



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR ASSISTANCE

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

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

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

I. APPLICANT

A. Applicant Information

Name: FSI 5500 LLC
Address: 2213 Brighton Henrietta TL Rd
City/State/Zip: Rochester, NY 14623
Tax Id No.: [REDACTED]
Contact Name: Frank Imburgia
Title: President
Telephone: [REDACTED]
E-Mail: [REDACTED]

B. Applicant's Legal Counsel

Name: Betsy Brugg
Firm: Woods Oviatt Gilman
Address: 1900 Bausch & Lomb Place
City/State/Zip: Rochester, New York 14604
Telephone: [REDACTED]
Email: [REDACTED]

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

Name	%	Corporate Title
<u>Frank Imburgia</u>	<u>100</u>	<u>Manager</u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
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D. Is the business applying for assistance certified as an MWBE or service-disabled veterans' agency? ☐ Yes ☒ No

II. PROJECT

A. Address of proposed project facility

Address: 5560 West Henrietta Rd

Tax Map Parcel Number: 189.01-1-19.21

City/Town/Village: West Henrietta

School District: Rush Henrietta

Zip: 14586

Current Legal Owner of Property:

FSI 5500 LLC

B. Benefits Requested (Check all that apply)

☒ Sales Tax Exemption

☒ Mortgage Recording Tax Exemption

☒ Real Property Tax Abatement

☐ Industrial Revenue Bond Financing

C. Description of project (check all that apply)

☒ New Construction

☐ Existing Facility

☐ Acquisition

☐ Expansion

☐ Renovation/Modernization

☐ Acquisition of machinery/equipment

☐ Other (specify) _____

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

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

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

Company Name: _____

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
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_____	_____	_____
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_____	_____	_____
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_____	_____	_____
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_____	_____	_____
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F. Project Timeline

Proposed Date of Acquisition: _____

Proposed Commencement Date of Construction: 11/15/2026

Anticipated Completion Date: 04/01/2028

G. Contractor(s)

Team FSI

II.PROJECT (cont'd)

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

NAICS Code: **236116**

Delphi Apartments will be a brand new 300 unit apartment complex built on 40.37 acres of vacant land. The project is adjacent to the former Delphi Technical Center. The complex will be built in two phases. Phase one of the project consists of 200 units containing five 40-unit residential buildings, a clubhouse, 430 parking spaces, and a maintenance building. This application is specific to phase one of the project. The future Phase Two of the project will consist of 10 structures containing 100 town home units and 280 parking spaces.

Located adjacent to the West Henrietta Historic District, the community will increase the housing supply and bring additional activity to the village. FSI 5500 LLC has worked diligently with The Town of Henrietta Planning Board to ensure the project was appropriately designed to bolster community activity within the Historic District. The existing grade of the vacant project location creates both fiscal and engineering challenges to develop the site, however, with the support of COMIDA, a high quality and unique residential community will be constructed.

The project will consist of middle market units. A minimum of 20% of all units will have rents below 90% AMI. The Phase One unit mix will be 75 1-bedroom units and 125 2-bedroom units. 1-Bedroom Apartments will range from \$1,750/Month - \$2,350/Month. 2-Bedroom Apartments will range from \$2,100/Month - \$2,900/Month. The units offer Class A finishes, secure access control, and are all generously sized with bed/bath parity ranging from 817 SF to 1410 SF.

Phase one of the project will create 4 full-time positions and 2 part-time positions. The full-time positions consist of a General Manager, a Leasing Manager, a Maintenance Manager, and a Grounds Keeper. The 2 part-time positions are porters. The future Phase Two of the project will create an additional 2 full-time employment opportunities. The full-time positions will consist of a Leasing Assistant and a Maintenance Technician.

The project will be constructed and operated by Team FSI. Team FSI is a locally owned real estate construction and development company with over 100 employees. All consultants, contractors, and management professionals are locally owned and operated.

II. PROJECT (cont'd)

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

Please explain why financial assistance is necessary.

The construction and operation of Delphi Apartments is not feasible without financial assistance. The anticipated rents can not cover expenses and debt service due to the combination of elevated construction/operation costs and interest rates. Additionally, due to the existing grade of the vacant land, earthwork costs create a financial obstacle to successfully complete this project. Construction will begin as soon as financial assistance is committed too.

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

☐ Yes ☒ No

Location:

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

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

☐ Yes ☒ No

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

- K. **State Environmental Quality Review (SEQR) Act Compliance**

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

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

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

☐ NO

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

Check One:

☐ **JOBSPUS**

Requirements:

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

☐ **LEASEPLUS**

Requirements:

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

☐ **ENHANCED JOBSPUS**

Requirements:

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

☐ **GREEN JOBSPUS**

Requirements:

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

☐ **SHELTER RENT**

For student housing or affordable housing projects.

☒ **Housing**

☐ **Local Tax Jurisdiction Sponsored PILOT**

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

IV. APPLICANT PROJECT COSTS

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

Building Construction or Renovation

- a. Materials a. \$ 23,760,000
b. Labor b. \$ 26,140,000

Site Work

- c. Materials c. \$ 3,039,031
d. Labor d. \$ 4,558,547
e. Non-Manufacturing Equipment e. \$ _____
f. Manufacturing Equipment f. \$ _____
g. Equipment Furniture and Fixtures g. \$ 390,000
h. Land and/or Building Purchase h. \$ _____
i. Soft Costs (Legal, Architect, Engineering) i. \$ 3,785,168
Other (specify) j. _____ j. \$ _____
k. _____ k. \$ _____
l. _____ l. \$ _____
m. _____ m. \$ _____
Total Project Costs \$ 61,672,746
(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. \$ 52,254,560
d. TOTAL Public Sources d. \$ _____

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

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

- e. Equity e. \$ 9,418,186
TOTAL SOURCES \$ 61,672,746
(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.

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

Use additional sheets as necessary

Company Name _____

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

Estimated Costs Eligible for Sales Tax Exemption Benefit

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

Total Project Costs \$ _____

Value of Incentives
FSI 5500 LLC

A. IDA PILOT Benefits:

Current Assessment	\$1,203,900
Value of New Construction & Renovation Costs	\$28,002,931
Estimated New Assessed Value Subject to IDA	\$29,206,831
Current Taxes	\$22,441
Current Taxes Escalator	2%
PILOT Terms - Years	13
County Tax rate/\$1,000	5.36000
Local Tax Rate* Tax Rate/\$1,000	0.75000
School Tax Rate /\$1,000	12.53000
Total Tax Rate	18.64000

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	\$2,175,123
Estimated duration of ST exemption:	12/31/2028

C. Mortgage Recording Tax Exemption (MRTE) Benefit:

Estimated Value of MRTE:	\$391,910
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D. Industrial Revenue Bond Benefit

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

Total Value of Incentives:	\$7,186,242
Project Construction Costs:	\$61,672,746
	11.65%

PILOT Schedule

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT***	Net Exemption**
	Total	\$875,184	\$122,460	\$2,045,907	\$3,043,551	\$7,662,761	\$4,619,209
1	90%	\$15,010	\$2,100	\$35,088	\$52,197	\$521,975	\$469,777
2	90%	\$15,310	\$2,142	\$35,789	\$53,241	\$532,414	\$479,173
3	90%	\$15,616	\$2,185	\$36,505	\$54,306	\$543,062	\$488,756
4	90%	\$15,928	\$2,229	\$37,235	\$55,392	\$553,924	\$498,531
5	90%	\$16,247	\$2,273	\$37,980	\$56,500	\$565,002	\$508,502
6	80%	\$33,144	\$4,638	\$77,479	\$115,260	\$576,302	\$461,042
7	70%	\$50,710	\$7,096	\$118,543	\$176,348	\$587,828	\$411,480
8	60%	\$68,965	\$9,650	\$161,219	\$239,834	\$599,585	\$359,751
9	50%	\$87,931	\$12,304	\$205,554	\$305,788	\$611,576	\$305,788
10	40%	\$107,627	\$15,060	\$251,598	\$374,285	\$623,808	\$249,523
11	30%	\$128,076	\$17,921	\$299,402	\$445,399	\$636,284	\$190,885
12	20%	\$149,300	\$20,891	\$349,017	\$519,208	\$649,010	\$129,802
13	10%	\$171,322	\$23,972	\$400,497	\$595,791	\$661,990	\$66,199

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: FSI 5500 LLC

Applicant: ☒ or User/Tenant: ☐

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

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)			4	4
Part Time (PTE)			2	2
Total	0	0	5	5

** 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 FSI 5500 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.

X

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.**

X

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.

