NO☒ YES

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

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

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part I. D.2.m., n., and o.)

☐ NO☒ YES

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

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

d. The proposed action may result in light shining onto adjoining properties.	D2n	☒	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☒
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part I.D.2.q., E.1. d. f. g. and h.)

☐ NO

☒ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

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

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☒ NO☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

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

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

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

PRINT FULL FORM

Project :

Date :

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

SEE ATTACHMENT.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:

☒ Type 1

☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1

☒ Part 2

☒ Part 3

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

Entitled Town Center SEQRA Report

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

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

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

Name of Action: Town Center

Name of Lead Agency: Henrietta Town Board

Name of Responsible Officer in Lead Agency: Jack Moore - Supervisor

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:

Jack W. Moore

Date: 7-15-15

Signature of Preparer (if different from Responsible Officer)

Christopher E. Martin

Date: 7/15/2015

For Further Information:

Contact Person: Peter Minotti / Christopher Martin

Address: 475 Calkins Road, Henrietta, NY

Telephone Number: (585) 359-7026 / (585) 359-7070

E-mail: pminotti@henrietta.org / cmartin@henrietta.org

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

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

Applicant (if any)

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

PRINT FULL FORM

Town Center and Dome Redevelopment SEQR Part 3 Analysis

SEQRA Review - Part 3

Evaluation of Environmental Impacts

July 15, 2015

The SEQR Determination is based upon the following reasoned elaboration, as well as the additional attached "State Environmental Quality Review Report" dated June 0215 and prepared by Passero Associates, which is incorporated herein and made a part hereof.

1. Impact on Land.

1(a) – Potential Moderate Impact. The construction will be on land where the water table is less than 3 feet deep in some areas. However, the project will use de-watering measures which are regulated through the projects Stormwater Pollution Prevention Plan (SWPPP) to eliminate any potential impacts. Furthermore, no groundwater, including potable water, will be impacted. Therefore, there will be no significant adverse environmental impact

1(b)-1(d) - No Impact.

1(e). – Potential Moderate Impact. The construction of the project will last more than one year and, typical of large developments, will include multiple phases. As currently proposed, there will be up to 5 phases of construction. Each phase will be subject to Site Plan approval by the Town Planning Board. The Site Plan review process will help to ensure that each phase is handled properly with respect to potential impacts of phasing. Additionally, the Town will have third party inspections performed to ensure that the actual construction activities do not impact adjacent properties. Furthermore, construction will occur during restricted, construction hours only, so as to limit noise, light and other construction impacts early in the morning or late at night. As a result, there will be no significant adverse environmental impact.

1(f). Small Impact. The project will include the removal of ground cover in the areas which aren't currently developed. The site contains very little sloped land – 95% of the site has slopes of 0-10%. Furthermore, the site does not comprise an important aquatic habitat for rare, endangered or threatened species. In order to manage the potential for erosion control, the project will include a stormwater pollution prevention plan which requires proper erosion control measures and weekly stormwater inspections. Given the above, adherence to this plan will eliminate any potential significant adverse environmental impacts.

1(g). No Impact.

3. Impacts on Surface Water.

3(a). Potential Moderate Impact. A stormwater management facility will be created to collect stormwater runoff from the developed site and regulate the discharge rates to a tributary of Red Creek, and to improve water quality by acting as a permanent de-siltation area. The stormwater

facility will also be used to provide compensation for the portion of the floodplain being filled. The stormwater retention pond will be designed with a safety shelf to address any safety concerns. The stormwater management system will be designed to meet NYSDEC and local regulations. Additionally, there will be no damming of streams or rivers, or channeling water from wetlands. Notably, the project does not contain any regulated wetlands. As a result, there will be no significant adverse environmental impact.

3(b)-(d). No Impact.

