

## 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](http://www.monroecountybusiness.org/application).

Please send completed application via email to [EconomicDevelopment@monroecounty.gov](mailto: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: 2851 Clover LLC  
 Address: 2851 Monroe Ave  
 City/State/Zip: Rochester, NY 14618  
 Tax Id No.: 163.02-1-24.111  
 Contact Name: Anthony Daniele  
 Title: member  
 Telephone: 585-943-4055  
 E-Mail: AJD@DanieleFamily.com

#### B. Applicant's Legal Counsel

Name: Jerry Goldman  
 Firm: Woods Oviatt Gilman LLP  
 Address: 1900 Bausch and Lomb Place  
 City/State/Zip: Rochester, NY 14618  
 Telephone: 585-987-2800  
 Email: jgoldman@woodsoviatt.com

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

| Name                   | %         | % | Corporate Title |
|------------------------|-----------|---|-----------------|
| <u>Anthony Daniele</u> | <u>50</u> | % | <u>member</u>   |
| <u>Danny Daniele</u>   | <u>50</u> | % | <u>member</u>   |
| <u> </u>               |           | % | <u> </u>        |
| <u> </u>               |           | % | <u> </u>        |
| <u> </u>               |           | % | <u> </u>        |
| <u> </u>               |           | % | <u> </u>        |
| <u> </u>               |           | % | <u> </u>        |
| <u> </u>               |           | % | <u> </u>        |
| <u> </u>               |           | % | <u> </u>        |
| <u> </u>               |           | % | <u> </u>        |
| <u> </u>               |           | % | <u> </u>        |

**II. PROJECT**

**A. Address of proposed project facility**

Address: 2851 Clover Street

Tax Map Parcel Number: 163.02-1-24.111

City/Town/Village: Town of Pittsford

School District: Pittsford

Zip: 14534

Current Legal Owner of Property:  
2851 Clover 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) Tear down & redevelopment

**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: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Tax ID No: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

% of facility to be occupied by user/tenant \_\_\_\_\_

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

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

| Name  | %     | Corporate Title |
|-------|-------|-----------------|
| _____ | ____% | _____           |
| _____ | ____% | _____           |
| _____ | ____% | _____           |
| _____ | ____% | _____           |

**F. Project Timeline**

Proposed Date of Acquisition: December 2023

Proposed Commencement Date of Construction: Dec 2024

Anticipated Completion Date: January 2027

**G. Contractor(s)**

Christa Construction (Rochester NY)

**II. PROJECT (cont'd)**

H. **Would the project be undertaken without financial assistance from the Agency?**  Yes  No

Please explain why financial assistance is necessary.

Members of the town board of Pittsford approved this new development contain to accommodate local individuals and families with occupations including current and retired teachers, firefighters, public services, hospitality services, and other similar workforce careers. Without agency support this development can not financially exist.

Financial Assistance is necessary to cover the expanded costs and expenses now required to provide affordable/workforce housing to young professionals and families wishing to live in Pittsford.

The redevelopment of this dilapidated old development, which has remained a vacant eyesore for now almost 10 years, has recently been found to contain asbestos. The asbestos abatement contamination has significantly increased the project cost due to increased remediation and demolition required to redevelop into a safe NY code compliant housing community.

Construction and Labor Costs have risen approximately 25-35% in less than 3.5 years. A Sales Tax and Mortgage tax agreement is a requirement of financing in order to make this project cash flow positive and financing is not possible without Agency support.

Without agency support to cover the increased costs, this project will not move forward.

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

Yes  No

Location:

Bellagio Apartments

1384 Empire Blvd, Rochester NY 14618

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:

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

J. **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

**II. PROJECT (cont'd)**

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

NAICS Code: 531110

Pittsford Oaks is a new locally developed 175 unit apartment living community concept. Pittsford Oaks was designed around the desires of the town of Pittsford to allow for the first affordable workforce housing in Pittsford designed specifically to include housing options for local individuals and families with affordable local occupations including teachers, firefighters, hospitality services, etc.

This property was purchased by a senior living entity approximately five years ago with the intent of constructing senior living options. After two years of due diligence and significant capital expenditures including permit ready design and development construction documents (including final SEQR and town approvals to construct) the entity soon realized after receiving final construction bid quotes that the financial proformas would not allow for an un-subsidized new construction development of any kind given the significantly increased costs of labor, materials, and interest rates post COVID. The previous developer walked away from the project after spending hundreds of thousands of dollars in due diligence and pre-development soft costs. The project was abandoned for almost 3 years, and the new current developer (This Applicant) took over in hopes of finding a path to the finish line while incorporating the wishes of the town board of Pittsford to incorporate affordable housing.

This new development plan received Zoning and SEQR approvals in May of this year (2024). The current developer is a long time Pittsford community resident family who has developed multiple properties in the Rochester area including a recent 98 unit apartment development (The Bellagio, Penfield, NY)

The new development will consist of approximately 175 units broken out as approximately 122 one-bedroom units with average rental rates of \$1,599 per month, 42 two-bedroom units with average rental rates of \$2,369 per month, and 12 three-bedroom units with average rental rates of \$3,199 per month.

Per COMIDA's current housing policy, 20% (35) of the units will be set aside as affordable for those earning 80% of the area median income at rents of \$1,350-\$2,096. These units will be a representative cross section of all unity.

Twelve new permanent job positions will be created. Four full-time jobs will consist of one General Manager, one Leasing Manager, one Facilities Manager, and one Facilities Coordinator. Eight-part time jobs will consist of four house cleaning associates responsible for maintaining the interior building and units in a clean and sanitary environment including mopping, sweeping, vacuuming, general house cleaning, indoor plant maintenance, elevator cleaning, unit change-over cleaning/sanitizing, and unit pre-leasing inspections and cleaning. Four additional part-time jobs will include two facilities maintenance crews along with two outdoor facilities maintenance crews all focusing on snow removal, salt spreading, lawn care, lawn mowing, plant care, plant trimming, external paint and wall maintenance, general maintenance activities, minor plumbing repairs, inventory of general provisions, garage cleanliness and maintenance, dog clean up, and patio/public areas clean up and maintenance.

[SEE "Exhibit A" FOR CURRENT CONDITIONS AND DEVELOPMENT RENDERINGS.]

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

Check One:

**JOBSPLUS**

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   1  .

**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 JOBSPLUS**

Requirements:

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

**GREEN JOBSPLUS**

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.

**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. \$ 12,610,000
- b. Labor b. \$ 10,750,000

**Site Work**

- c. Materials c. \$ 2,510,000
- d. Labor d. \$ 3,625,000
- e. Non-Manufacturing Equipment e. \$ \_\_\_\_\_
- f. Manufacturing Equipment f. \$ \_\_\_\_\_
- g. Equipment Furniture and Fixtures g. \$ 2,973,000
- h. Land and/or Building Purchase h. \$ 3,930,000
- i. Soft Costs (Legal, Architect, Engineering) i. \$ 4,900,000
- Other (specify) j. \_\_\_\_\_ j. \$ \_\_\_\_\_
- k. \_\_\_\_\_ k. \$ \_\_\_\_\_
- l. \_\_\_\_\_ l. \$ \_\_\_\_\_
- m. \_\_\_\_\_ m. \$ \_\_\_\_\_

**Total Project Costs** \$ 41,298,000  
**(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. \$ 38,000,000
- d. Public Sources d. \$ \_\_\_\_\_

Identify each state and federal grant/credit

\_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_

- e. Equity e. \$ 3,298,000

**TOTAL SOURCES** \$ 41,298,000  
**(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.

Local community bank  
 -Canandaigua National 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** \$ \_\_\_\_\_ 0



**VII. PROJECTED EMPLOYMENT**

Complete for each Applicant or User/Tenant

**Company Name:** 2851 Clover, 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 <b>RETAINED</b> | IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be <b>CREATED</b> 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   | 0   | 4  | 4  |
| Part Time (PTE) | 0   | 0   | 8  | 8  |
| Total           | 0   | 0   | 8  | 8  |

\*\* 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 2851 CLOVER, 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.

**AD**  
Initial **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.**

**AD**  
Initial **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.

**AD**  
Initial **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.

**AD**  
Initial **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.

AD

Initial

**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.

AD

Initial

**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.

2851 CLOVER, LLC

\_\_\_\_\_  
 (APPLICANT COMPANY)  
 member  
 \_\_\_\_\_  
 Signature Title Date  
 Member 11/2025

\_\_\_\_\_  
 (TENANT COMPANY)  
 \_\_\_\_\_  
 Signature , Title Date

**IX. FEES**

| Transaction Type  | Fees   |
|---|--|
| Lease/Leaseback including any/all of the following:<br>1. PILOT Agreement<br>2. Sales and Tax Exemption*<br>3. Mortgage Tax Exemption                                 | Application Fee: Non-refundable \$350.00<br>IDA Fee: 0.75% of the total project cost<br>Legal Fee: 0.33% of the IDA fee. Minimum fee of \$4,000.   |
| Sales Tax Exemption* and/or<br>Mortgage Recording Tax Exemption   | Application Fee: Non-refundable \$350.00<br>IDA Fee: 0.50% of the total project cost<br>Legal Fee: 0.33% 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. |
| Bond: Taxable or Tax-Exempt with Lease/Leaseback<br>Including any/all of the following:<br>1. PILOT Agreement<br>2. Sales Tax Exemption*<br>3. Mortgage Tax Exemption | Application fee: Non-refundable \$350<br>IDA Fee: 1.25% of the total project cost<br>Legal Fee: 0.33% of IDA fee<br>Designated Bond Counsel fee is based on the complexity and amount of the transaction   |
| Bond: Taxable or Tax-Exempt   | Application fee: Non-refundable \$350<br>IDA Fee: 1.00% of the total project cost<br>Legal fee: 0.33% of the IDA fee<br>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.

