



COUNTY OF MONROE  
**COMIDA**  
INDUSTRIAL DEVELOPMENT AGENCY

**BOARD MEETING AGENDA**

**July 16, 2024**

12:00 p.m. CityPlace Building

- A. Call Meeting to Order
- B. Pledge of Allegiance
- C. Approval of Minutes – June 18, 2024
- D. Public Comments
- E. Local Labor Monitoring Report – June – Kevin Loewke
- F. Financial Report – June- Gregg Genovese
- G. Applications for Consideration
  - 1. 80 Lyndon, LLC
  - 2. Indus Lehigh Station LLC
- H. Project Modifications
  - 1. Ultraphil, LLC – Increase
  - 2. The Raymond Corporation - Increase and Extension
  - 3. 120 Marina Drive, LLC - Extension
- I. Executive Director – Discussion Items
  - NextCorp Embark Program Contract Extension
  - Monroe County Comprehensive Plan Update/Request Dashboard
- J. Chair Burr – Discussion Items
- K. Adjourn Meeting

Next meeting: Tuesday, August 20, 2024



COUNTY OF MONROE  
**COMIDA**  
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES  
June 18, 2024

Time & Place: 12:00 p.m. at City Place

Board Present: A. Burr, N. Jones, J. Popli, L. Bolzner, R. King, T. Milne, J. Alloco

Also Present: A. Liss, A. Clark, K. Loewke, R. Baranello, Esq., G. Genovese

Chair Burr called the meeting to order at 12:00 p.m. and T. Milne led the board in the Pledge of Allegiance.

On motion by J. Alloco, second by R. King, all aye, minutes of the May 21, 2024 meeting were approved.

K. Loewke presented the local labor monitoring report for May 2024. T. Milne requested detail regarding the number of workers on-site at the fairlife project. K. Loewke provides this information in his weekly reports to COMIDA staff and T. Milne. T. Milne expressed concern over the number of out of area works from Flagship.

Executive Director Liss reviewed the local labor exemption report on behalf of B. Lafountain for May 2024.

Executive Director Liss presented the financial report on behalf of G. Genovese for May 2024. T. Milne inquired about the investments due to concern over recent banking failures. J. Popli and J. Alloco clarified that COMIDA's investments are treasury bills with little to no risk. T. Milne requested a status update on the RFP for an investment advisor, which Executive Director Liss provided. T. Milne requested additional information regarding the investments, which A. Clark provided.

The Governance Committee Report was given by J. Popli. The Governance Committee met on May 30, 2024 and earlier today to continue reviewing the housing policy and proposed changes. The committee recommends the board approve the revised Housing Policy as presented.

On motion by R. King, second by N. Jones, all aye, motion carried to amend and adopt the Housing Policy as discussed.

Executive Director Liss introduced Barb Egenhofer, Director, Talent Strategy from CampusRoc to review the RETAIN program.

On motion by R. King, second by L. Bolzner, all aye, motion carried to approve the execution and delivery of a contract with CampusRoc to support the RETAIN program for \$134,000 for one year.

Executive Director Liss introduced Nakia Vargas, CEO/Founder of the Above the Line Foundation to talk about the Young CEO Program.

On motion by J. Alloco, second by J. Popli, motion carried to approve the execution and delivery of a contract with Above the Line Foundation to support the Young CEO program for \$100,000 for one year.

Executive Director Liss welcomed Don Jeffries, from VisitRochester to give a report on economic impact from the PGA event and Solar Eclipse.



Executive Director Liss discussed the need for the NYSDOT Passenger and Freight Rail Assistance Program resolution, which allows COMIDA to accept the funds and enter into contract with NYSDOT for the benefit of Eastman Kodak Company.

On motion by L. Bolzner, second by R. King, all aye, motion carried to accept \$3 million from NYS DOT for the PFRAP (Passenger and Freight Rail Assistance Program) grant for rail infrastructure improvements at Eastman Business Park to be undertaken by the Eastman Kodak Company.

Executive Director Liss reviewed the PARIS report and stated that the report is complete and certified.

Executive Director Liss reviewed the current dashboard.

There being no further business to discuss, on motion by J. Popli, second by N. Jones, all aye, the regular meeting of the Board was adjourned at 1:36 p.m.



## June 2024 Monthly C.O.M.I.D.A. Report

July 1<sup>st</sup> 2024,

1. This report covers our site visits between June 1<sup>st</sup>, 2024 and June 30<sup>th</sup>, 2024.
2. During this period Loewke Brill made 67 monthly site visits.
3. During this period Loewke Brill made “7” Follow up visits.
4. Loewke Brill checked for residence with 858 workers.
5. Of those workers, there were “22” non-compliant.
  - a. 20– No proof of residence
    - i. 6/6/24 – 49 East Avenue, LLC – 2 from North Star no ID, compliant on follow up visit 6/7/24 (initial visit)
    - ii. 6/10/24 – Gannett Partners I, LLC – CM Armitage -1 no ID. GP Flooring – 1 no ID. VRD – 2 no ID. 3 workers compliant on follow up visit 6/11/24, 1 off job site from VRD.
    - iii. 6/11/24 – CPP & Conifer Realty – US Ceilings – 2 no ID. Both compliant on follow up inspection 6/12/24
    - iv. 6/18/24 – Fairlife, LLC – Zoladz -1 no ID. LeChase – 7 no ID. All workers compliant on follow-up visit 6/19/24
    - v. 6/25/24 – Jay’s Acquisitions II, LLC – Billone – 1 no ID. FSI – 2 no ID. All workers compliant on follow-up visit 6/26/24
    - vi. 6/26/24 – Sibley Redevelopment II L.P. – R.D.F. – 1 no ID. Compliant on follow up visit 6/27/24
  - b. 1 – Out of Area

i. 6/24/24 – 1 worker from Sovereignty Plumbing out of area (Brooklyn). Off job site on follow up visit 6/25/24 – reported to COMIDA

c. 1 – Invalid ID

i. 6/24/24 – 1 worker from Sovereignty Plumbing invalid Florida ID. Compliant with local ID on follow up 6/25/24

6. There were “3” new COMIDA sign(s) delivered

a. 49 East Avenue, LLC

b. Maguire Family Properties, Inc

c. Gallina Elmgrove, LLC – 275 Mile Crossing

**COMIDA**  
**Statement of Financial Position**

	Year To Date 06/30/2024	Year Ending 12/31/2023
	Actual	Actual
<b>Assets</b>		
Current Assets		
Cash and Cash Equivalents	1,009,203	5,637,860
Accounts Receivable, Net	129,854	151,709
Prepaid Expenses	9,064	19,901
Other Receivable	416	0
COMIDA Treasury Investments	15,998,379	12,349,432
<b>Total Current Assets</b>	<b>17,146,916</b>	<b>18,158,902</b>
Long-term Assets		
Property & Equipment	625,000	625,000
Other Long-term Assets	260,511	260,511
<b>Total Long-term Assets</b>	<b>885,511</b>	<b>885,511</b>
<b>Total Assets</b>	<b>18,032,427</b>	<b>19,044,413</b>
<b>Liabilities and Net Assets</b>		
Liabilities		
Short-term Liabilities		
Accounts Payable	207,055	143,283
Accrued Liabilities	691,241	583,763
Other Short-term Liabilities	0	476
<b>Total Short-term Liabilities</b>	<b>898,296</b>	<b>727,522</b>
Long Term Liabilities	335,927	335,926
<b>Total Liabilities</b>	<b>1,234,223</b>	<b>1,063,448</b>
Net Assets		
Net Assets	17,980,964	15,098,946
Change In Net Assets	(1,182,760)	2,882,019
<b>Total Net Assets</b>	<b>16,798,204</b>	<b>17,980,965</b>
<b>Total Liabilities and Net Assets</b>	<b>18,032,427</b>	<b>19,044,413</b>

**Summary Statement of Activities - All Funds with Prior Year**

	Year To Date 06/30/2024	Year To Date 06/30/2024	Prior Year To Date 06/30/2023
	Actual	Budget	Actual
Revenue			
Fee Income	290,432	1,250,000	275,030
Interest Income	375,979	175,000	81,804
<b>Total Revenue</b>	<b>666,411</b>	<b>1,425,000</b>	<b>356,834</b>
Payroll			
Payroll	184,087	179,000	141,080
Sponsorships	7,500	0	0
Program & Community Development	1,200,029	1,611,605	731,773
General & Administrative	457,555	407,750	399,964
<b>Total Expenses</b>	<b>1,849,171</b>	<b>2,198,355</b>	<b>1,272,817</b>
Change In Net Assets	(1,182,760)	(773,355)	(915,983)



## APPLICATION SUMMARY

**DATE:** July 16, 2024

**APPLICANT:** 80 Lyndon LLC  
1 Elm Lane  
Rochester, NY 14610

**PROJECT ADDRESS:** 80 Lyndon Rd.  
Fairport, NY 14450

**PROJECT SUMMARY:** 80 Lyndon LLC proposes the expansion of the Rochester Ice Center located at 80 Lyndon Rd in the Town of Perinton. The Rochester Ice Center is considered “retail” under section 862 of the General Municipal Law. In order to qualify for benefits, Rochester Ice Center demonstrated that the facility will attract a significant number of visitors from outside the economic development region to train, participate, and spectate at events. The addition of a new 49,000 square foot third rink will serve as the home for numerous youth and collegiate programs including St. John Fisher University’s new hockey program and feature amenities for players and fans alike. This \$8.5 million dollar project is expected to create 8 new FTEs over a three year period in addition to 23 current FTEs that will be retained. 80 Lyndon LLC is seeking approval of a real property tax abatement, sales tax exemption, and mortgage recording tax exemption. The benefit/incentive ratio is 6:1.

**PROJECT AMOUNT:** \$8,555,768 Lease/Leaseback with abatement  
**EXEMPTIONS:** \$421,833 Sales Tax Exemption  
\$49,168 Mortgage Recording Tax Exemption

<b>JOBS: EXISTING:</b>	23	FTEs
<b>NEW:</b>	8	FTEs
<b>REQUIRED:</b>	3	FTEs

**PUBLIC HEARING DATE:** 7/15/2024

**BENEFIT TO INCENTIVE RATIO:** 6 : 1

**SEQR:** TYPE II ACTION UNDER SEQR SECTION 617.5

**ELIGIBILITY:** REHABILITATION OF EXISTING COMMERCIAL BUILDING

**APPROVED PURPOSE:** JOB CREATION

# County of Monroe Industrial Development Agency

## MRB Cost Benefit Calculator



Date: July 16, 2024  
 Project Title: 80 Lyndon LLC  
 Project Location: 80 Lyndon Rd, Fairport, NY 14450

### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

#### Project Total Investment

\$8,555,768

#### Temporary (Construction)

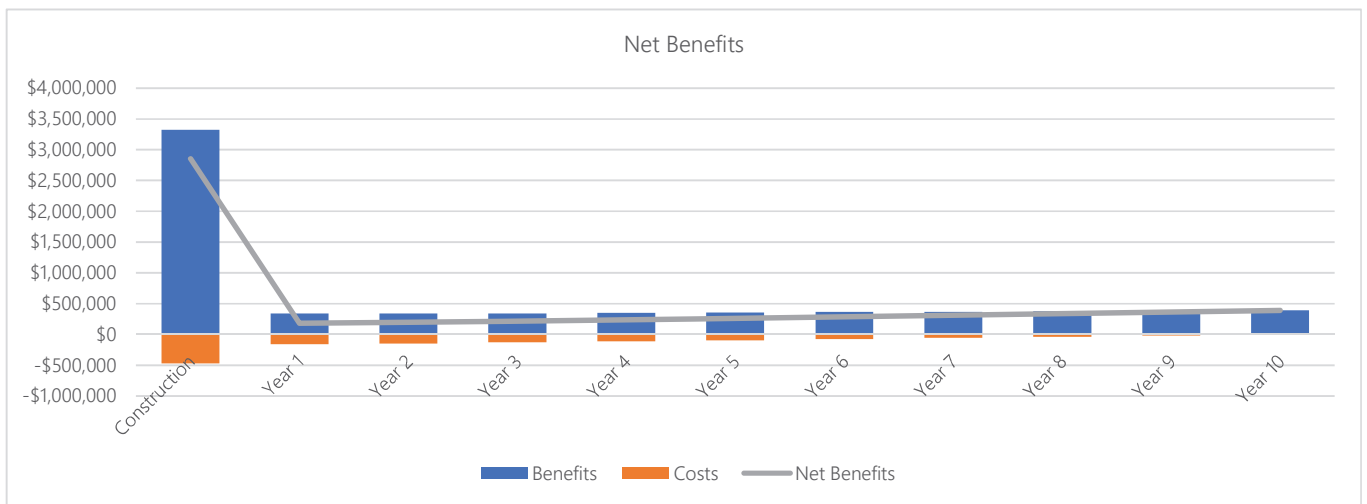
	Direct	Indirect	Total
Jobs	43	10	53
Earnings	\$2,637,762	\$500,492	\$3,138,254
Local Spend	\$6,844,614	\$1,703,754	\$8,548,368

#### Ongoing (Operations)

Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	8	1	9
Earnings	\$2,539,913	\$877,232	\$3,417,145

Figure 1



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

Figure 2

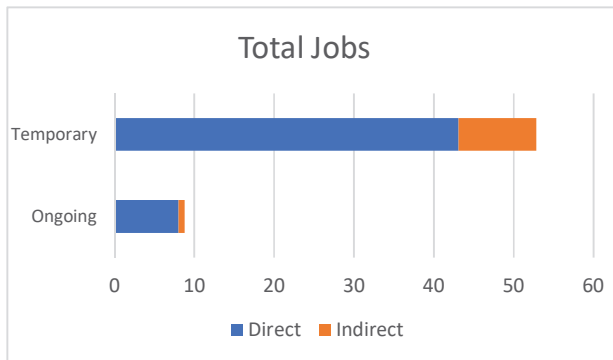
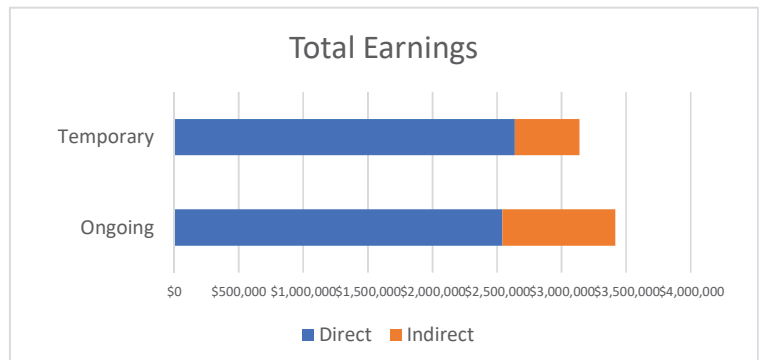


Figure 3



Ongoing earnings are all earnings over the life of the PILOT.

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$842,550	\$782,784
Sales Tax Exemption	\$421,833	\$421,833
Local Sales Tax Exemption	\$210,917	\$210,917
State Sales Tax Exemption	\$210,917	\$210,917
Mortgage Recording Tax Exemption	\$49,168	\$49,168
Local Mortgage Recording Tax Exemption	\$16,389	\$16,389
State Mortgage Recording Tax Exemption	\$32,779	\$32,779
<b>Total Costs</b>	<b>\$1,313,551</b>	<b>\$1,253,785</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$7,701,557</b>	<b>\$7,199,437</b>
To Private Individuals	\$6,555,399	\$6,199,305
Temporary Payroll	\$3,138,254	\$3,138,254
Ongoing Payroll	\$3,417,145	\$3,061,051
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,146,159	\$1,000,131
Increase in Property Tax Revenue	\$1,100,271	\$956,736
Temporary Jobs - Sales Tax Revenue	\$21,968	\$21,968
Ongoing Jobs - Sales Tax Revenue	\$23,920	\$21,427
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$340,881</b>	<b>\$322,364</b>
To the Public	\$340,881	\$322,364
Temporary Income Tax Revenue	\$141,221	\$141,221
Ongoing Income Tax Revenue	\$153,772	\$137,747
Temporary Jobs - Sales Tax Revenue	\$21,968	\$21,968
Ongoing Jobs - Sales Tax Revenue	\$23,920	\$21,427
<b>Total Benefits to State &amp; Region</b>	<b>\$8,042,438</b>	<b>\$7,521,801</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$7,199,437	\$1,010,090	7:1
State	\$322,364	\$243,695	1:1
<b>Grand Total</b>	<b>\$7,521,801</b>	<b>\$1,253,785</b>	<b>6:1</b>

\*Discounted at 2%

### Additional Comments from IDA

This is a good project.

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





## II PROJECT

### A. Address of proposed project facility

Address: 80 Lyndon Road

Tax Map Parcel Number: 154.03-1-26

City/Town/Village: Perinton

School District: Fairport School District

Zip: 14450

Current Legal Owner of Property:

80 Lyndon, 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: Open Ice Sport Center, LLC

Address: 80 Lyndon Road

City/State/Zip: Fairport, NY 14450

Tax ID No: 81-1290576

Contact Name: Shawn O'Donnell

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

Telephone: 585-606-1679

Email: sodonnell@oamquant.com

% of facility to be occupied by user/tenant 100

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

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

Name	%	Corporate Title
<u>Christopher O'Donnell</u>	<u>56 %</u>	<u>Manager</u>
<u>Daniel Prokupets</u>	<u>44 %</u>	<u>Member</u>
_____	<u>%</u>	_____
_____	<u>%</u>	_____

### F. Project Timeline

Proposed Date of Acquisition: \_\_\_\_\_

Proposed Commencement Date of Construction: 8/1/2024

Anticipated Completion Date: 8/31/2025

### G. Contractor(s)

LeFrois Builders  
\_\_\_\_\_

## II. PROJECT (cont'd)

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

NAICS Code: 713940

The expansion of the Rochester Ice Center introduces an exciting new chapter in the region's sports landscape, offering state-of-the-art facilities to support hockey programs at all levels and providing a versatile space for community events and activities.

The new 49,000-square-foot third rink will serve as the official home for the Rochester Amerks youth program, NAHL Jr Amerks, Mirror Image Figure Skating Club, and the St. John Fisher University Division III boys and girls hockey teams. This consolidation of elite programs under one roof fosters a collaborative and supportive environment for player development.

St. John Fisher University's hockey program will enjoy a dedicated 3,711-square-foot space within the facility, including locker rooms, showers, training facilities, equipment storage, and a coach's room. This specialized area ensures that collegiate athletes have the resources they need to excel on and off the ice. Additional amenities with this expansion include six locker rooms that will accommodate local high school hockey programs, including McQuaid Jesuit, Victor, and Fairport High Schools, and the Rochester Jr Amerks, which is the largest youth hockey organization in New York State.

The new rink will also be able to accommodate 1,100 fans, with bleacher seating on both sides of the arena. Additionally, the bar/lounge area on the second level will allow fans to watch a practice, game, or figure skating show while enjoying concessions. The facility will also feature large private lounge areas for fans to enjoy the atmosphere right up against the glass.

A video board enhances the spectator experience, providing fans with engaging visuals and real-time updates during games and events. A dedicated press box facilitates media coverage and broadcasting of collegiate and Jr Amerks games. This inclusion strengthens ties between the facility and the surrounding community, providing a home base for interscholastic competition. This infrastructure not only supports the communication needs of St. John Fisher University but also enhances the visibility and exposure of the teams to a wider audience.

The expansion of the Rochester Ice Center represents a significant investment in the local sports community, providing premier facilities for hockey programs at all levels. This investment will allow the Rochester Ice Center to foster great opportunities to attract hockey teams from all over the US and will also enable the facility to bring new tournaments to the area, drawing new visitors to our community. We are currently in discussions with a tournament company out of Boston, Massachusetts, to bring one of the largest youth boys and girls hockey tournaments to the Rochester Ice Center in June of 2026. Adding this third rink allows the Rochester Ice Center to attract more hockey tournaments from outside of Monroe County at the youth level and opens up other opportunities for figure skating events.

The expansion of the Rochester Ice Center represents a significant investment in the local sports community, providing premier facilities for hockey programs at all levels while promoting community engagement and active lifestyles, and bringing more visitors to the Rochester/Monroe County region.

## II. PROJECT

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

Please explain why financial assistance is necessary.

Operating an ice arena presents a unique set of challenges, with high operating costs and limited revenue potential. Despite the financial complexities, the passion for hockey, figure skating, and community engagement drives individuals to invest in and manage these facilities. In particular, the endeavor to establish a new ice arena on a landfilled site highlights the importance of collaboration with local economic development programs to overcome financial hurdles and provide essential community infrastructure.

**Key Points:**

**Economic Realities:** Running an ice arena entails significant expenses, including maintenance, utilities, staff salaries, and equipment costs. However, customers have a threshold on what they are willing to pay for ice time, making it challenging to cover operational expenses and generate substantial profits.

**Community Commitment:** Despite the financial challenges, the driving force behind owning and managing an ice arena lies in the love for hockey, figure skating, and the sense of community fostered within these spaces. The arena serves as a hub for social interaction, skill development, and recreational activities, enriching the lives of residents.

**Support from Economic Development Programs:** Collaboration with county economic development programs is crucial, particularly when establishing facilities on challenging sites such as landfilled areas. Financial assistance and strategic partnerships help offset the high initial investment required for site work and foundation construction, making the project feasible and sustainable in the long run

**Fulfilling Community Needs:** The addition of a new ice sheet addresses a critical need within the community, providing increased access to ice time for local teams, organizations, and individual skaters. By expanding ice sports infrastructure, the project contributes to the overall well-being and vitality of the community.

**Impact:**

The successful establishment of the new ice arena demonstrates the power of collaboration between passionate individuals, local government, and economic development initiatives. By overcoming financial barriers and leveraging community support, the project not only fulfills a recreational need but also strengthens social bonds and promotes a sense of belonging within the community. Ultimately, the investment in ice sports infrastructure yields long-term benefits, enriching the lives of residents and fostering a vibrant, inclusive community spirit.

- 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**

**C O :**

**JOBSPLUS**

**R :**

- 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 3.

**LEASEPLUS**

**R :**

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

**ENHANCED JOBSPLUS**

**R :**

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

**GREEN JOBSPLUS**

**R :**

- 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.