3(e), (h) and (i). Potential Moderate Impact. Notably the site does not contain any regulated wetlands. However, due to the potential for erosion at the site, there is the possibility of turbidity in the adjacent creek. However, such erosion potential is limited for a number of reasons, one of which is the temporary nature of construction, which is the prime potential contributor of erosion. A grading and erosion control plan will be prepared by the developer's engineer in accordance with NYSDEC and Town requirements, and the contractor will be required to install and maintain the devices to prevent erosion and sediment from entering the creek, consistent with a stormwater pollution prevention plan which requires proper erosion control measures and weekly stormwater inspections. Furthermore, the vegetated buffer which runs along the creek bed will be maintained. As a result, there will be no significant adverse environmental impact.

3(f), (g) and (k). No Impact.

5. Impact on Flooding .

5(a). Potential Moderate Impact. The project area does include a designated floodway, however, no development is proposed within the floodway, save for a single stream crossing. The stream crossing will be designed such that it does not restrict flow in the floodway. As a result, there will be no significant adverse environmental impact.

5(b), (c) & (e). Potential Moderate Impact. The project includes fill in the designated floodplain for the construction of the Recreation Center and portions of the Multi Family project. As cited in the attached SEQRA Report, the impacts to the floodplain will be mitigated with the construction of regional compensatory flood storage. Also, the applicant will have to comply with the Town's floodplain requirements. As a result, there will be no significant adverse environmental impact.

5(d). Potential Small Impact. The drainage patterns will remain largely intact except that the runoff from the individual sites will be diverted to stormwater management areas where the runoff is treated for quality and quantity in accordance with the requirements of the NYSDEC. As a result, there will be no significant adverse environmental impact.

5(f). No Impact.

7. Impact on Plants and Animals.

7(a)-(i). No Impact. Though the project does include the elimination of some ground cover, specifically for the Recreation Center and Commercial Development area, that area has been previously disturbed and does not contain any significant habitat. Said area comprises almost entirely lawn-type area, and thus does not rise to the quality of habitat that would merit a finding that a potential environmental impact is severe and/or otherwise consequential.

The remaining project area includes the redevelopment of the Dome Center which does not contain any significant ground cover or fauna. The project will also maintain the existing riparian buffer along the creek as outlined in the attached SEQRA report. From correspondence from the NYSDEC dated April 23, 2015, there does not appear to be any threatened or endangered rare animals or plant species in the vicinity of the project site.

Finally, in total, only .5 acres of forested land will be disturbed. As a result, there will be no significant adverse environmental impact.

10. Impact on Historic and Archeological Resources.

10(a). No Impact.

10(b). Potentially Moderate Impact. The site does fall within an archeologically sensitive area; however, the site has been previously significantly and materially disturbed and is a re-development project, thus the potential for intact, significant archaeological resources to exist is very minimal. Furthermore, the plans will to be submitted and reviewed by the New York State Office of Parks, Recreation, & Historic Preservation as part of the Stormwater Pollution Prevention Plan process to confirm no significant disturbances. As a result, there will be no significant adverse environmental impact.

10 (c), (d) and (e). No Impact.

11. Impact on Open Space and Recreation.

11(a)-(c). No

11(d). Potentially Moderate Impact. The proposed Recreation Center is located within the Veteran's Memorial Park which is Town owned land. The Recreation Center is consistent with a parkland use. Therefore, though a portion of the park will be utilized for the project which will reduce the open space, the Recreation Center will create a usable space for residents that can be used year round, including during the lengthy winter season where the Park's outdoor open space is rarely used. As a result, there will be no significant adverse environmental impact.

13. Impact on Transportation .

13(a). Potentially Moderate Impact. As outlined extensively in the attached State Environmental Quality Review Report and Traffic Impact Study, the project will include mitigation to offset any potential impact to the existing road network, and, thus, the existing road network has ample capacity to support the proposed project. Notably, a scoping meeting was held with the Monroe County Department of Transportation, the Town of Henrietta, and the developer's engineer to discuss the limits of the study and potential traffic concerns. As is set forth more specifically and fully in the attached referenced Traffic Impact Study, there will be no significant adverse environmental impact.