2851 CLOVER, LLC

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(APPLICANT COMPANY)

\_\_\_\_\_  
(TENANT COMPANY)

Signature Title Date Signature , Title Date

*member* *member 11/24*

**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. 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.
- D. 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.
- E. 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.
- F. 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.
- G. 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.
- H. 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**

2851 CLOVER, LLC

*[Handwritten Signature]*  
 \_\_\_\_\_  
 member  
 Signature, Title, Date  
*[Handwritten: member 11/24]*

**TENANT COMPANY**

\_\_\_\_\_  
 \_\_\_\_\_  
 Signature, Title, Date

**EXHIBIT A**















**2 EAST ELEVATION**  
1/8" = 1'-0"



**1 SOUTH ELEVATION**  
1/8" = 1'-0"

**FINISH LEGEND**

|  |   |  |                                 |
|--|---|--|---------------------------------|
|  | STONE VENEER:<br>BRIGHTON<br>LEDGESTONE |  | SIDING COLOR 1:<br>CHAMPAGNE    |
|  | ASPHALT SHINGLES:<br>CHARCOAL BLACK     |  | SIDING COLOR 2:<br>GRANITE GRAY |
|  | TRIM COLOR:<br>WHITE                    |  | SIDING COLOR 3:<br>CARBON       |



**2 WEST ELEVATION**  
1/8" = 1'-0"



**1 NORTH ELEVATION**  
1/8" = 1'-0"

**FINISH LEGEND**

|  |   |  |                                 |
|--|---|--|---------------------------------|
|  | STONE VENEER:<br>BRIGHTON<br>LEDGESTONE |  | SIDING COLOR 1:<br>CHAMPAGNE    |
|  | ASPHALT SHINGLES:<br>CHARCOAL BLACK     |  | SIDING COLOR 2:<br>GRANITE GRAY |
|  | TRIM COLOR:<br>WHITE                    |  | SIDING COLOR 3:<br>CARBON       |

**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:  |        |            |
| Project Location (describe, and attach a general location map):     |        |            |
| Brief Description of Proposed Action (include purpose or need):     |        |            |
| Name of Applicant/Sponsor:  |        | Telephone: |
|   |        | E-Mail:    |
| Address:  |        |            |
| City/PO:  | State: | Zip Code:  |
| Project Contact (if not same as sponsor; give name and title/role): |        | Telephone: |
|   |        | E-Mail:    |
| Address:  |        |            |
| City/PO:  | State: | Zip Code:  |
| Property Owner (if not same as sponsor):                            |        | Telephone: |
|   |        | E-Mail:    |
| Address:  |        |            |
| City/PO:  | State: | Zip Code:  |

**B. Government Approvals**

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

| Government Entity   | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
|---|--|--|
| a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No  |  |  |
| b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No  |  |  |
| c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No   |  |  |
| d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No  |  |  |
| e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No   |  |  |
| f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No   |  |  |
| g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No  |  |  |
| h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No  |  |  |
| i. Coastal Resources. <ul style="list-style-type: none"> <li data-bbox="121 829 1485 861">i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li data-bbox="121 892 1485 924">ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li data-bbox="121 924 1485 955">iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> </ul> |  |  |

**C. Planning and Zoning**

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

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

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

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

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

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

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

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

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

\_\_\_\_\_

\_\_\_\_\_

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

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

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

a. In what school district is the project site located? \_\_\_\_\_

b. What police or other public protection forces serve the project site?  
\_\_\_\_\_

c. Which fire protection and emergency medical services serve the project site?  
\_\_\_\_\_

d. What parks serve the project site?  
\_\_\_\_\_  
\_\_\_\_\_

**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)?  
\_\_\_\_\_

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

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

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

e. Will 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 \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

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

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

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

i. Purpose of the impoundment: \_\_\_\_\_

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

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

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

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

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

**D.2. Project Operations**

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

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

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

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

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

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

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

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

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

viii. Will the excavation require blasting?  Yes  No

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

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

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

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

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

iii. Will 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: \_\_\_\_\_ 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: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

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

If Yes:

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

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

If Yes:

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

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

vi. If water supply will be from wells (public or private), 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: \_\_\_\_\_ gallons/day

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

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

If Yes:

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

• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• 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  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)



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

If Yes:

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

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

---

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

See Traffic Study

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: \_\_\_\_\_

*iii.* Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

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

*v.* If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

---

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

If Yes:

*i.* Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

---

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

|   |  |
|---|--|
| <p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> | <p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> |
|---|--|

|   |  |
|---|--|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>  |  |
| <p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>   |  |
| <p>n.. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>   |  |
| <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>   |  |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>  |  |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>  |  |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>  |  |
| <p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>   |  |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul> |  |

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): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

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

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

---

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

---

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

---

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_

---

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

---

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

---

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

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

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

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

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 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: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

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

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

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

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

h. Surface water features.

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

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

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

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

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- 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: \_\_\_\_\_  
 \_\_\_\_\_

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

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

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

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

|  |  |
|--|--|
| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____<br/>         _____<br/>         _____</p>   |  |
| <p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br/>         If Yes:<br/> <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____<br/>         _____<br/> <i>ii.</i> Source(s) of description or evaluation: _____<br/> <i>iii.</i> Extent of community/habitat:<br/>             • Currently: _____ acres<br/>             • Following completion of project as proposed: _____ acres<br/>             • Gain or loss (indicate + or -): _____ acres</p> |  |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>  |  |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>  |  |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br/>         If yes, give a brief description of how the proposed action may affect that use: _____<br/>         _____</p>   |  |
| <b>E.3. Designated Public Resources On or Near Project Site</b>  |  |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br/>         If Yes, provide county plus district name/number: _____</p>   |  |
| <p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br/> <i>i.</i> If Yes: acreage(s) on project site? _____<br/> <i>ii.</i> Source(s) of soil rating(s): _____</p>  |  |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br/>         If Yes:<br/> <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature<br/> <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____<br/>         _____<br/>         _____</p>  |  |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span><br/>         If Yes:<br/> <i>i.</i> CEA name: _____<br/> <i>ii.</i> Basis for designation: _____<br/> <i>iii.</i> Designating agency and date: _____</p>  |  |

|   |
|---|
| <p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p style="margin-left: 20px;">ii. Name: _____</p> <p style="margin-left: 20px;">iii. Brief description of attributes on which listing is based: _____</p> |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>  |
| <p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe possible resource(s): _____</p> <p style="margin-left: 20px;">ii. Basis for identification: _____</p>   |
| <p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify resource: _____</p> <p style="margin-left: 20px;">ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p style="margin-left: 20px;">iii. Distance between project and resource: _____ miles.</p>   |
| <p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify the name of the river and its designation: _____</p> <p style="margin-left: 20px;">ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>   |

**F. Additional Information**

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

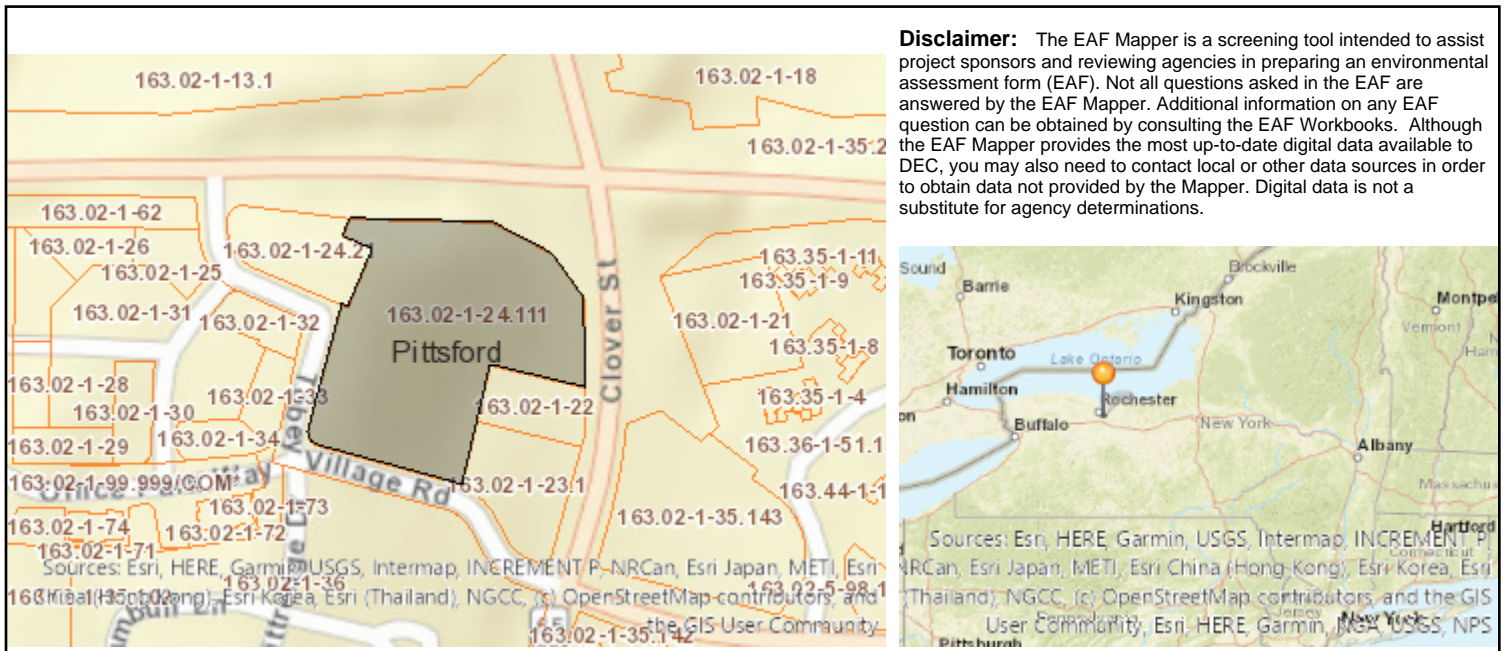
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

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

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature  \_\_\_\_\_ Title \_\_\_\_\_



|  |   |
|--|---|
| B.i.i [Coastal or Waterfront Area]   | No  |
| B.i.ii [Local Waterfront Revitalization Area]                                      | Yes   |
| C.2.b. [Special Planning District]   | Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.                           |
| C.2.b. [Special Planning District - Name]  | NYS Heritage Areas: West Erie Canal Corridor  |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History]           | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.  |
| E.1.h.i [DEC Spills or Remediation Site - Listed]                                  | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.  |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook.  |
| E.1.h.iii [Within 2,000' of DEC Remediation Site]                                  | No  |
| E.2.g [Unique Geologic Features]   | No  |
| E.2.h.i [Surface Water Features]   | No  |
| E.2.h.ii [Surface Water Features]  | Yes   |
| E.2.h.iii [Surface Water Features]   | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| E.2.h.v [Impaired Water Bodies]  | No  |
| E.2.i. [Floodway]  | No  |
| E.2.j. [100 Year Floodplain]   | No  |
| E.2.k. [500 Year Floodplain]   | No  |
| E.2.l. [Aquifers]  | Yes   |
| E.2.l. [Aquifer Names]   | Principal Aquifer, Primary Aquifer  |
| E.2.n. [Natural Communities]   | No  |



|   |  |
|---|--|
| E.2.o. [Endangered or Threatened Species]   | No   |
| E.2.p. [Rare Plants or Animals]   | No   |
| E.3.a. [Agricultural District]  | No   |
| E.3.c. [National Natural Landmark]  | No   |
| E.3.d [Critical Environmental Area]   | No   |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites]          | Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.  |
| E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name] | Eligible property:2867 Clover Street<br><a href="#">No nearby structures listed on National Register</a> |
| E.3.f. [Archeological Sites]  | No   |
| E.3.i. [Designated River Corridor]  | No   |

At a Regular Meeting of the Town Board of the Town of Pittsford, New York held at the Town Hall, 11 South Main Street, Pittsford, New York, on the 7th day of May, 2024.

PRESENT: William A. Smith, Jr., Supervisor  
Kim Taylor, Deputy Supervisor  
Naveen Havannavar, Councilmember  
Cathleen A. Koshykar, Councilmember  
Stephanie M. Townsend, Councilmember

ABSENT: None

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In the Matter

of

THE ADOPTION OF PROPOSED LOCAL LAW NO. 4  
of 2024: AMENDMENT TO THE PROVISIONS OF THE  
TOBEY PLANNED UNIT DEVELOPMENT DISTRICT  
(TOBEY PUD), PARCELS 8 AND 12.