X

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.

X

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.

X

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.

X

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.

FSI 5500 LLC

(APPLICANT COMPANY)



Signature Manager, Title 9/28/26 Date

(TENANT COMPANY)

Signature _____, Title _____ Date _____

IX. FEES

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

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

FSI 5500 LLC

(APPLICANT COMPANY)



Signature Manager, Title 9/28/26 Date

(TENANT COMPANY)

Signature _____, Title _____ Date _____

X. CERTIFICATION

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

- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.
- C. Absence of Conflicts of Interest – The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employees of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described: None
-
- D. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- E. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- F. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- G. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- H. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.
- I. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

FSI 5500 LLC

Signature  Title 9/28/26 Date

TENANT COMPANY

Signature _____, Title _____ Date _____

County of Monroe Industrial Development Agency

MRB Cost Benefit Calculator

Date: October 20, 2026
 Project Title: FSI 5500 LLC
 Project Location: 5560 Wet Henrietta Road, West Henrietta, NY 14586



Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

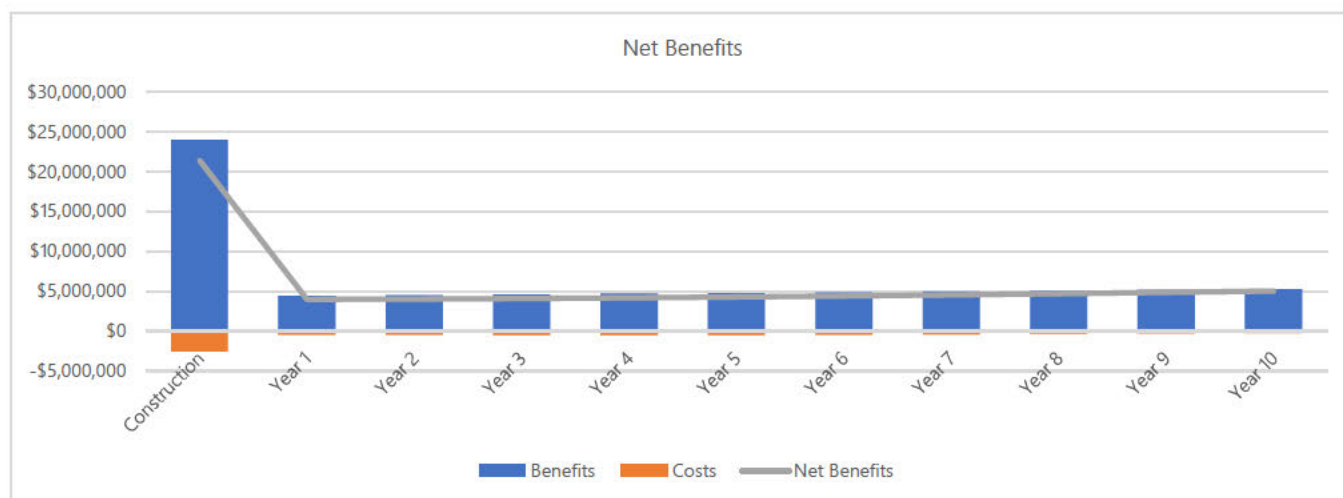
Project Total Investment

\$61,672,746

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	311	70	381
Earnings	\$19,013,842	\$3,607,710	\$22,621,552
Local Spend	\$49,338,197	\$12,281,210	\$61,619,406

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	72	19	90
Earnings	\$46,861,395	\$13,591,484	\$60,452,879

Figure 1



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

Figure 2

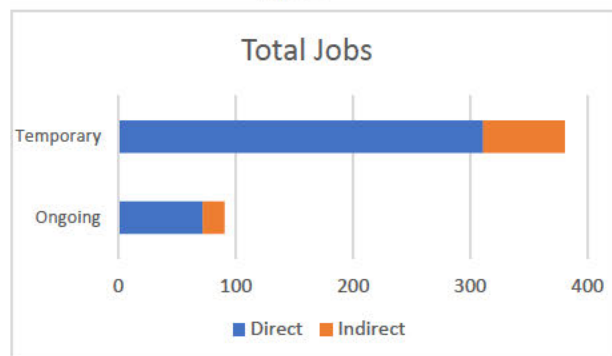
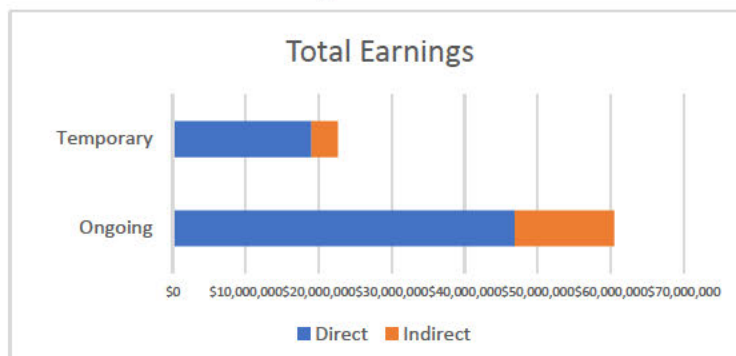


Figure 3



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$4,619,209	\$4,145,093
Sales Tax Exemption	\$2,175,123	\$2,175,123
Local Sales Tax Exemption	\$1,087,562	\$1,087,562
State Sales Tax Exemption	\$1,087,562	\$1,087,562
Mortgage Recording Tax Exemption	\$391,910	\$391,910
Local Mortgage Recording Tax Exemption	\$130,637	\$130,637
State Mortgage Recording Tax Exemption	\$261,273	\$261,273
Total Costs	\$7,186,242	\$6,712,126

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$87,080,895	\$78,473,038
To Private Individuals	\$83,074,431	\$75,108,639
Temporary Payroll	\$22,621,552	\$22,621,552
Ongoing Payroll	\$60,452,879	\$52,487,087
Other Payments to Private Individuals	\$0	\$0
To the Public	\$4,006,464	\$3,364,399
Increase in Property Tax Revenue	\$3,043,551	\$2,507,525
Temporary Jobs - Sales Tax Revenue	\$158,351	\$158,351
Ongoing Jobs - Sales Tax Revenue	\$804,562	\$698,523
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$4,701,262	\$4,236,762
To the Public	\$4,701,262	\$4,236,762
Temporary Income Tax Revenue	\$1,017,970	\$1,017,970
Ongoing Income Tax Revenue	\$2,720,380	\$2,361,919
Temporary Jobs - Sales Tax Revenue	\$158,351	\$158,351
Ongoing Jobs - Sales Tax Revenue	\$804,562	\$698,523
Total Benefits to State & Region	\$91,782,158	\$82,709,800

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$78,473,038	\$5,363,291	15:1
State	\$4,236,762	\$1,348,835	3:1
Grand Total	\$82,709,800	\$6,712,126	12:1

*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

AS ACTED UPON DURING A DULY NOTICED OPEN MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL AT 475 CALKINS ROAD, HENRIETTA, NEW YORK ON JULY 2, 2025 AT 6:00 P.M.

RESOLUTION #12-246/2025

To make a SEQR Determination, issue a Negative Declaration, and adopt Local Law No. 9 of 2025 to amend the official Zoning map of the Town of Henrietta to rezone approximately 40.369 acres of land located at West Henrietta and Erie Station Roads, being a single parcel with Tax ID No. 189.01-1-19.2, from Industrial (with Specifics) to Residential R-2-15.

On Motion of
Councilmember Barley

Seconded by
Supervisor Schultz

WHEREAS, the Town has received an application from FSI 5500 LLC requesting to rezone a portion of land located on Erie Station Road near 5500 West Henrietta Road, having Tax Account Number 189.01-1-19.2, totaling approximately 40.369-acres, from Industrial (with Specifics) to Residential, R-2-15; and

WHEREAS, on May 21, 2025 by Resolution #9-209/2025 the Town Board declared their intent to be Lead Agency for the purposes of the New York State Environmental Quality Review Act (SEQR), duly issued the required notices and information to involved agencies, and called for a public hearing on the proposed Local Law for the requested rezone; and

WHEREAS, a public hearing was duly advertised for and held on Wednesday, June 11, 2025 and then continued on Wednesday, July 2, 2025, for the purposes of gathering feedback with regards to said proposed Local Law and where all wishing to speak on the matter were heard; and

WHEREAS, the Town Board has carefully considered and taken a hard look at all potential environmental impacts of the Project, carefully considering all documentary, testimonial, and other evidence presented to the Town Board prior to, at, and subsequent to the public hearings, together with any input from Town staff, and any applicable advisory boards and agencies; and

WHEREAS, the proposed rezoning is consistent with the Town's 2003 Comprehensive Land Use Plan and subsequent updates; and

WHEREAS, the Town Board has completed Parts 2 and 3 of the EAF, which are attached hereto, and has carefully considered the information contained therein; and

WHEREAS, after examination of the perceived need, potential positive and negative impacts of the law, and through careful consideration, the Town Board finds it is in the best interest of the Town to adopt said Local Law and the Town Code and Zoning Map should be amended as set forth in the attached local law.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board is the Lead Agency for the proposed Project, adopts and approves the attached Parts 2 and 3 of the EAF, and determines that the Project will not have a potentially significant adverse impact and hereby issues a Negative Declaration.