13(b). Potentially Moderate Impact. The construction does include greater than 500 parking spaces. Parking areas are designed to be shared amongst the different phases of the project to reduce the total number of required spaces. Impact resulting from the additional impervious area will be mitigated through the implementation of post construction stormwater practices and the SWPPP. As a result, there will be no significant adverse environmental impact.

13(c). No Impact.

13(d). No Impact. The project will improve pedestrian and bicyclist access through the development of a Town Center which includes paths and roadways between the multiple land uses. Additional accommodations will include bike paths and passive recreation areas.

13(e). Potentially Moderate Impact. The Town Center is designed to be a local and regional attraction which will alter the pattern and movement of people who do not currently utilize the site. However, by drawing more people to the Town Center there will be ancillary benefits for existing businesses within the area. Nonetheless, as is set forth more specifically and fully in the attached referenced Traffic Impact Study, there will be no significant adverse environmental impact.

14. Impact on Energy.

14(a). Potentially Moderate Impact. Due to the proposed energy consumption for the proposed projects, an upgrade could be required to the existing energy system; this will have to be reviewed by Rochester Gas & Electric. However, Rochester Gas & Electric has the capacity and resources to complete any potential upgrades that may be required. As a result, there will be no significant adverse environmental impact.

14(b) & 14(c). No Impact.

14(d). Potentially Moderate Impact. The project will involve heating and cooling for the existing, but rehabilitated Dome as well as the other phases of the development. All electric and gas appliances will be high efficiency with most being constructed to energy star or equivalent rating. The Dome Arena rehabilitation project presents the opportunity to utilize a higher

efficiency system than what previously existed. As a result, there will be no significant adverse environmental impact.

15. Impact on Noise, Odor and Light

15a. Small Impact. The project will result in temporary noise during construction. However it will not exceed local ambient noise levels. Also, per the Town's Noise Ordinance at chapter 168 of the Town Code, no construction activities can take place between 9:00 p.m. and 7:00 a.m. As a result, there will be no significant adverse environmental impact.

15(b) & 15(c). No Impact.

15(d). No Impact. The project will include LED lighting which ensures that the proposed fixtures do not result in light trespass onto adjacent properties. LED lights are highly efficient and easily controlled to minimize impacts to neighbors. Also, to the extent necessary, a landscape berm could be utilized along Calkins Road to provide a lighting barrier for the residences located on the north side of Calkins Road. As a result, there will be no significant adverse environmental impact.

15(e). No Impact. All lighting will be Dark Sky Compliant so that it does not contribute to sky glow. Lighting specifications for the individual fixtures will be supplied to the Planning Board and Engineering Department during the site plan review process. As a result, there will be no significant adverse environmental impact.

16. Impact on Human Health.

16(a). Small Impact. The project is located within 1,500 feet of a day care center and a senior apartment building. However, the project is not industrial in nature and is not suspected to create any dangerous or hazardous substances that could affect the health of seniors or children. In fact, the proposed Town Recreation Center and Library will be a benefit to both the day care center and the senior apartments by providing Town services within walking distance. As a result, there will be no significant adverse environmental impact.

16(b)-(l). No Impact.

17. Consistency with Community Plans

As indicated in the attached "State Environmental Quality Review Report for the Henrietta Town Center", the proposed Town Center provides a mixed use of commercial, recreation and civic uses which is exactly what is prescribed in the Town's comprehensive plan.

On March 5, 2003, the Henrietta Town Board passed Town Board Resolution #6-79/2003 which accepted and adopted the "Town of Henrietta 2003 Comprehensive Land Use Plan". Also, as part of this resolution, the Town Board issued a Negative Declaration under the State SEQRA Law. In chapter 4 of the comprehensive land use plan, one of the action items was the development of a Town Center along Calkins Road and the Monroe County Fairgrounds. The action item states "The Town should evaluate the feasibility of retrofitting the existing Town Hall/Library/Park/Senior Center/Public Works campus on Calkins Road and the adjoining sites, into a new, mixed-use Henrietta Town Center". The proposed project accomplishes this task by creating a new and enhanced Town recreation center and library, providing a residential apartment complex in close proximity to single family homes, and by creating additional commercial, retail, and civic uses.