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### **Adoption Resolution**

WHEREAS, true and correct copies of proposed Local Law No. 4 of 2024: Amendment to the Provisions of the Tobey Planned Unit Development District (Tobey PUD), Parcels 8 and 12, were placed upon the desks of all members of the Town Board of the Town of Pittsford, New York, more than seven (7) calendar days, exclusive of a Sunday, prior to the 16th day of April, 2024; and

WHEREAS, there was duly published in a newspaper previously designated as an official newspaper for publication of public notices, and posted upon the bulletin board maintained by the Town Clerk pursuant to §40(6) of the Town Law, a notice of public hearing to the effect that the Town Board would hold a public hearing on the 16th day of April, 2024, at 6:00 P.M., Local Time, at the Pittsford Town Hall, 11 South Main Street, Pittsford, New York, on the aforesaid Local Law; and

WHEREAS, the said public hearing was duly opened on April 16, 2024 at 6:00 P.M., Local Time, and continued through May 7, 2024, at 6:00 P.M., Local Time, at the Pittsford Town Hall, Pittsford, New York, at which time it was closed, and all persons present were given an opportunity to be heard, whether speaking in favor of or against the adoption of the aforesaid Local Law; and

WHEREAS, subsequent to the closing of said public hearing, and after all persons interested had been heard, the Town Board considered the adoption of the aforesaid Local Law; and

WHEREAS, the Town Board has issued a Negative Declaration of Environmental Significance on said Local Law, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), on May 7, 2024; and

WHEREAS, it was the decision of the Town Board that said Local Law No. 4 of 2024 should be adopted;

NOW, on a motion duly made and seconded, it was

RESOLVED, that the findings and resolutions set forth in the SEQRA Resolution are hereby incorporated by reference into this Resolution; and it was further

RESOLVED, that Local Law No. 4 of 2024: Amendment to the Provisions of the Tobey Planned Unit Development District (Tobey PUD), Parcels 8 and 12, be adopted by the Town Board of the Town of Pittsford, New York, to read as annexed hereto; and it was further


RESOLVED, that within twenty (20) days subsequent to the 7th day of May, 2024, there shall be filed with the Secretary of State one certified copy of said Local Law No. 4 of 2024.

Said matter having been put to a vote, the following votes were recorded:

|                       |        |     |
|-----------------------|--------|-----|
| William A. Smith, Jr. | VOTING | AYE |
| Kim Taylor            | VOTING | AYE |
| Naveen Havannavar     | VOTING | AYE |
| Cathleen A. Koshykar  | VOTING | AYE |
| Stephanie M. Townsend | VOTING | AYE |

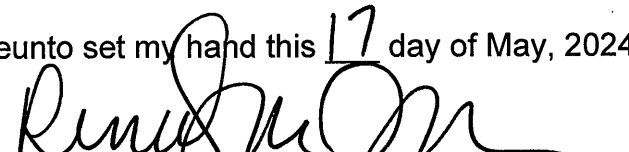
The Resolution was thereupon declared duly adopted.

DATED: May 7, 2024.

  
\_\_\_\_\_  
Renee M. McQuillen, Town Clerk

I, RENEE M. McQUILLEN, Town Clerk of the Town of Pittsford, New York, DO HEREBY CERTIFY that I have compared a copy of the resolution as herein specified with the original in the minutes of the meeting of the Town Board of the Town of Pittsford and that the same is a correct transcript thereof and the whole of the said original.

IN WITNESS WHEREOF, I have hereunto set my hand this 17 day of May, 2024.

  
\_\_\_\_\_  
Renee M. McQuillen, Town Clerk

**BE IT ENACTED BY THE  
TOWN BOARD OF THE  
TOWN OF PITTSFORD  
NEW YORK  
AS FOLLOWS:**

**LOCAL LAW NO. 4 OF 2024:  
THE ADOPTION OF PROPOSED LOCAL LAW  
NO. 4 OF 2024: AMENDMENT TO THE PROVISIONS  
OF THE TOBEY PLANNED UNIT DEVELOPMENT DISTRICT  
(TOBEY PUD), PARCELS 8 AND 12**

Sec. 1 Title

This Local Law shall be known as "Local Law No. 4 of 2024: Amendment to the Provisions of the Tobey Planned Unit Development District (Tobey PUD), Parcels 8 and 12".

Sec. 2 Regulation of the Tobey Planned Unit Development District

The provisions of the "Tobey Planned Unit Development Zoning, Land Use and Development Regulations", originally adopted June 12, 1973, as previously amended, are hereby amended to read as set forth on "Exhibit A", attached hereto and made a part hereof.

Sec. 3 Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.

Sec. 4 Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

# EXHIBIT A

**TOWN OF PITTSFORD, NEW YORK  
TOBEY PLANNED UNIT DEVELOPMENT  
ZONING, LAND USE, AND DEVELOPMENT GUIDELINES**

**Purpose and Intent:**

In accordance with the Town of Pittsford Zoning Law, the Town Board approved the creation of the Tobey Planned Unit Development District (Tobey PUD) on June 12, 1973. The creation of the Tobey PUD divides the development area into discrete development parcels and stipulated specific permitted uses along with design guidelines.

The purpose of the Tobey PUD is to create a land use pattern and development guidelines that will maintain the quality of life for residents and their neighborhoods, to enhance the rural, historic, open space and agricultural aspect of life for the community, and to protect the heritage of Pittsford by employing design standards that are sensitive to the existing community character while being responsive to the future needs and development goals of Pittsford.

The Tobey PUD achieves these goals by limiting the extent of non-residential uses within the PUD, by specifying the extent of office development, and by requiring architectural and landscape design of a residential nature, all with the purpose and intent of creating and preserving the Jefferson Road/Clover Street intersection as a scenic western gateway to the Pittsford community.

Current and any future considerations with respect to the Tobey PUD must take into account the traffic burdens already experienced by this gateway to the Town, and the increased traffic which will result from development within the Tobey PUD, as well as development within the Town and surrounding communities.

**General Requirements:**

The following general requirements shall apply to all parcels and land use areas described herein.

1. Any infrastructure studies required to accommodate the rational, efficient and cost effective development of the land uses defined herein shall, at the discretion of the Town Board, be prepared by the affected landowners. Costs shall be prorated in accordance with benefits to each landowner as determined by the Pittsford Town Board.
2. Wherever there are inconsistencies between other regulations and these Regulations, the more restrictive will apply unless a determination to the contrary is made upon application to the Town Board.
3. All uses within the Tobey PUD will be subject to site plan review by the Planning Board in accordance with Section 185-76 of the Town of Pittsford Zoning Law. Site specific Environmental Impact Statements may be required for projects to ensure consistency with the Town of Pittsford Comprehensive Plan by virtue of land use, density and design.
4. For purposes of regulating development and use of parcels within the Tobey PUD after initial construction and occupancy, any change of use to one not specified herein may only be authorized by the Pittsford Town Board in accordance with Section 185-70 of the Town

### Zoning Law.

5. All buffers and greenways as indicated on the July 15, 1996 URS report and described on the map contained therewith shall be preserved and maintained as part of the PUD. In addition, that parcel of land, as shown on the foregoing map, west of Clover Street and south of the existing Tobey Village Road and east of the access road from the Tobey Village Office Park to the senior living community, shall continue to be preserved as open space, with the exception of the establishment of a parking field (not to exceed 54 spaces) to benefit the Market Rate Apartment House located on Parcel 8 of this PUD.
6. There shall be no storage of any materials outside of any structure, except as may be specifically hereinafter permitted, including any outside refuse containers, dumpsters or other trash receptacles, except that trash receptacles of the minimum size necessary for temporary storage of refuse materials shall be permitted in Parcels 7, 8, 9, 11 and 13 hereinafter described, provided that any such containers shall be approved as part of the site plan by the Planning Board and shall be properly screened from view and appropriately maintained and sanitized so as to avoid health and odor problems. With respect to any approved refuse containers, the hours of collection shall be subject to the approval of the Planning Board.

### **General Design Requirements:**

In designing site development plans and architectural details for structures within the Tobey PUD, the following guidelines will apply. These guidelines will be followed by all reviewing agencies of the Town of Pittsford.

### **Design Requirements**

1. Facades of new buildings should be broken down into smaller masses of varied sizes and orientations to create smaller, human-scale, pedestrian-friendly environments in keeping with the residential character of the community.
2. Unless specific provisions to the contrary are provided herein, no structure shall exceed 30 feet in height. Chimneys attached to such structures may extend 10 feet above the highest point of the building structure. One flagpole, used exclusively for the display of flags, not exceeding 30 feet in height, is permitted.
3. A variety of roof types, heights and gable orientations will be provided in order to retain the town's diverse, yet traditional character. Very steep, flat or very low pitched roofs should be avoided.
4. Building design should creatively reflect traditional elements of the Town. Diversity that is in tune with the massing, proportion and street relationships of traditional buildings will be required. Village-like clusters of buildings should be encouraged over individual structures isolated by parking areas or lawns. Dormers and other architectural elements should be kept in proportion with overall building design. Architectural detailing will be used to create variety and interest of new buildings.
5. The use of traditional materials such as painted or stained wood clapboards, end trim and natural brick and stone, should be encouraged. Materials, textures and colors that are

compatible with existing adjacent residential development will be required.

6. A variety of traditional windows will be required. Excessive regularity or irregularity, large picture windows and glass curtain walls shall be avoided.
7. Signage should be used to provide direction to drivers and pedestrians in commercial and office complexes and should be at scale appropriate to such uses. Consistent, well-designed signage systems for each development parcel will be required as an element of site plan approval. Specific signage requirements are detailed in the specific provisions for each development parcel. In no case will illumination of signage be permitted, unless specifically authorized by the Town Board.

### **Landscape Architecture/Site Planning**

1. New buildings are subject to Design Review and Historic Preservation Board approval.
2. New non-residential buildings should be located with parking areas behind the buildings in order to create non-residential centers that reflect traditional development patterns, such as those found in the Village of Pittsford. Resulting developments should preserve a gateway appearance through this intersection.
3. Attractive pedestrian-oriented open spaces should be created by clustering buildings together to preserve open space along other sections of the street or behind the buildings.
4. Street trees will be required to shade and enclose the street and to define the edge of the public areas and private space.
5. Pedestrian-oriented environments, particularly within residential areas, commercial and office complexes and as entry features between parking facilities and buildings in stand-alone developments, will be required.
6. The design of new buildings will reflect the historic architecture of the town in terms of scale, massing, roof shape, gable orientation, window size, shape, and spacing, and exterior materials. Special attention to compatibility of color, materials, form and textures with adjacent structures and the context of the project site with its surroundings will be required.
7. Large buildings will be required to be compatible with the townscape by designing breaks in the building mass and roof lines, and by including appropriate architectural detail. New buildings should be scaled down into groupings of smaller structures to avoid large bulky masses.

### **Parking and Traffic**

1. Where practicable, parking should be located behind commercial and office structures to visually screen them from the road. As an alternative, depressed parking lots that minimize parking lot visibility may be acceptable. Terrain will govern the acceptable parking approach.
2. Landscaping of parking areas designed to provide shade and buffer adjoining uses will be required. Large areas of asphalt should be divided into smaller units through the use of landscaping or other innovative techniques.



3. Adjacent non-residential areas will be required, where practicable, to share parking areas and provide inter-connections.
4. Outdoor lighting should be screened by shields or hoods to prevent glare onto adjacent premises. Intensity levels of individual fixtures should be reduced by utilizing a large number of smaller light poles. In smaller pedestrian areas, lights will be utilized to improve the quality of lighting. All outdoor lighting should be limited to 3,000 K or less.