BE IT FURTHER RESOLVED, that the Henrietta Town Board hereby adopts said Local Law No. 9 of 2025 to amend the official Zoning Map of the Town of Henrietta to rezone approximately 40.369-acres of land located on Erie Station Road near 5500 West Henrietta Road (Tax Map Parcel No. 189.01-1-19.2) from Industrial (with Specifics) to Residential, R-2-15.

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Henrietta is hereby directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

Duly put to a vote:

Councilmember Page	Aye
Councilmember Bellanca	Aye
Councilmember Barley	Aye
Councilmember Stafford	Aye
Supervisor Schultz	Aye

RESOLUTION ADOPTED

LOCAL LAW No. 9 of 2025

A LOCAL LAW TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF HENRIETTA TO REZONE APPROXIMATELY 40.369 ACRES OF LAND LOCATED AT WEST HENRIETTA AND ERIE STATION ROADS, BEING A SINGLE PARCEL WITH TAX ID NO. 189.01-1-19.2, FROM INDUSTRIAL (WITH SPECIFICS) TO RESIDENTIAL, R-2-15.

BE IT ENACTED by the Town Board of the Town of Henrietta, Monroe County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with Municipal Home Rule Law § 10.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. 9 of 2025 to amend the Official Zoning Map of the Town of Henrietta to rezone approximately 40.369 acres of land located on West Henrietta and Erie Station Roads and consisting of a single parcel with Tax ID No. 189.01-1-19.2 from Industrial (with specifics) to Residential, R-2-15.

Section III. Legislative Finding

The Town Board of the Town of Henrietta finds and hereby determines that the subject parcel is in an area characterized by compatible and complementing residential uses. Furthermore, the Town Board finds that industrial development of the property would not be in harmony with the nearby historical properties.

Section IV. Amendment

The Town of Henrietta Official Zoning Map on file in the Office of the Town Clerk, and the Town of Henrietta Zoning Code (located at Chapter 295 of the Henrietta Town Code), inasmuch as the Zoning Map is incorporated into the Town of Henrietta Zoning Code, be and hereby is amended by this Local Law as follows:

The following property, that being approximately 40.369 acres of land located generally northwest of the intersection of West Henrietta and Erie Station Roads, consisting of a single parcel with Tax ID No. 189.01-1-19.2, shall be rezoned from Industrial (with specifics) to Residential, R-2-15.

The affected property is more particularly described as follows:

Description of Rezoning

ALL THAT TRACT OR PARCEL OF LAND, on Lands with an approximate area of $\pm 1,758,456$ sq. ft (± 40.369 acres), conveyed to FSI 5500 LLC situated in the Town of Henrietta, County of Monroe and State of New York, as set forth on a map filed at the Monroe County Clerk's office in Liber 352 of Maps at Pages 6, 7, and 8, bounded and described as follows:

AT THE POINT OF BEGINNING, on the southeast corner of Lands conveyed to FSI 5500 LLC by maps recorded at the Monroe County Clerk's office in Liber 352 of Maps at Pages 6, 7, and 8, on the northerly line of Erie Station Road (County Road 74), and currently zoned as Industrial With Specifics and R-1-15 within the Town of Henrietta, thence;

S 82°35'50" W along the northerly right of Erie Station Road, a distance of 292.11 feet to a point, thence;

S 88°07'00" W along the northerly right of Erie Station Road, a distance of 812.00 feet to a point, thence;

S 88°07'00" W along the northerly right of Erie Station Road, a distance of 140.40 feet to a point, thence;

N 01°53'00" W a distance of 107.24 feet to a point, thence;

N 12°11'07" E a distance of 120.21 feet to a point, thence;

N 79°21'10" W a distance of 396.83 feet to a point, thence;

N 19°06'37" E a distance of 113.19 feet to a point, thence;

S 69°00'13" E a distance of 27.00 feet to a point, thence;

N 20°59'47" E a distance of 330.00 feet to a point, thence;

N 69°00'13" W a distance of 192.00 feet to a point, thence;

N 20°59'47" E along the easterly right of West Henrietta Road, a distance of 563.93 feet to a point, thence;

N 88°49'47" E a distance of 250.00 feet to a point, thence;

N 20°59'47" E a distance of 200.00 feet to a point, thence;

N 88°49'47" E a distance of 44.37 feet to a point, thence;

N 87°02'32" E a distance of 310.20 feet to a point, thence;

N 21°37'47" E a distance of 109.03 feet to a point, thence;

S 29°58'03" E a distance of 1480.83 feet to a point, thence;

S 23°30'00" W a distance of 128.61 feet to a point, thence;

S 00°50'39" E a distance of 139.02 feet to a point, said point being the POINT OF BEGINNING.

Within the Lands described above is a $\pm 40,164$ sq. ft (± 0.922 acres) section currently zoned as R-1-15, which is bounded and described as follows:

At the southwesterly corner of Lands conveyed to FSI 5500 LLC by maps recorded at the Monroe County Clerk's office in Liber 352 of Maps at Pages 6, 7, and 8, on the northerly line of Erie Station Road (County Road 74), and currently zoned as R-1-15 within the Town of Henrietta, thence;

N $01^{\circ}53'00''$ W a distance of 107.24 feet to a point, thence;

N $12^{\circ}11'07''$ E a distance of 120.21 feet to a point, thence;

N $88^{\circ}07'00''$ E a distance of 204.60 feet to a point, thence;

S $20^{\circ}52'00''$ W a distance of 242.44 feet to a point, thence;

S $88^{\circ}07'00''$ W along the northerly right of Erie Station Road, a distance of 140.40 feet to a point, said point being the southwesterly corner of Lands.

Within the Lands described above is a $\pm 1,718,292$ sq. ft (± 39.447 acres) section currently zoned as Industrial With Specifics, which is bounded and described as follows:

At the southeasterly corner of Lands conveyed to FSI 5500 LLC by maps recorded at the Monroe County Clerk's office in Liber 352 of Maps at Pages 6, 7, and 8, on the northerly line of Erie Station Road (County Road 74), and currently zoned as Industrial With Specifics within the Town of Henrietta, thence;

S $82^{\circ}35'50''$ W along the northerly right of Erie Station Road, a distance of 292.11 feet to a point, thence;

S $88^{\circ}07'00''$ W along the northerly right of Erie Station Road, a distance of 812.00 feet to a point, thence;

N $20^{\circ}52'00''$ E a distance of 242.44 feet to a point, thence;

S $88^{\circ}07'00''$ W a distance of 204.60 feet to a point, thence;

N $79^{\circ}21'10''$ W a distance of 396.83 feet to a point, thence;

N $19^{\circ}06'37''$ E a distance of 113.19 feet to a point, thence;

S $69^{\circ}00'13''$ E a distance of 27.00 feet to a point, thence;

N $20^{\circ}59'47''$ E a distance of 330.00 feet to a point, thence;

N $69^{\circ}00'13''$ W a distance of 192.00 feet to a point, thence;

N $20^{\circ}59'47''$ E along the easterly right of West Henrietta Road, a distance of 563.93 feet to a point, thence;

N $88^{\circ}49'47''$ E a distance of 250.00 feet to a point, thence;

N 20°59'47" E a distance of 200.00 feet to a point, thence;
N 88°49'47" E a distance of 44.37 feet to a point, thence;
N 87°02'32" E a distance of 310.20 feet to a point, thence;
N 21°37'47" E a distance of 109.03 feet to a point, thence;
S 29°58'03" E a distance of 1480.83 feet to a point, thence;
S 23°30'00" W a distance of 128.61 feet to a point, thence;
S 00°50'39" E a distance of 139.02 feet to a point, said point being the southeasterly corner of Lands.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part, or provision of this local law be declared invalid by a court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment, and Supersession of Other Laws

All other ordinances or local laws of the Town of Henrietta which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This Local Law will take effect upon filing in the office of the New York State Secretary of State.