**L T J S 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. \$ 4,435,266
- b. Labor b. \$ 2,610,089

Site Work

- c. Materials c. \$ 467,500
- d. Labor d. \$ 467,500
- e. Non-Manufacturing Equipment e. \$ \_\_\_\_\_
- f. Manufacturing Equipment f. \$ \_\_\_\_\_
- g. Equipment Furniture and Fixtures g. \$ 370,144
- h. Land and/or Building Purchase h. \$ \_\_\_\_\_
- i. Soft Costs (Legal, Architect, Engineering) i. \$ 376,500

- Other (specify) j. \_\_\_\_\_ j. \$ \_\_\_\_\_
- k. \_\_\_\_\_ k. \$ \_\_\_\_\_
- l. \_\_\_\_\_ l. \$ \_\_\_\_\_
- m. \_\_\_\_\_ m. \$ \_\_\_\_\_

Total Project Costs \$ 8,555,768  
(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. \$ 6,555,768
- d. Public Sources d. \$ \_\_\_\_\_

Identify each state and federal grant/credit

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

e. Equity \$ 2,000,000  
 TOTAL SOURCES \$ 8,555,768  
 (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  
80 Lyndon LLC

A. IDA PILOT Benefits:	
Current Assessment	\$2,627,000
Value of New Construction & Renovation Costs	\$4,902,766
Estimated New Assessed Value Subject to IDA	\$7,529,766
Current Taxes	\$95,071
Current Taxes Escalator	2%
PILOT Terms - Years	10
County Tax rate/\$1,000	8.16000
Local Tax Rate* Tax Rate/\$1,000	3.07000
School Tax Rate /\$1,000	24.96000
Total Tax Rate	36.19000
B. Sales Tax Exemption Benefit:	
Estimated value of Sales Tax exemption:	\$421,833
Estimated duration of ST exemption:	12/31/2025
C. Mortgage Recording Tax Exemption (MRTE) Benefit:	
Estimated Value of MRTE:	\$49,168
D. Industrial Revenue Bond Benefit	
IRB inducement amount:	\$0
E. Percentage of Project Costs financed from Public Sector sources:	
Total Value of Incentives:	\$1,313,551
Project Construction Costs:	\$8,555,768
	15.35%

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**
	<b>Total</b>	<b>\$248,085</b>	<b>\$93,336</b>	<b>\$758,849</b>	<b>\$1,100,271</b>	<b>\$1,942,821</b>	<b>\$842,550</b>
1	90%	\$4,001	\$1,505	\$12,237	\$17,743	\$177,431	\$159,688
2	80%	\$8,161	\$3,071	\$24,964	\$36,196	\$180,980	\$144,784
3	70%	\$12,487	\$4,698	\$38,195	\$55,380	\$184,599	\$129,220
4	60%	\$16,982	\$6,389	\$51,945	\$75,317	\$188,291	\$112,975
5	50%	\$21,652	\$8,146	\$66,230	\$96,029	\$192,057	\$96,029
6	40%	\$26,502	\$9,971	\$81,066	\$117,539	\$195,898	\$78,359
7	30%	\$31,538	\$11,865	\$96,468	\$139,871	\$199,816	\$59,945
8	20%	\$36,764	\$13,832	\$112,455	\$163,050	\$203,813	\$40,763
9	10%	\$42,187	\$15,872	\$129,042	\$187,100	\$207,889	\$20,789
10	0%	\$47,812	\$17,988	\$146,247	\$212,047	\$212,047	\$0

## VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: Open Ice Sports Center, 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)	8	8	3	3
Part Time (PTE)	30	30	10	10
Total	23	23	8	8

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

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## VIII LOCAL LABOR

T A U T P  
:  
C N 80 Lyndon, LLC  
A :  U T :

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.

SO

### 100% Local Labor

Initial

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.**

SO

### Local Labor Market

Initial

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.

SO

### Bid Processing

Initial

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.

SO

### Monitoring

Initial

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.








**IX. FEES**

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

<u>80 Cypress Road, LLC</u>			_____		
(APPLICANT COMPANY)			(TENANT COMPANY)		
			_____		
Signature	, Title	Date	Signature	, Title	Date
		<i>KGA 6/25/24</i>			



**X. CERTIFICATION**

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

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

**APPLICANT COMPANY**

**TENANT COMPANY**

Suzanne Ross, LLC  
[Signature]      NYA      6/25/24  
 Signature                      , Title                      Date

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



## **Executive Summary of Rochester Ice Center Data**

Over the years, the demand for ice time at the Rochester Ice Center has increased significantly. This surge is primarily due to our key tenants, such as the Rochester Jr Amerks Youth, NAHL Jr Amerks, Bishop Kearney, and Mirror Image Figure Skating, as well as the overall growth of ice hockey.

In 2023, the Rochester Ice Center welcomed 556,100 visitors, with an average dwelling time of 122 minutes. In the first two months of 2024, we have already seen an increase in visits compared to 2023, with a notable rise in average dwelling time to 137 minutes. This data was collected via cell phone pings, tracking when a person's phone enters the facility.

Visitors to the Rochester Ice Center come from all over the East Coast and southern Ontario, Canada. They visit to watch their children play, attend NAHL Jr Amerks games, or train at our Next Level Fitness facility.

Our data also reveals where our visitors are coming from and where they go after visiting the Rochester Ice Center. Many are staying at local hotels, shopping at Wegmans, or dining at local restaurants. These indicators demonstrate that the Rochester Ice Center is a significant driver of economic development for other businesses in Monroe County.

This is why we believe the Rochester Ice Center is a true tourist destination, attracting visitors not only from other counties but also from outside the state of New York.





# Rochester Ice Center

Fairport, NY



# 2024 Rochester Ice Center

## *Exciting Opportunity to Discuss:*

- History of Rochester Ice Center
- Trade Area
- How many people visit Rochester Ice Center?
- Where are people coming from?
- What hockey organization are coming to Rochester Ice Center?
- Tourism Destination
- Future plan at the Rochester Ice Center



# Rochester Ice Center

## History

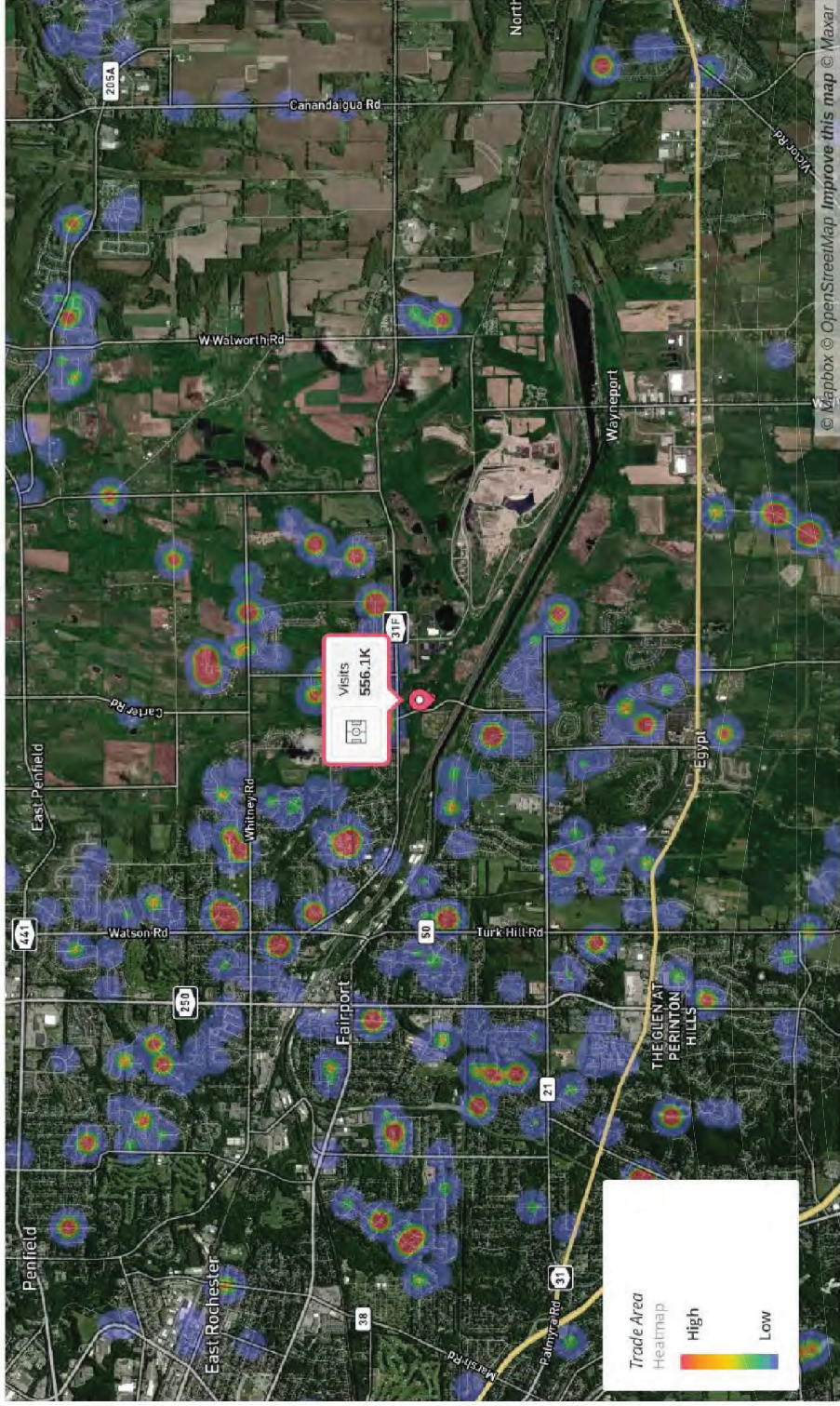
- 1989 ---- Thomas Creek Ice Areana Opens
- 1994 ---- 2<sup>nd</sup> rink expansion happens
- 2010 ---- 3<sup>rd</sup> rink expansion plans begin – rink was never installed
- 2016 ---- New ownership takes over – 3<sup>rd</sup> rink application is submitted to town
- 2023 ---- November Brownfield application was submitted  
---- December new ownership takes over – Chris O’Donnell
- 2024 ---- St John Fisher University announces Div III Boys and Girls Hockey  
---- 3<sup>rd</sup> rink application sent to Town of Perinton, DEC, Army Corp





# 2023 Rochester Ice Center Trade Map



Market Landscape






# Property Overview

## Time Compare

Metrics	 <b>Rochester Ice Center</b> Lyndon Rd, Fairport, NY	 <b>Rochester Ice Center</b> Lyndon Rd, Fairport, NY
Visits	136.4K	556.1K
Visits / sq ft	N/A	N/A
Size - sq ft	N/A	N/A
Visitors	45.7K	99.2K
Visit Frequency	2.98	5.61
Avg. Dwell Time	137 min	122 min
Visits YoY	+1.9%	-8.2%
Visits Yo2Y	-5.3%	-9%
Visits Yo3Y	+2.3%	+29.9%

 Jan 1, 2024 – Feb 26, 2024

 Jan 1, 2023 – Dec 31, 2023



# Property Overview

## Time Compare

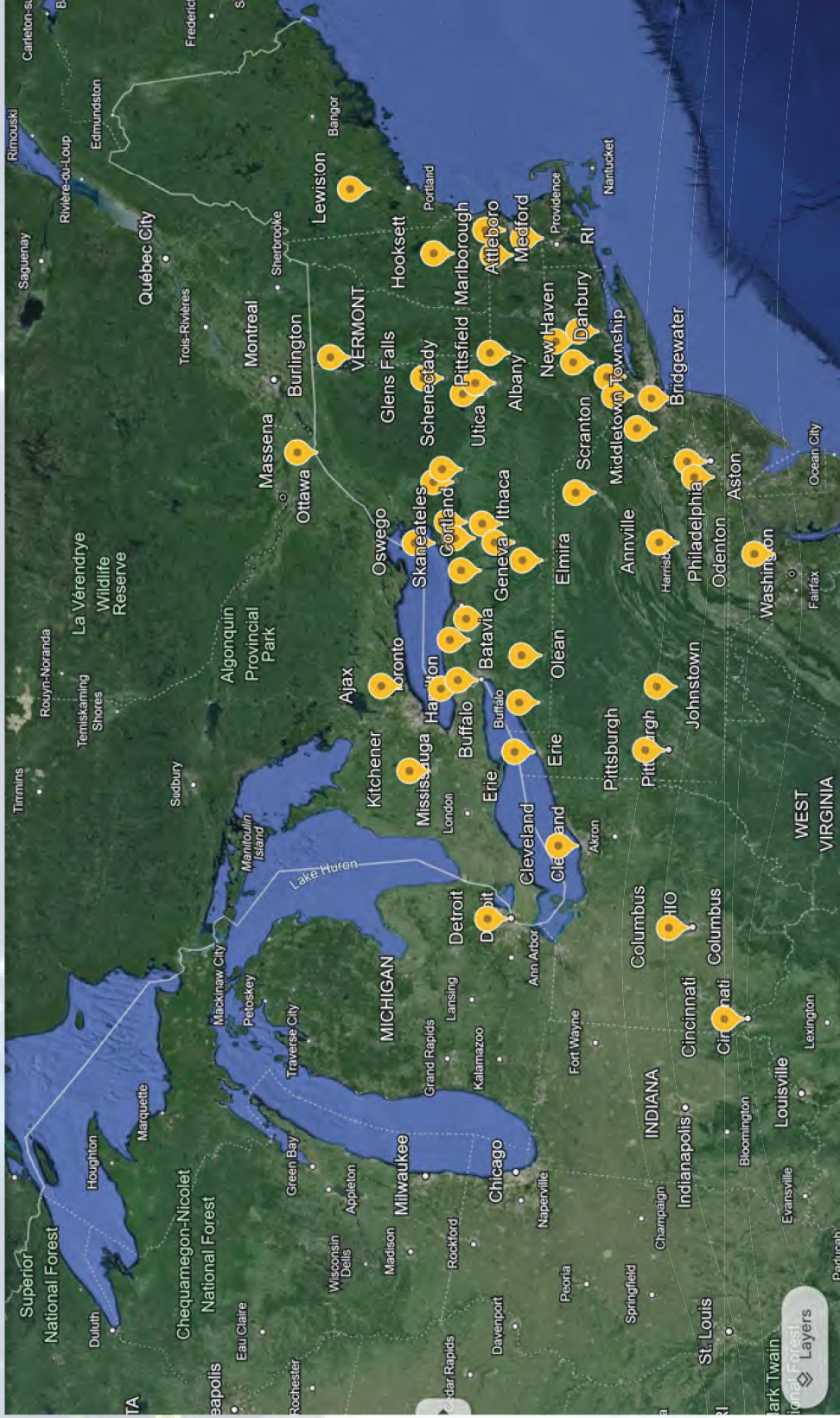


Visits  
 Rochester Ice Center - Jan 1st, 2024 - Feb 26th, 2024  
 Rochester Ice Center - Jan 1st, 2023 - Dec 31st, 2023  
 Rochester Ice Center - Jan 1st, 2022 - Dec 31st, 2022  
 Rochester Ice Center - Jan 1st, 2021 - Dec 31st, 2021  
 Data provided by Placer Labs Inc. (www.placer.ai)



# 2024 Rochester Ice Center

*Where are visitors coming from:*





# 2024 Rochester Ice Center

*Where are visitors coming from:*

## Rochester Jr Ameriks Youth

Location	Number of Teams	Teams
Ajax, ON (Canada)	1	Durham West Lighting
Albany, NY	2	CP Dynamos, Troy Albany
Batavia, NY	1	Rampart
Buffalo, NY	11	Amherst, Buffalo Bisons, Cheektowaga, Clarence, Cazenovia, East Aurora, Hamburg, Jr Sabres, Nichols, Lockport, West Seneca
Burlington, VT	1	Vermont Jr Cat
Cincinnati, OH	1	Lady Swords
Cleveland, OH	2	Ohio Prospects, Wildcat
Columbus, OH	1	Blue Jackets
Connecticut	1	Jr Rangers
Cortland, NY	1	Central Outlaws
Erie, PA	1	Otters
Geneva, NY	1	Generals
Glens Falls, NY	1	North Stars
Hackensack, NJ	1	Ithaca Hockey
Ithaca, NY	1	CCYHA
Jamestown, NY	1	Minuteman
Kitchener, ON	1	River Green
Marlborough, MA	1	Power City, Purple Eagles
Massena, NY	2	Arrows
Niagara Falls, NY	1	Buccaneers
Olean, NY	1	Phil. Hockey Club
Oswego, NY	1	Jr Pens, Predators, Esmark
Philadelphia, PA	3	Grizzlies
Pittsburgh, PA	1	Schenectady, NY
Rome, NY	1	Scranton Wilkes Barre, PA
Schenectady, NY	1	Skenesbeteles, NY
Scranton Wilkes Barre, PA	1	Syracuse, NY
Skenesbeteles, NY	1	Lakers
Syracuse, NY	5	Blazer, Camillus, Cazenovia, Lysander, Nats
Utica, NY	1	Cornets

## Rochester Jr Ameriks NAHL & BK

Location	Number of Teams
Anncville, PA	1
Aston, PA	1
Attleboro, MA	1
Bridgewater, KM	1
Buffalo, NY	1
Danbury, CT	1
Detroit, MI	1
Erie, PA	1
Hackensack, NJ	1
Hooksett, NH	1
Johnstown, PA	1
Medford, Mass	1
Odenton, MD	1
Pittsfield, MA	1
Pittsburgh, PA	1

Location	Number of Teams
Albertus – New Haven, CT	1
Chatham – Pittsburgh, PA	1
Elmira, NY	1
Hilbert – Buffalo, NY	1
Manhattanville – Harrison, NY	1
SUNY Geneseo – Geneseo, NY	1
Utica College - Utica, NY	1

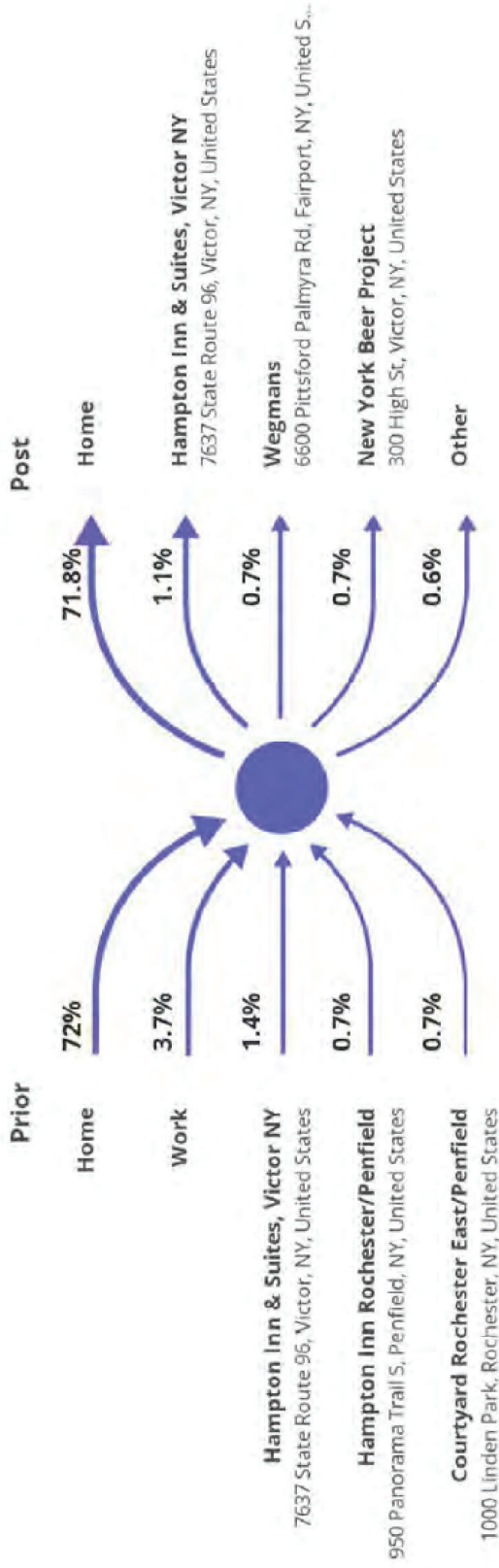


# Where are visitors coming from?

## Visitor Journey

### Rochester Ice Center

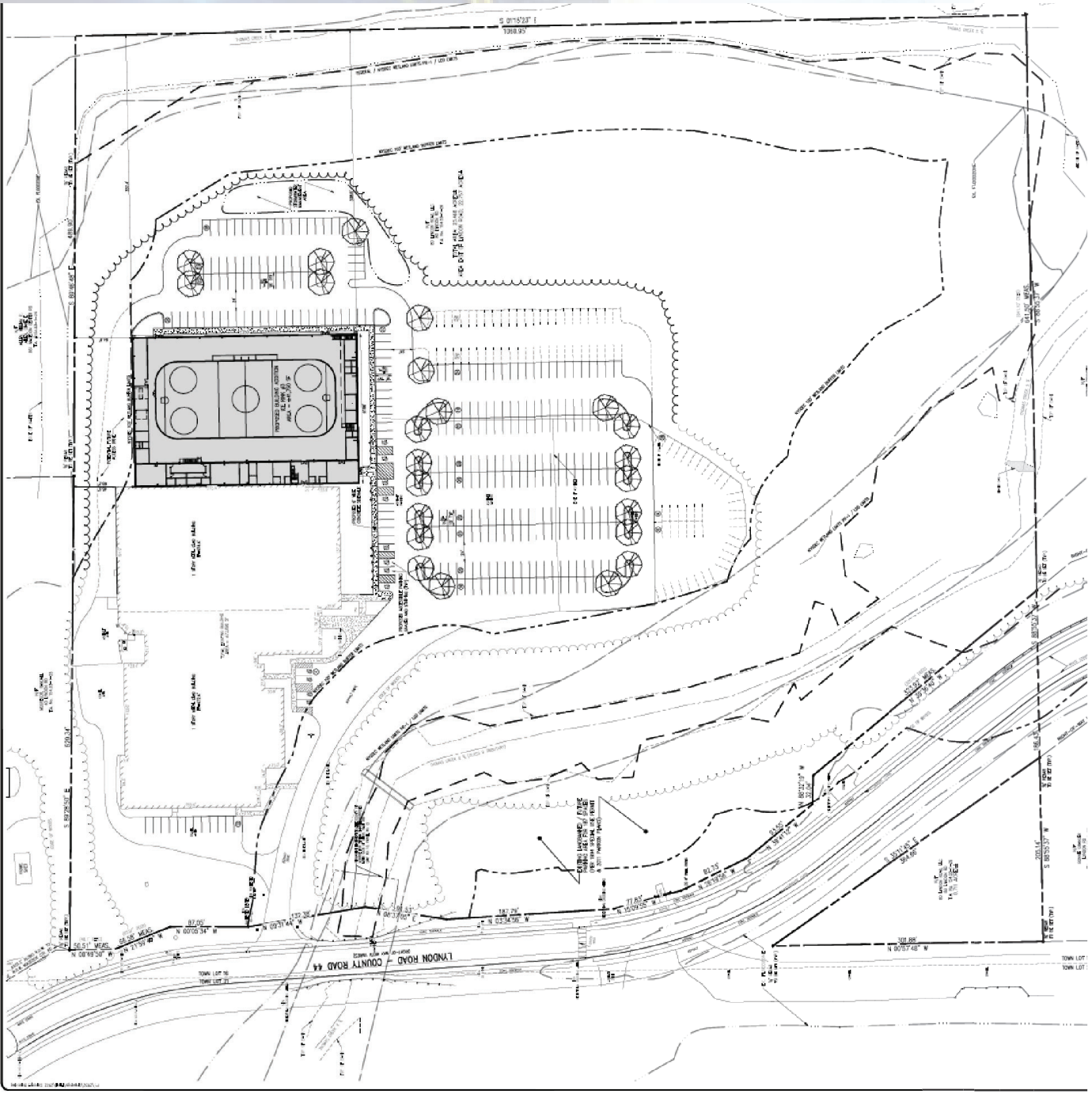
80 Lyndon Rd, Fairport, NY 14450



Show by: | Jan 1st, 2024 - Feb 26th, 2024

Data provided by Placer Labs Inc. ([www.placer.ai](http://www.placer.ai))