**Specific Provisions:**

The following land uses, building coverage (maximum square footage), residential unit counts, and site design guidelines will apply to each land use area delineated on the attached conceptual map entitled "Proposed Land Use Plan - Tobey Planned Unit Development" prepared by URS Consultants, Inc. and dated July 16, 1996. SBL numbers identify and describe parcel location and configuration reference official County Tax maps produced and maintained by the Monroe County Real Property Tax Agency, approved in 1981 and revised as of March 19, 1996.

**Parcel 1** (SBL: 163.36-01-51) Tobey Court

Uses: Uses for this parcel will continue as single family townhomes with no more than ninety-four (94) total units developed.

Access: Access will continue to be provided via the present access road, At such time as existing Tobey Road is abandoned as a public road, the Town of Pittsford will ensure adequate access to the realigned Tobey Road is provided.

Landscaping: Will be maintained as currently provided.

Signage: Shall be in accordance with Section 185-134 of the Pittsford Town Code.

**Parcel 2** (SBL: 163.12-2-1) Tobey Crescent

Uses: Currently fully developed with six (6) residential single family units. No additional development will be permitted on this parcel.

Access: Access is provided through Stonecreek Lane which intersects with Tobey Road at a point directly across from Tobey Brook.

Landscape: A landscape buffer will be maintained along the Tobey Road frontage.

Signage: Shall be in accordance with Section 185-134 of the Pittsford Town Code.

**Parcel 3** (SBL: 163.12-1-20 to 51 to 77) Tobey Woods; and

**Parcel 4** (SBL 163.12-1 -2 to 19 to 52 to 76) Tobey Brook

Uses: Currently fully developed with thirty-two (32) and forty-two (42) residential units respectively. No additional development will be permitted for these parcels.

Signage: Shall be in accordance with Section 185-134 of the Pittsford Town Code.

**Parcel 5** (SBL: 163.12-1-1 and a portion of 163.02-1-35.1) Tobey Meadows and Clover Estates

Uses: Currently fully developed. No additional development will be permitted for this parcel.

Landscaping: Vegetative screening will be established and maintained along the parcel's eastern and southern boundary. In addition, the floodplain/wetlands complex adjacent to the West Brook of Allens Creek will be maintained as permanent open space with provisions for establishing connecting trailway access at the discretion of the Town of Pittsford.

Signage: Signs shall be in accordance with the following:

- A. One freestanding sign at the entranceway to the development will be permitted. Such sign and structure containing such sign shall together not exceed 4 feet in height and 8 feet in length above grade and shall not have more than one side. Such sign shall not be closer than ten feet to any lot line, and shall not obstruct vehicular or pedestrian visibility. Such sign may be illuminated by one clear constant landscape light arranged so that it does not project, dispense or display any light rays onto adjacent properties or right-of-ways.
- B. The Planning Board shall approve the location, design and construction of any proposed sign, as well as any landscaping for any proposed sign.

**Parcel 6** (SBL: 163.02-1-35.1 [portion]) Future Residential

Uses: No more than two (2) single family residential units shall be developed.

Access: Shared access will be established along Clover Street and will be coordinated with the NYS Department of Transportation.

Landscaping: Residential units will be screened from view and noise by a vegetative berm along the parcels frontage on Clover Street. Additionally, the floodplain/wetlands complex centered on the West Branch shall be preserved as permanent open space with provisions for trail access at the discretion of the Town of Pittsford.

Signage: Shall be in accordance with Section 185-134 of the Pittsford Town Code.

**Parcel 7** (SBL: 163.02-1-35.1 (portion) Senior Living Community

This parcel shall be subject to the general requirements, general design requirements, landscape architecture and site plan requirements, and traffic and parking requirements as outlined above, except as modified by the November 19, 2002 Town Board Resolution, which replaces the Resolutions dated July 17, 2001 and December 19, 1995.

**Parcel 8** (SBL: 163.02-1-24.211, -24.21, -25, -34, and -63 to -72)

Uses: As further clarification and definition of the requirement for this parcel, which contains both an office park known as Tobey Village Office Park and a commercial/retail area formerly known as Barn Bazaar, the following shall apply:

A. **Tobey Village Office Park (Including Pittsford Federal Credit Union).** This 14.79 acre portion of the parcel includes 155,640 square feet of existing building usable area\* (refer to Exhibit “B”: Tobey Village Office Park- Building Layout and Parking Map and Exhibit “C”: Tobey Village Office Park- Area Calculations dated 6/6/19). There are 696 parking spaces directly associated with the Office Park inclusive of handicapped accessible spaces.

Further development of loft/second floor spaces within the footprint of existing buildings is allowable, not to exceed 15,000 usable square feet, reasonably consistent with Exhibit “C”, and subject to NYS building code compliance. No further development within basement areas, beyond that which currently exists, is allowed. No further buildings or expansion of footprints shall be allowed on this portion of Parcel 8, except for minor building entrance modifications to update and improve existing individual buildings. (These modifications shall not result in additional usable area.) Expansion of usable area or changes in use within the Office Park area, shall be dependent on evaluation of the parking conditions at that time.

As part of the Building Permit application, a current parking survey of the area shall be provided to the Building Inspector for expansion of usable area or changes in use within the Office Park. At the Building Inspector’s discretion, the parking survey may be referred to the Planning Board for review to ensure adequate parking is maintained to ensure safety and security of the Office Park.

Uses within Tobey Village Office Park shall be limited to general offices, business services and professional/medical offices.

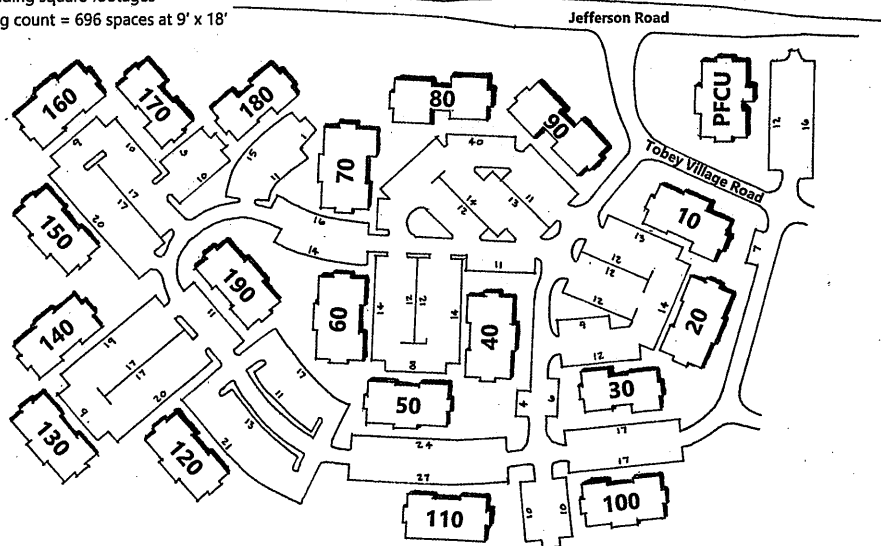
\* Total Usable Area

BOMA (ANSI/BOMA Z65.1-2010) defines usable area as occupant area plus building amenity areas that are convertible to Occupant Area. Shared conference rooms, exercise areas/fitness centers, childcare centers, and vending areas are classified as Building Amenity Areas. Usable area does not include Building Service Areas, such as building lobby and corridors; fire control center and equipment; restrooms and janitors’ closets; mechanical, electrical and communications rooms and closets; truck loading, receiving and trash; or building management and maintenance.

**Notes:**

- Refer to Exhibit “C” (Tobey Village Office Park Area Calculations) for building square footages
- Total existing parking count = 696 spaces at 9’ x 18’

**Exhibit “B”**



**JDurfee, Architect**  
 435 W Kuns Road  
 Henrietta, New York  
 14457

**Tobey Village Office Park**  
**Building Layout and Parking Map**  
 6/6/19

**EXHIBIT "C"**

**TOBEY VILLAGE OFFICE PARK  
AREA CALCULATIONS  
6/6/19**

| A     | B                            | C   | D             | E  | F   | G                                     | H                                    | I  |
|-------|------------------------------|---|---------------|--|---|---------------------------------------|--------------------------------------|--|
| BLDG. | First Floor Usable Area (SF) | First Floor Interior Gross Area (SF)  | Basement Type | Potential Basement Net Usable SF (Finished Area) | Existing Basement Usable SF (Finished Area) | Potential Loft/Second Floor Usable SF | Existing Loft/Second Floor Usable SF | Existing First Floor, Existing Basement and Potential Loft/Second Floor Usable SF (Combined Total) |
| 2     | 10                           | 6753  | 7,674         | None   | -   | -                                     | -                                    | 6,753  |
| 3     | 20                           | 6836  | 7,736         | None   | -   | 1,013                                 | 1,013                                | 7,831  |
| 4     | 22                           | 5280  | 6,000         | Full   | 5,080                                       | -                                     | -                                    | 5,280  |
| 5     | 22                           | 6836  | 7,736         | None   | -   | 1,800                                 | -                                    | 8,636  |
| 6     | 22                           | 6836  | 7,736         | None   | -   | 1,800                                 | -                                    | 8,636  |
| 7     | 60                           | 6836  | 7,736         | None   | -   | 1,800                                 | -                                    | 8,636  |
| 8     | 75                           | 7135  | 8,131         | None   | -   | 1,800                                 | -                                    | 8,935  |
| 9     | 82                           | 6836  | 7,736         | Full - Daylight                                  | 6,632                                       | 3,120                                 | 1,800                                | 13,746   |
| 10    | 90                           | 6836  | 7,736         | Full - Daylight                                  | 6,632                                       | 4,093                                 | 1,800                                | 13,729   |
| 11    | 100                          | 6836  | 7,736         | None   | -   | 1,800                                 | -                                    | 8,636  |
| 12    | 130                          | 7133  | 8,106         | None   | -   | 1,013                                 | 800                                  | 9,148  |
| 13    | 120                          | 6836  | 7,736         | None   | -   | 1,100                                 | -                                    | 7,936  |
| 14    | 130                          | 6836  | 7,736         | None   | -   | 750                                   | -                                    | 7,586  |
| 15    | 140                          | 7082  | 8,054         | None   | -   | -                                     | -                                    | 7,082  |
| 16    | 150                          | 6836  | 7,736         | None   | -   | 1,800                                 | -                                    | 8,636  |
| 17    | 160                          | 3240  | 6,000         | Full - Daylight                                  | 5,080                                       | 1,524                                 | -                                    | 6,604  |
| 18    | 170                          | 3830  | 6,633         | Full - Walkout                                   | 5,640                                       | 1,640                                 | -                                    | 11,012   |
| 19    | 180                          | 3280  | 6,000         | Full - Walkout                                   | 3,080                                       | 4,290                                 | -                                    | 11,094   |
| 20    | 190                          | 6836  | 7,736         | None   | -   | 1,800                                 | -                                    | 8,636  |
| 21    | 20 TV RD (PFCL)              | 4240  | 5,134         | Full - Walkout                                   | 3,896                                       | 3,896                                 | 1,333                                | 9,579  |
| 22    | Totals                       | 129,334   | 146,830       |  | 38,049                                      | 23,038                                | 26,203                               | 178,477  |
| 23    |                              |   |               |  |   |                                       |                                      |  |
| 24    | Revised 6/6/2019             |   |               |  |   |                                       |                                      |  |
| 25    |                              | Notes:  |               |  |   |                                       |                                      |  |
| 26    |                              | 1) Existing Parking = 606 spaces (at assumed 41,000 SF yield) 174,000 SF allowable area |               |  |   |                                       |                                      |  |
| 27    |                              | 2) Existing Usable = 135,640 SF (Total all levels)                                      |               |  |   |                                       |                                      |  |

1) Signage: There will be no advertising signage which is visible from West Jefferson Road, Tobey Village Road or Clover Street for Tobey Village Office Park except as follows:

- a. One identification sign structure at Tobey Village Road and Clover Street for the Office Park with a base feature of 135 square feet and four (4) 2 sided signs at 6 square feet each side.
- b. One identification sign at Tobey Village Road and Jefferson Road for the Office Park with a base feature of 135 square feet and four (4) 2 sided signs at 6 square feet each side (existing)
- c. One identification sign at Tobey Village Road and West Jefferson Road for a Pittsford Federal Credit Union ground mounted sign up to 15 square feet.
- d. Pittsford Federal Credit Union ground mounted sign up to 12 square feet marking the parking lot entrance to Pittsford Federal Credit Union on Tobey Village Road.