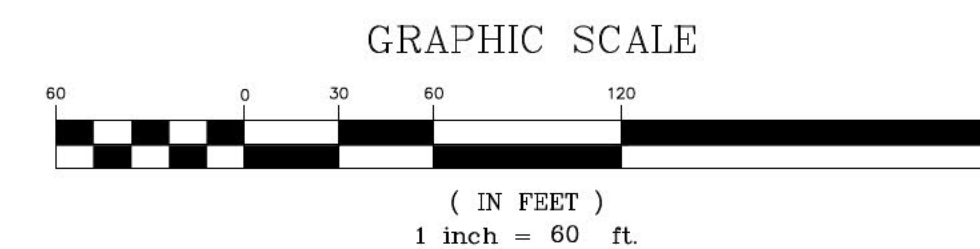
- SURVEY NOTES:
1. THIS PROJECT IS MORE THAN 1200 FEET FROM THE NEAREST MONROE COUNTY GEODETIC SURVEY CONTROL MONUMENT AND THEREFORE IS NOT REQUIRED TO BE TIED INTO THAT NETWORK.
 2. THE HORIZONTAL DATUM IS REFERENCED TO THE NY STATE PLANE COORDINATE SYSTEM, WEST ZONE, TRANSVERSE MERCATOR PROJECTION, NAD 83 (2011) THROUGH GPS REAL TIME KINETIC OBSERVATIONS OF PROJECT CONTROL POINTS USING NYSNET CONTINUOUSLY OPERATING REFERENCE STATIONS. COMBINED SCALE/ELEVATION FACTOR 1.00001094.
 3. DISTANCES SHOWN HEREON ARE GROUND DISTANCES. BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO GRID.
 4. SURVEY FIELD WORK ON THIS PROJECT WAS DONE TO AN ACCURACY GREATER THAN ONE PART IN 10,000 (1:10,000)
 5. THE SUBJECT PROPERTY LIES WITHIN FLOOD ZONE X (AREAS OUTSIDE THE 1-PERCENT ANNUAL CHANCE FLOODPLAIN), AS FLOODED ON FEMA FIRM 36055C 03410 AND 36055C 03410 WITH EFFECTIVE DATES OF AUGUST 28, 2008.
 6. SUBJECT PARCEL IS PART OF TOWN OF HENRIETTA SANITARY SEWER DISTRICTS NO. 37 AND 116 AS SHOWN.
 7. SUBJECT PARCEL IS PART OF TOWN OF HENRIETTA CONSOLIDATED DRAINAGE DISTRICT.
 8. SUBJECT PARCEL IS PART OF TOWN OF HENRIETTA ORIGINAL WATER DISTRICT AND EXTENSION NO. 88 AS SHOWN.
 9. SUBJECT PARCEL CONTAINS FEDERAL WETLANDS PER U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY WEBSITE (SEE SHEETS 2 AND 3)

ZONING NOTES:

1. NO. 5500 WEST HENRIETTA ROAD IS ZONED INDUSTRIAL (WITH SPECIFICS) TAX ACCOUNT 189.010-0001-019, 295-67-F-14 PER TOWN BOARD RESOLUTION 11-163/85 DATED 05/15/85. THESE ARE THE SPECIFICS:
 - (a) PERMITTED USES:
 - [1] SCIENTIFIC AND ENGINEERING RESEARCH AND DEVELOPMENT.
 - [2] BUILDING AND STRUCTURES TO HOUSE LABORATORIES, SCIENTIFIC RESEARCH CENTERS, EXPERIMENTAL AND DEVELOPMENT CENTERS, OFFICES AND ADMINISTRATIVE CENTERS IN CONNECTION WITH THE USE PROVIDED IN SUBSECTION F(14)(a)(1) ABOVE.
 - [3] ANY INDUSTRIAL USE NOT SPECIFICALLY ENUMERATED IN THIS SUBSECTION F(14)(a) AND NOT SPECIFICALLY PROHIBITED MAY BE PERMITTED UPON OBTAINING A SPECIAL PERMIT FROM THE TOWN BOARD AFTER NOTICE AND PUBLIC HEARING IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN ARTICLE XII OF THIS CHAPTER.
 - (b) PROHIBITED USES:
 - [1] ALL SINGLE-FAMILY, TWO-FAMILY OR MULTIPLE-FAMILY DWELLINGS AND NURSING HOMES.
 - [2] ALL USES PROHIBITED IN COMMERCIAL DISTRICTS BY §§ 295-14 AND 295-15B, EXCEPT THAT AUTOMOBILE DISMANTLING MAY BE CONDUCTED IN CONNECTION WITH THE PERMITTED USES SET FORTH IN SUBSECTION F(14)(a).
 - [3] ALL USES OF LAND, BUILDINGS AND STRUCTURES THAT MAY BE NOXIOUS OFFENSIVE OR INJURIOUS BY REASON OF PRODUCTION OR EMISSION OF DUST, SMOKE, REFUSE MATTER, ODOR, NOISE, VIBRATION OR SIMILAR SUBSTANCES OR CONDITIONS.
2. PARCEL DESIGNATED TAX ACCOUNT 189.010-0001-020 IS ZONED R-1-15.

LEGEND

- PROPERTY BOUNDARY
- R-1-15 ZONING LIMITS



LOT R-2
AREA TO R.O.W. =
2,885,696± SQ.FT
66.246± ACRES

LOT 2 OF THE DELPHI
SUBDIVISION LIBER 352 OF
MAPS, PAGE 637-8
AREA TO RIGHT OF WAY:
3,337,351 SQ. FT.
OR 76.615 ACRES
TAX ACCOUNT NO. 189.010-001-019.1
N/E GRIS FOUNDATION, INC.

LOT R-1
AREA TO R.O.W. =
1,758,456± SQ.FT
40.369± ACRES
CURRENT: INDUSTRIAL WITH
SPECIFICS (±39.447 ACRES) AND
R-1-15 (±0.922 ACRES)
RE-ZONE: R-2-15

LEGEND	
CB	Catchbasin
o/c	Cleanout
ov	Gas Valve
HYD	Hydrant
LP	Lightpole
MH	Manhole (Unknown Type)
MHE	Manhole Electric
MHSD	Manhole Storm Drainage
MHS	Manhole Storm Drainage
MHS	Manhole Sanitary Sewer
SP	Sign Post (Single)
UP	Utility Pole
UAW	Utility Pole Anchor Wire
UPL	Utility Pole with Light
WS	Water Service
WV	Water Valve
TP	Telephone Pedestal
TP	Utility Pedestal (No Markings)
ET	Electric Transformer
SAN MH	MH from Record (Not Recovered)
GLM	Gas Line Marker
XPM	Point Mark at Utility Location

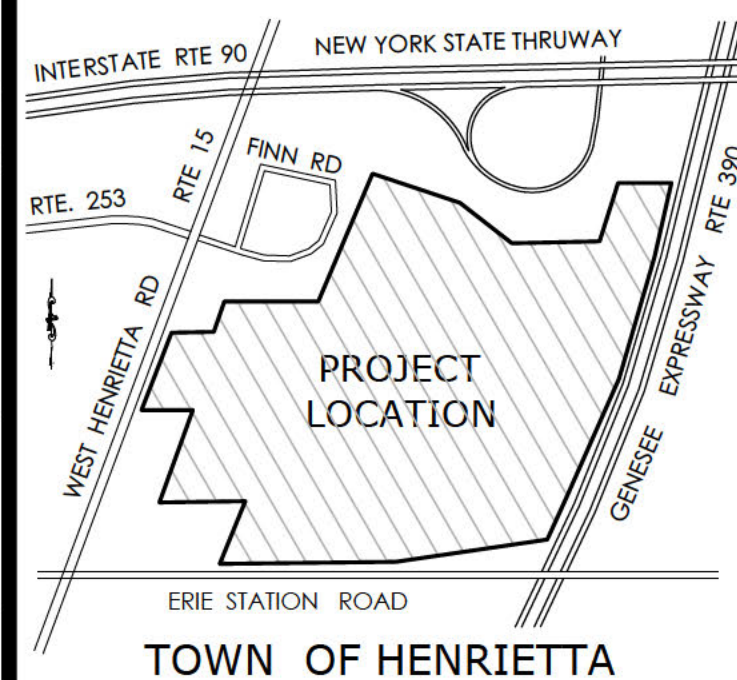
LINE LEGEND	
---	Gas Main from Record
---	Overhead Electric
---	Telephone from Record
---	Water Line from Record
---	Boundary Line
---	Easement Line

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL INKED OR EMBOSSED SEAL AND INKED SIGNATURE SHALL BE CONSIDERED A TRUE AND VALID COPY.