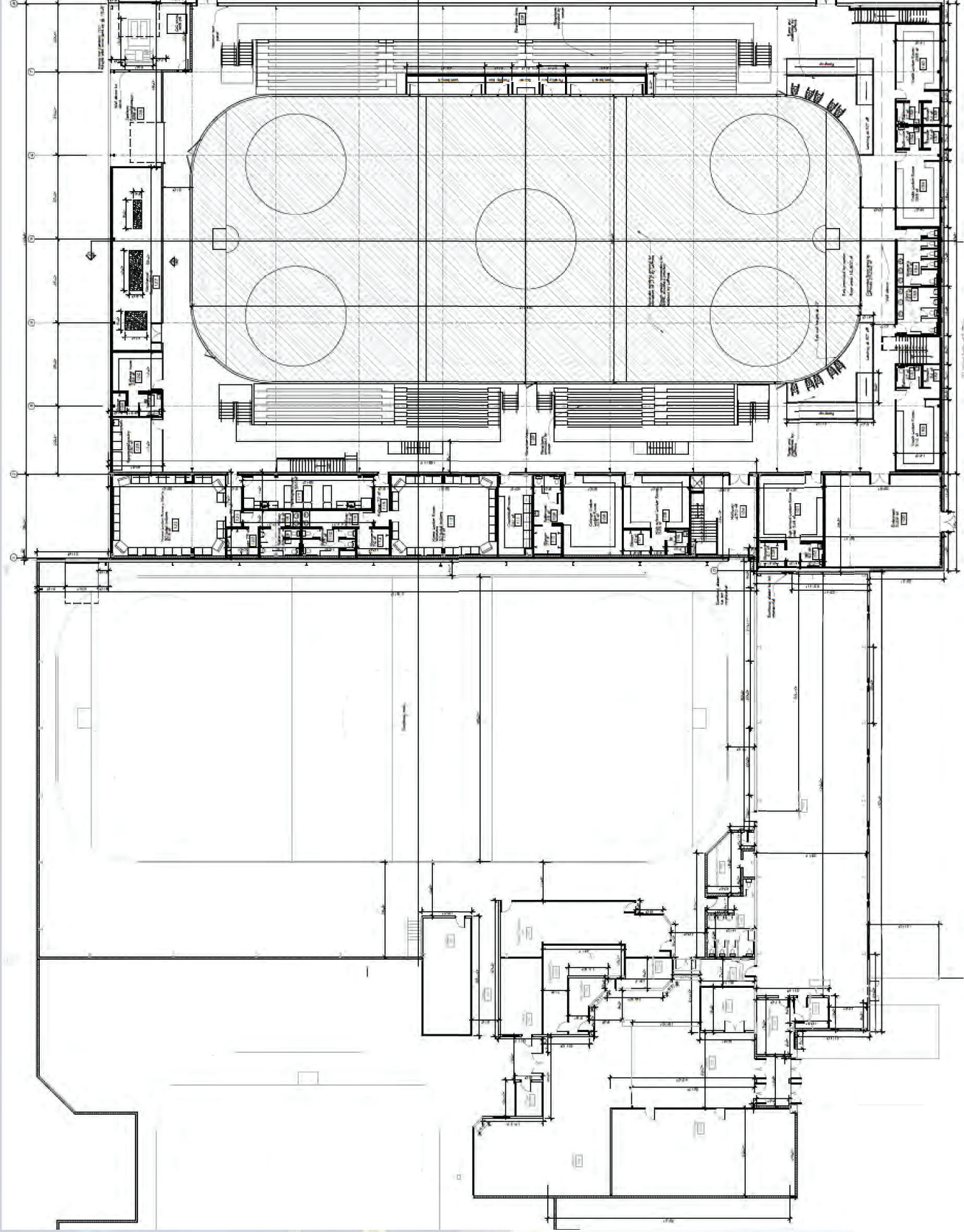




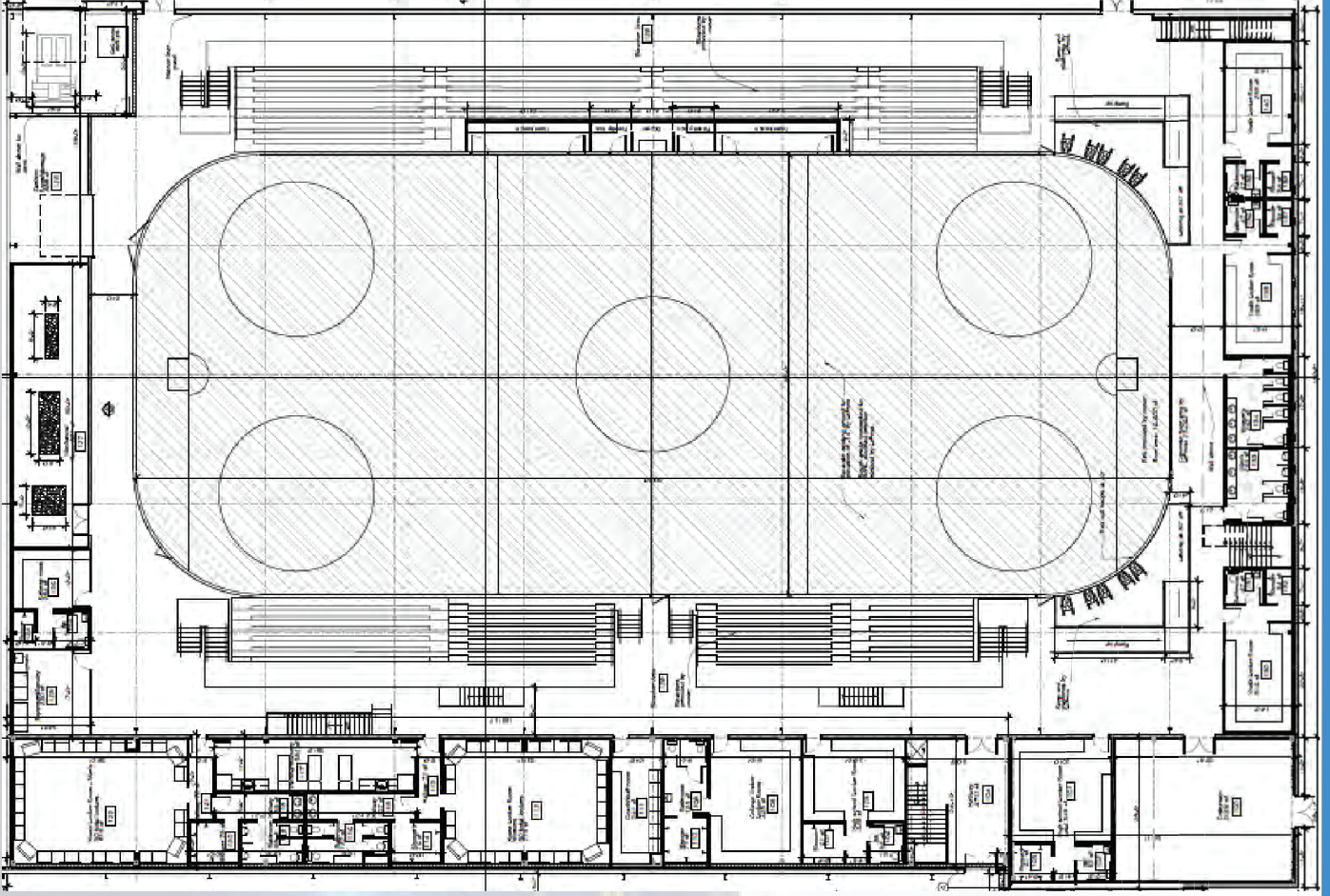
**Proposed  
Site Plan**



# Current East Rink Relation to Expansion Rink

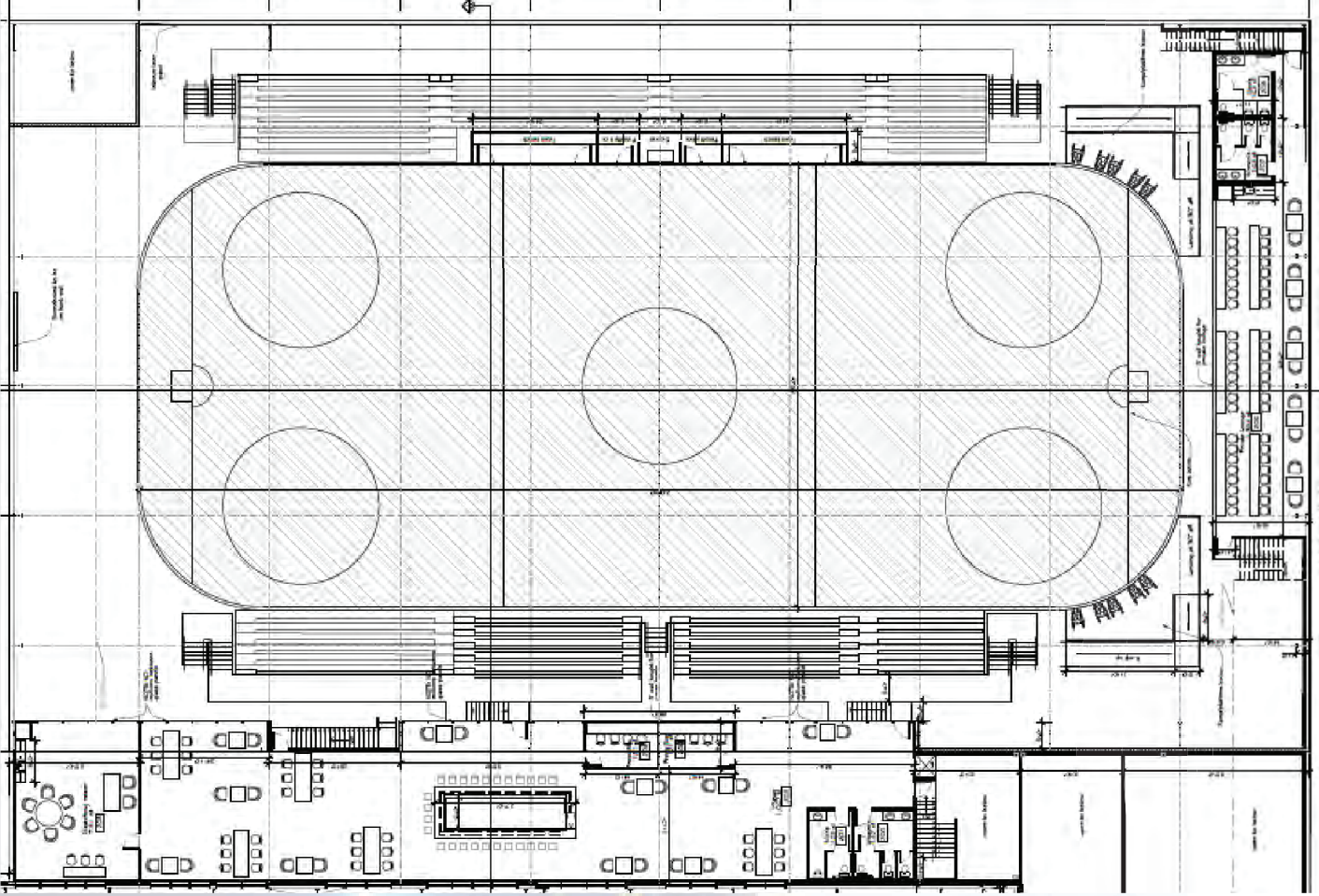


# Lower Level





# Upper Level



# Sport Tourism Effect on Local Economy



# UPMC Lemieux Sport Complex – Cranberry, PA

- 2 sheets of ice.
- Holds Youth and USHL each year which draws hundreds of teams.
- 700,00 visitors each year
- Last 3 years this complex has generated over \$200 million to the local economy





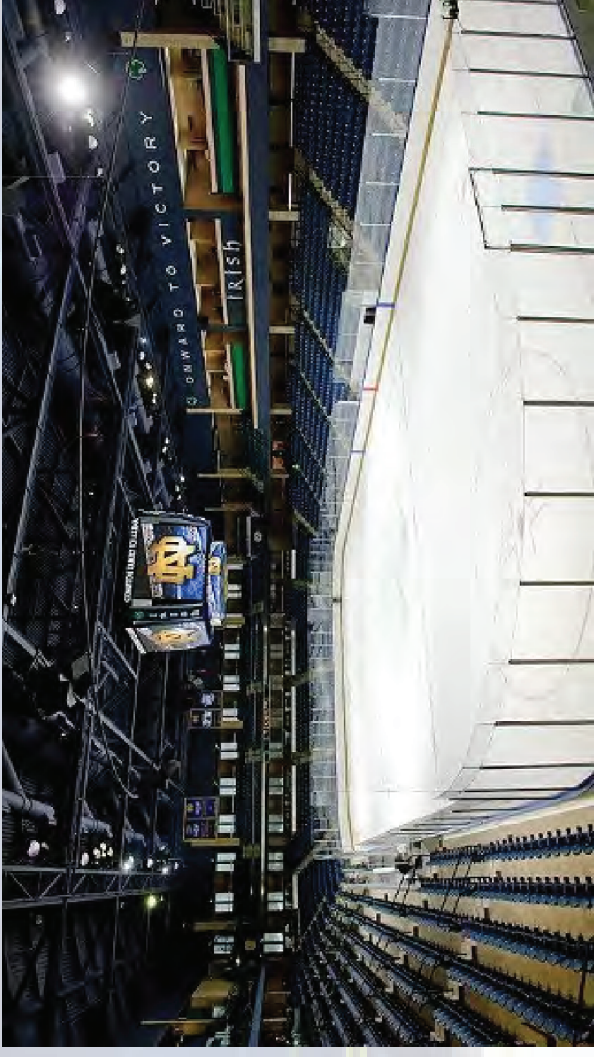
# Nexus Center – Utica, NY

- 3 sheets of ice.
- Holds 24 ice hockey and 24 lacrosse tournament annually.
- 2023 Nexus Center opened and has seen over 400,000 visitors with an estimated economic impact between \$27 - \$32 million.



# Compton Family Ice Arena – South Bend, IN

- 2 sheets of ice
- 2022 – 23 held 29 tournaments
- 1804 games played
- 25,737 room nights
- 45,130 players and spectators
- \$14,309,090 in economic impact to the community



Source: [www.news.nd.edu/news/youthhockey](http://www.news.nd.edu/news/youthhockey)

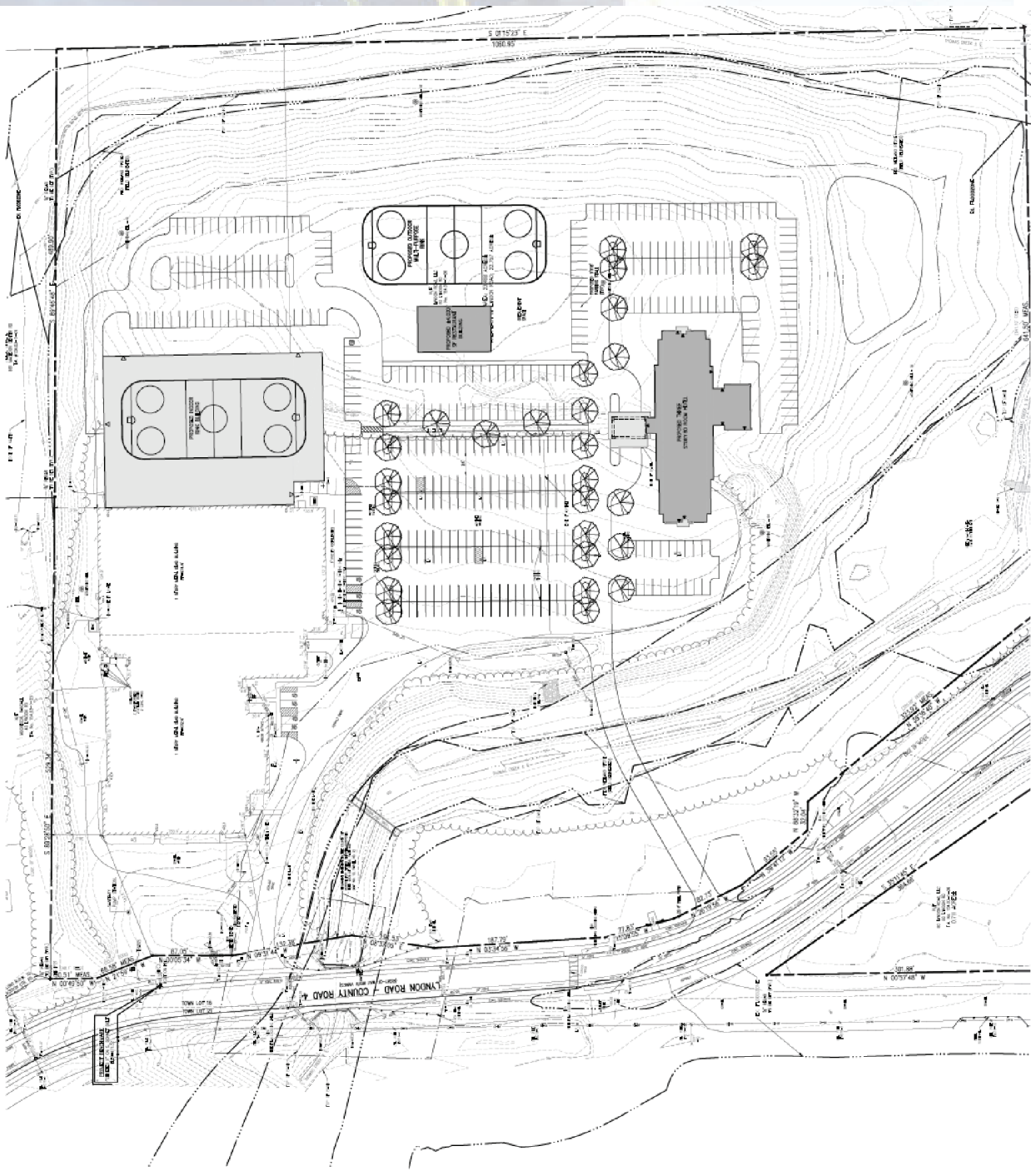


# Scheels Ice Plex – Sioux Falls, SD

- 3 sheets of ice.
- Home to local youth, high school and USHL Sioux Falls Stampede.
- Events held at rink:
  - Boys high school hockey tournament – local economic impact \$300,000
  - Girl's state high school tournament – local economic impact \$250,232
- SD Hockey Selects Invitational (400 players) \$830,000 economic impact



# Future Plans – American Place – Perinton, NY



Most relevant ▾



Justin Loomis

I've been going to this rink since I was 3 years old. What you guys have done with this is unbelievable! What you've done for hockey in this area is something special! I want to give you guys all the credit you deserve. Seeing the barn filled like this on a nightly basis is amazing to see ❤️❤️❤️

17m

Like

Reply

Message

Hide

1





# Executive Summary of Rochester Ice Center Data

*Over the years, the demand for ice time at the Rochester Ice Center has increased significantly. This surge is primarily due to our key tenants, such as the Rochester Jr Amerks Youth, NAHL Jr Amerks, Bishop Kearney, and Mirror Image Figure Skating, as well as the overall growth of ice hockey.*

*In 2023, the Rochester Ice Center welcomed 556,100 visitors, with an average dwelling time of 122 minutes. In the first two months of 2024, we have already seen an increase in visits compared to 2023, with a notable rise in average dwelling time to 137 minutes. This data was collected via cell phone pings, tracking when a person's phone enters the facility.*

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*This is why we believe the Rochester Ice Center is a true tourist destination, attracting visitors not only from other countries but also from outside the state of New York.*



**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**RECEIVED**  
**MAR 15 2024**  
**TOWN OF PERINTON**

**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: Rochester Ice Center Rink #3		
Project Location (describe, and attach a general location map): 80 Lyndon Road Fairport NY 14450		
Brief Description of Proposed Action (include purpose or need): Special Use Permit and Site Plan Applications for the construction and operation of the 3rd indoor ice rink and associated site improvements at the existing Rochester Ice Center Complex.		
Name of Applicant/Sponsor: 80 Lyndon Road, LLC (Shawn O'Donnell)		Telephone: 585-606-1679
Address: 1 Elm Lane		E-Mail: sodonnell@oamquant.com
City/PO: Rochester	State: NY	Zip Code: 14610
Project Contact (if not same as sponsor; give name and title/role): Same as Applicant		Telephone:
Address:		E-Mail:
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Same as Applicant		Telephone:
Address:		E-Mail:
City/PO:	State:	Zip Code:



**B. Government Approvals**

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board (Special Use Permit)	3/2024
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board (Site Plan)	5/2024
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC (Stormwater, Brownfield, Wetlands)	TBD or In Progress
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACOE (Wetlands)	TBD or In Progress
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

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

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

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

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

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

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

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

If Yes, identify the plan(s):  
Remediation Sites: 828026B, 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?  
Residential B

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

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

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

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

a. In what school district is the project site located? Fairport Central School District

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

c. Which fire protection and emergency medical services serve the project site?  
Fairport Fire Department & Perinton Ambulance

d. What parks serve the project site?  
Erie Canal, Fairport Little League (Private)

**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)? Recreational

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 23.5 acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ +/- 5.0 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 23.5 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)? % 50 Units: Ice Rinks

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? \_\_\_\_\_  Yes  No

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: \_\_\_\_\_ 14 months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase I (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.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

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

i. Total number of structures 1  
 ii. Dimensions (in feet) of largest proposed structure: +/- 26 height; +/- 167 width; and +/- 250 length  
 iii. Approximate extent of building space to be heated or cooled: +/- 41,750 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: Stormwater Management Facility  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: Stormwater Runoff  
 iii. If other than water, identify the type of impounded/contained liquids and their source.  
n/a  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ TBD million gallons; surface area: \_\_\_\_\_ TBD acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ TBD height; \_\_\_\_\_ TBD length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
Earth Fill

**D.2. Project Operations**

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

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

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

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Rear access drive will require permit from NYSDEC to allow construction with 100' buffer zone. (PF01E)

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:

No impacts or alterations to the existing wetlands are proposed, work will occur within 100' NYSDEC wetland buffer zone in an area already disturbed and being utilized for access around the building when necessary.