**B. Market Rate Apartment House.** The commercial/retail area formerly known as Barn Bazaar and a portion of Parcel 12 is to be redeveloped for up to 175 dwelling units of Market Rate Apartments. The "project area" specifically includes a 5.333 +/- acre portion of Parcel 8, a 1.157 +/- acre portion of Parcel 12 and a 0.518 +/- acre parcel used for apartment parking on the south side of Tobey Village Road. The "project area" totals 7.008 +/- acres. The maximum gross square footage of the Apartment House is limited to 287,000 square feet. The unit count of apartments must be reasonably similar to (16)-studios, (102)-one bedroom, (45)-two bedroom, and (12)-three bedroom apartments, as indicated on the Town Board submission dated April 30, 2024.

The following items relate to the Market Rate Apartment House project described above:

- 1) Access: Access to the project shall be derived from the existing Tobey Village Road.
- 2) Height: The permitted maximum height of the Market Rate Apartment House:
  - a. The height of the building, as measured from finished grade at the main entrance to the highest roofline of the building, shall not exceed 48 feet. Building heights measured around the building from finished grade shall not exceed 59 feet to the highest roofline of the building. The building's appearance, including rooflines, materials, and colors, is subject to approval by the Design Review and Historic Preservation Board. Chimneys and/or venting is allowed to extend above roof lines as required by building code.
- 3) Setbacks: The minimum setbacks shall be as follows:
  - a. To Tobey Village Road right-of-way (ROW) - 20 feet.
  - b. To the rear property line of 2867 Clover Street - 40 feet.
  - c. To the West Jefferson Road ROW - 75 feet.
  - d. To the Clover Street ROW transition to West Jefferson Road - 120 feet.
  - e. To the Clover Street ROW - 190 feet.
  - f. To the Pittsford Federal Credit Union property line - 15 feet.
- 4) Parking:
  - a. This Market Rate Apartment House contemplates parking underneath the residential units, as well as surface parking. The parking requirement shall be a minimum of 1.75 spaces per dwelling unit, which must be provided on the project area. Further expansion of parking on Parcel 12 beyond the land banked parking shown on plans submitted to the Town Board received February 15, 2024, is prohibited.
  - b. Locations for electric vehicle parking and charging is subject to approval by the Department of Public Works and the Town Fire Marshal.
  - c. Parking lot lighting shall be dark sky compliant except as may be approved by the Planning Board.
- 5) Landscaping:
  - a. The land between the Market Rate Apartment House and Pittsford Federal Credit Union, West Jefferson Road, and Clover Street will be maintained as open space, except for required emergency access.
  - b. Landscaping is required to be consistent with the Tobey PUD general provisions.
  - c. As part of the site plan review process, the final landscaping plan will be subject to review and approval by the Planning Board, with a focus on buffering public views, adjacent residential uses, and the historic home on Clover Street. The Planning Board will apply the landscaping cost requirements set forth in Town Code §185-194(C).
- 6) Signage: There will be no advertising signage which is visible from West Jefferson Road, Tobey Village Road or Clover Street for the Market Rate Apartment House except as follows:

- a) Signage is subject to issuance of a Building Permit and Design Review and Historic Preservation Board approval. Interior lighting of signage is prohibited.
- b) One one-sided identification sign at or near the intersection of Clover Street and West Jefferson Road, not to exceed 40 square feet.
- c) One identification sign at Tobey Village Road and Clover Street, which may be two-sided and not to exceed 24 square feet per side.
- d) One identification sign at the main driveway entrance on Tobey Village Road which may be two-sided and not to exceed 20 square feet per side. Exterior illumination is permitted for this identification sign.
- e) Directional, informational and/or wayfinding signage shall be permitted on Tobey Village Road and the development parcels, subject to Department of Public Works review and possibly Design Review and Historic Preservation Board approval.
- f) Temporary signage during construction: a total of two (2) two-sided signs, not to exceed 32 square feet per side, will be allowed and located at the intersection of Tobey Village Road with West Jefferson Road and Tobey Village Road with Clover Street.

**Parcels 9 and 10** (SBL: 163.02-1-13; SBL: 163.02-1-15 and 16) Allowed Uses

**YMCA Use:** An allowed use for these parcels is a YMCA facility, being a structure not to exceed a total of 140,000 square feet of gross floor area in a two (2) story building (or three (3) stories if a “walk-out” level is built below the grade at the main building entrance), with a building footprint not to exceed 75,000 square feet of gross floor area, and the building height to be no higher than 50 feet above grade at the main entrance to the building. As used in these Regulations, the term “gross floor area” shall mean the interior floor area measured from the interior surface of the exterior enclosure of the building, and excluding the roof. The building placement as demonstrated in Exhibit A hereto designates the “Building Area” in which the facility is to be located as well as an example of a building footprint that reflects a gross floor area of 75,000 square feet. All normally accepted services consistent with modern YMCA facilities, including medical offices and rehabilitation facilities not to exceed 15,000 square feet of gross floor area, and including food services and access to credit union/banking ATM and related services, are allowed. Up to a total of 675 parking spaces are permitted, including up to 60 accessible parking spaces (which accessible parking spaces will satisfy then current Americans with Disabilities Act (“ADA”) Standards for Accessible Design). Further, additions to and/or expansion of the allowed YMCA use or other use may be permitted by the Town Board up to an additional 43,200 square feet of gross floor area (for a total of up to 183,200 square feet of gross floor area) including an additional gross floor area of footprint of up to 23,143 square feet (for a total footprint not to exceed 98,143 square feet of gross floor area, with additional parking up to an additional 125 parking spaces (for a total of 800 parking spaces), including up to an additional 20 accessible parking spaces (for a total of 80 accessible parking spaces), which accessible parking spaces will satisfy then current ADA Standards for Accessible Design. Such expansion may be in one (1) or more phases and may be either a separate building (including a maintenance and storage building ancillary to the YMCA facility not to exceed 3,000 square feet of gross floor area and 20 feet in height (the “Maintenance Facility”)) and/or an addition to the main building. Any such expansion may only be permitted by the Town Board if it is shown that such additional development, mitigated as necessary, will not result in an undue burden on traffic. The building structures and any additions and/or expansions may be located in one or more portions of Parcels 9 and 10 designated on Exhibit A hereto as “Building Area” (and, with respect to the Maintenance Facility only, on any other portion of Parcel 10) provided that the building structures and any expansions shall be setback no less than 4 feet from the property lines (being

setback approximately 140 feet from the existing centerline of Jefferson Road and approximately 90 feet from the existing centerline of Clover Street).

Applicability of General Requirements. Design Requirements. Landscape Architecture/Site Planning and Parking and Traffic Provisions.

The new Southeast Family Branch YMCA to be located on Parcels 9 and 10 will be a unique structure to the Tobey PUD. The size, scale and mass of a facility such as the new Southeast Family Branch need to be consistent with other modern YMCA's and bring special considerations that differ from development that consists of mixed use or multiple structures found on adjacent parcel locations. Accordingly, when applying the above portions of these Regulations with respect to the design, development and/or use of Parcels 9 and/or 10 for or in connection with YMCA use, the various Boards and other bodies with jurisdiction over the project will provide appropriate exceptions and allowances to the Regulations. Specifically, the following unique features will be permitted:

- A. Storage of trucks and large snow removal equipment outside of structures will be permitted on such portions of Parcels 9 and/or 10 as will reduce to the extent possible their visibility from either Jefferson Road or Clover Street. In addition, trash receptacles of the minimum size necessary for temporary storage of refuse materials shall also be permitted in Parcels 9 and 10, provided that any such containers shall be approved as part of the site plan by the Planning Board and shall be properly screened from view and appropriately maintained and sanitized so as to avoid health and odor problems.
- B. The facade of the YMCA building shall be scaled, massed and broken up into varying sizes as appropriate and feasible to the unique programmatic areas of a YMCA such as natatoriums and gymnasiums. Human scale and pedestrian friendly environments shall be utilized and contextual character of the architecture will harmonize with and compliment the Pittsford community.
- C. The height of the structure shall be 50 feet above grade at the main entrance to the building. Chimneys, cupolas and other similar architectural accents attached to the structure may extend up to 10 feet above the highest point of the building structure. One flagpole, used exclusively for the display of flags, not exceeding 50 feet in height, is permitted. Roof types and height may vary in order to retain the Town's character. Efforts will be utilized to avoid expansive flat or low pitched roofs; however flat roofs may be utilized as and where required for mechanical equipment and/or to achieve economies in construction and/or construction costs. The use of curtain wall type construction shall be allowed. Locations shall be contextual, in concert with materiality and the philosophy of the YMCA mission and allow the use for sustainable practices.
- D. The parking areas and/or outdoor recreation uses may be located within that portion of Parcels 9 and 10 designated on Exhibit A hereto as "Site Development Area". A covered pedestrian walkway(s) will be allowed to be constructed or installed in the area designated on Exhibit A as "Site Development Area" (subject to concept plan review by the Town Board and site plan review by the Planning Board), the square footage of which shall not be included in the calculation of the maximum square footage of gross floor area of any and all buildings

permitted to be constructed in Parcels 9 and 10 pursuant to these PUD regulations.