CERTIFICATION INDICATED HEREON SHALL RUN ONLY TO THE PERSON(S) FOR WHOM THE SURVEY WAS ORDERED AND NOT TO ANY OTHER PERSON(S). THE AGENT(S) LISTED HEREON CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUCCESSORS.

Revisions			
No.	Date	By	Description
1.	1.26.16	DS	Revised/Add per Town Comments
2.	12.11.20	AS	Revised/Add per Town Comments

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS IN VIOLATION OF STATE EDUCATION LAW ARTICLE 145 SECTION 7309 AND ARTICLE 147 SECTION 7307. THESE PLANS ARE COPYRIGHT PROTECTED ©



Passero Associates

242 West Main Street, Suite 100
Rochester, NY 14614
(585) 325-1000
(585) 325-1691

Principal-in-Charge: D.SAVAGE
Project Manager: R.VENTO, PLS
Drafted by: A.SNYDER

FST CONSTRUCTION
90 GOODWAY DRIVE
ROCHESTER, NY, 14623
(585) 292-1580

**Re-Zone Map for
Delphi Resubdivision**
5500 West Henrietta Road & Erie
Station Road
Tax Account No. 189.01-001-019.1
and Tax Acct. No. 189.01-001-019.2
Northerly Side of Erie Station Road at
Easterly Side of West Henrietta Road
Part of Town Lots 21 & 23, 4th Range of Lots,
Twnshp. 12, Range 7, Phelps & Gorham Purchase
Town of Henrietta,
County Of Monroe, State of New York

Project No.
20202908.0001

Drawing No. **Re-SUB-1** Sheet No. **1 of 3**

Scale:
1" = 60'

Date
DEC.2020

REFERENCE:

1. MAP PREPARED BY LOZIER ARCHITECTS/ENGINEERS ENTITLED "INSTRUMENT AND OCCUPATION SURVEY MAP OF LANDS NOW OR FORMERLY BRUCE MULNO & EILEEN K. MULNO" DATED MARCH 20, 1985, UNRECORDED MAP NO. 1985-28
2. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 6778 DEEDS PAGE 140.
3. COMMITMENT FOR TITLE INSURANCE ISSUED BY FRONTIER ABSTRACT AND RESEARCH SERVICES, INC. AS AGENT FOR STEWART TITLE INSURANCE COMPANY, FILE NO. 66000528, COMMITMENT DATE AUGUST 04, 2016.
4. DEED RECORDED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 6965 DEEDS PAGE 300.
5. SUBDIVISION MAP PREPARED BY PASSERO ASSOCIATES ENTITLED "DELPHI SUBDIVISION" FILED IN THE MONROE COUNTY CLERKS OFFICE AT LIBER 352 OF MAPS, PAGE 6, 7 & 8

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: 5500 WHR Residential Development		
Project Location (describe, and attach a general location map): Erie Station Road, Henrietta, NY (Tax ID 189.01-1-19.21), near the northeast corner of West Henrietta Road)		
Brief Description of Proposed Action (include purpose or need): The project includes the construction of 368 units of multifamily housing. This includes (5) 40 units apartment buildings, (10) ten unit townhome style apartment buildings, a 68 unit apartment building, and a proposed clubhouse. Additionally, the site will have parking lots, sidewalks, amenity space, stormwater management areas, and landscaping.		
Name of Applicant/Sponsor: Joshua Saxton P.E., Passero Associates	Telephone: 585-325-1000	
	E-Mail: jsudol@passero.com	
Address: 242 W. Main Street S100		
City/PO: Rochester	State: NY	Zip Code: 14614
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): FSI 5500 LLC	Telephone: 585-292-1580	
	E-Mail: frank@teamfsi.com	
Address: 2213 Brighton-Henrietta Townline Road		
City/PO: Rochester	State: NY	Zip Code: 14623

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Town Board - Special Permit and Rezone	May 2025
b. City, Town or Village Planning Board or Commission ☒ Yes ☐ No	Planning Board - Site Plan Approval	July 2025
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☐ No		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☒ Yes ☐ No	MCP&D GML 239-m; MCWA; MCDOH; MCPW; MCDOT	July 2025
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☒ Yes ☐ No	NYSDEC (SWPPP); NYSDOT	July 2025
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

NYS Heritage Areas: West Erie Canal Corridor

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

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

(I) Industrial with Specifics (per § 295-67 of the 2001 Town Code)

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? R-2-15 Residential

C.4. Existing community services.

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

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

Monroe County Sheriff's Office, New York State Police

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

Henrietta Fire District, CHS Mobile Integrated Healthcare

d. What parks serve the project site?

Thomas E. "Bill" Farrell Baseball Complex, Martin Road Park, Aardvark Park Rugby Pitch Rochester RFC, Lookup Dog Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action? 40.38 acres

b. Total acreage to be physically disturbed? 30.60 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 40.38 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: 24 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	_____	_____	_____	368
At completion of all phases	_____	_____	_____	368

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No	
If Yes,	
i. Total number of structures <u>17</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>45</u> height; <u>±108</u> width; and <u>±208</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>209,000</u> 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: <u>Stormwater management areas</u>	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☒ Other specify: <u>Stormwater runoff</u>	
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: <u>3</u> 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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☒ Yes ☐ No	
If Yes:	
i. What is the purpose of the excavation or dredging? <u>Site grading (cut-fill to balance)</u>	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): <u>Site will be designed to balance</u> • Over what duration of time? <u>Grading to take place for 3 months from project commencement</u>	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. <u>Materials to be excavated include existing on site soils. These materials will remain on site.</u>	
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? <u>±19</u> acres	
vi. What is the maximum area to be worked at any one time? <u>±19 (will obtain 5 acre waiver)</u> acres	
vii. What would be the maximum depth of excavation or dredging? <u>±30 (for grading the building pad)</u> feet	
viii. Will the excavation require blasting? ☐ Yes ☒ No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

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

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ +/- 50,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

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

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

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

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

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

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

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ +/- 50,000 gallons/day

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

Sanitary waste

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: Frank E. VanLare Sewage Treatment Plant
- Name of district: Monroe County Pure Waters 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? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____	☒ Yes ☐ No ☐ Yes ☒ No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☒ No	
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? _____ If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or <u>20+/-</u> acres (impervious surface) _____ Square feet or <u>40 +/-</u> acres (parcel size) ii. Describe types of new point sources. <u>Stormwater management area</u> _____ 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)? _____ <u>On site stormwater management areas</u> _____ • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____	☒ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☒ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____		
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? _____ 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) _____	☐ Yes ☒ No	
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? _____ 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) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)		☐ Yes ☒ No ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☒ Yes ☐ No If Yes: i. When is the peak traffic expected (Check all that apply): ☒ Morning ☒ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing <u>0</u> Proposed <u>610 +/-</u> Net increase/decrease <u>610 +/-</u> 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 ½ mile of the proposed site? ☒ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ 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. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: <u>7:00 am - 5:00 pm</u> • Saturday: <u>7:00 am - 5:00 pm</u> • Sunday: <u>N/A</u> • Holidays: <u>N/A</u> </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: <u>All day</u> • Saturday: <u>All day</u> • Sunday: <u>All day</u> • Holidays: <u>All day</u> </td> </tr> </table>		i. During Construction: • Monday - Friday: <u>7:00 am - 5:00 pm</u> • Saturday: <u>7:00 am - 5:00 pm</u> • Sunday: <u>N/A</u> • Holidays: <u>N/A</u>	ii. During Operations: • Monday - Friday: <u>All day</u> • Saturday: <u>All day</u> • Sunday: <u>All day</u> • Holidays: <u>All day</u>
i. During Construction: • Monday - Friday: <u>7:00 am - 5:00 pm</u> • Saturday: <u>7:00 am - 5:00 pm</u> • Sunday: <u>N/A</u> • Holidays: <u>N/A</u>	ii. During Operations: • Monday - Friday: <u>All day</u> • Saturday: <u>All day</u> • Sunday: <u>All day</u> • Holidays: <u>All day</u>		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: <u>Earthmoving equipment, dump trucks, delivery trucks, safety beepers</u>	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: <u>Parking lot lighting with glare shields and dark sky compliant; wall mounted lighting on exterior of building</u>	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No If Yes: i. Describe proposed treatment(s): _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

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

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Municipal (Fire House), Post Office, Churches

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	-1	+/- 11	+10
• Forested	1	1	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	- 38	+/- 25	-13
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	+/- 3	+3
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

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:
St. Mark's Lutheran Preschool, Pride & Joy Child Care of Henrietta, Burger Junior High School, Vollmer Elementary School, Horizon Retirement Home, _____

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

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

iii. Describe any development constraints due to the prior solid waste activities: _____

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

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

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

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >30 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:

Hilton Loam	_____	50 %
Ontario Loam	_____	50 %
See attached Web Soil Survey Map)	_____	%

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

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

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: 80 % of site
☒ 10-15%: 15 % of site
☒ 15% or greater: 5 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

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

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No

If Yes to either i or ii, continue. If No, skip to E.2.i.