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: Additional 4,500 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: Additional 4,500 gallons/day

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

Sanitary Wastewater

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

If Yes:

- Name of wastewater treatment plant to be used: Van Lare Treatment Plant
- Name of district: Irondequoit Bay South Central Pure Waters
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No



Yes  No  
 Yes  No

• 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: \_\_\_\_\_  
 \_\_\_\_\_

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

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

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or +/-1.7 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 23.5 acres (parcel size)

ii. Describe types of new point sources. Stormwater discharge from proposed stormwater management facilities  
 \_\_\_\_\_

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)?  
Existing or Proposed Stormwater Management Facilities, prior to discharging to Thomas Creek.  
 \_\_\_\_\_

• If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
Thomas Creek

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

- i. Estimate methane generation in tons/year (metric): \_\_\_\_\_  
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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

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

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

- i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_  
ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
N/A

iii. Parking spaces: Existing +/- 327 Proposed 374 Net increase/decrease + 47

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: N/A

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

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

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

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

If Yes:

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

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

Via local utility

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

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

i. During Construction:

- Monday - Friday: 7AM-7PM
- Saturday: 7AM-7PM
- Sunday: 7AM-7PM
- Holidays: 7AM-7PM

ii. During Operations:

- Monday - Friday: 6AM - 12 AM
- Saturday: 6AM - 12 AM
- Sunday: 6AM - 12 AM
- Holidays: 6AM - 12 AM

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:  
 During construction operations within Town of Perinton approved hours noise may exceed ambient levels.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: Existing perimeter vegetation will be preserved along the property limits.

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:  
 Existing parking lot and building mounted lighting to be installed or modified as necessary for new building and parking areas.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: Existing perimeter vegetation will be preserved along the property limits.

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: 2 tons per month (unit of time)  
 • Operation: 0.5 tons per month (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: Separate containers for refuse and recycling materials.  
 • Operation: Separate containers for refuse and recycling materials.  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: Refuse collection company and disposal at landfill or recycling center.  
 • Operation: Refuse collection company and disposal at landfill or recycling center.



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): Recreational

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	4.9	6.6	+ 1.7
• Forested	11.9	8.8	- 3.0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.0	0.0	0.0
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0.0	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	2.1	2.1	0.0
• Wetlands (freshwater or tidal)	1.2	1.2	0.0
• Non-vegetated (bare rock, earth or fill)	0.0	0.0	0.0
• Other Describe: <u>Lawn, Landscaped Areas, SWMFs</u>	3.4	4.7	+ 1.3



c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: Ice Rink (Hockey, Figure Skating, etc.)

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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:  
\_\_\_\_\_

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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:  
\_\_\_\_\_

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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: NYSDEC ID# 828026B  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
Portions of the project site is a former landfill, including areas below existing building and parking lot. New building and parking areas will be constructed over landfill areas, which will act as a cap in accordance with DEC recommendations.  
iii. Describe any development constraints due to the prior solid waste activities:  
Landfill materials to be managed per NYSDEC approval for building and site development.

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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:  
\_\_\_\_\_

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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): 828026B  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

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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): 828026A, 828033, 828026B  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_

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

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

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

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 25-30 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:

Muck Shallow	_____	55 %
Canandaigua Silt Loam	_____	23 %
Colonie Loamy Fine Sand	_____	11 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 15 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 75 % of site  
 Moderately Well Drained: \_\_\_\_\_ 25 % of site  
 Poorly Drained: \_\_\_\_\_ % of site

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

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

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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 846-76 Classification <sup>B</sup> \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a... \_\_\_\_\_
- Wetland No. (if regulated by DEC) PR-1 \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 Name - Pollutants - Uses: Thomas Creek/White Brook and tribs – Nutrients – Recreation; Public Bathing; Aquatic Life

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

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

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

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

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 Small birds & mammals \_\_\_\_\_  
 Deer \_\_\_\_\_

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: \_\_\_\_\_

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: \_\_\_\_\_  
 iii. Brief description of attributes on which listing is based: \_\_\_\_\_

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No  
 If Yes:  
 i. Describe possible resource(s): \_\_\_\_\_  
 ii. Basis for identification: \_\_\_\_\_

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No  
 If Yes:  
 i. Identify resource: Erie Canal Heritage Trail  
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): State Historic Trail  
 iii. Distance between project and resource: \_\_\_\_\_ 0.3 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**

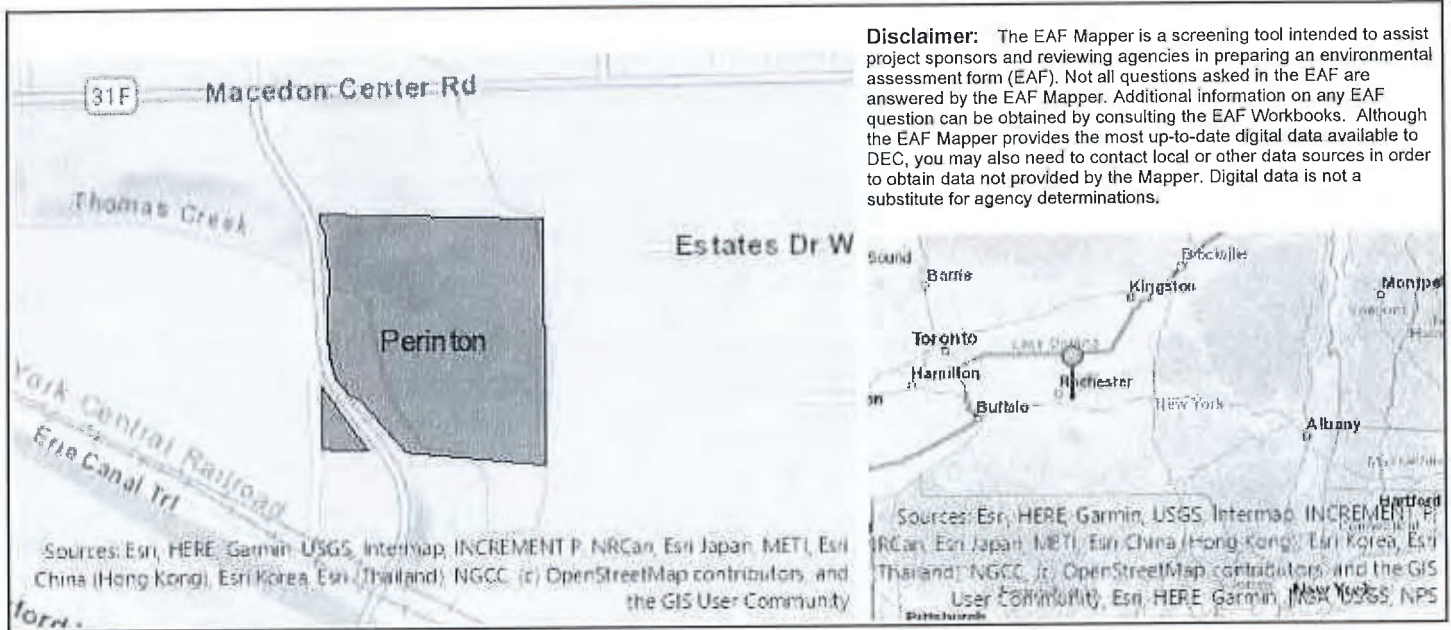
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name James Cretkos, P.E. (BME) Date 3/12/24

Signature [Handwritten Signature] Title Civil Project Manager

**PRINT FORM**





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]	Remediation Sites:828026B, NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	828026B
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	828026A, 828033, 828026B
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]	846-76
E.2.h.iv [Surface Water Features - Stream Classification]	B
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland

E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):214.2
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	PR-1
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Thomas Creek/White Brook and tribs – Nutrients – Recreation;Public Bathing;Aquatic Life
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

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

Agency Use Only (If applicable)  
 Project : \_\_\_\_\_  
 Date : \_\_\_\_\_

**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.

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<b>1. Impact on Land</b> 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>			
	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



**2. Impact on Geological Features**

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

NO

YES

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

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

**3. Impacts on Surface Water**

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

NO

YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>



l. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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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.

NO

YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

*If "Yes", answer questions a - h. If "No", move on to Section 5.*

	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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**

The proposed action may result in development on lands subject to flooding.

NO

YES

(See Part 1. E.2)

*If "Yes", answer questions a - g. If "No", move on to Section 6.*

	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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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>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> 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 <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) 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	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> 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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



**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.)

*If "Yes", answer questions a - g. If "No", go to Section 10.*

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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
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	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**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.)

*If "Yes", answer questions a - e. If "No", go to Section 11.*

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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>



d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>

**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.

NO

YES

(See Part 1. C.2.c, E.1.c., E.2.q.)

*If "Yes", answer questions a - e. If "No", go to Section 12.*

	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource,	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**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)

NO

YES

*If "Yes", answer questions a - c. If "No", go to Section 13.*

	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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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

NO

YES

	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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>



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

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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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

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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**



Project :

Date :

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

**RECEIVED**  
**MAR 15 2024**  
**TOWN OF PERINTON**

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.

#1 Impact on Land - Answered Yes, since the project site will involve the physical alteration of land at the proposed site. "No, or small impact may occur" was selected for all subquestions since none of the thresholds are exceeded. Construction will be in previously disturbed areas and work will be completed per the Town of Perinton Design and Construction Standards.

#3 Impacts on Surface Water - Answered Yes, since the project site contains Thomas Creek and Federal/State Wetlands. "No, or small impact may occur" was selected for all subquestions since the project will include a SWPPP and designed erosion control practices to protect the existing surface waters on site.

#7 Impact on Plants and Animals - Answered Yes, since the project will involve removal of some existing vegetation on site. "No, or small impact may occur" was selected for all subquestions since none of the thresholds are exceeded. The existing vegetation to be removed is primarily brush and located above areas of the site previously used as a landfill, which do not provide any existing quality habitat for plants of animals.

#13 Impact on Transportation - Answered Yes, since the proposed expansion will result in an increase in traffic levels above existing. "No, or small impact may occur" was selected for all subquestions in this section. For subquestion 13.a. a traffic study will be provided analyzing the adequacy of the adjacent traffic network to identify any off-site areas which may require improvement.

#14 Impact on Energy - Answered Yes, since the proposed building expansion will create an additional demand on energy. "No, or small impact may occur" has been selected for all subquestions in this section since the existing infrastructure is capable of providing service to the proposed expansion.

#15 Impact on Noise, Odor, and Light - Answered Yes, since the proposed building and parking lot expansion will include additional lighting. "No, or small impact may occur" has been selected for all subquestions since none of the thresholds are exceeded. All lighting will be dark sky compliant and no light spill to adjoining properties will occur. Perimeter vegetation will be preserved along the the limits of the proposed development which will continue to provide screening from the adjacent properties.

#16 Impact on Human Health - Answered Yes, since the property is the location of a former landfill and remediation site. A materials management plan is prepared per NYSDEC regulations and is currently being reviewed by NYSDEC. All work within the former inactive landfill site will be conducted under the supervision of and per the requirements of NYSDEC.

**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

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ 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.

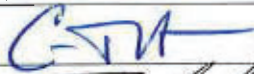
Name of Action:

Name of Lead Agency: Town of Perinton

Name of Responsible Officer in Lead Agency: Ciaran Hanna

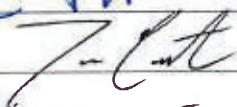
Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:



Date: 6/27/24

Signature of Preparer (if different from Responsible Officer)



Date: 3/12/24

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

JAMES CRETOKO S, PE, BME

**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>





## TOWN OF PERINTON

1350 TURK HILL ROAD ■ FAIRPORT, NEW YORK 14450-8796  
(585) 223-0770 ■ Fax: (585) 223-3629 ■ www.perinton.org

### TOWN CLERK RECEIVER OF TAXES

June 28, 2024

BME Associates  
10 Liftbridge Lane East  
Fairport, NY 14450

Re: Proposed SUP, 80 Lyndon Road

Dear Mr. Vars,

The Perinton Town Board has considered the Environmental Assessment Form along with the supporting information for this project and determined that the proposed action described below will not have a significant effect on the environment based on the facts and conclusions written below in the Reasons Supporting this Determination. By resolution of the Perinton Town Board, at a meeting on June 26, 2024, a Negative Declaration of SEQR was granted.

Further, references had to the SEQR Negative Declaration Notice of Determination of Non-Significance, dated June 24, 2024, a signed copy of which is attached hereto and made a part of hereof, and the thorough description of the background of this project and the reasons and rationale set forth in supporting this motion and said determination is incorporated and adopted by reference of this motion.

Councilperson Folino made a motion, seconded by Councilperson Belaskas to grant the Negative Declaration of SEQR.

Ayes – Hanna, Belaskas, Stockman-Broadbent, Winner, Folino

Nays – none

Motion Carries, 5-0

#### **Reasons Supporting this Determination:**

**Land Use** – *The property has been used as a public ice rink since 1987. As part of this application, the further development of this property will be regulated under the New York State Department of Environmental Conservation Brownfield clean-up program, which should improve current site conditions. The proposed project does not result in the removal or elimination of any structures, facilities, or areas of historic importance and is not identified as a local property of interest or landmark.*

**Neighborhood Character** – *The proposed project will be in general harmony with the surrounding community's architectural scale and character. The site borders*



*Fairport Baseball's Lyndon Road complex to the west, residential homes to the north, wetlands and industrial office buildings to the east, and the Erie Canal to the south.*

**Intensity/Impact to Land** – *The site is an identified brownfield and limited in its use. Use of the property for residential purposes per its Residential B zoning is not practical. The continued use as an ice rink facility, and the proposed expansion for a third rink and additional parking allows for the existing landfill area to be addressed as outlined in the submitted Interim Remedial Measures (IRM) work plan. Through implementation of these plans, the landfill will be addressed under the supervision of NYSDEC. Acceptance into the Brownfield Program signifies the State's acknowledgement the proposed use is suitable for the project site. The current development of the property containing two ice rinks and parking for over 300 cars is fully compatible with mitigation measures designed to 'cap' subsurface deposits.*

**Traffic:** *The Traffic Impact Study finds the proposed action will not have a significant adverse impact on traffic operations of the existing highway network.*

**Wetland, Stream & Other Natural/Cultural Resources** – *The proposed development will not disturb the delineated wetlands, Thomas Creek and its floodplain, or Town LDD as part of the expansion. These natural resources will be protected and placed in a conservation easement. The applicant is working with the NYSDEC to permit (authorize) a disturbance to the regulated wetland adjacent area (or buffer). The details of this permit authorization will be addressed prior to final project approval, during the Site Plan review process.*

**Stormwater Management** – *The proposed expansion will include a stormwater pollution prevention plan prepared per the regulations of, and in consultation with the Town of Perinton and NYSDEC.*

**Environmental Health** – *The work plans (prepared per criteria of NYSDEC and address construction methodology, monitoring and reporting, and post-construction cover systems for the landfill material) are designed to identify, minimize, and remediate provide for no significant adverse effect on the health, safety, and general welfare of the community.*

**Open Space and Recreation** – *The proposed project will not result in the loss of or disturbance to park or open spaces areas.*

**Visual** - *The visual aspect of the proposed project will be evaluated at the time of site plan approval, should the rezoning be approved.*

**Noise** - *The proposed project will not create additional noise above the current ambient levels.*

**Lighting** - *The lighting aspect of the proposed project will be evaluated at the time of site plan approval, should the rezoning be approved.*

**The Perinton Conservation Board** *has thoroughly reviewed the environmental impacts associated with this proposed project and supports the issuance of a*



*Negative SEQR Declaration based on the findings stated above. This support was made in writing to the Perinton Town Board on June 21, 2024. The Perinton Planning Board reviewed the proposed project SUP at its meeting on May 15, 2024, and unanimously supported the use.*

By resolution of the Perinton Town Board, at a meeting on June 26, 2024, the Special Use Permit for the proposed construction of a third rink on the property. The new rink would be a 41,750 square foot single-story structure and will be constructed to the east of the existing 73,900 square foot building. The new rink will connect to the existing facility and the total new square footage would be 115,650 square feet was granted, with the following condition:

- I. The applicant shall ensure that all NYS DEC and NYS Department of Health indoor quality standards are met for existing and proposed buildings on the property. Considerations shall be given to monitoring existing building air quality, concurrent with remedial work for the new ice rink to the satisfaction of NYS DEC, DOH and the Town of Perinton.

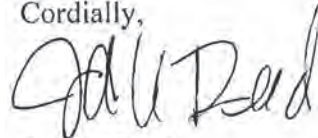
Councilperson Stockman-Broadbent made a motion, seconded by Councilperson Belaskas to grant the SUP, with the condition stated above.

Ayes – Hanna, Belaskas, Stockman-Broadbent, Winner, Folino

Nays – none

Motion Carries, 5-0

Cordially,



Janelle Reed  
Town Clerk

Enclosure

cc: Shawn O'Donnell (via email, sodonnell@oamquant.com)  
G. Seigfred  
M. Doser  
L. Stid  
C. Mueller  
S. O'Hern

**SEQR**  
**Negative Declaration**  
Notice of Determination of Non-Significance

**Lead Agency:** Town of Perinton, Town Board  
**Address:** 1350 Turk Hill Road  
Fairport, NY 14450

**Project No.** (if any): N/A

**Date:** 6/24/24

This notice is issued pursuant to 6 NYCRR Part 617 (and local law # \_\_\_\_\_, if any) of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The lead agency has considered the Environmental Assessment Form along with the supporting information for this project and determined that the proposed action described below will not have a significant effect on the environment based on the facts and conclusions written below in the Reasons Supporting this Determination.

**Title of Action:** Rochester Ice Center (80 Lyndon Rd.) Special Use Permit for additional rink construction under Public Buildings & Grounds (§ 208-14Q of Town Code)

**SEQR Status:** Type 1   
Unlisted

**Description of Action:**

This action modifies an existing Special Use Permit for proposed expansion of the current 2-rink facility to allow for construction of a 3rd rink, with proposed new rink being a ±41,750 sf single story structure, located to the east of the existing ±73,900 sf building with the new rink to be connected to the existing facility and total new square footage of the expanded use to be ±115,650 sf.

**Location:**

The project is in the northeast quadrant of the Town, just south of NYS 31F. It is surrounded by Fairport Baseball's Lyndon Road complex to the west, residential homes to the north, wetlands and industrial office buildings to the east, and the Erie Canal to the south.

**Reasons Supporting this Determination:**

**Land Use** – *The property has been used as a public ice rink since 1987. As part of this application, the further development of this property will be regulated under the New York State Department of Environmental Conservation Brownfield clean-up program, which should improve current site conditions. The proposed project does not result in the removal or elimination of any structures, facilities, or areas of historic importance and is not identified as a local property of interest or landmark.*

**Neighborhood Character** – *The proposed project will be in general harmony with the surrounding community's architectural scale and character. The site borders Fairport Baseball's Lyndon Road complex to the west, residential homes to the north, wetlands and industrial office buildings to the east, and the Erie Canal to the south.*

**Intensity/Impact to Land** – *The site is an identified brownfield and limited in its use. Use of the property for residential purposes per its Residential B zoning is not practical. The continued use as an ice rink facility, and the proposed expansion for a third rink and additional parking allows for*



*the existing landfill area to be addressed as outlined in the submitted Interim Remedial Measures (IRM) work plan. Through implementation of these plans, the landfill will be addressed under the supervision of NYSDEC. Acceptance into the Brownfield Program signifies the State's acknowledgement the proposed use is suitable for the project site. The current development of the property containing two ice rinks and parking for over 300 cars is fully compatible with mitigation measures designed to 'cap' subsurface deposits.*

**Traffic:** *The Traffic Impact Study finds the proposed action will not have a significant adverse impact on traffic operations of the existing highway network.*

**Wetland, Stream & Other Natural/Cultural Resources** – *The proposed development will not disturb the delineated wetlands, Thomas Creek and its floodplain, or Town LDD as part of the expansion. These natural resources will be protected and placed in a conservation easement. The applicant is working with the NYSDEC to permit (authorize) a disturbance to the regulated wetland adjacent area (or buffer). The details of this permit authorization will be addressed prior to final project approval, during the Site Plan review process.*

**Stormwater Management** – *The proposed expansion will include a stormwater pollution prevention plan prepared per the regulations of, and in consultation with the Town of Perinton and NYSDEC.*

**Environmental Health** – *The work plans (prepared per criteria of NYSDEC and address construction methodology, monitoring and reporting, and post-construction cover systems for the landfill material) are designed to identify, minimize, and remediate provide for no significant adverse effect on the health, safety, and general welfare of the community.*

**Open Space and Recreation** – *The proposed project will not result in the loss of or disturbance to park or open spaces areas.*

**Visual** - *The visual aspect of the proposed project will be evaluated at the time of site plan approval, should the rezoning be approved.*

**Noise** - *The proposed project will not create additional noise above the current ambient levels.*

**Lighting** - *The lighting aspect of the proposed project will be evaluated at the time of site plan approval, should the rezoning be approved.*

**The Perinton Conservation Board** *has thoroughly reviewed the environmental impacts associated with this proposed project and supports the issuance of a Negative SEQR Declaration based on the findings stated above. This support was made in writing to the Perinton Town Board on June 21, 2024. The Perinton Planning Board reviewed the proposed project SUP at its meeting on May 15, 2024, and unanimously supported the use.*

#### **Certification to Approve/Fund/Undertake:**

The lead Agency having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

- 1) The requirements of 6 NYCRR Part 617 have been met; and
- 2) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.



- 3) (And if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR Part 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

Name of Agency: Town of Perinton

  
\_\_\_\_\_  
Signature of Responsible Official

Ciaran T. Hanna  
\_\_\_\_\_  
Name of Responsible Official

Town Supervisor  
\_\_\_\_\_  
Title of Responsible Official

6/27/24  
\_\_\_\_\_  
Date

Address of Agency: Town of Perinton, 1350 Turk Hill Road, Fairport, NY 14450  
Phone No.: (585) 223-0770

**Copies of this Notice Sent to:**

NOTE: Negative Declarations for Unlisted Actions need not be filed with DEC or any other agency (see 617.12).