What makes this area of Henrietta attractive as a Town Center is its close proximity to municipal offices, community services, adjoining residential neighborhoods, retail centers, public transit system, and an adequate transportation and utility network. The report further states that should the land along Calkins Road and the Monroe County Fairgrounds become available for redevelopment, that it would make an ideal Town Center. The comprehensive plan further states "Development of the Town Center would foster community pride, loyalty, and quality of life. It would leave a legacy for future generations, who would benefit from belonging to a town with an enriched sense of identity. Special events should be held frequently, throughout the year, and on a regular basis. This is one of the fastest ways to foster community spirit and identification with the area as the Town Center".

PURSUANT TO CALL A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, WAS DULY HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 5TH DAY OF MARCH, 2003 AT 8:00 P.M.

RESOLUTION #6-79/2003

On Motion of
Supervisor Breese

Seconded by
Councilman Yudelson

WHEREAS, through Resolution #3-48/2003, the Henrietta Town Board declared itself as Lead Agency regarding the Town's Comprehensive Land Use Plan under the State Environmental Quality Review Act (SEQRA), and

WHEREAS, after consideration by the Henrietta Town Board that the Town's Comprehensive Land Use Plan exceeds one or more thresholds for a Type I Action as listed in Section 617.4 of the New York State Environmental Quality Review Act, and

WHEREAS, pursuant to SEQRA, such an Action is a Type I Action, and

WHEREAS, a Full Environmental Assessment Form (EAF) has been prepared and reviewed, and

WHEREAS, the Henrietta Planning Board has reviewed the Town's Comprehensive Land Use Plan, and a Public Hearing was held on December 17, 2002 to hear all comments with regard to said Master Plan, and

WHEREAS, the Henrietta Planning Board accepted said Master Plan on January 28, 2003 and has submitted it to the Town Board for its consideration, and

WHEREAS, the Henrietta Town Board has reviewed the Town's Comprehensive Land Use Plan, and a Public Hearing was held on February 5, 2003 to hear all comments with regard to said Master Plan, and

WHEREAS, the Henrietta Town Board is the sole approval Board or Agency effected by this Action, and

WHEREAS, the Henrietta Town Board has taken a hard look at the environmental issues raised by the Town's Comprehensive Land Use Plan, and

WHEREAS, the Henrietta Town Board hereby concludes that this Action will not result in any significant impacts on the environment.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board hereby issues a Negative Declaration under the State SEQRA Law and accepts and adopts the 2003 Town's Comprehensive Land Use Plan for the Town of Henrietta, as amended.

Duly put to a vote:

Councilwoman McCabe	voting	Absent
Councilman Mulligan	voting	Aye
Councilman Yudelson	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Breese	voting	Aye

Carried

site. It is recommended that any such development be required to be an "eco-industrial park." Eco-industrial parks are based on the following concepts:

- Clustering development on the least sensitive portions of the site,
- Preserving large amounts of open space, preferably with public access,
- Mixed-use,
- On-site usage of alternative energy and green technology systems,
- Walkability within, as well as to and from, the site,
- Bike paths,
- Parks and squares, and
- On-site reuse of waste materials, water recycling, etc.

ACTION: DEVELOP A HENRIETTA TOWN CENTER

The Town should evaluate the feasibility of retrofitting the existing Town Hall/Library/Park/Senior Center/Public Works campus on Calkins Road and the adjoining Monroe County Fairgrounds, and additional adjoining sites, into a new, mixed-use "Henrietta Town Center." The area already contains the following critical components of a traditional town center:

- Central municipal offices
- Park
- Community services (e.g., library)
- Adjoining residential neighborhoods
- Retail
- Public transit (e.g., buses)

Redesign and integration of the different land uses, which are currently located in close proximity to each other but isolated and segregated by roadways, parking lots, and driveways, needs to be done to develop a walkable, traditional central place for Town residents. Developing and retrofitting the area as a Town Center could include the following components:

Proposed Land Uses

- Develop additional mixed-use features on the Monroe County Fairgrounds site, should it become available for redevelopment. Potential uses include senior housing, townhouse development, and mixed-use buildings (residential apartments above retail stores or professional offices).
- Larger commercial uses may be accommodated in the Town Center's "Center Street" shopping district. The larger retail use should be as close as practical to the eastern portion of the Town Center district to blend in with higher density commercial development nearby.