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

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

- Streams: Name 821-10 (Attribute: R4SBCx) Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... 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
(See attached NYSDEC Wetlands Map and National
If yes, name of impaired water body/bodies and basis for listing as impaired: Wetlands Inventory Map
Name - Pollutants - Uses: Red Creek and tributaries - Unknown Toxicity - Recreation; Aquatic Life

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

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

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

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

m. Identify the predominant wildlife species that occupy or use the project site: <u>birds, woodchucks, squirrels, racoon</u> _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☒ Yes ☐ No If Yes, provide county plus district name/number: <u>MONRcn6</u> (See attached Monroe County Agricultural District Maps)	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site: _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☒ Yes ☐ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☒ Historic Building or District ii. Name: <u>Eligible property: 792 Erie Station Road, Eligible property: 803 Erie Station Road, Eligible property: 789 Erie Station ...</u> iii. Brief description of attributes on which listing is based: <u>See attached maps & information from NYS Cultural Resources Info System</u>	
West Henrietta Historic District (intersection of West Henrietta and Erie Station)-Eligible. Meets criterion for architecture and social history	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☒ Yes ☐ No	
See attached maps & info from NYS Cultural Resources Info System	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No	
If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: <u>SHPO Letter of No Impact Received</u>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☒ Yes ☐ No	
If Yes: i. Identify resource: <u>NYS Barge (Erie) Canal, National Register in 2014, Designated a National Historic Landmark in 2017</u> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>NYS Canal System nationally sign. work of the early 20th century affected transportation and maritime commerce for nearly half a century</u> iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No	
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

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

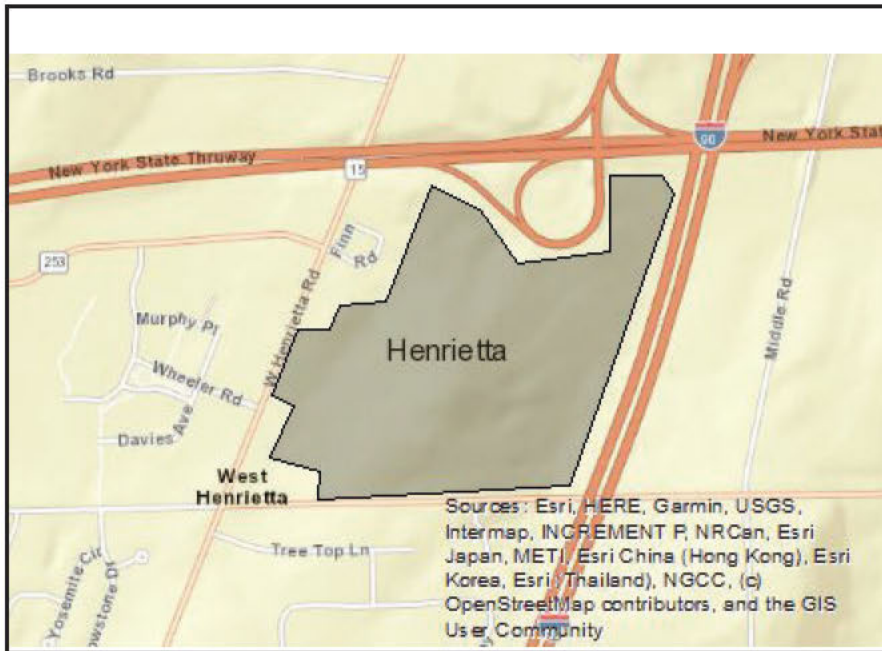
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Joshua Saxton, PE Date May 7, 2025

Signature  Title Project Manager



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



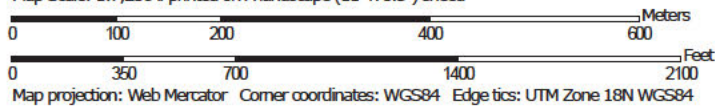
B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	821-10
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses: Red Creek and tributaries – Unknown Toxicity – Recreation; Aquatic Life

E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	MONRcn6
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:792 Erie Station Road, Eligible property:803 Erie Station Road, Eligible property:789 Erie Station Road, Eligible property:798 Erie Station Road, Eligible property:788 Erie Station Road, Eligible property:797 Erie Station Road, Eligible property:808 Erie Station Road, Eligible property:5582 West Henrietta Rd, Eligible property:WEST HENRIETTA BAPTIST CHURCH, Eligible property:Dr. Charles Walker Residence and barn, Eligible property:former Grange Hall, Eligible property:West Henrietta Post Office/Fire Department, Eligible property:5655 West Henrietta Rd, Eligible property:St. Mark's Evangelical Lutheran Church, Eligible property:5609 West Henrietta Rd, Eligible property:5649 West Henrietta Rd, Eligible property:5637 West Henrietta Rd, Eligible property:5569 West Henrietta Rd, Eligible property:5595 West Henrietta Rd, Eligible property:5623 West Henrietta Rd, Eligible property:5612 West Henrietta Rd
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Soil Map—Monroe County, New York
(Erie Station Road, Henrietta, NY)



Map Scale: 1:7,230 if printed on A landscape (11" x 8.5") sheet.



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

10/28/2020
Page 1 of 3

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Monroe County, New York

Survey Area Data: Version 19, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 4, 2020—Jun 17, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

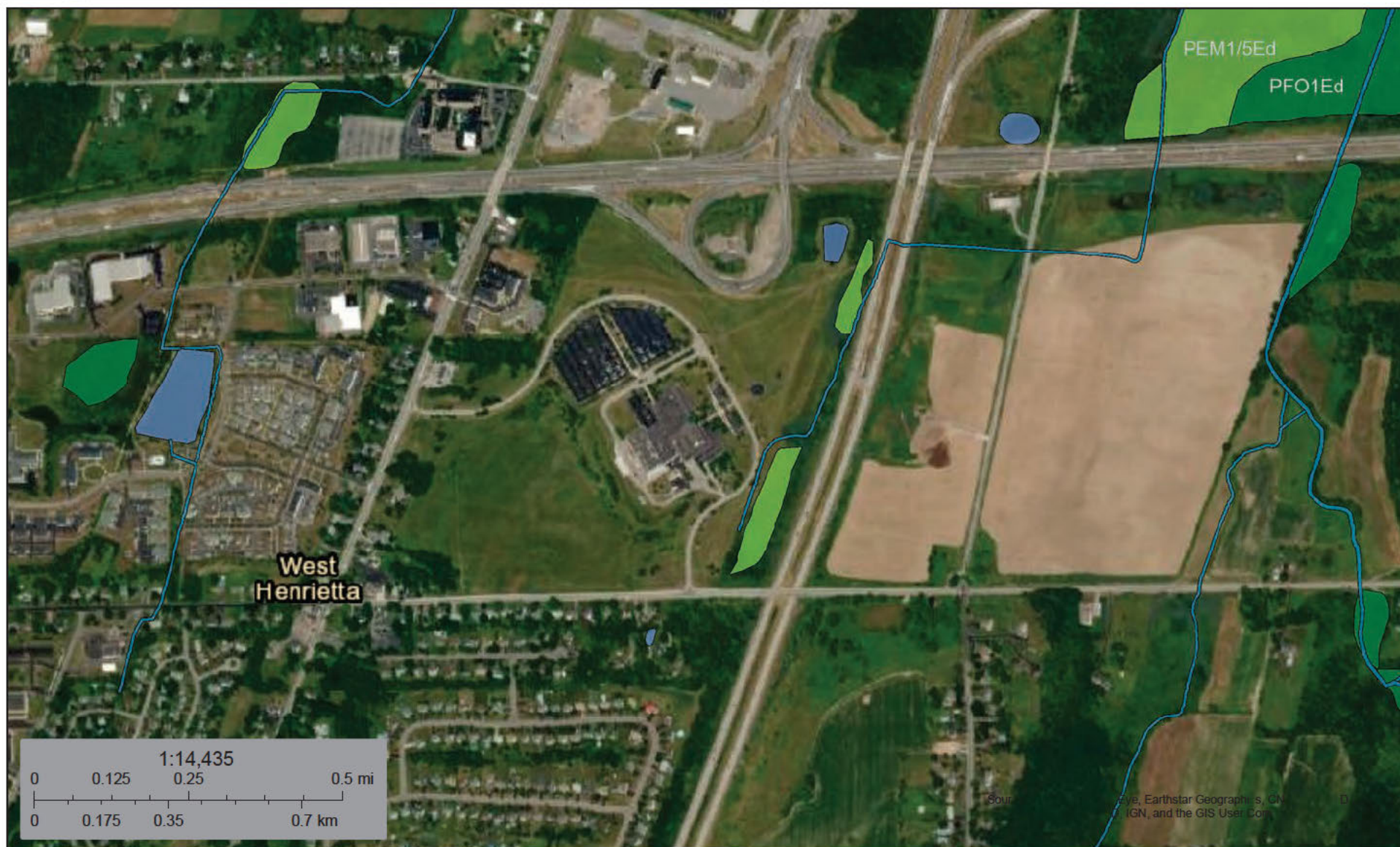
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
ApA	Appleton loam, 0 to 3 percent slopes	8.7	3.4%
Ca	Canandaigua silt loam	5.0	2.0%
HfB	Hilton fine sandy loam, 3 to 8 percent slopes	15.3	6.1%
HIA	Hilton loam, 0 to 3 percent slopes	5.4	2.1%
HIB	Hilton loam, 3 to 8 percent slopes	79.7	31.5%
Le	Lakemont silt loam, 0 to 3 percent slopes	11.0	4.3%
LnA	Lima silt loam, 0 to 3 percent slopes	55.0	21.7%
LnB	Lima silt loam, 3 to 8 percent slopes	1.5	0.6%
Ly	Lyons soils, 0 to 3 percent slopes	10.1	4.0%
OdA	Odessa silt loam, 0 to 3 percent slopes	3.9	1.6%
OnB	Ontario loam, 3 to 8 percent slopes	36.7	14.5%
OnC	Ontario loam, 8 to 15 percent slopes	18.1	7.1%
OnD3	Ontario loam, 15 to 25 percent slopes	2.9	1.2%
Totals for Area of Interest		253.3	100.0%