April 25, 2024

Monroe County Economic Development  
Ana J Liss  
Executive Director  
50 West Main Street, Suite 1150  
Rochester, NY 14614

Dear Ana:

I am writing today to express my strong support for the expansion planned for the Rochester Ice Center. I believe that this will be a valuable addition to our community and will provide more opportunities for Monroe County residents, while helping to attract additional visitors to Monroe County.

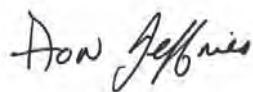
Visit Rochester is a member of the Sports Events & Tourism Association, which is a trade association for the sports events and tourism industry in the United States. The association's recently released "*State of the Industry*" report for 2023 concluded that sports tourism is a **\$128 billion industry in the US**. This study also identified the Top 10 list of states in terms of economic impact generated by sports tourism in 2023 and New York State ranked seventh. We know that sports tourism plays a significant role in generating the tourism and hospitality industry's annual economic impact of \$1.27 billion in Monroe County.

The most important factor when attracting sports tourism is having a viable facility, with the competition for facilities around the country continuing to grow. It is essential that our community continues to follow the national trend of building and expanding our sports facility offerings. The Rochester Ice Center currently has two ice playing surfaces and by adding a third it has the potential to become a much more attractive venue to host larger tournaments and events.

The Rochester Ice Center expansion will not only provide an opportunity to enhance visitation to our community but will also provide an improved space for local residents to enjoy, enhancing the quality of life in Monroe County.

I am pleased to support this project – the Rochester Ice Center expansion will be an important asset to our community for years to come.

Sincerely,



Don Jeffries  
President & CEO, Visit Rochester



## APPLICATION SUMMARY

DATE: July 16, 2024

APPLICANT: Indus Lehigh Station LLC  
950 Panorama Trail S  
Rochester, NY 14625

PROJECT ADDRESS: 350 Kenneth Rd  
Henrietta, NY 14623

PROJECT SUMMARY: 

Indus Lehigh Station LLC proposes the construction of a 53,000 sq ft Towneplace Suites by Marriott hotel in the Town of Henrietta. This unique offering to Monroe County's hospitality landscape will cater to the demand for quality accommodations arising from tourism and events. This hotel has an arrangement with RIT's Hospitality Management program and will provide students with hands on experience in the hospitality industry during construction and operation. This facility is considered "retail" under Section 862 of the General Municipal Law. In order to qualify for benefits, Indus has demonstrated that a significant number of patrons from outside the economic development region will travel to the area and stay at the facility. This \$21 million project is expected to create 18.5 new FTEs over the next three years. At this time, the applicant is only requesting a sales tax exemption and mortgage recording tax exemption and plans to apply for a real property tax abatement at a later date. The Benefit/Incentive ratio is 27:1.

PROJECT AMOUNT: \$21,225,000  
 EXEMPTIONS: \$874,182 Sales Tax Exemption  
\$123,370 Mortgage Recording Tax Exemption

JOBS: EXISTING:	0	FTEs
NEW:	18.5	FTEs

PUBLIC HEARING DATE: 7/15/24

BENEFIT TO INCENTIVE RATIO: 27 : 1

SE R: REVIEWED AND PROCESS IS COMPLETE.

ELIGIBILITY: NEW COMMERCIAL CONSTRUCTION WITH INCREASE TO THE TAX BASE

APPROVED PURPOSE: JOB CREATION



# County of Monroe Industrial Development Agency

## MRB Cost Benefit Calculator



Date: July 16, 2024  
 Project Title: Indus Lehigh Station LLC  
 Project Location: 350 Kenneth Rd. Henrietta, NY 14623

### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

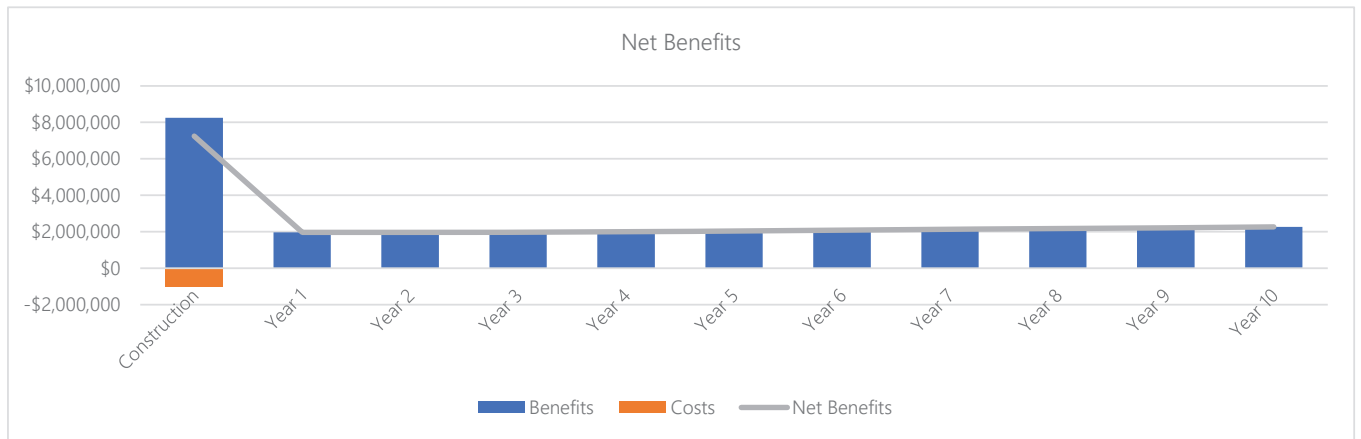
**Project Total Investment**  
 \$21,225,000

		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		107	24	131
Earnings		\$6,543,714	\$1,241,612	\$7,785,326
Local Spend		\$16,980,000	\$4,226,643	\$21,206,643

		Ongoing (Operations)		
		Direct	Indirect	Total
Jobs		19	6	25
Earnings		\$13,069,967	\$6,589,313	\$19,659,279

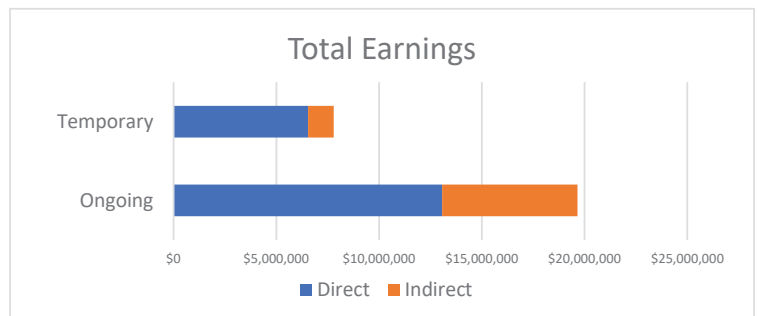
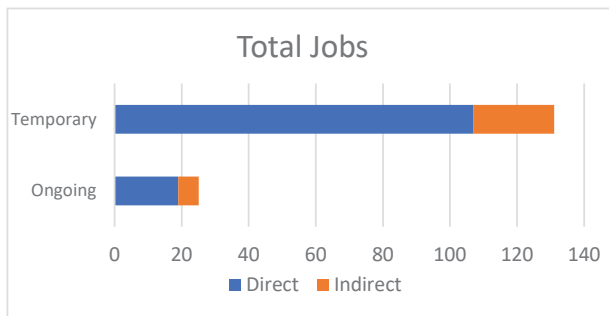
Figure 1



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	\$0	\$0
Sales Tax Exemption	\$874,182	\$874,182
Local Sales Tax Exemption	\$437,091	\$437,091
State Sales Tax Exemption	\$437,091	\$437,091
Mortgage Recording Tax Exemption	\$123,370	\$123,370
Local Mortgage Recording Tax Exemption	\$41,123	\$41,123
State Mortgage Recording Tax Exemption	\$82,247	\$82,247
<b>Total Costs</b>	<b>\$997,552</b>	<b>\$997,552</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$27,636,718</b>	<b>\$25,573,724</b>
<b>To Private Individuals</b>	<b>\$27,444,605</b>	<b>\$25,395,952</b>
Temporary Payroll	\$7,785,326	\$7,785,326
Ongoing Payroll	\$19,659,279	\$17,610,626
Other Payments to Private Individuals	\$0	\$0
<b>To the Public</b>	<b>\$192,112</b>	<b>\$177,772</b>
Increase in Property Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$54,497	\$54,497
Ongoing Jobs - Sales Tax Revenue	\$137,615	\$123,274
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$1,427,119</b>	<b>\$1,320,590</b>
<b>To the Public</b>	<b>\$1,427,119</b>	<b>\$1,320,590</b>
Temporary Income Tax Revenue	\$350,340	\$350,340
Ongoing Income Tax Revenue	\$884,668	\$792,478
Temporary Jobs - Sales Tax Revenue	\$54,497	\$54,497
Ongoing Jobs - Sales Tax Revenue	\$137,615	\$123,274
<b>Total Benefits to State &amp; Region</b>	<b>\$29,063,837</b>	<b>\$26,894,314</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$25,573,724	\$478,214	53:1
State	\$1,320,590	\$519,338	3:1
<b>Grand Total</b>	<b>\$26,894,314</b>	<b>\$997,552</b>	<b>27:1</b>

\*Discounted at 2%

### Additional Comments from IDA

This is a good project.

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

**Motion By:** \_\_\_\_\_  
**Seconded By:** \_\_\_\_\_

**RESOLUTION**  
(Indus Lehigh Station LLC Project)  
OSC Code 2602-24-017A

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices, 50 West Main Street, Rochester, New York 14614, on July 16, 2024 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JULY 15, 2024, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY INDUS LEHIGH STATION LLC OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, AND (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, **INDUS LEHIGH STATION LLC**, a New York limited liability company, for itself or a related entity formed or to be formed (collectively, the "Company") has requested that the Agency assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest in a portion of an approximately 2.72-acre parcel of land located on Kenneth Drive in the Town of Henrietta, New York 14623 and all other lands in the Town of Henrietta where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"); (B) the construction thereon of a 4-story approximately 52,733 square-foot 89-room extended stay hotel to be known as TownePlace Suites by Marriott which shall include a guest laundry, fitness center, business center and outdoor recreation space (collectively, the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal



property (the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, pursuant to Section 859-a of the Act, on Monday, July 15, 2024, at 12:30 p.m., local time, in the Main Meeting Room at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York 14623, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as defined below) being contemplated by the Agency, whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) negotiate a project agreement (the "Project Agreement"), pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project, (ii) negotiate and enter into a lease agreement (the "Lease Agreement") and leaseback agreement (the "Leaseback Agreement") with the Company and (iii) provide financial assistance (the "Financial Assistance") to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility and (b) a partial mortgage recording tax exemption for financing relating to the Project; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities which may arise in connection with the transactions contemplated by the lease of the Facility; and

WHEREAS, the Project constitutes a "retail" project as defined under Section 862 of the Act and as such requires additional findings; and

WHEREAS, the Company has represented to the Agency that the Project is likely to attract a significant number of visitors from outside the economic development region (as established by Section 230 of the New York State Economic Development Law), and therefore the Project constitutes a "tourism destination" as defined in Section 862(2) of the Act; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

WHEREAS, the Henrietta Town Board (the "Town Board"), as lead agency, conducted a coordinated review of the Project pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), which resulted in the issuance of a negative declaration by the Town Board, dated June 13, 2022 (the "Negative Declaration"), concluding the SEQRA process.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the application and other correspondence submitted by the Company to the Agency, the Agency hereby finds and determines that:

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(b) The Facility constitutes a "project", as such term is defined in the Act; and

(c) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of undertaking the Project; and

(d) The action to be taken by the Agency will induce the Company to undertake the Project, thereby increasing employment opportunities in Monroe County and otherwise furthering the purposes of the Agency as set forth in the Act; and

(e) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries; and

(f) Pursuant to Section 862 of the Act, the Project constitutes a "retail" project. Based on representations made by the Company to the Agency, the Project is located near several tourist destinations, including, but not limited to, the University of Rochester Orthopedics Center, the University of Rochester and the Rochester Institute of Technology, which attract a significant number of visitors from outside the economic development region (as established by Section 230 of the New York State Economic Development Law), and the Facility will provide lodging services to these destinations, therefore, constituting a "tourism destination" as defined in Section 862(2) of the Act; and

(g) The Town Board has conducted a coordinated review of the Project pursuant to Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"). In addition to classifying the Project as an "Unlisted Action" pursuant to SEQRA, the Town Board also issued a Negative Declaration on June 13, 2022, determining that the Project did not present a potential significant adverse environmental impact. The Agency, having reviewed the materials presented by the Company, further determines that the Project does not pose a potential significant adverse environmental impact and thus ratifies the Negative Declaration previously issued by the Town Board pursuant to 6 N.Y.C.R.R. § 617.7.

Section 2. The Agency hereby determines that the acquisition of a leasehold interest in and the construction, equipping, repair and maintenance of the Facility by the Agency and the lease or sublease of the Facility to the Company will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the County of Monroe and the people of the State of New York and improve their standard of living, thereby serving the public purposes of the Act and, therefore, the same is approved.

Section 3. The Agency hereby approves the cost/benefit report submitted by the Company listing the proposed cost/benefits of the Project.

Section 4. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency to acquire, construct and equip the Facility, and such appointment includes the following activities as they relate to the construction, erection, completion, use, repair and maintenance of the Improvements and the purchase, use, lease, placement, installation, repair, maintenance and replacement of the Equipment, whether or not any materials or supplies described below are incorporated into or become an integral part of the Improvements or the Equipment: (i) all purchases, leases, rentals and other uses of tools, machinery and equipment in connection with acquiring, constructing, equipping, repairing and maintaining the Facility, (ii) all purchases, rentals, uses or consumption of supplies, materials and services of every kind and description in connection with acquiring, constructing, equipping, repairing and maintaining the Facility, and (iii) all purchases, leases, rentals and uses of equipment, machinery, and other tangible personal property (including installation costs with respect thereto), installed or placed in, upon or under the Improvements, Land or the Equipment, including all repairs, maintenance and replacement of all such property. Said agents are authorized to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agents for the Agency, and in general to do all things which may be requisite or proper for completing the Facility, all with the same powers and with the same validity as the Agency could do if acting on its own behalf. As agent of the Agency, the Company is authorized to delegate such agency, in whole or in part, to agents, subagents, contractors, subcontractors, contractors and subcontractors of such agents and subagents and to such other parties as the Company chooses; provided, however, the Project Agreement shall expire on **December 31, 2025** (unless extended for good cause by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency) if the Lease Agreement and Leaseback Agreement contemplated have not been executed and delivered. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are authorized and directed to execute and deliver to said agent an appropriate letter on Agency letterhead describing the authority granted under this resolution.

Section 5. Based upon the representation and warranties made by the Company in its application for financial assistance, the Agency hereby authorizes and approves (i) the Company as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to **\$10,927,275** which results in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **\$874,182**. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the



additional purchases of property or services; (ii) a mortgage (or mortgages), in connection with the financing of the Facility or portions thereof and including any refinancing thereof, securing an aggregate principal amount not to exceed **\$16,449,375**, resulting in a mortgage tax exemption not to exceed **\$123,370**; and (iii) a partial real property tax abatement.

Section 6. Pursuant to Section 875(3) of the New York General Municipal Law, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project. As a condition precedent of receiving sales and use tax exemption benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 7. The form and substance of the Lease Agreement and Leaseback Agreement (each in substantially the forms presented to the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 8. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to negotiate and execute (A) the Lease Agreement whereby the Company leases the Project to the Agency and (B) the related Leaseback Agreement conveying the Project back to the Company; provided, that, the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project.

Section 9. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement and Leaseback Agreement are collectively referred to as, the "Agency Documents"); and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency (if any) to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Executive Director, Deputy Director, Chairman or Vice Chairman of the

Agency shall approve, the execution thereof by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 10. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 11. This resolution shall take effect immediately.

*[Remainder of Page Intentionally Left Blank]*

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Jay Popli				
Troy Milne				
Lisa Bolzner				
Joseph Alloco				
Rhett King				
Norman Jones				
Ann L. Burr				

The Resolutions were thereupon duly adopted.



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

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on July 16, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 16<sup>th</sup> day of July, 2024.

---

Ana J. Liss, Executive Director



**APPLICATION FOR ASSISTANCE**

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

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

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

**I. APPLICANT**

**A. Applicant Information**

Name: Indus Lehigh Station LLC  
 Address: 950 Panorama Trail S  
 City/State/Zip: Rochester, NY 14625  
 Tax Id No.: 92-3656372  
 Contact Name: Goonjit (Jett) Mehta  
 Title: Managing Member  
 Telephone: 585-248-2440  
 E-Mail: jmehta@indushg.com

**B. Applicant's Legal Counsel**

Name: Robert Brenner  
 Firm: Mahoney Brenner LLP  
 Address: 83 South Main Street  
 City/State/Zip: Canandaigua, NY 14424  
 Telephone: 585-598-1251  
 Email: rbrenner@mahoneybrenner.com

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

Name	%	Corporate Title
<u>Goonjit (Jett) Mehta</u>	<u>51 %</u>	<u>Managing Member</u>
<u>Hasit Mehta</u>	<u>25 %</u>	<u>Member</u>
<u>Bhoopinder S Mehta Family Trust</u>	<u>12 %</u>	<u>Trust</u>
<u>Kripal K. Mehta Family Trust</u>	<u>12 %</u>	<u>Trust</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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## II. PROJECT

### A. Address of proposed project facility

Address: 350 Kenneth Road

Tax Map Parcel Number: 175-11-1-13.2

City/Town/Village: Henrietta

School District: Rush Henrietta CSD

Zip: 14623

Current Legal Owner of Property:

Indus Real Estate II 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
_____	____%	_____
_____	____%	_____
_____	____%	_____
_____	____%	_____

### F. Project Timeline

Proposed Date of Acquisition: \_\_\_\_\_

Proposed Commencement Date of Construction: Summr 2024

Anticipated Completion Date: Winter 2025

### G. Contractor(s)

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



## II. PROJECT (cont'd)

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

NAICS Code: 721110

Indus Hospitality Group (IHG) is excited to propose the construction of the first Towneplace Suites by Marriott in Monroe County. This 52,733 sq. ft., four-story, 89-room extended stay property will feature a concrete block and concrete plank frame, ensuring it is an institutional quality Marriott-branded hotel asset. Guests will enjoy a range of amenities, including complimentary breakfast and WiFi, a guest laundry, a fitness center, a business center, a suite shop, and a large outdoor recreation space with a fire pit and grilling station. Additionally, the hotel will provide 95 parking spaces, including 4 ADA spaces for our guests.

We are excited about the partnership with RIT and MCC's Hospitality Management programs, offering students valuable opportunities to work in various operational roles such as front office, housekeeping, engineering, leadership, and food and beverage. With our extensive hospitality portfolio, spanning economy to mid-scale to upper-scale and extended stay properties, IHG can offer job-shadowing, training, and internships to students.

IHG is a local, family-owned hospitality company based in Rochester, NY, with over 80 locations throughout the Greater Rochester, Western New York, and Finger Lakes Region. We employ more than 1,200 individuals and are committed to supporting our community.



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

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

Please explain why financial assistance is necessary.

Financial assistance is important due to the current economic landscape which poses notable challenges to the hospitality sector, especially financing new hotels. The necessity for substantial support has never been more apparent, given the financial, inflationary, and supply chain pressures we face. The new Towneplace Suites by Marriott will fit Monroe Counties acute need for new, high-quality hotel rooms, especially to support significant events and growth.

This new property is critical for our competitive edge and the success of key county assets like the convention center. The addition of the Towneplace Suites by Marriott in Henrietta will enhance the regions hospitality offerings and provide employment opportunities.

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

Yes  No

Location: See Exhibit A

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:

N/A

**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:

**JOBSPLUS**

Requirements:

- Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is 1.

**LEASEPLUS**

Requirements:

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

**ENHANCED JOBSPLUS**

Requirements:

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

**GREEN JOBSPLUS**

Requirements:

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

**SHELTER RENT**

For student housing or affordable housing projects.

**Local Tax Jurisdiction Sponsored PILOT**

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

**IV. APPLICANT PROJECT COSTS**

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

**Building Construction or Renovation**

- a. Materials a. \$ 8,118,495
- b. Labor b. \$ 6,642,405

**Site Work**

- c. Materials c. \$ 618,780
- d. Labor d. \$ 412,520
- e. Non-Manufacturing Equipment e. \$ 0
- f. Manufacturing Equipment f. \$ 0
- g. Equipment Furniture and Fixtures g. \$ 2,190,000
- h. Land and/or Building Purchase h. \$ 1,105,000
- i. Soft Costs (Legal, Architect, Engineering) i. \$ 1,697,000
- Other (specify) j. Mgmt Fees j. \$ 440,800
- k. \_\_\_\_\_ k. \$ \_\_\_\_\_
- l. \_\_\_\_\_ l. \$ \_\_\_\_\_
- m. \_\_\_\_\_ m. \$ \_\_\_\_\_

**Total Project Costs (must equal Total Sources) \$ 21,225,000**

B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ \_\_\_\_\_
- b. Taxable Industrial Revenue Bond b. \$ \_\_\_\_\_
- c. Bank Financing c. \$ 16,449,375
- d. Public Sources d. \$ \_\_\_\_\_

Identify each state and federal grant/credit

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

- e. Equity \$ 4,775,625

**TOTAL SOURCES (must equal Total Project Costs) \$ 21,225,000**

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 \$ \_\_\_\_\_**







**VII. PROJECTED EMPLOYMENT**

Complete for each Applicant or User/Tenant

**Company Name:** Indus Lehigh Station LLC

**Applicant:**  **or** **User/Tenant:**

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

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be <b>RETAINED</b>	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be <b>CREATED</b> upon <b>THREE</b> 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 <b>THREE</b> Years after Project Completion **
Full time (FTE)	0	0	12	12
Part Time (PTE)	0	0	13	13
Total	0	0	18.5	18.5

\*\* 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 Indus Lehigh Station 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.

  
Initial

### 100% Local Labor

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

  
Initial

### Local Labor Market

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

  
Initial

### Bid Processing

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

  
Initial

### Monitoring

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

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

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

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

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



  
Initial

**Signage**

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

  
Initial

**Exemption Process**

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

- o 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.
- o 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);
- o 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).
- o 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.