Town of Henrietta Comprehensive Land Use Plan

- Places for community gathering, such as a community center, a cultural or performing arts center, a skating rink/reflecting pool, an art museum or gallery.
- Additional town, school district, and other public community facilities should be located in the Town Center whenever practicable.
- Provide a small-scale retail area for restaurants, small-scale shops, and other typical pedestrian-oriented downtown uses.
- Encourage the U.S. Postal Service to site a post office satellite location in the Town Center.

Improvements to Enhance Walkability and Bicycle and Transit Access

- A landscaped median in the center of Calkins Road between East Henrietta Road and the new Center Street intersection. This would "calm" traffic in the area and signal the drivers' entry into a pedestrian-oriented neighborhood. It would also facilitate safe access to the Town Center at this busy location from the opposite side of Calkins Road, by providing a midway point for pedestrians to wait. The median would also soften the appearance and enhance the visual character of the area.
- Develop sidewalks to connect all land uses within and adjacent to the Town Center. Sidewalks should line both sides of all streets in the Town Center.
- Dedicated pedestrian-only time should be provided on demand at the traffic signal at the existing Town Hall entrance and at other signalized intersections that may lead into the Town Center.
- Designated loops or pullovers at key locations within the Town Center for public transportation services.
- Connect the Town Center with the Lehigh Valley Trail.
- Create a bike lane along Calkins Road that will connect RIT and other areas with the Town Center.

Town Center Design Principles

- Development should reflect traditional village-scale and downtown design. This includes buildings built up to the sidewalk line, small footprints or the breaking down of larger building masses visually into smaller "units", frequently-spaced window and door openings (no blank boxes fronting the street), two- to three-story development, mixed-use, parking taking a secondary location (i.e., in back of buildings).
- To fit in with the scale of a village-style development pattern, larger masses of "big box"-style retailers must be broken down and articulated in a way that gives the visual impression of a smaller structure. A contextual design with a facade that has window and doorway openings, roofline detailing and variation, corner treatments to create the impression of a building edge and/or a veneer of shallow retail units along much of the frontage is required. The facade must give the impression of a two-story building, typical of a "Main Street" setting. The building must be built up to the sidewalk line of the new central street, with parking to the rear and sides.
- Landscaping/islands should be provided in all parking areas.

- All streets should be lined with trees and have a green buffer between the street and the sidewalk.
- Flags, banners, and signage designating the area the "Henrietta Town Center"

Development of the Town Center would foster community pride, loyalty, and quality of life. It would leave a legacy for future generations, who would benefit from belonging to a town with an enriched sense of identity. Special events should be held frequently, throughout the year, and on a regular basis. This is one of the fastest ways to foster community spirit and identification with the area as the Town Center.

ACTION: PROMOTE A SUSTAINABLE LAND USE PATTERN BASED ON THE CAPACITY OF THE LAND

The paragraphs that follow detail some of the concepts behind the "Generalized Land Use Plan" for the Town. This section indicates the general land use categories and relative development densities (i.e., low, moderate, high) that are recommended. The land use groups are generally presented in order of intensity, starting with the most restrictive (i.e., Parks).

Parks, Greenways, and Conservation Lands

The Plan recommends a system of publicly accessible parks, nature preserves and conservation lands, and greenways to preserve river and stream corridors and link the various open spaces and provide pedestrian alternatives to vehicular access in a highly auto-oriented environment. As shown in the Land Use Plan, "green" areas are recommended along the Genesee River, streams, on public parks and nature preserves, along the Lehigh Valley Trail, and adjacent to the I-90 right-of-way. Public boat launches are proposed at several alternate locations along the Genesee River on larger parcels in the southern and central section of the Town.