YMCA Signage: All signs shall be approved, as to design, in accordance with the provisions of Article XXXI of Chapter 185 of the Town Code. In addition, the following specific sign requirements shall apply:

- A. Temporary signage announcing that the site is the “Future Home of the YMCA”, or similar language, and/or language acknowledging or referring to any donor, sponsor or philanthropist is allowed, with one doable-sided sign along Clover Street and one double-sided along Jefferson Road. Such signs may be erected after transfer of ownership of the property to the YMCA and shall each not be larger than eight (8) feet by twelve (12) feet in size and setback at least twenty-five (25) feet from the paved roadway.
- B. At the time the facility is constructed: (i) a monument sign with (x) YMCA text and/or logo, (y) text and/or logo of any donor, sponsor or philanthropist, and/or (z) the text and, at YMCA’s option, text and logo of any health care provider operating the medical offices and rehabilitation facilities may be placed at the main entrance on Jefferson Road. Such sign may be a two-sided illuminated sign which is up to seven (7) feet in width and up to six (6) feet two (2) inches in height; with a minimum base of seven (7) feet in width and three (3) feet four (4) inches in height; and (ii) a monument sign with (x) YMCA text and/or logo, (y) text and/or logo of any donor, sponsor or philanthropist, and/or (z) the text and, at YMCA’s option, text and logo of any health care provider operating the medical offices and rehabilitation facilities may be placed at the south side of the entrance on Clover Street. Such sign shall be a one-sided illuminated sign facing north which is up to six (6) feet in width and up to five (5) feet two (2) inches in height; with a minimum base of six (6) feet in width and two (2) feet four (4) inches in height.
- C. Up to two (2) signs are allowed on corners of the building, one facing Clover Street and one facing Jefferson Road. Such signs may each be up to eighty-four (84) inches in height and up to ninety-seven and one half (97.5) inches in width and contain YMCA text and/or logo and, at YMCA’s option, text and/or logo of any donor, sponsor or philanthropist.
- D. The following additional signs will be allowed on the building:
  1. A front door main entrance sign on the northerly side of the building containing (i) YMCA text and/or logo, and/or (ii) text and/or logo of any donor, sponsor or philanthropist constructed of brushed aluminum letters up to thirty-six (36) inches in height and up to one hundred forty four (144) inches in width;
  2. A sign at or above the entrance on the westerly side of the building containing YMCA text and/or logo up to twenty-four (24) inches in height and up to ninety-six (96) inches in width. This sign may be visible from Jefferson Road;
  3. A sign on the building at or above the entrance to the child daycare center containing YMCA text and/or logo and appropriate additional identifying information, including logo, up to twenty-four (24) inches in height and up to ninety-six (96) inches in width; and
  4. A sign on the building at or above the entrance to the medical offices and/or



rehabilitation facilities containing text and appropriate identifying information, including logo regarding the health care provider operating the same up to twenty-four (24) inches in height and up to ninety-six (96) inches in width.

E. No other signs shall be visible from Jefferson Road or Clover Street.

Office Campus Mixed Use: These parcels are, alternatively, approved for up to 10,000 square feet per acre of gross floor area for the creation of an office campus, which shall exclude medical office use, and which may include residentially designed executive hotel-type facilities, and may also include retail uses which would be limited to ancillary services required for the office and executive hotel units; further, provided that the foregoing uses shall be subject to prior approval by the Town Board for the purposes of determining whether the specific concept site plan creates an appropriate balance of uses for the area, and whether the plan would place an undue burden with respect to traffic and other environmental considerations.

Office Campus Mixed Use Signage: All signs shall be approved, as to design, in accordance with the provisions of Article XXXI of Chapter 185 of the Town Code. In addition, the following specific sign requirements shall apply:

- A. Signs shall be limited to one sign or structure at each entrance from the public right-of-way.
- B. If the sign is part of a stone, brick or other permanent structure, the sign shall not exceed 16 square feet in size and the structure and sign shall not exceed three feet in height.
- C. No other signs shall be visible from Jefferson Road or Clover Street.

Concept Plan Approval: Prior to the review, by the Town Planning Board, of a specific site plan for development of the parcel for any allowed use, the Town Board shall review and approve the site concept as to general layout, building location and configuration, general architecture, parking and traffic management and related site development. This review, as well as subsequent reviews by the Planning Board and other bodies having jurisdiction over the project, will be conducted in conformance with the exceptions, allowances and requirements set forth herein with respect to the development of Parcels 9 and 10 for YMCA use.

Access: The main access point for any allowed use shall be provided along Jefferson Road and shall be aligned with the existing Tobey Village Road. Such access shall include a signalized intersection with turning lanes, as approved by the NYS Department of Transportation. A second access point for any allowed use shall be provided on Clover Street at its existing curb-cut location and will only permit ingress from (and not egress to) the southbound lane of Clover Street. In addition to the foregoing, the pre-existing access point at the southwestern portion of Parcel 9 along Jefferson Road (NY Route 252) shall be preserved for future use, but may only be developed for vehicular egress going westbound and shall be subject to all applicable New York State Department of Transportation requirements.

Landscaping: For any allowed use, landscape buffer shall be established along the Jefferson Road frontage, adjacent to residential uses to the west and along the parcel's northern boundary.

Western Boundary Buffer Area: That portion of Parcel 9 located west of the area designated "Parking and Recreation Area" on Exhibit A hereto shall be maintained as a buffer (the "Buffer Area") in which no buildings, structures or improvements may be constructed, erected or installed excepting only any improvements constructed, erected or installed solely for the purposes of (i) surface and stormwater retention and/or drainage, and (ii) providing utility services only to the YMCA facility. Notwithstanding the foregoing, in the event additions to and/or expansions of the allowed YMCA use or other use are permitted by the Town Board up to an additional 43,200 square feet of gross floor area as hereinbefore provided in these regulations, any and all additional parking in connection with any such permitted additions and/or expansions (up to an additional 125 parking spaces) shall be located in the eastern half of the Buffer Area if impracticable or undesirable to fit in the existing designated Parking and Recreation Area.

**Parcel 11** (SBL: 163.02-1-17 and 18) Limited Business

(Parcel added by Resolution dated July 16,1996).

Uses: This parcel is presently a pre-existing, non-conforming use as a garden store. The parcel also contains a single family dwelling in conformity with the residential zoning applicable to this parcel. In adding this parcel to the PUD, the present garden store usage and single family residence are being affirmatively approved. However, this Resolution recognizes that the current garden store use, parking and outside storage is not totally contained within the limits of tax parcels identified and in no way legitimizes this condition. As a condition of authorizing the previously non-conforming use, the existing structure must be contained within the parcel boundaries, including outside storage and permitted traffic/parking. Such conformance shall be subject to approval by the Planning Board. A plan shall be submitted to the Planning Board within six months of the approval of this Resolution.

The redevelopment of this parcel is approved for up to 10,000 square feet of gross usage area per acre which shall include floor area and any area used for outside storage or display. The uses allowed include a garden store along with ancillary uses including garden supply sales, lawn mower and garden power equipment sales and service, garden implement and tool sales, florist shop, landscape material sales, residential greenhouse and supply sales and residential pool sales and supplies. Such redevelopment is subject to the following conditions:

- A. No redevelopment can proceed without the current structures being brought into compliance.
- B. Outside storage shall be limited to the garden store seasonal materials only which shall be adjacent to the garden store structures.
- C. One dumpster or similar refuse container shall be allowed on this portion of the property, provided it is properly screened by use of vegetative buffer of fencing.
- D. Any change of use from those stipulated herein shall be subject to the approval by the Town Board. In considering such change in use, the Town Board shall consider whether the change maintains an appropriate balance of uses for the area, and whether the uses contemplated would place an undue burden with respect to traffic and other environmental considerations. In addition, given the other uses in the PUD, any future changes of use should be uses closely aligned to those approved herein and not for office, commercial or multifamily residential uses.

Access: All access to uses will be derived from no more than two points of access on Clover Street. New access may not be established closer than 200 feet from the intersection of the right-of-way lines of Clover Street and Jefferson Road.

Landscaping: In addition to the general guidelines stipulated herein, a vegetative buffer visually screening intrusive uses from Jefferson Road shall be maintained. Mature trees shall be retained and incorporated into the site development plan particularly the mature trees that line the bank of the West Branch of Allens Creek as it bisects the site. All uses will be visually screened from view of users of the New York State Erie Canal and adjacent towpath. Pedestrian access between the greenway along the Erie Canal and the proposed Allens Creek West Branch green way will be integrated into any approved pedestrian access required as a condition of site plan approval.

Signage: Signs shall be in accordance with the following:

- A. One free-standing sign near a public highway stating the property address and/or business name will be permitted. Such sign shall not exceed 16 square feet in size per side, and shall not have more than two sides. The highest point of such signs shall not exceed four feet above grade. Such signs shall not be closer than 10 feet to any lot line and shall not obstruct vehicular or pedestrian visibility.
- B. Each business may have one sign on the face of any building structure setting forth the name of the business or office therein. Any such sign shall not exceed one foot in height by two feet in length. Each sign shall be uniform in size, style, materials, lettering and coloring. Such sign shall not contain advertising or other promotional material.
- C. No other internal signage shall be visible from Jefferson Road or Clover Street. All signs shall be subject to prior approval by the Planning Board.

**Parcel 12** (SBL: 163.02-1-22/23) Residential Office

(Parcel added by Resolution dated July 16, 1996).

Uses: (a) On tax parcel 163.02-1-22, single family detached residential use, or alternate use as a bed and breakfast or office, in the existing structure shall be permitted. In addition, any modifications or additions to existing structures shall be designed to maintain the architectural integrity and residential character of this tax parcel, (b) On tax parcel 163.02-1-23.1, permitted uses shall be: parking limited to 11 spaces and a fire lane to complement the development of Parcel 8 (Market Rate Apartment House). No buildings may be constructed on this tax parcel.

Access: The access point to Clover Street on tax parcel 163.02-1-22 shall be maintained in its present location. Access to tax parcel 163.02-1-23.1 remains to and from Tobey Village Road.

Landscape: As provided in general requirements, all parking should meet the locational requirements outlined in General Design Guidance Section of this Resolution and will be screened from view from Clover Street by berming and landscape plant materials. Lighting shall be designed to minimize its impact on adjacent residential uses.

Signage: Signs shall be in accordance with Section 185-134 and/or Section 185-138 of the Pittsford

Town Code (depending on the use of the property), as well as a monument entry sign for the principal use of Parcel 8 (Market Rate Apartment House) at a location and size to be determined by the Planning Board.

Outside refuse storage: Trash receptacles of the minimum size necessary for temporary storage of refuse materials shall be permitted provided that any such containers shall be approved as part of the site plan by the Planning Board and shall be properly screened from view and appropriately maintained and sanitized so as to avoid health and odor problems.

**Parcel 13** (SBL: 163.02-1-21) Residential/Office

(Parcel added by Resolution dated July 16, 1996).

Uses: Uses allowed for this 1.55 acre site will include no more than 5 single family detached residential units or 9 townhomes, provided the site planning, amenities and architectural design is consistent with units currently available in Parcel 1, Tobey Court. As an alternative, no more than 10,000 square feet/acre of gross floor area for nonmedical personal service office space may be constructed. Should an office plan be presented, that portion of the parcel east of Allens Creek West Branch will be reserved for required floodwater storage and as a vegetative buffer between office uses and adjacent residential units. No development will be permitted within the floodway.

Additionally, no building constructed on 1.55 acre site shall exceed an average height of thirty six and five one-hundredth's (36.05) feet and thirty seven and one-half (37.5) feet at its highest point.

Access: Access will be derived from existing Tobey Road at the southwest corner of the parcel. At such time as the right-of-way for Tobey Road is abandoned to the Town of Pittsford, the parcel owner shall acquire portions of that right-of-way from Monroe County for use as access and parking.

Landscaping: Existing mature vegetation east of Allens Creek West Branch shall remain. In addition, mature trees west of Allens Creek West Branch will be saved and incorporated into a landscape plan where practicable. All parking should meet the locational requirements outlined in General Design Guidance Section of this Resolution and will be screened from view from Clover Street and residences in Tobey Court by berming and landscape plant materials. Low level residential scale lighting shall be required in order to minimize the project's impact on adjacent residential uses and roadways.