Indus Lehigh Station LLC

(APPLICANT COMPANY)

(TENANT COMPANY)

 Managing MBR 5/31/24  
 Signature, Title Date

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.	<b>Application Fee:</b> Non-refundable \$350.00 <b>IDA Fee:</b> 0.75% of the total project cost <b>Legal Fee:</b> 33% of the IDA fee. Minimum fee of \$4,000.
Sales Tax Exemption* and/or Partial Mortgage Recording Tax Exemption	<b>Application Fee:</b> Non-refundable \$350.00 <b>IDA Fee:</b> 0.50% of the total project cost <b>Legal Fee:</b> 33% of the IDA fee. Minimum fee of \$4,000 if transaction includes mortgage recording tax exemption. Minimum fee of \$750 if transaction is sales tax exemption only.
Bond: Taxable or Tax-Exempt Including any/all of the following: <ol style="list-style-type: none"> <li>1. PILOT Agreement</li> <li>2. Sales Tax Exemption</li> <li>3. Partial Mortgage Recording Tax Exemption</li> </ol>	<b>Application Fee:</b> Non-refundable \$350.00 <b>IDA Fee:</b> 1.25% of the total project cost <b>Legal Fee:</b> 33% of the IDA fee. Designated Bond Counsel fee is based on the complexity and amount of the transaction.
Bond: Taxable or Tax-Exempt	<b>Application Fee:</b> Non-refundable \$350.00 <b>IDA Fee:</b> 1.00% of the total project cost <b>Legal Fee:</b> 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.

Indus Lehigh Station, LLC  
 (APPLICANT COMPANY)

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

[Signature] \_\_\_\_\_ 5/31/24  
 Signature , Title Date

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




**X. CERTIFICATION**

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

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

**APPLICANT COMPANY**

Indus Lehigh Station LLC

 \_\_\_\_\_  
 Signature, Title, Date 5/31/24

**TENANT COMPANY**

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



# EXHIBIT A

Brand/Hotel	# of Rooms	Street address	City	State	Zip
<b>Wyndham Properties</b>					
Microtel Inn & Suites	60	270 S. Cascade Drive	Springville	NY	14141
Microtel Inn & Suites	60	30 W. Dyke Street	Wellsville	NY	14895
Microtel Inn & Suites	60	3234 NYS Rte 417	Olean	NY	14760
Microtel Inn & Suites	67	370 W. Morris Street	Bath	NY	14810
Microtel Inn & Suites	93	7498 Main Street Fishers	Victor	NY	14564
Microtel Inn & Suites	69	550 Hamilton Street	Geneva	NY	14456
Microtel Inn & Suites	50	3258 Chili Avenue	Chili	NY	14624
Microtel Inn & Suites	77	124 Elm Street	Penn Yan	NY	14527
Microtel Inn & Suites	67	287 N. Main Street	Warsaw	NY	14569
Microtel Inn & Suites	60	1299 NYS Rte 332	Farmington	NY	14425
Microtel Inn & Suites **	73	350 NYS Rte 31	Macedon	NY	14502
<b>Hilton Properties</b>					
Hampton Inn	76	4873 Lake Road	Brockport	NY	14420
Hampton Inn & Suites	81	950 Panorama Trail S	Rochester	NY	14625
Hampton Inn & Suites **	126	101 South Union St	Rochester	NY	14607
Hampton Inn **	80	1060 NYS Rte 36	Hornell	NY	14843
Homewood Suites	90	575 Fishers Station Drive	Victor	NY	14564
<b>IHG Properties</b>					
Holiday Inn Express	78	530 Hamilton Street	Geneva	NY	14456
Holiday Inn Express	104	7502 Main Street Fishers	Victor	NY	14564
<b>Best Western</b>					
Best Western Inn	40	4908 Lake Road	Brockport	NY	14420

\*\* property under construction



## **BRUCKNER, TILLET, ROSSI, CAHILL & ASSOCIATES**

A full-service real estate appraisal, analysis and consulting group

Christopher S. Tillett, MAI, SRA  
Kevin L. Bruckner, MAI, CCIM  
Justin R. Martin, MAI, CCIM  
Andrew R. Kniesel, SRA  
Bethany W. Coleman, MAI  
Kaitlin M. Skelton, MAI  
Rachel E. Gaillard, SRA

May 22, 2024

Indus Hospitality Group  
950 Panorama Trail S  
Rochester, New York 14625

Dear Mr. Mehta:

The following is an analysis completed to determine whether or not a majority of hotel guests staying in lodging properties are from outside Rochester Market. Data has been researched, reviewed, and presented in which the following conclusion is drawn: Monroe County derives the vast majority of their guests from outside the Rochester Market. Data provided by the client (Indus Hospitality Group) for hotels they own and operate is relied upon in addition to national and location publications.

### Identification of the Rochester Market

The Rochester Market includes the following counties: Monroe, Ontario, Wayne, Seneca, Livingston, Orleans, Wyoming, Genesee, Yates.

The interstate highway network to and around Rochester is excellent. Interstate-90 (NYS Thruway), a major east/west transportation corridor in the United States from Boston to Seattle, passes through Monroe County, south of the city of Rochester. There is three major interchanges servicing Rochester at both ends of Interstate-490 and one at Interstate-390. I-490 is the major transportation route into Rochester providing access to the "Inner-Loop" expressway which partially encircles the downtown business district. The "Outer-Loop" expressway, a U-shaped transportation corridor comprised of I-390 on the west and I-590 on the east, intersects with I-390 south, a major north/south transportation corridor in Upstate New York. Other expressways, such as 531, 104, and the Ontario State Parkway, provide access to areas not covered by the above. The modern, extensive, and relatively non-congested expressway network allows access to most areas of Monroe County within 15-20 minutes from downtown. Rochester is a major metropolitan market serviced by the Greater Rochester International Airport, a modern 22-gate airport facility built in 1992 and serviced by the major airlines.

The excellent access to Rochester and Monroe County makes travel within the county relatively quick and attracts visitors from outside the market for the area's cultural, educational, industrial, and professional assets.

### Tourism in Rochester

*Visit Rochester*, a tourism promotion agency for Monroe County, identifies tourism as a significant economic driver for Greater Rochester with an economic impact of nearly \$1 Billion annually. It also



May 22, 2024

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Re: Rochester Hospitality Market Summary

employs more than 15,000 people in the county. *Visit Rochester* identifies that there continues to be potential for further growth of the tourism and hospitality industry. Major draws are the area's universities, museums, and sports and recreation.

Rochester is home to several internationally and nationally recognized education institutions. Rochester Institute of Technology, the largest university in Rochester, is a major university specializing in technical and professional fields. The University of Rochester is a nationally recognized graduate and undergraduate university. Strong Memorial Hospital, one of the country's foremost cancer research and treatment centers, is part of the U of R, as are the Eastman School of Music and the Colgate Divinity School. Monroe Community College is rated as one of the best two-year community colleges in the country. SUNY at Brockport, St. John Fisher, Nazareth, and Roberts Wesleyan College are the remaining four 4-year colleges in Monroe County.

Typical of most major cities, Rochester has its share of museums including the International Museum of Photography and Film at the George Eastman House (founder of Eastman Kodak Company), The Strong Museum (extensive collection of toys and dolls), and the Rochester Museum and Science Center. Rochester offers a wide variety of cultural attractions including the Rochester Philharmonic Orchestra, Geva Theater and many other smaller music, dance, and playhouse facilities. Rochester is located in the diverse Finger Lakes Region of Upstate New York where there are many year-round recreational and sporting activities available.

Rochester comprises an abundance of minor-league sports teams such as the Red Wings (AAA baseball), the Americans (AHL hockey), the Knighthawks (NLL lacrosse), the Rattlers (MLL lacrosse), and the Razorsharks (PBL basketball). Rochester has previously been named the top minor league sports market in the country (*Street & Smith's Sports Business Journal*, 2005), the number 10 "best little golf city" in America (*Golf Pass*, 2020), and the fifth best "sports town" in the country (*Scarborough Research*, 2008).

The CGI Rochester International Jazz Festival, established in 2002, takes place in June of each year. It is a nine-day festival held in over 20 venues in downtown Rochester. Headliners include world-renowned artists with the 2022 iteration reporting an attendance of ~210,000. Despite not being held during the COVID-19 pandemic in 2020 and 2021, attendance has steadily grown year after year.

In addition to the above-mentioned tourism draws, there is still room for growth, and with future growth, the addition of hotel rooms and their attached amenities is a necessity.

### Rochester Lodging Submarket Overview

The submarket includes hospitality properties located in the following counties: Monroe, Ontario, Wayne, Seneca, Livingston, Orleans, Wyoming, Genesee, Yates. The majority of properties in the submarket fall into the limited-service upscale & upper midscale category.

### Identification of Hotel Types

Typically, hotels fall into two categories. Full-service hotels offer some or all of the following: food & beverage (restaurant and bar), laundry services, shuttle services, recreational sports, amenities, room service, and expanded fitness centers. Limited-service lodging options do not generally offer these added amenities. Another category that has emerged in recent decades are extended-stay options which offer primarily suite rooms designed for longer stays. Often, housekeeping is not offered nightly, but these options fall into the limited-service category in terms of other amenities.

### Identification of Hotel Guests

Although there is no agreed set categorization of hotel guests found in industry publications, most lists include the following primary users:

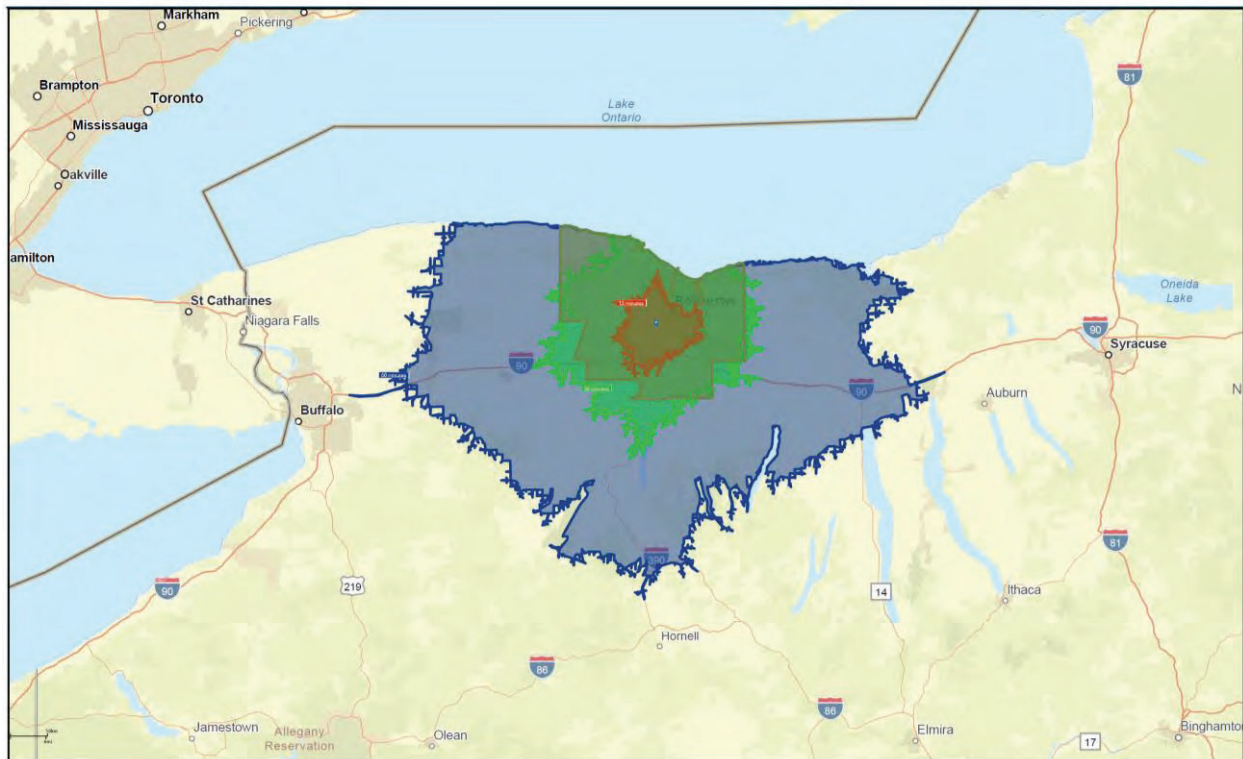
- Business travelers
- Event attendees
- Recreation & leisure (vacation)
- Transient guests

Each of these users intrinsically indicates a traveler from outside a “short” drive from the hotel. While the definition of a “short” drive is subjective, it is assumed that the vast majority of these users are outside a 60-minute drive from a hotel. The following is a summary of the drive time from the Greater Rochester Airport. Red is 15 minutes, green is 30 minutes, and blue is 60 minutes. The county overlay on the map reveals that except for the far northwestern corner of the county, the majority county is within a 30-minute drive. Furthermore, the map below shows that the majority of guests would be outside Monroe, Ontario, Wayne, Livingston, Orleans, Wyoming, and Genesee Counties. Note that portions of the defined market are outside the 60-minute drivetime (Yates, and Seneca Counties) but these are relatively low population counties that wouldn’t necessarily create a large influx of guests.



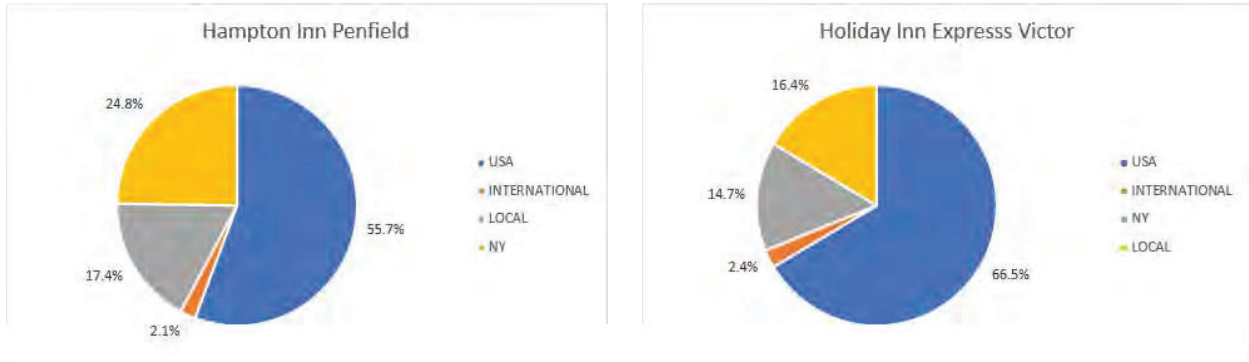
Custom Map

Drive Time from Airport



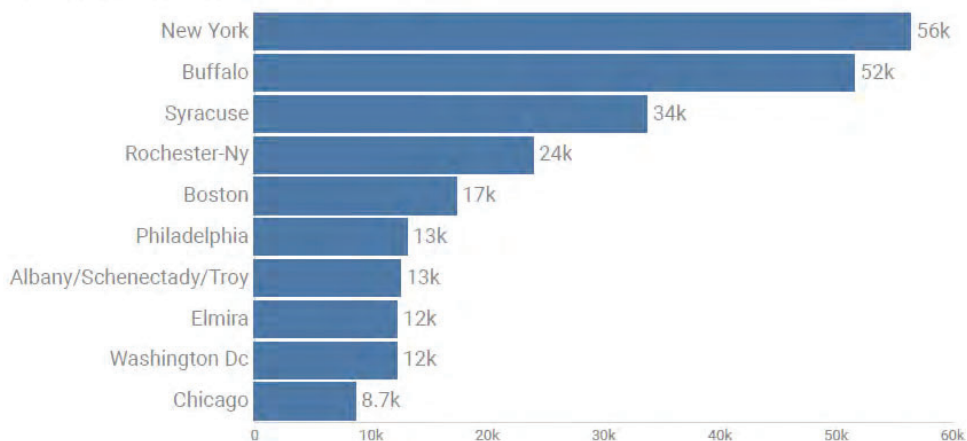
To further illustrate that the hotels in the market generate guests from outside the defined market area, guest registries from two hotels are analyzed using guest zip codes to determine their

origination. It demonstrates that approximately ~15-20% of the guests originate inside the local previously defined market. In fact, the majority are from outside New York State.



*Visit Rochester* tracks where visitors to Rochester originate from and further summarizes the Trip Volume from the top 10 origins for 2022. These trips pertain only to overnight visitors. The top 10 account for approximately 241,700 total trips to Rochester. Of the total only 24,000 are from within the Rochester Market. This equates to 9.92%, demonstrating that a relatively small percentage of overnight visitors are from within the immediate market. Including those locations outside the top ten would indicate an even smaller percentage from the Rochester Market. Finally, because the Rochester Market includes contiguous counties, the actual percentage from outside Monroe County would lower this percentage further. Based on the data, it can be concluded that less than 9% of the total overnight visitors are from Monroe County with an additional 5-plus percent coming from the submarket.

**Trip Volume by Top 10 Origin DMAs**

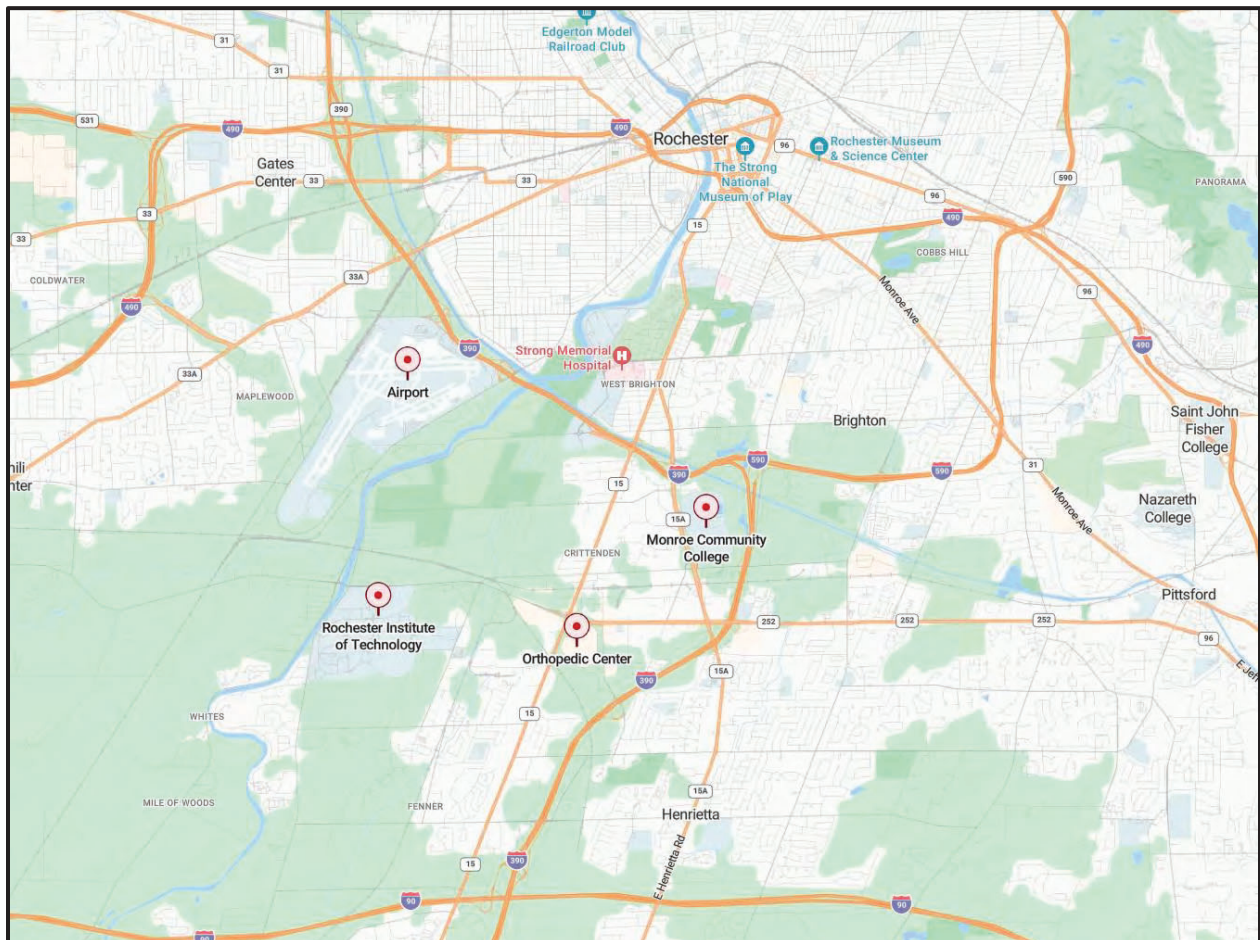


Notes on Existing Hotel Inventory

- Monroe County has aging hotels and therefore a lack of quality rooms in the market.
  - According CoStar, Rochester markets, and it contains around 11,000 rooms spread across 138 properties. It goes on to report that there are no supply-side pressures on occupancies or room rates in the near term, as nothing is under construction.
  - Rochester Riverside is now offline due to age and it is not feasible to upgrade to any franchise brand standards given its age and condition.