Agriculture/Rural Residential

The A/RR land use pattern includes agriculture (including horse stables), single-family dwellings, community facilities and parks, and a very narrow range of agriculture-related commercial uses (e.g., farm stands, bed and breakfasts). It is recommended that in these areas, the Town should require subdivisions to follow rural design guidelines, provide a wide buffer area between the proposed residential use and farming uses, and minimize potential impacts on agriculture. To help slow the conversion of agricultural land to residential land, the number of subdivisions, as well as the number of lots allowed in each subdivision, would be limited in addition to the frequency a parcel would be permitted to be subdivided. The Town should also allow flexibility in the adaptive reuse of farm structures in Agricultural/Rural Residential areas.

Resource Conservation/Residential

Resource Conservation/Residential lands are located in areas adjacent to Agricultural Districts and in environmentally sensitive areas (e.g., characterized by wetlands, proximity to creeks or the River). Town zoning and policies should protect the natural and scenic resources of these areas. Conservation design residential development would be allowed at low densities, with the development focused in a way that minimizes impacts to the environment. The Resource Conservation/Residential lands are also intended to serve as a buffer between Agricultural/Rural Residential areas and more intensive development, predominantly to the north.

TOWN OF HENRIETTA

INTEROFFICE MEMORANDUM

DATE: JULY 13, 2015

TO: TOWN BOARD

FROM: CHRISTOPHER E. MARTIN, P.E. *CEM*
DIRECTOR OF ENGINEERING & PLANNING

Re: SPECIAL USE PERMIT APPL. No. SP2015-007
& REZONING

APPLICATION: Henrietta Town Center

STAGE: Special Use Permit and Rezoning

The SEQR Documentation for the above referenced application has been reviewed and the following comments are offered:

A. GENERAL

1. As stated in the SEQR Documentation, site plan and subdivision approval will be required from the Henrietta Planning Board for the proposed projects.
2. As indicated on the drawings, this project is located within the one hundred year floodplain. A Conditional Letter of Map Revision (CLOMR) may be required to be submitted to FEMA for review and approval and the necessary Town procedures will need to be followed.
3. Permits will be required from the U.S. Army Corps of Engineers and from the New York State Department of Environmental Conservation for the installation of the roadway and utilities across the tributary to Red Creek.
4. The proposed project appears to be located in an archeologically sensitive area. Therefore, the plans will need to be submitted to the New York State Office of Parks, Recreation, & Historic Preservation and the Phase 1A and Phase 1B archaeological survey should be submitted to the Town when it is completed.

B. TRAFFIC IMPACT STUDY

1. We have reviewed the traffic impact study and agree with recommendations provided within the report.
2. The traffic impact study will have to be provided to the New York State Department of Transportation and the Monroe County Department of Transportation for review if it hasn't already been submitted.

C. WATER

1. Future plan submissions for the water supply system should meet Monroe County Water Authority and Monroe County Department of Health requirements.
2. The diameter and material for the existing and proposed water mains should be indicated on future drawings.
3. A letter should be provided by the Monroe County Water Authority stating that the project has an adequate supply of water to service the proposed developments.
4. A portion of this parcel is located within an existing water district. A new water district will need to be formed for the remaining area that is not in a water district.

D. SANITARY SEWER

1. Future plans for the sanitary sewer system should meet Town of Henrietta and Monroe County Health Department standards.
2. A portion of the parcel is located within an existing sanitary sewer district. A new sanitary sewer district will need to be formed for the remaining area that is not in a sewer district.
3. As part of the proposed project a sanitary sewer will be provided to the west to connect into a trunk sewer that has more capacity than the closer trunk sewer. Also, the Town will look into the possibility of connecting the two trunk sewers in order to improve capacity during significant storm events.

E. DRAINAGE & GRADING

1. Drainage calculations will need to be provided for sizing the proposed stormwater management facilities and storm sewers. Also, a stormwater pollution prevention plan will be required in accordance with the new SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002.
2. An erosion and sediment control plan will be required for future submissions.
3. This parcel is located within the Town's consolidated drainage district.