U.S. Fish and Wildlife Service

National Wetlands Inventory

Erie Station Road, Henrietta, NY



October 28, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

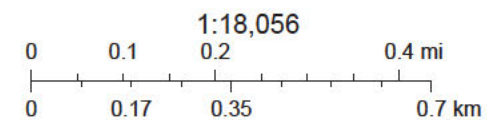
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Erie State Road, Henrietta, NY



October 28, 2020

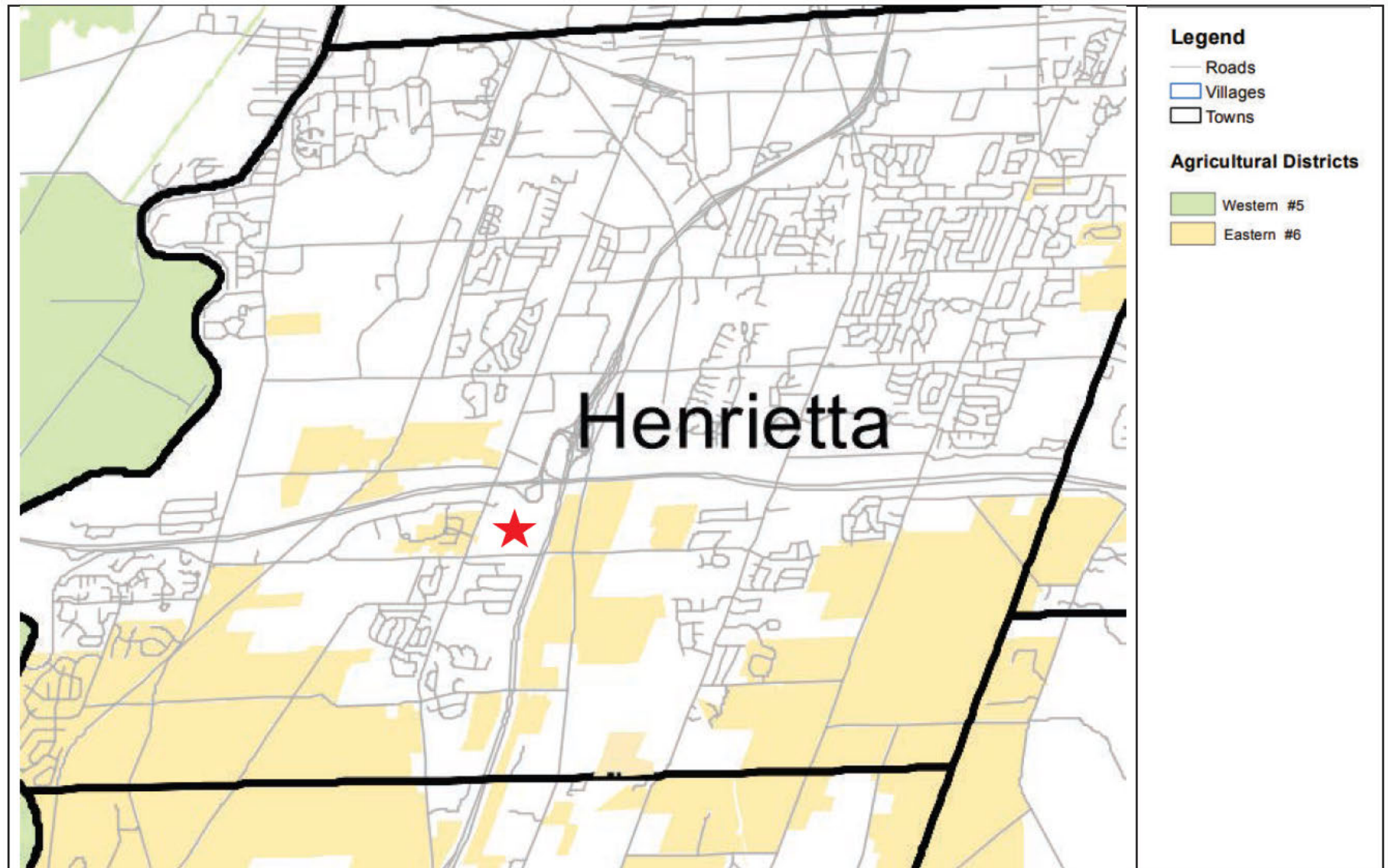


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

NYS Department of Environmental Conservation
Not a legal document

201 ☐ Monroe County Agricultural Districts

https://www.monroecounty.gov/files/planning/Agriculture/2016WesternReviewCountyReportMap_12-7.pdf





Parks, Recreation, and Historic Preservation

Resource Evaluation

Date: 02/07/2019

Staff: Erin Czernecki

USN Number: 05507.000275

Name: West Henrietta Historic District

Location:

Resource Status:

1. **Determination:** Eligible
2. **Contributing:**

Criteria for Inclusion in the National Register:

- A. ☒ Associated with events that have made a significant contribution to the broad patterns in our history.
- B. ☐ Associated with the lives of persons significant in our past.
- C. ☒ Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possesses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.
- D. ☐ Have yielded, or may be likely to yield information important in prehistory or history.

Summary Statement:

Based on an initial assessment of the hamlet of West Henrietta, the proposed West Henrietta Historic District appears to meet The State and National Registers under Criterion A and C in the areas of architecture and social history. Preliminary boundaries were drawn based on desktop analysis and assessment of tax map records. Further investigation will be required to better define the district boundary and identify all contributing resources. The proposed boundary is roughly south of Wheeler Road, north of Telephone Road and to the east of West Henrietta Road along Erie Station Road in the town of Henrietta, Monroe County. The proposed district is mainly residential buildings with two churches, a Grange Hall, a post office, a former tavern and a commercial building. The period of significance is directly tied to the hamlet's development during the nineteenth century as a community at the intersection of two major thoroughfares in the area and buildings reflecting vernacular styles from Federal and Greek Revival through Italianate and Queen Anne.