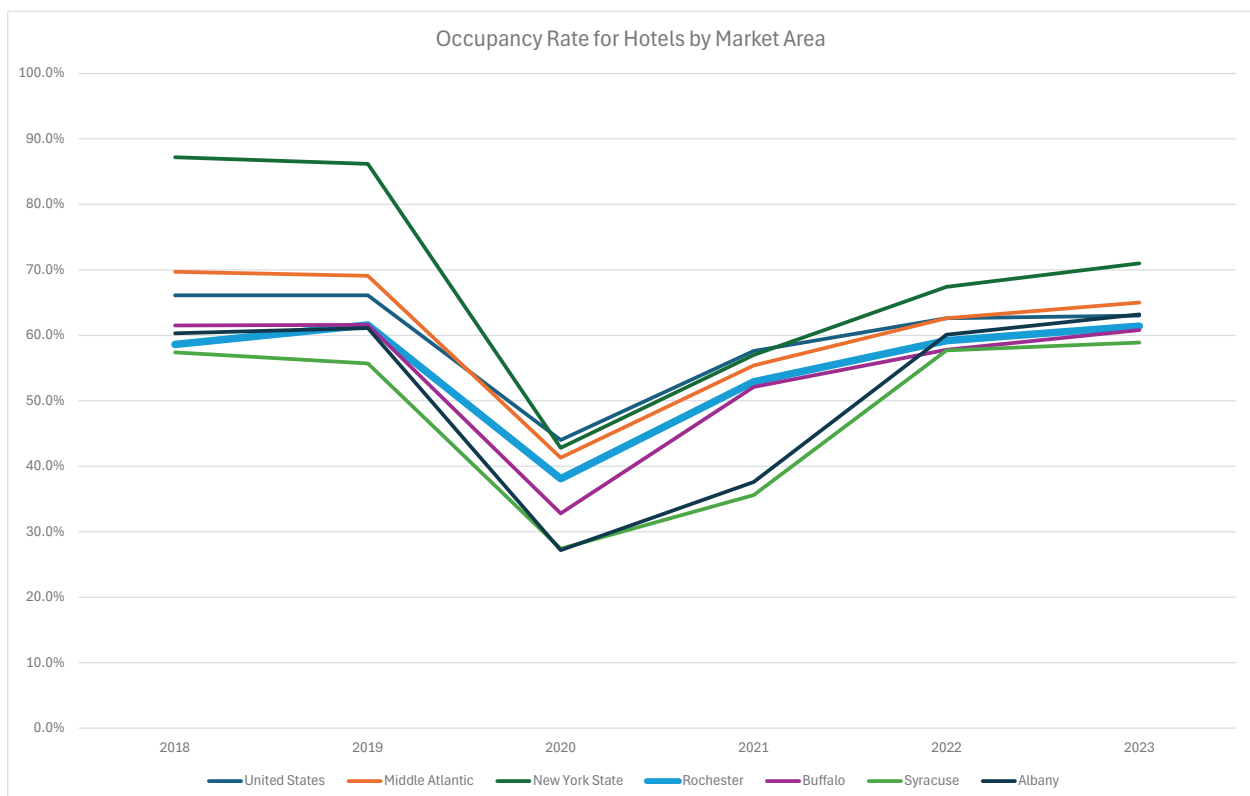
- Riverside was also a major conference center for the county, but this no longer is available.
- RIT Inn & Conference Center, in Henrietta is no longer in operation either. This was a popular location for events.
- The development of Del Lago Casino in Waterloo, approximately 45 min east of Rochester, is now a competitor for hosting events that may well have attracted Monroe County in the past.
- Monroe County's events such as the PGA Championship/US Amateur Championship, Jazz Festival, and other tourism draws discussed previously, require modern hotel rooms and with the aging lodging infrastructure, this could deter the Rochester area as a potential host for such events by organizations.
- Henrietta seems to be the primary area for such growth.
  - Location at the I-90 and I-390 interchange makes the town very accessible to travelers.
  - It is close to the Airport.
  - Rochester Institute of Technology is located within the town.
  - Monroe Community College is located just north of the Henrietta/Brighton town line.
  - The former Marketplace Mall in Henrietta has completed a \$300-million conversion/expansion into a major Orthopedic Center.



- Development of hotels is beginning to become burdensome.
  - Construction costs are at all-time highs due to inflation and overall supply chain costs.
  - Interest Rates are relatively high and as such funding construction or rehabilitation is difficult.
    - In order to counter these costs, the high tax burden in NYS must be abated as is usually done by county economic development agencies for other types of properties.
      - The support that the lodging market provides to economically successful events in the county should make consideration of abatements for lodging properties important.
      - These development projects also support local banks as the primary financiers of commercial construction. Being a facilitator of commercial development, local banks result in additional investment in the community that benefits the overall economy.

### Hotel Market Performance

The Rochester Hotel Market has stagnated in a sense since its recovery from the pandemic that negatively affected the national hotel market. The following is a summary of Occupancy and ADR data provided by Smith Travel Research for 2018-2023. The data is categorized such that the Rochester Market can be compared to the national, regional, state, and competitive nearby cities' markets.



May 22, 2024

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Re: Rochester Hospitality Market Summary

	Occupancy Rate					
	2018	2019	2020	2021	2022	2023
United States	66.1%	66.1%	44.0%	57.6%	62.6%	63.0%
Middle Atlantic	69.7%	69.1%	41.3%	55.4%	62.6%	65.0%
New York State	87.2%	86.2%	42.8%	57.0%	67.4%	71.0%
<b>Rochester</b>	<b>58.6%</b>	<b>61.6%</b>	<b>38.1%</b>	<b>52.9%</b>	<b>59.2%</b>	<b>61.4%</b>
Buffalo	61.5%	61.6%	32.8%	52.1%	57.8%	60.8%
Syracuse	57.4%	55.7%	27.4%	35.6%	57.7%	58.9%
Albany	60.3%	61.1%	27.2%	37.6%	60.1%	63.2%

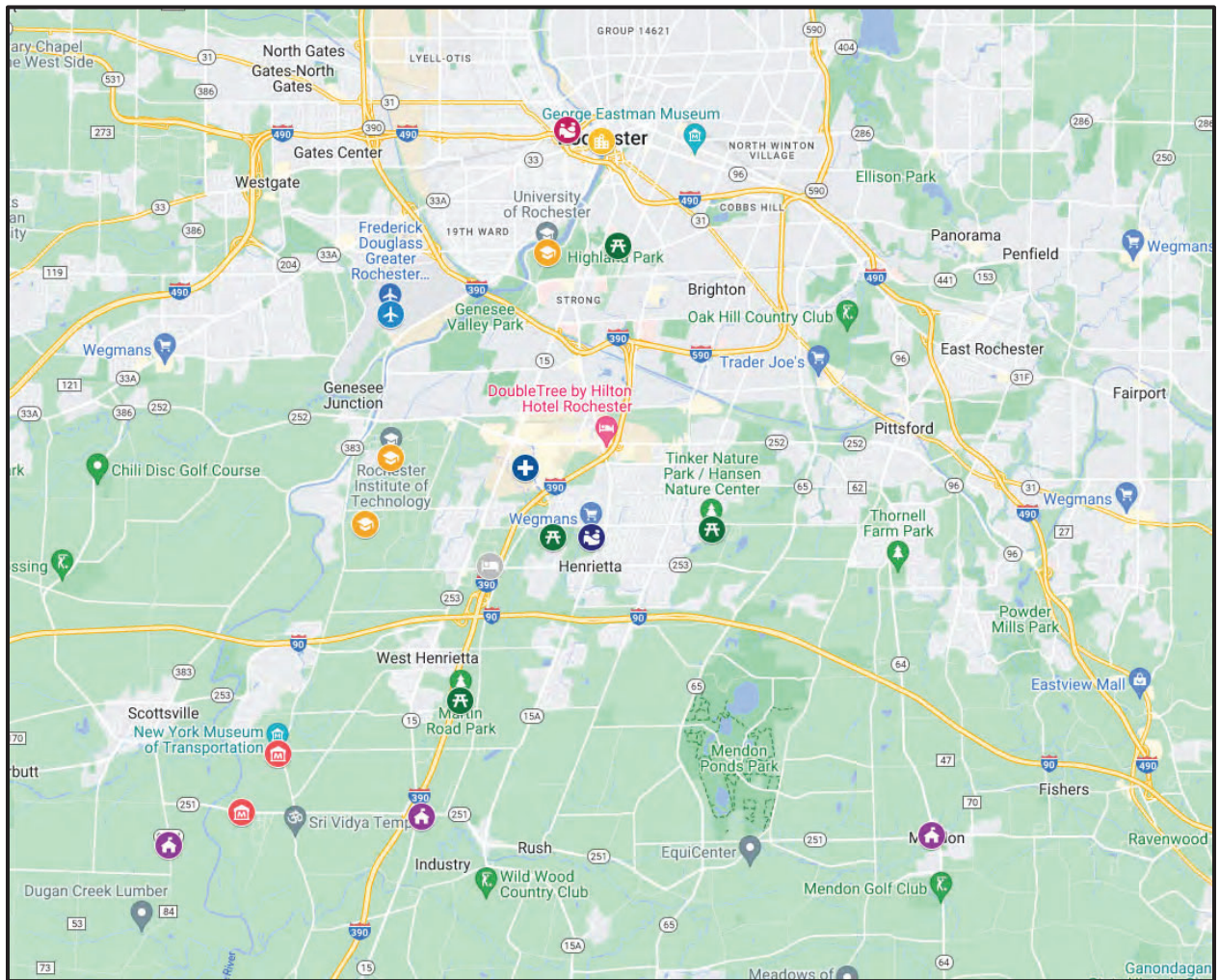
As with the national market, Rochester has recovered or nearly recovered in terms of occupancy rate from pre-pandemic levels. Occupancy is outperforming both nearby Buffalo and Syracuse as of 2023. The increase in occupancy may be in part a result of large properties, as previously mentioned, going offline in the past few years. This has allowed ADR to increase as well. Based on the strong occupancy figures, there is room in the market for new hotel rooms to service the Rochester Market.

	Average Daily Rate					
	2018	2019	2020	2021	2022	2023
United States	\$129.97	\$131.21	\$103.31	\$124.67	\$149.24	\$155.62
Middle Atlantic	\$166.57	\$166.33	\$115.69	\$143.57	\$179.82	\$192.02
New York State	\$206.11	\$203.32	\$130.01	\$168.33	\$218.99	\$237.54
<b>Rochester</b>	<b>\$105.25</b>	<b>\$107.27</b>	<b>\$87.17</b>	<b>\$106.54</b>	<b>\$123.89</b>	<b>\$135.70</b>
Buffalo	\$108.40	\$107.59	\$89.09	\$113.73	\$126.69	\$133.78
Syracuse	\$102.98	\$104.21	\$86.29	\$103.09	\$122.99	\$132.28
Albany	\$118.87	\$119.70	\$98.45	\$113.84	\$126.17	\$132.97

The addition of new hotel rooms to the market will result in higher ADRs and help occupancy.



The following is a map of attractions.



**Wedding Venues**

- Rochester Wedding Barn & Events
- Rochester Cobblestone Wedding Barn
- Westminster Wedding & Events
- Avon Century Barn
- Jerris Wadsworth Wedding Barn

**Colleges/Education**

- RIT
- MCC
- University of Rochester

**Parks**

- Highland Park
- Tinker Nature Park / Hansen Nature Center
- Veterans Memorial Park
- Martin Road Park

**Other Attractions**

- Seneca Park Zoo
- Genesee Country Village & Museum
- The Dome Arena
- Innovative Field
- Joseph A. Floreano Rochester Riverside Con...
- New York Museum of Transportation
- Frederick Douglass Greater Rochester Intern...
- Rochester & Genesee Valley Railroad Museu...
- UR Medicine Orthopaedics & Physical Perfor...

May 22, 2024

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Re: Rochester Hospitality Market Summary

### Conclusion

The data reveals that in fact the vast majority of overnight guests are from outside the Rochester Submarket. This makes sense since hotels exist to provide accommodation to those visiting from an area outside a reasonable distance from their home. The presence of the robust lodging market in the county demonstrates that there is significant demand from visitors.

The County's aging hotel infrastructure, loss of hotel rooms and events centers make development of the TownePlace Suites (the first of this brand in the submarket) attractive. Its proposed location in the town of Henrietta is good as it is in the county's primary area of commercial growth. It is important to have strong brands like Marriott in the market for competitive purposes. Adding such hotels to the Henrietta Market specifically will provide a place for students at the Rochester Institute of Technology to learn about the hospitality industry, something Indus Hospitality Group has expressed considerable interest in partnering with. The development would be financed by a local bank, and the new rooms would support future economic growth for the county. Finally, with the addition of hotel rooms in the market, new jobs are created.

Thank you for the opportunity to complete this assignment. If you should have any questions or need additional information, please feel free to give me a call.

Sincerely,

**BRUCKNER, TILLET, ROSSI,  
CAHILL & ASSOCIATES**



**Justin R. Martin, MAI, CCIM**

NYS Certified Gen'l R.E. Appraiser #46-50070

Direct line: (585) 383-4508

[Justin@btrca.com](mailto:Justin@btrca.com)



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

STEPHEN L. SCHULTZ  
 Supervisor

CRAIG C. ECKERT  
 Deputy Town Supervisor

MILLIE C. SEFRANEK  
 LISA S. BOLZNER  
 M. RICK PAGE  
 JOSEPH D. BELLANCA JR.  
 Council Members

**Sent Via Email**

July 14, 2022

Jett Mehta and John Ott  
 Indus Development Company, LLC  
 950 Panorama Trail South  
 Rochester, NY 14625  
 jmehta@indushg.com  
 jott@indushg.com

Mike McCracken  
 Fairlane Drive, LLC  
 745 South Garfield Rd, Ste A  
 Traverse City, MI 49686  
 mikem@hrgweb.com

Rebecca Spurr  
 BME Associates  
 10 Liftbridge Lane East  
 Fairport, NY 14450  
 rspurr@bmepec.com

Re: Application Nos. 2022-028/029 – TownPlace Suites by Marriott – Kenneth Drive, in an Industrial, Tax Account No. 175.11-1-13.2.

- 2022-028: to allow for the development of a 4-story extended stay hotel.
- 2022-029: to allow a building height of +/- 52' for a 4-story hotel, whereas Town Code only permits a height of 40'.

Dear Jett, John, Mike, and Rebecca:

The Henrietta Town Board issued a Negative Declaration in accordance with SEQR (Resolution #16-227/2022) and approved the above referenced Special Use Permit Applications (Resolution #16-228/2022) at the Town Board Meeting held on July 13, 2022; enclosed is a copy of the resolutions.

Please be advised that this approval is subject to compliance with the attached resolutions, all comments made by the Fire Marshal, the Director of Building and Fire Prevention, the Director of Engineering and Planning, and any other concerned agencies. Also, be advised that this approval is further subject to compliance with all comments made and received during the Special Use Permit Hearing, as per the official Minutes of Record.

This approval shall become null and void if no application for the appropriate permit or certificate is made within one year after the approval becomes final as set forth in Town Code Section §295-55 (B).

Should you have any questions or concerns, please contact the Building and Fire Prevention Department at (585) 359-7060.

Sincerely,

Jennifer L. Miranda  
 Deputy Town Clerk and Receiver of Taxes

xc: Town Board / Planning Board / Building Department / Engineering Department / File



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 13, 2022 AT 6:00 P.M.

RESOLUTION #16-227/2022 To Issue a Negative Declaration for the TownePlace Suites by Marriott.

On Motion of Councilmember Bolzner

Seconded by Councilmember Bellanca

WHEREAS, the Town of Henrietta received an application (the "Application") from Indus Development Company, LLC (the "Applicant") requesting Special Use Permit approvals for the development of the property known as TownePlace Suites by Marriott, in an Industrial Zoned District, on a future 2.7 +/- acre parcel being part of Tax Account No. 175.11-1-13.2 (the "Property"), as follows: (1) to construct a four-story hotel with approximately 89 rooms; and (2) to construct said hotel with a height of 52 feet whereas Town Code only permits a height of 40 feet (the "Project"); and

WHEREAS, the Town Board was established as the Lead Agency by Resolution #12-197/2022 on June 9, 2022, and conducted a coordinated environmental review in accordance with the New York State Environmental Quality Review Act ("SEQR"); and

WHEREAS, the Town Board has carefully reviewed and considered all documentary, testimonial, and other evidence presented to the Town Board prior to, at, and subsequent to a Public Hearing held on the Applications on July 13, 2022, together with input from Town staff, and other advisory Boards, and other agencies; and

WHEREAS, having considered carefully all relevant documentary, testimonial, and other evidence submitted, and the Town Board having carefully considered and taken a hard look at all potential environmental impacts of the Project; 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.

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

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

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

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

BE IT FURTHER RESOLVED, that the Town Board directs that the Negative Declaration be filed in accordance with SEQR Regulations, that the Supervisor is authorized to execute such necessary documents and to take such other actions as will facilitate an orderly and proper SEQR process.

Duly put to a vote:  
Councilmember Sefranek Aye  
Councilmember Bolzner Aye  
Councilmember Page Aye  
Councilmember Bellanca Aye  
Supervisor Schultz Aye

RESOLUTION ADOPTED

**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: TownePlace Suites by Marriott		
Project Location (describe, and attach a general location map): Kenneth Drive, Town of Henrietta. North of Lehigh Station Road, and West of I-390		
Brief Description of Proposed Action (include purpose or need): The proposal is subdivide a +/-4.5 acre parcel into 2 lots for the development of a 4-story (+/-13,500 sf footprint), +/-89 room Marriott hotel on +/-2.7 acres in the Town. Access to the hotel will be from two entrances off Kenneth Drive. The site improvements will include associated parking areas, along with utility services and proposed stormwater management area. A Special Use Permit for maximum building height (>40' allowed) and the hotel use within the Industrial district are being requested from the Town of Henrietta Town Board.		
Name of Applicant/Sponsor: Indus Development Company LLC (Jett Mehta)	Telephone: 585-248-2440	E-Mail: jmehta@indushg.com
Address: 950 Panorama Trail South		
City/PO: Rochester	State: NY	Zip Code: 14625
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): Fairlane Drive, LLC	Telephone: 315-218-8146 (Owner's Attorney)	E-Mail:
Address: 745 South Garfield Road, Suite A		
City/PO: Traverse City	State: Michigan	Zip Code: 49686

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Board - Special Use Permits (building height & allowed use)	June 2022
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Planning Board - Site Plan & Subdivision	July 2022
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town DPW - Highway & sewer permit	July 2022
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Monroe County Pure Waters - sewer connection MCWA & MCDPH - Water service connection	July 2022
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT - Traffic review	June 2022
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>If Yes</b>, complete sections C, F and G.</li> <li>• <b>If No</b>, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?  
Industrial

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

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

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

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

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

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

d. What parks serve the project site?  
Martin Road Park, Veterans Memorial Park, Kenwick 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)? Commercial (hotel)

b. a. Total acreage of the site of the proposed action? +/- 4.5 acres  
b. Total acreage to be physically disturbed? +/- 2.7 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? +/- 2.7 acres (hotel lot to be owned by applicant)

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)  
Commerical  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? 2 (1 new)  
iv. Minimum and maximum proposed lot sizes? Minimum +/- 1.8 Maximum +/- 2.7

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



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: \_\_\_\_\_ +/-9,790 gallons/day

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

If Yes:

- Name of district or service area: MCWA , Town Water District 129
- 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: \_\_\_\_\_ +/-9,790 gallons/day

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

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

If Yes:

- Name of wastewater treatment plant to be used: Van Lare Treatment Plant
- Name of district: Monroe County Pure Waters / Town of Henrietta Sewer District 163
- 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





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: \*(Based on trip generations calculations/memo provided to the Town)\*

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): \_\_\_\_\_  
 refuse & delivery vehicles for routine services \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ 0 \_\_\_\_\_ Proposed \_\_\_\_\_ +/- 89 \_\_\_\_\_ Net increase/decrease \_\_\_\_\_ + 89

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:  
two access points are proposed, 1 from Kenneth Dr. and 1 south to an internal private drive

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

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

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

---

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 to be determined upon final mechanical design of hotel

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

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

---

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

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 am - 7 pm _____</li> <li>• Saturday: _____ 7 am - 5 pm _____</li> <li>• Sunday: _____ if needed 7 am to 5 pm _____</li> <li>• Holidays: _____ n/a _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 24 hours _____</li> <li>• Saturday: _____ 24 hours _____</li> <li>• Sunday: _____ 24 hours _____</li> <li>• Holidays: _____ 24 hours _____</li> </ul>
---	---

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:  
 Noise from construction activities over the ambient noise levels is anticipated during the construction phase of the project listed herein. Operational noise levels are not anticipated to exceed ambient noise levels.  
 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:  
 Proposed dark sky compliant LED fixtures within proposed parking areas and building mounted lighting as appropriate.  
 ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: current vacant (not wooded) parcel.

---

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):  
 Pesticides may be used for typical lawn and landscape maintenance  
 ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_



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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: \_\_\_\_\_

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

**E. Site and Setting of Proposed Action**

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

a. Existing land uses.

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

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

Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe:

Commerical Uses, Office Buildings, I-390, Truck /Trailer Dealer , hotels

---

b. Land uses and coverytypes on the project site.

Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	+/- 1.5 acres	+ 1.5 acres
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	+/- 2.6 acres	+/- 0.1 acres	- 2.5 acres
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	+/- 0.2 acres (pond)	+ 0.2 acres
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>Lawn</u>	+/- 0.1	+/- 1 acres	+ 0.9 acres

+/- 2.7 acres (hotel lot)

+/- 2.7 acres (hotel lot)

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

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

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

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

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

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

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

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

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

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ > 12 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:

Cayuga Silt Loam (D soils)	_____	90 %
Hilton Loam (B/D Soils)	_____	10 %
_____	_____	_____ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ > 12 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

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

h. Surface water features.

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

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

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

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

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

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

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

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

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

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

m. Identify the predominant wildlife species that occupy or use the project site: small mammals (rabbits / squirrels) _____ _____ _____	_____ _____ _____
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	



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

**F. Additional Information**

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

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

**G. Verification**

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

Applicant/Sponsor Name BME Associates (agent for applicant) Date 5/20/22

Signature *Rebecca Spurr* Title Project Engineer  
 Rebecca Spurr, P.E.



**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]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No

E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



To: Chris Martin, P.E.; Town of Henrietta  
 From: Rebecca Spurr, P.E.; BME Associates *RS*  
 Date: May 20, 2022  
 Re: **TownePlace Suites by Marriott - Kenneth Drive**  
**Trip Generation Calculations**

**2849**

The following information relating to the proposed site generated traffic is provided to the Town for review and sharing with the New York State Department of Transportation, in order to obtain an opinion on the need for additional traffic analysis of the area transportation network as a result of this proposed project.

Indus Development Company LLC is proposing to subdivide a single ±4.5-acre parcel into two lots and develop a 4-story (±13,500 sf footprint) Townplace Suites by Marriott hotel that allows extended stays on a ±2.7-acre lot. The project site is located on the eastern side of Kenneth Drive, adjacent to I-390 to the east, north of Lehigh Station Road and the newly constructed Taco Bell. Access to the site will be via a new curb cut to Kenneth Drive and an internal connection to the existing private drive serving Taco Bell.

In discussions with the proposed owner and operator of the proposed hotel, the AM peak hours for the hotel are 6 AM to 8 AM, and the PM peak hours are 6 PM to 8 PM. These peak times are historically when guests tend to check in and check out of hotels of similar type to the proposed.

The trip generations for the site are summarized in the table below based upon the ITE Trip Generation Manual (10<sup>th</sup> Edition). Enclosed are the ITE data reports for the AM and PM peak hour based upon 89 occupied hotel rooms.

**Trip Generation Calculation Table - ITE Trip Generation 10<sup>th</sup> Edition Manual Research Data:**

Type of Land Use	ITE Code	Unit	Weekday AM Peak			Weekday PM Peak		
			Enter	Exit	Total	Enter	Exit	Total
Hotel	310	89 Occupied Rooms	Generation Rate = 0.65			Generation Rate = 0.73		
			55%	45%	100%	57%	43%	100%
			32	26	58	37	28	65
Total Site Generated Trips (based upon a fully occupied hotel)			32	26	<b>58</b>	37	28	<b>65</b>

Given these relatively low peak hour volumes and the spread of the peak hour trips over a larger time frame, we do not believe any additional analysis of the Kenneth Drive/Lehigh Station Road intersection is necessary. The Town is in possession of ample information on the operation of this intersection and the associated volumes; such that it can be concluded the additional projected traffic will not adversely alter the operations of the intersection.