**Signage:**

Signs shall be in accordance with the following:

- A. One freestanding sign near a public highway stating the property address only will be permitted. Such sign shall not exceed 2 feet in height and 4 feet in length and shall not have more than two sides. Such sign shall be at least 2 feet and 6 inches above grade, and the highest point of any structure containing such sign shall not exceed four feet and six inches above grade. Such sign shall not be closer than ten feet to any lot line, and shall not obstruct vehicular or pedestrian visibility. Such sign may be illuminated by one clear constant landscape light per side of the sign, arranged so that it does not project, dispense or display any light rays onto adjacent properties or right-of-ways. Such landscape lights shall be extinguished not later than 10:00 p.m.
- B. One sign affixed to the face of the building in close proximity to the main entrance stating only the name of the business or offices therein. Such sign shall not exceed two feet by

two feet in size and shall not extend above the height of the main entrance door. Said sign may not be illuminated except by entrance lighting otherwise approved for the building.

- C. The location and landscaping for the freestanding sign shall be as per the application and the site plan modification design dated 04/13/98.
- D. The foregoing signs shall be of a design and construction approved by the Planning Board.

Trash Receptacles:

An enclosure for the temporary storage of refuse shall be allowed subject to the following conditions:

- A. A covered enclosure not larger than 9 feet 4 inches by 13 feet 4 inches in size to accommodate standard wheeled trash containers, constructed of split face block in accordance with the design of the office building on the site, shall be permitted.
- B. The enclosure shall be located and landscaped as proposed in the application and the site plan modification design dated 4/13/98 in the northwest corner of the parcel with a setback of 4 feet from the westerly lot line and 8 feet from the northerly lot line being permitted.
- C. At all times the landscaping will include evergreens of sufficient height and maturity to adequately screen the enclosure.
- D. At no time shall the enclosure contain any trash dumpster or similar device.
- E. The enclosure shall not result in a reduction of available parking spaces approved and required for the site.
- F. Trash removal from the enclosure shall occur at times similar to that provided for residential trash removal in the surrounding neighborhood.
- G. The enclosure will be properly maintained so as to prevent odors or any unsanitary conditions, and the enclosure shall be kept closed and secured except when in use.
- H. The foregoing shall be subject to such further conditions and approvals as may be imposed by the Planning Board which may include approval of the trash receptacles and hours for trash removal.

**Parcel 14** (SBL: 163.02-1-20) Community Service/Residential (Parcel added by Resolution

dated July 16,1996).

Uses: Uses will continue as public services. Any expansion of that use will, however, be consistent and compatible with future residential use of the property. As such time as the current use is discontinued, the parcel shall revert to single family residential use or, as an alternative, townhomes at a density and with a design compatible with those provided in Parcel 1, Tobey Court.

Access: Access will continue to be provided from- existing Tobey Road. As such time as Tobey Road is realigned, the Town of Pittsford will ensure that new access be provided in a manner which provides adequate site distance for emergency vehicles accessing the site.

Landscape: As currently provided.

Signage: Signs shall be in accordance with the following:

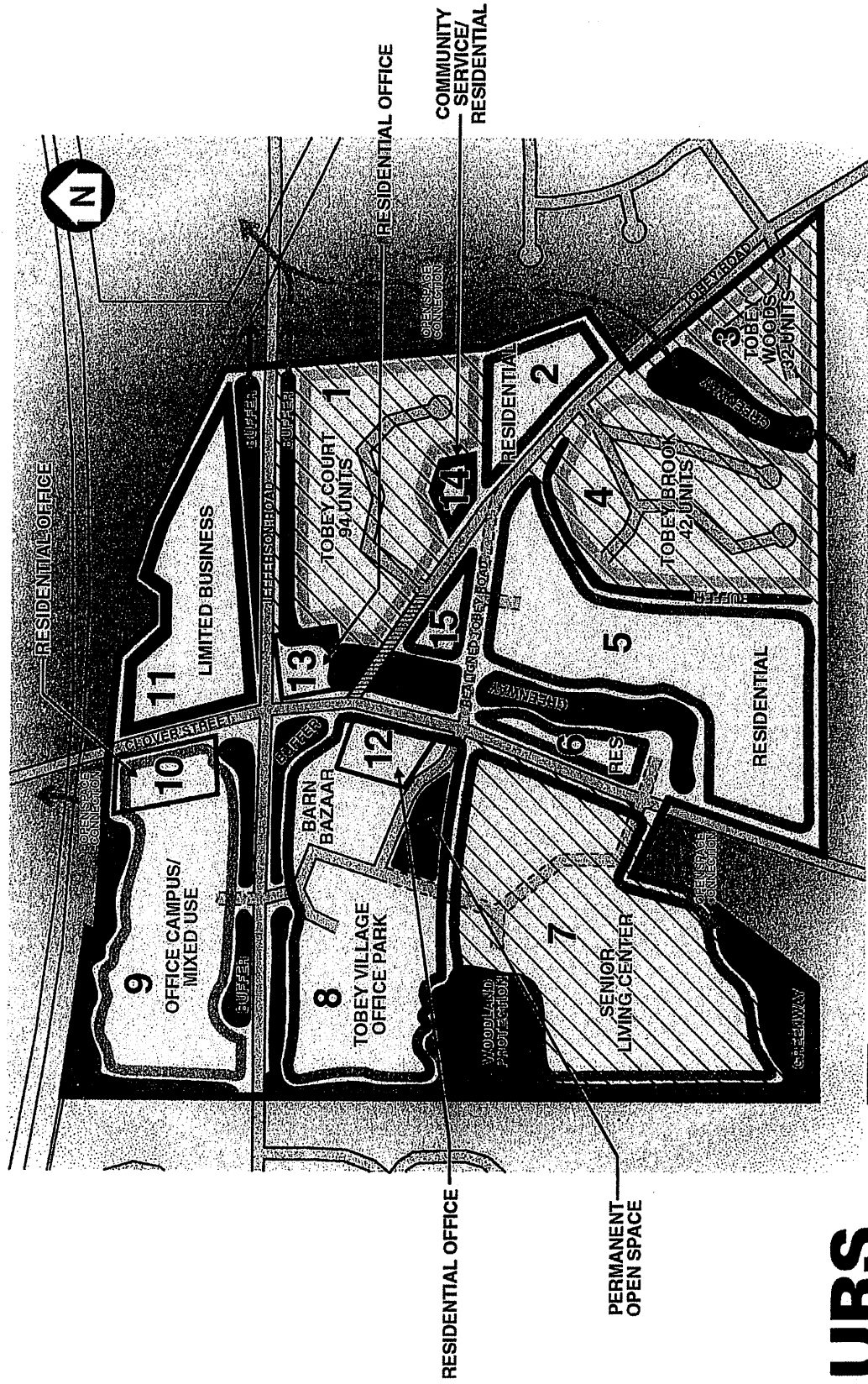
- A. One freestanding sign at the entranceway to the Ambulance facility will be permitted. Such sign and structure containing such sign shall together not exceed 3 feet in height and 6 feet in length above grade and shall not have more than two sides. Such sign shall not be closer than ten feet to any lot line, and shall not obstruct vehicular or pedestrian visibility. Such sign may be illuminated by one clear constant landscape light per side arranged so that it does not project, dispense or display any light rays onto adjacent properties or right-of-ways.
- B. The Planning Board shall approve the location, design and construction of any proposed sign, as well as any landscaping for any proposed sign.

**Parcel 15** IS BL: 163.02-1035.1 [portion])

This parcel was a portion of Parcel 5. It was deeded to the Town of Pittsford, without cost and without reservation to use and/or for disposition. In addition, that property immediately south of this parcel has been deeded, without cost and without restriction, to the County of Monroe for the realignment of Tobey Road.

7/15/96

# LAND USE PLAN TOBEY PLANNED UNIT DEVELOPMENT



NOT TO  
SCALE

**URS**  
CONSULTANTS, INC.

No Changes Proposed



Minutes of the Pittsford Town Board for May 7, 2024

**TOWN OF PITTSFORD  
TOWN BOARD  
May 7, 2024**

Proceedings of a meeting of the Pittsford Town Board held on Tuesday, August 8, 2024, at 6:00 P.M. local time in the Lower-Level Meeting Room of Town Hall, 11 South Main Street, in person.

**PRESENT:** Supervisor William A. Smith, Jr.; Councilmembers Naveen Havannavar, Cathy Koshykar, Stephanie Townsend, and Kim Taylor.

**ABSENT:** None.

**ALSO PRESENT:** Staff Members: Robert Koegel, Town Attorney; Paul Schenkel, Commissioner of Public Works; Renee McQuillen, Town Clerk; Kelly Eldred, Assistant to the Supervisor; Shelley O'Brien, Communications Director; Doug DeRue, Director of Planning and Zoning; Salvatore Tantalo, Code Enforcement.

**ATTENDANCE:** Eight members of the public along with an interpreter attended.

Supervisor Smith called the Town Board meeting to order at 6:00 P.M. and invited all to join in the Pledge to Flag.

**SUPERVISORS ANNOUCEMENTS**

The next Zoning Code update meeting will be held on Thursday, May 30 at 6:00 P.M. in the Town Board meeting room at Town Hall.

**MINUTES OF THE APRIL 16 MEETING APPROVED**

A Resolution to approve the minutes of the Town Board meeting of April 16, was offered by Councilmember Townsend, seconded by Deputy Supervisor Taylor, and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

**RESOLVED**, that the Minutes of the April 16, Town Board meeting are approved.

**LEGAL MATTERS**

**PUBLIC COMMENTS**

No comments were submitted.

**CONTINUATION OF PUBLIC HEARING FOR LOCAL LAW #4 of 2024**

Supervisor Smith explained this is a continuation for the public hearing for the change to the zoning code of the Tobey PUD which would allow for the Pittsford Oaks development to move forward. The Supervisor then asked for any member of the public wished to speak, hearing none, submitted comments were read by the Town Clerk from M. Tomaino, T. Shay, J. Bellizia, P. Bellizia, D. Seager and A. Ganguly and the Supervisor declared the hearing closed.

Board member discussion began with Councilmember Koshykar noting a change under Parcel 11 indicating the property would be parking instead of a land bank as previously discussed. The developer and Town Planning staff explained having the parking on the site plan now does not change the developer's intent to have it be land bank and only become parking if they cannot reach the 1.75 parking spots required per unit. Following additional discussion on the matter it was determined that the local law would be amended to reflect the original wording of land bank.



## Minutes of the Pittsford Town Board for May 7, 2024

Deputy Supervisor Taylor commented she has concerns but is confident in both the Design Review Historic Preservation Board and the Planning Board to work out details. Councilmember Townsend agreed with Deputy Supervisor Taylor and cited residents need/want for this type of development and that the increased assessment on the property benefits the Town. Councilmember Havannavar shared the following positives he sees with this project which included preapproved size and parking, an increase in the tax base allowing for more mixed income and moving forward will clean up the location. A negative of the project is the possible traffic issues that could arise but can be mitigated with enforcement and education.

### **AMENDMENT TO ADOPTION RESOLUTION – LOCAL LAW NO. 4**

Councilmember Koshykar made a motion to remove the strikethrough from the words “land banked” and delete the word “parking” in under Exhibit A, Parcel 8 (SBL: 163.02-1-24.211,-24.21,-25, -34, and -63 to -72),Section B(4)a, seconded by Councilmember Havannavar and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

**RESOLVED**, to remove the strikethrough from the words “land banked” and delete the word “parking” in under Exhibit A, Parcel 8 (SBL: 163.02-1-24.211, -24.21, -25, -34, and -63 to -72),Section B(4)a.