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

Agency Use Only [If applicable]
Project : Delphi Housing Project Rezone
Date : June 25, 2025

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

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

Tips for completing Part 2:

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

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

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☒ NO ☐ YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☒ YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☒
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☒	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☒	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☒	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☒
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☒	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☒	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☒
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☒
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☒
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☒	☐

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

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

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

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

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

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

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

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

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

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

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

13. Impact on Transportation

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

☐ NO☒ YES

(See Part 1. D.2.j)

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

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

14. Impact on Energy

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

☒ NO☐ YES

(See Part 1. D.2.k)

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

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

15. Impact on Noise, Odor, and Light

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

☐ NO☒ YES

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

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

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

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

16. Impact on Human Health

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

☐ NO

☒ YES

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

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

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>				☐ NO ☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☒	☐	
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☒	☐	
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☒	☐	
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☒	☐	
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☒	☐	
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☒	☐	
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☒	☐	
h. Other: _____ _____		☐	☐	

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>				☐ NO ☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☒	☐	
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☒	☐	
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☒	☐	
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☒	☐	
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☒	☐	
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☒	☐	
g. Other impacts: _____ _____		☐	☐	

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

For the support documentation for Part 2, see the attached "EAF Part 3 for the Delphi Housing Project Rezoning" supplement dated June 25, 2025.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

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

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

See attachment.

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

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

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

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

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

Name of Action: Delphi Housing Project Rezoning

Name of Lead Agency: Henrietta Town Board

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

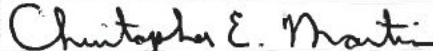
Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:



Date: 7/2/2025

Signature of Preparer (if different from Responsible Officer)



Date: 6/25/2025

For Further Information:

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

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

Telephone Number: (585) 359-7070

E-mail: cmartin@henrietta.org

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

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

Other involved agencies (if any)

Applicant (if any)

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

PRINT FULL FORM

EAF Part 3 for the Delphi Housing Project Rezoning
Tax Account No. 189.01-1-19.2

June 25, 2025

In addition to the narrative below, this EAF Part 2 hereby incorporates the following, which is made a part of this Part 3 reasoned elaboration;

- a. Application to Town Board Request for Rezoning, prepared by FSI 5500 LLC, dated May, 2025;
- b. Petition to Rezone Real Property, prepared by FSI 5500 LLC, dated May, 2025;
- c. Letter of Intent from Joshua Saxton, PE of Passero Associates to the Henrietta Town Board, dated May 14, 2025;
- d. Full Environmental Assessment Form, Part 1, prepared by Passero Associates, dated May 7, 2025;
- e. Delphi Re-Zone Property Limits Description and Re-Zone Map for the Delphi Resubdivision, prepared by Passero Associates, dated December, 2020;
- f. Concept Plan for 5500 West Henrietta Road, prepared by Passero Associates, dated May, 2025;
- g. Letter from Anthony Piascik, PE of the Monroe County Water Authority to Christopher E. Martin, PE of the Town of Henrietta, dated June 2, 2025;
- h. Letter from Christopher Reeve, PE of the New York State Department of Transportation to Christopher Martin, PE of the Town of Henrietta, dated June 4, 2025;
- i. Letter from Adam J. Bello, Monroe County Executive to Stephen L. Schultz, Town of Henrietta Supervisor, dated June 17, 2025;
- j. Letter from Yixuan Lin of the Monroe County Department of Planning and Development to the Town of Henrietta Municipal Board, dated June 23, 2025.

1. Impact on Land

- 1b. A portion of the multi-family development will be constructed on slopes greater than fifteen percent. In these areas, the slopes will be stabilized as soon as possible with jute mesh and other erosion control devices as indicated in the erosion and sediment control plan in order to prevent erosion.
- 1d. The project will result in the excavation of topsoil which may exceed 1,000 tons. The handling of the topsoil will be as indicated in the Stormwater Pollution Prevention Plan (SWPPP). The topsoil stockpiles are temporary and will be stabilized to avoid potential dust and erosion.
- 1e. Due to the number of apartment buildings proposed at the site, construction will take longer than one to two years to complete. The progress of the apartment units will be

monitored by the Town of Henrietta Building Department and the Henrietta Department of Engineering and Planning, and construction activities will be phased so that land disturbance and site impact is minimized.

- 1f. There is a potential for erosion to occur within the site if proper erosion control devices are not in place or maintained. To ensure compliance, a grading and erosion control plan will be required to prevent erosion from occurring. Also, the site will be inspected once or twice a week throughout construction to monitor the condition of the erosion control.

2. Impact on Geological Features

No impact; there are no geological features on or adjacent to the site.

3. Impacts on Surface Water

- 3a. The project will result in the creation of a new stormwater management facility which will be constructed in accordance with New York State Department of Environmental Conservation (NYSDEC) requirements.
- 3d. The proposed project is not located adjacent to a Federal wetland or a NYSDEC wetland and buffer.
- 3e. The action has the potential to create turbidity and sediment in the adjacent water bodies if the proper erosion control devices are not implemented or properly maintained. A stormwater pollution prevention plan and grading plan will have to be prepared in accordance with Town of Henrietta and NYSDEC standards. The grading plan shall use sedimentation basins, stone check dams, stabilized construction entrances, silt fence, concrete wash out area, and other erosion control devices to control site erosion. Also, site inspections will be performed once a week until the site is stabilized to ensure that erosion is not leaving the site.
- 3h. See paragraph 3e.
- 3i. See paragraph 3e.
- 3j. If pesticides and/or herbicides are to be used on the lawn areas, then they will have to adhere to the manufacturer's instructions.

4. Impact on Groundwater

No impact; the project will not use or impact the groundwater, nor will it result in contaminants which may be introduced to the groundwater.

5. Impact on Flooding

No impact; the project is not located within a 100 year or 500 year floodplain.

6. Impacts on Air

No impact.

7. Impact on Plants and Animals

No impact. There are no habitats within the site of any significance.

8. Impact on Agricultural Resources

- 8d. The proposed project is located adjacent to Agricultural District MONRcn6 which is not currently farmed. A 150' historical buffer will be provided between the agricultural district and any buildings or parking lots for the proposed development so there should not be any impacts to the agricultural district if it is ever farmed in the future.

9. Impact on Aesthetic Resources

No impact, there are no scenic or aesthetic resources in the vicinity of the site.

10. Impact on Historic and Archeological Resources

- 10a. The project is located in the vicinity of numerous homes that are in the Town of Henrietta's Historic Site District. In order to protect these historic homes, a 150' historic transitional buffer will be provided between the property lines of these homes and the proposed apartment buildings and their associated parking lots. In addition, landscaped berms will also be provided as a visual buffer between the housing project and the historic hamlet of West Henrietta Road and Erie Station Road. Also, the architect stated that he will add historical elements and features to the proposed apartments buildings so that they blend into the historic hamlet.
- 10b. The site is located within an area designated as archeologically sensitive. A Phase 1A and 1B Cultural Resource Investigation may be required by the Office of New York State Parks, Recreation, and Historic Preservation (OPRHP) for review.

11. Impact on Open Space and Recreation

No impact. This project includes internal and external sidewalks which will improve access within the site and will allow a place for residents of the proposed community and also for the adjacent neighborhood. In addition, a clubhouse will be provided for the residents of the apartment complex.

12. Impact on Critical Environmental Areas

No impact, there are no CEA's on or adjacent to the site.

13. Impact on Transportation

- 13a. The project consists of constructing a total of 368 apartment units in combination of two and three story buildings. A traffic impact analysis is in the process of being updated and will have to be reviewed by the New York State Department of Transportation (NYSDOT), the Monroe County Department of Transportation (MCDOT), and by the Town of Henrietta's consultant. Overall, the traffic should be less than the previous study since that report was based on a truck distribution center and the proposed use is for a multi-family apartment complex.

14. Impact on Energy

No impact. The project will result in the need for additional energy to service the multi-family complex. However, the project will utilize high efficiency appliances which will cut down on the energy requirements. Therefore, there is ample energy capacity present in the area.

15. Impact on Noise, Odor, and Light

Small impact. During construction, noise will be kept below the Town's local ordinance levels and time periods. The lighting will be contained on the site and will not impact the adjacent properties. Also, dark sky compliant lighting will be used to reduce any light shining onto adjacent properties.

16. Impact on Human Health

16a. The site is located in the vicinity of parks, churches, and childcare facilities, but there are no environmental conditions that could result in an impact to human health.

16i. The proposed use will not generate a significant amount of waste so there should be no impact on human health.

17. Consistency with Community Plans

17c. The current zoning is Industrial (with Specifics), which does not allow multi-family dwellings. As such, the request to rezone the parcel to Residential, R-2-15, does allow for multi-family dwellings, upon obtaining a Special Use Permit from the Town Board. As the project site is located near Erie Station Village, which is another large apartment complex, this project has no significant impact on the Community Plans.

18. Consistency with Community Character

Small impact, the project will result in a small demand for community services, however, there is currently ample capacity.