### **SEQRA RESOLUTION**

Supervisor Smith moved that a Negative Declaration of Environmental Significance be made, with respect to proposed Local Law No. 4 of 2024, seconded by Deputy Supervisor Taylor and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

**RESOLVED**, that a negative Declaration of Environmental Significance be made with respect to proposed Local Law No. 4 of 2024, as set forth in the written SEQRA Resolution submitted herewith.

### **ADOPTION RESOLUTION – LOCAL LAW NO. 4**

Councilmember Havannavar moved the enactment of Local Law No. 4 of 2024, amending the provisions of the Tobey Planned Unit Development District, as set forth in the proposed Adoption Resolution, seconded by Supervisor Smith and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

**RESOLVED**, the enactment of Local Law No. 4 of 2024, amending the provisions of the Tobey Planned Unit Development District, as set forth in the proposed Adoption Resolution submitted herewith.

### **FINANCE MATTERS**

#### **PUBLIC COMMENTS**

No comments were submitted.

#### **EQUIPMENT SURPLUS APPROVAL**

A resolution to approve the surplus items was offered by Deputy Supervisor Taylor, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

Minutes of the Pittsford Town Board for May 7, 2024

Be it resolved, that the attached list of equipment be declared surplus and be removed from the Town's inventory.

| Asset # | Description       | Department | Cost        | Status  |
|---------|-------------------|------------|-------------|---------|
| 18967   | Toro 8' ZTR Mower | Parks      | \$31,998.96 | Auction |

**BUDGET AMENDMENT APPROVED**

A resolution to approve the budget amendment was offered by Councilmember Koshykar, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

**Be it resolved that the following is approved:**

That 1.3310.2026.0002.0004 (General Fund – Traffic) be increased by \$15,700.00 for two radar speed trailers.

The source of the funds will be American Rescue Plan Act (ARPA) Federal Aid totaling \$15,700.00. The Finance Director is authorized to amend the budget and make transfers as necessary to facilitate the expenditure of these funds.

**PERSONNEL MATTERS**

**PUBLIC COMMENTS**

No comments were submitted.

**HIRING/PERSONNEL ADJUSTMENTS APPROVED**

A Resolution to approve the recommendations for new hires and status and/or salary changes was offered for approval by Deputy Supervisor Taylor, seconded by Councilmember Townsend, and voted on by members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared passed as follows:

**RESOLVED**, that the Town Board approves the appointment for the following employee(s):

| Name            | Position             | Reason      | Rate    | Effective Date |
|-----------------|----------------------|-------------|---------|----------------|
| Casandra Schrom | Rec Supervisor       | Promo/Title | \$30.22 | 05/06/2024     |
| Bryce Wallman   | Seasonal Laborer-HWY | Rehire      | \$18.35 | 05/08/2024     |
| Joseph Angora   | Seasonal Laborer-HWY | Rehire      | \$18.35 | 05/20/2024     |
| Adam Tata       | Seasonal Laborer-HWY | Rehire      | \$18.35 | 05/28/2024     |

**OTHER BUSINESS**

Supervisor Smith shared that May was Asian American Pacific Islander heritage month.

Deputy Supervisor Taylor announced tomorrow is Bike to School Day and for drivers to be aware lots of students and parents biking tomorrow.

Councilmember Havannavar reminded everyone that the Town will be hosting a free rabies clinic on Thursday, May 9, from 4:30pm to 7pm at the Highway garage.

Councilmember Havannavar shared updates on the research he and Supervisor Smith have done about the possibility of adding a town text notification system for emergency situations when they occur within the Town. He commented the Town is already part of the Hyper-Reach system operated by Monroe County Office of Emergency Management and 9-1-1. All land lines are automatically enrolled,

## Minutes of the Pittsford Town Board for May 7, 2024

cell phone numbers need to be registered, the link to register <https://www.monroecounty.gov/safety-ecd> will be shared in Town communications. Supervisor Smith further commented that he met with the Perinton Supervisor regarding their experience with the notification system they utilize.

Board members also discussed cell phone service dead zones and if there is a way for the Town to better target those areas in need of better coverage.

### PUBLIC COMMENT

With no further business, the meeting adjourned at 7:17 P.M.

Respectfully submitted,

Renee McQuillen  
Town Clerk

# County of Monroe Industrial Development Agency

## MRB Cost Benefit Calculator



Date: November 19, 2024  
 Project Title: 2851 Clover LLC  
 Project Location: 2851 Clover St, Rochester, NY 14534

### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

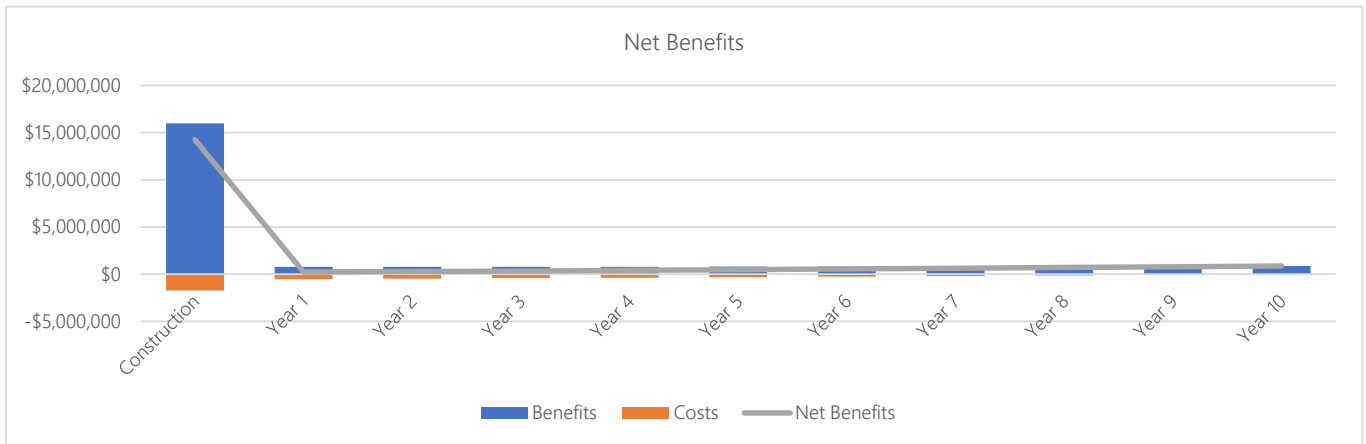
**Project Total Investment**  
 \$41,298,000

| Temporary (Construction) |              |             |              |
|--------------------------|--------------|-------------|--------------|
|                          | Direct       | Indirect    | Total        |
| Jobs                     | 234          | 46          | 280          |
| Earnings                 | \$12,727,354 | \$2,363,095 | \$15,090,449 |
| Local Spend              | \$33,038,400 | \$8,094,860 | \$41,133,260 |

| Ongoing (Operations)             |             |             |             |
|----------------------------------|-------------|-------------|-------------|
| Aggregate over life of the PILOT |             |             |             |
|                                  | Direct      | Indirect    | Total       |
| Jobs                             | 8           | 5           | 13          |
| Earnings                         | \$5,079,825 | \$2,496,275 | \$7,576,100 |

Figure 1



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

Figure 2

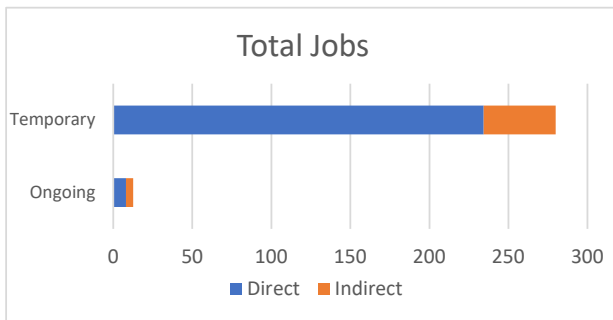
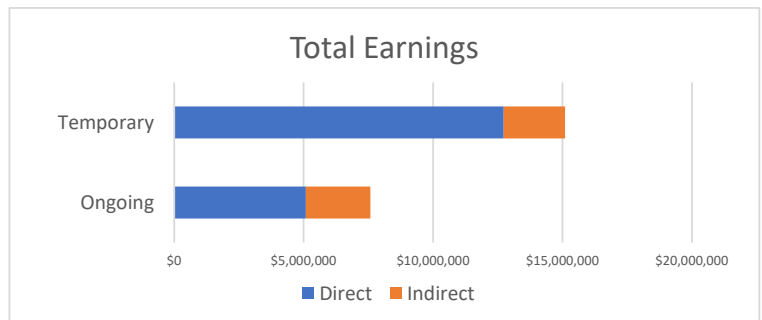


Figure 3



# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

|  | Nominal Value      | Discounted Value*  |
|--|--------------------|--------------------|
| Property Tax Exemption                 | \$2,794,413        | \$2,596,193        |
| Sales Tax Exemption                    | \$1,447,440        | \$1,447,440        |
| Local Sales Tax Exemption              | \$723,720          | \$723,720          |
| State Sales Tax Exemption              | \$723,720          | \$723,720          |
| Mortgage Recording Tax Exemption       | \$285,000          | \$285,000          |
| Local Mortgage Recording Tax Exemption | \$95,000           | \$95,000           |
| State Mortgage Recording Tax Exemption | \$190,000          | \$190,000          |
| <b>Total Costs</b>                     | <b>\$4,526,853</b> | <b>\$4,328,633</b> |

## State and Local Benefits

|   | Nominal Value       | Discounted Value*   |
|---|---------------------|---------------------|
| <b>Local Benefits</b>                       | <b>\$26,474,388</b> | <b>\$25,203,323</b> |
| To Private Individuals                      | <b>\$22,666,549</b> | <b>\$21,877,059</b> |
| Temporary Payroll                           | \$15,090,449        | \$15,090,449        |
| Ongoing Payroll                             | \$7,576,100         | \$6,786,611         |
| Other Payments to Private Individuals       | \$0                 | \$0                 |
| To the Public                               | <b>\$3,807,839</b>  | <b>\$3,326,264</b>  |
| Increase in Property Tax Revenue            | \$3,649,173         | \$3,173,125         |
| Temporary Jobs - Sales Tax Revenue          | \$105,633           | \$105,633           |
| Ongoing Jobs - Sales Tax Revenue            | \$53,033            | \$47,506            |
| Other Local Municipal Revenue               | \$0                 | \$0                 |
| <b>State Benefits</b>                       | <b>\$1,178,661</b>  | <b>\$1,137,607</b>  |
| To the Public                               | <b>\$1,178,661</b>  | <b>\$1,137,607</b>  |
| Temporary Income Tax Revenue                | \$679,070           | \$679,070           |
| Ongoing Income Tax Revenue                  | \$340,925           | \$305,397           |
| Temporary Jobs - Sales Tax Revenue          | \$105,633           | \$105,633           |
| Ongoing Jobs - Sales Tax Revenue            | \$53,033            | \$47,506            |
| <b>Total Benefits to State &amp; Region</b> | <b>\$27,653,049</b> | <b>\$26,340,931</b> |

## Benefit to Cost Ratio

|                    | Benefit*            | Cost*              | Ratio      |
|--------------------|---------------------|--------------------|------------|
| Local              | \$25,203,323        | \$3,414,913        | 7:1        |
| State              | \$1,137,607         | \$913,720          | 1:1        |
| <b>Grand Total</b> | <b>\$26,340,931</b> | <b>\$4,328,633</b> | <b>6:1</b> |

\*Discounted at 2%

### Additional Comments from IDA

This is a good project.

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