Please contact our office if you require any additional information.  
 Encl.



# Hotel (310)

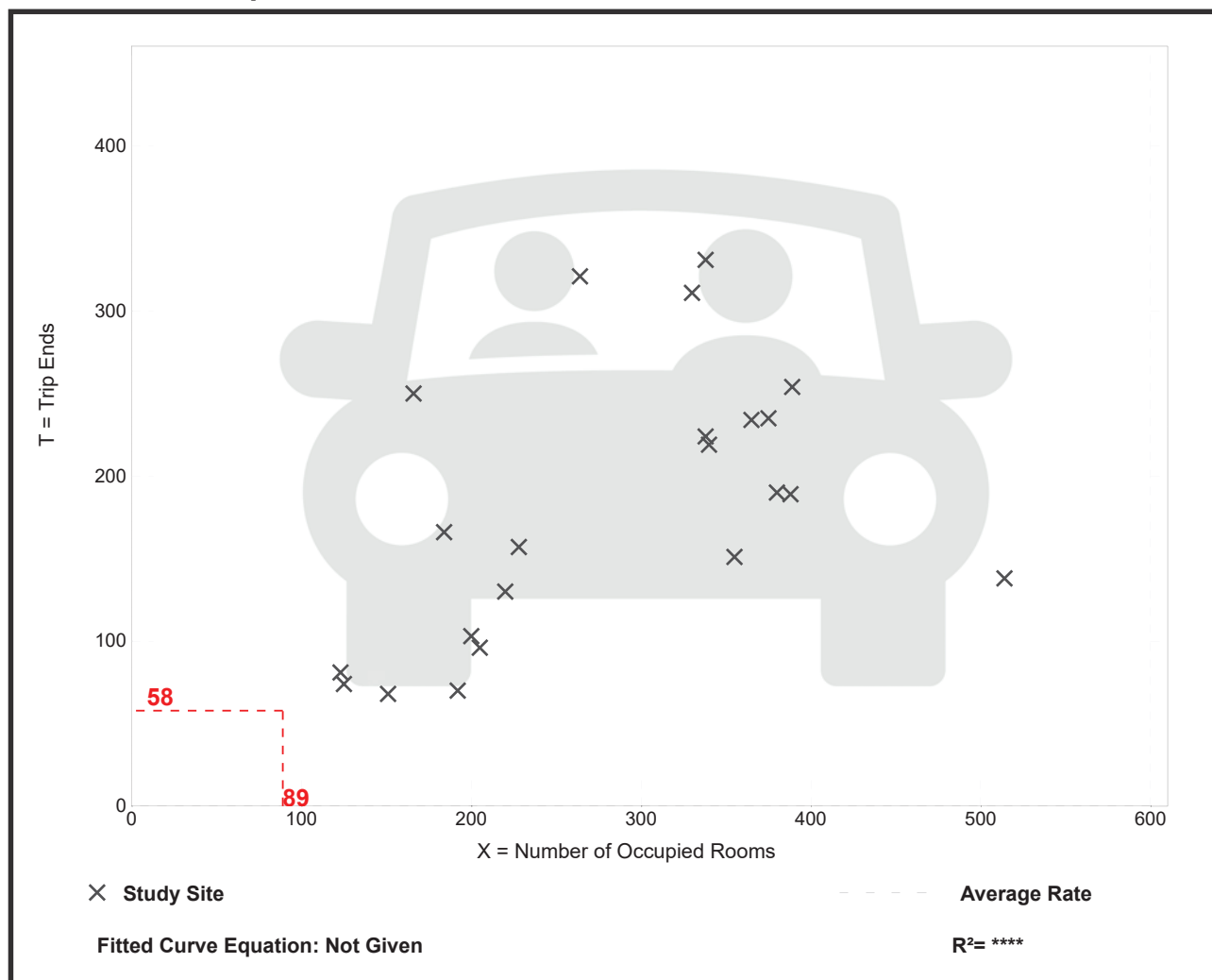
**Vehicle Trip Ends vs: Occupied Rooms**  
**On a: Weekday,**  
**AM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**  
 Number of Studies: 22  
 Avg. Num. of Occupied Rooms: 280  
 Directional Distribution: 55% entering, 45% exiting

## Vehicle Trip Generation per Occupied Room

Average Rate	Range of Rates	Standard Deviation
0.65	0.27 - 1.51	0.27

## Data Plot and Equation



# Hotel (310)

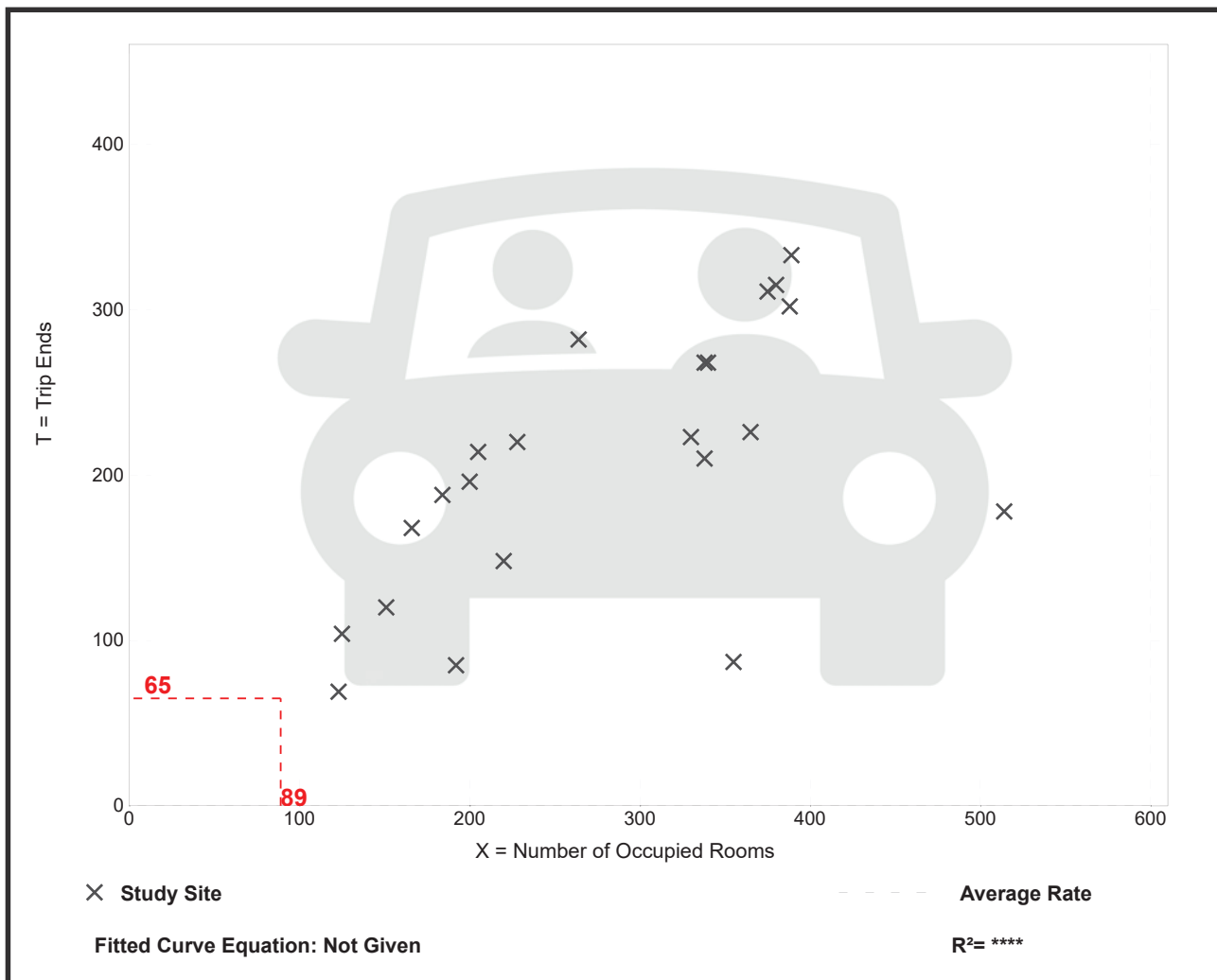
**Vehicle Trip Ends vs: Occupied Rooms**  
**On a: Weekday,**  
**PM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**  
 Number of Studies: 22  
 Avg. Num. of Occupied Rooms: 280  
 Directional Distribution: 57% entering, 43% exiting

## Vehicle Trip Generation per Occupied Room

Average Rate	Range of Rates	Standard Deviation
0.73	0.25 - 1.07	0.23

## Data Plot and Equation



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

<b>Agency Use Only [If applicable]</b>
Project : TownePlace Suites by Marriott
Date : _____

**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.

<b>1. Impact on Land</b> 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>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

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

NO

YES

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

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

**3. Impacts on Surface Water**

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

NO

YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>



I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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**4. Impact on groundwater**  
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.  
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)  
*If "Yes", answer questions a - h. If "No", move on to Section 5.*

NO  YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**  
 The proposed action may result in development on lands subject to flooding.  
 (See Part 1. E.2)  
*If "Yes", answer questions a - g. If "No", move on to Section 6.*

NO  YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (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>			
	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 <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) 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	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>

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	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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

<b>9. Impact on Aesthetic Resources</b> 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>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
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	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
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	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
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	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>10. Impact on Historic and Archeological Resources</b> 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>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>		



d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
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.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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

NO

YES

	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

<b>17. Consistency with Community Plans</b> 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>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> 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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> 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>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> 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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>



***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.

Please refer to attached Part 3 Reasoned Elaboration relating to the determination of no significant adverse impact for the Proposal known as the TownePlace Suites by Marriott located on Kenneth Drive in the Town of Henrietta, NY (Monroe County).

**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

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: TownePlace Suites by Marriott

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: 7/13/2022

Signature of Preparer (if different from Responsible Officer)  Date: 7/08/2022

**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](mailto: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>

**Part 2: Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance EAF**

**To replace Suites by Marriott Hotel - Indus Development Company LLC**

1. Impact on Land:

- a. The depth to the water table is greater than 3 feet, and thus there will be no potential impact from construction or development of the property as a result of the presence of groundwater. A proposed stormwater management facility located on the site after construction will have engineered outlet structures and will be part of the project's stormwater management design, controlling the ponding water level.
- b. The project site does contain a small area in the northeast corner of the site with existing slopes greater than 15%, approximately 1% of the total site. The existing sloped area is mostly manmade from previous land grading activities for the Calkins Road Professional Business Park construction and 280 Kenneth Drive site development adjacent to the north of the proposed site. Construction activities for the proposed development within slope areas greater than 15% will be completed with appropriate stabilization measures as outlined by the New York State Standards and Specifications for Erosion and Sediment Control.
- c. There are no bedrock outcroppings on site nor is bedrock expected to be encountered within five feet of the surface.
- d. There is no potential impact as a result of excavation and removal of soil from the site. The EAF Workbook is clear that this question pertains to a minimum 12 months of successive soil removal and for operations such as mining. The Workbook also specifically identifies as a small impact any excavation and removal of material during the construction phase of the project. The project will likely result in the export of excess topsoil material, but it will be a short finite duration activity completed with the completion of construction on-site. The clearing and grading construction will be completed per the Town of Henrietta requirements, and the NYSDEC Standards and Specifications for Erosion and Sediment Control Practices. The appropriate design, notes, and details are provided on the plans.
- e. The project will not include construction in multiple phases. The use of heavy equipment and any stockpiling of soils and any visual temporary changes to the site as a result of the site development and excavating will not be occurring on site longer than 1 year.
- f. The project will have no to a small impact concerning soil erosion and the potential for impacts from construction are minimal. From site observation there is no current evidence of soil erosion. The development of the site will include the implementation of a construction erosion control plan and stormwater pollution prevention plan (SWPPP), prepared per municipal and NYSDEC standards and regulations. Implementation of the SWPPP reduces the potential impacts of erosion from the construction activity. The EAF Workbook identifies implementation of a SWPPP and controlling runoff from the new impervious surfaces are projects that will likely have a small impact.
- g. The project is not located within a Coastal Erosion hazard area.

2. Impact on Geological Features:

The project site does not contain any unique geologic features or National Natural Landmarks as defined within the EAF Workbook. As such, the answer to this question is "no" and thus there is no impact.

3. Impact on Surface Water:

There are no regulated wetlands or other surface water bodies currently on site, thus there is no impact as no construction activity can affect any regulated water bodies. As such, the answer to this question is "no".

The project will create one new stormwater management pond with the improvements, designed in accordance with the NYSDEC requirements. This stormwater facility will be a component of the projects SWPPP and contribute to the necessary water quality treatment for the development.

More specifically, a storm sewer system will be provided and will discharge to a new stormwater management system in order to reduce the peak runoff rate from the site. The Project includes stormwater management practices to meet the NYSDEC's requirements for Green Infrastructure and Runoff Reduction Volume (RRv). The Project will meet the stormwater quality control requirements based on Section 4.3 of the New York State Stormwater Management Design Manual, 2015 for Water Quality Volume (WQv). It will also meet the stormwater quantity requirements based on Sections 4.4, 4.5 and 4.6 of the New York State Stormwater Management Design Manual, 2015 criteria for Channel Protection Volume (Cpv), Overbank Flood (Qf), and Extreme Storm (Qr) conditions. During the design phase, a detailed Stormwater Pollution Prevention Plan will be prepared to demonstrate compliance with the NYSDEC and Town of Henrietta regulations.

No water intake facility is proposed with this project. Water supply will be provided via the public water system of MCWA to be extended through the proposed development. Thus, there is no impact. The project does not propose the use or application of pesticides or herbicides for the construction activities. The project also does not propose the use of phosphorus containing fertilizers. The proposed action does not include the construction of new, or require the expansion of existing wastewater facilities. All wastewater will be collected with a proposed sanitary sewer system which will connect to the existing Town of Henrietta system and be treated within the Monroe County Pure Waters system. Capacity exists within the existing system for the projected project wastewater flow.

4. Impact on Groundwater:

- a. No impact as the project will be served by the MCWA public water supply system.
- b. No impact as the proposed water supply demand of 9,790 gpd can be provided by MCWA. Adequate supply and pressure are available in the public mains along Kenneth Drive and Lehigh Station Road.
- c. No impact as the proposed action is a commercial use with water available to the site.
- d. No impact as the proposed action will not discharge wastewater to the ground or groundwater. The project will be served by public sewer in conformance with the Monroe County Sewer Use Law.



- e. No impact as the project does not propose construction of water supply wells. The project will be served by public water.
- f. No impact as the project, a commercial hotel, will not involve the bulk storage of petroleum or chemical products over an aquifer, and the area is served by public water.
- g. No impact as the project site is not located within 100' of a potable water or irrigation source. The project will be served by public water. Specifically, the project will be served by a private water main to be extended from the public water main on the west side of Kenneth Drive to the proposed building, where the public water will be protected from backflow conditions by a water meter and RPZ device maintained by the Project.

5. Impact on Flooding:

The proposed action will not result in development on lands subject to flooding and thus the answer to this question is “no”.

The project does not propose development within a floodway; the project site does not contain a floodway. The project does not propose development within a 100-year or 500-year floodplain; the project site does not contain a designated 100-year or 500-year floodplain. The project site does not contain nor will contain a dam.

Storm water runoff for the post-development condition will generally maintain the current site drainage pattern, which is to discharge runoff to the eastern property line. The proposed pond located within the property will be utilized as part of a comprehensive stormwater management design with engineered outlet structures to control detention time and discharge rates.

6. Impact on Air:

The proposed project will not include a NYS regulated air emission source as defined by Article 19 of ECL (Environmental Conservation Law) and thus the answer to this question is “no”.

7. Impact on Plants and Animals:

The proposed project does not contain habitat for endangered or threatened species, flora or fauna as identified through the NYSDEC EAF mapper. The project site contains no vegetation of value as its primary make up is brush lands. The vacant parcel is located within the previously developed Calkins Road Professional Business Park and adjacent to the west of the I-390 highway. Thus, the action would not result in a loss flora or fauna.

8. Impact on Agricultural Resources:

The proposed project will have no impact on agricultural resources as the project site currently is not an agricultural use, thus the answer to this question is “no”. Also, there are no surrounding lands that are in agricultural use as the development is located within a vacant parcel in the Calkins Road Professional Business Park, thus development of this site will not cause fragmentation of or prohibit use of adjoining agricultural uses, as none currently exist. The Town of Henrietta Agricultural & Farmland Protection Plan does not identify the property as farmland nor is it considered a Priority Farmland Area for protection. The lands surrounding the property have all been developed.

9. Impact on Aesthetic Resources:

The proposed project will have no impact on aesthetic resources, and thus the answer is “no”. The project site is not located within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource. The proposed use is a hotel which is consistent with the current zoning in that the use is allowed within the zoning district with a Special Use Permit granted by the Town. The magnitude of the hotel development is also consistent with the nearby commercial, office and industrial uses, and is located within a heavily developed and traveled area of the Town.

Moreover, the Project proposes appropriate landscaping, details of which will be further reviewed by the Planning Board. The landscaping will include foundation plantings, shade trees, evergreen screening and designated landscape bed areas. Shade trees will complement open space areas and provide a reduction in the "heat island effect" along the parking and road areas. All of the plants and materials proposed are native and will not have a detrimental impact to the environment.

Finally, the proposed building is four stories in height, with a maximum of up to 52 ft. The height of the building is appropriate for the parcel, its location and use proposed. The height is required to accommodate the number of rooms within a smaller building footprint. The proposed height is consistent with the commercial and industrial buildings located within the immediate area, as the site is situated on Kenneth Drive and near Lehigh Station Road, which is characterized by other related uses, and light industrial uses. The height will not adversely impact any neighboring property, as it is self-contained and set away from any adjacent building.

10. Impacts on Archeological Resources:

- a. Per the EAF and SHPO mapping, the project site does not contain or is contiguous to known buildings, archeological sites, or districts which are listed on the National or State Register of Historic Places, or that have been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.
- b. The project site is located within an archaeologically sensitive area per the NYS Department of Parks, Recreation and Historic Preservation (OPRHP) State Historic Preservation Office (SHPO) Cultural Resource Information System (CRIS) online mapper and thus the answer to the question was “yes”. The project site is located directly north of the newly construction Taco Bell site along Kenneth Drive. According to CRIS, the site was included within the 6.66 acre consultation project as part of the Taco Bell project review. Given that the proposed hotel site was included in this review, we will coordinate with the NY State Historic Preservation Office (SHPO) to obtain the necessary “No Effect” letter that was issued for the 6.6 acre study area, which included the proposed hotel site.
- c. The proposed action does not occur within or contiguous to any known archaeological sites not included on the NY SHPO inventory. The project site is surrounded by developed lands and highway networks.
- d. No response required.
- e. No response required.

11. Impact on Open Space and Recreation:

The project does not result in the loss of a designated open space resource or recreational opportunity as identified by any adopted plan, study, or code of the municipality and thus the answer to the question is “no”. The applicant intends to develop a hotel with a fitness center within the hotel as well as amenities outdoors onsite such as a sidewalk network surrounding the hotel and connection to the Kenneth Drive sidewalk system, as well as a designated outdoor area in the southeastern corner of the parcel for guests to utilize for recreation.,

12. Impact on Critical Environmental Area:

The project site does not lay within nor adjoins a Critical Environmental Area as designated by NYSDEC or other government entity and thus the answer to the question is “no”.

13. Impact on Transportation:

The projected vehicle trips generated from the proposed hotel development were provided to the Town of Henrietta for review in a memo dated May 20, 2022. Less than 65 total trips to the site during both the PM peak hour and the AM peak hour are estimated, which are relatively low peak hour volumes. The AM peak hours for the hotel are 6 AM to 8 AM and the PM peak hours are 6 PM to 8 PM, historically when guests tend to check in and check out of the hotel. The EAF Workbook states that there is an assumption that projects generating fewer than 100 peak hour vehicle trips per hour, which this project does, will not result in any significant increase in traffic. Given the low peak hour volumes and the spread of the peak hour trips over a larger time frame, the proposed development would not provide a substantial increase in traffic above present levels or generate demand for new transportation services/facilities and thus the answer to the question is “no”.

The Town’s Traffic Consultant Engineer reviewed the projected peak hour trips and provided agreement in that the trip generation numbers for the peak time frames were low and that a traffic study is not warranted. Correspondence from the traffic consultant provided to the lead agency stated the number of trips generated is lower than what would require a traffic impact analysis / study and they did not see the development justifying any mitigating measures to the area transportation network. They further stated the I-390 / Lehigh Station Road intersection is acknowledged to be congested, but the State DOT has not required any other recent developments in the area that were adding more traffic to address any congestion issues at the interchange and the same would be for this project.

NYSDOT in their review of the application per the Monroe County Planning 239-m referral did not require any further traffic study or analysis.

This project is not adjacent to and does not impact roadways under jurisdiction of the Monroe County Department of Transportation (MCDOT), and thus the Town and NYSDOT are the reviewing entities.

Parking of vehicles will be on site and per Town code requirements which is 1 space per room plus 1 space per 2 employees which equates to 94 parking spaces. The site plan will be laid out for proper circulation for vehicles, emergency vehicles, and pedestrians. The proposed development does not include construction of any paved parking area for 500 or more vehicles. As the current parcel is vacant, the proposed development will not alter the present pattern of movement of people

or goods, but rather enhance it. The proposed development will also not degrade existing transit access.

14. Impact on Energy:

- a. The proposed project is a hotel development in an already developed business park serviced by available public infrastructure to be extended through the development, thus there is no impact.
- b. There is not likely to be any impacts on energy as the proposed hotel will likely not require new, upgraded, creation, or extension of substations, or energy supply systems. The project site is located within an existing Business Park and thus the overall development has been reviewed for a full buildout of the Business Park within the existing power supply infrastructure.
- c. The project demand will not exceed 2,500 MW hours per year, thus there is no impact.
- d. The proposed hotel has a  $\pm 13,500$  sf footprint with 4-stories and thus below the 100,000 SF threshold of this question, thus there is no potential impact.

15. Impact on Noise, Odor and Light:

- a. The potential impact from noise is small as defined by the EAF Workbook as it will be temporary and short duration as it will only occur during construction. The hotel use will not be a noise generator above ambient or regulated levels. The project's noise levels will also not be greater than the ambient noise level of the adjacent I-390 highway immediately to the east of the project site.
- b. No blasting is proposed for any part of construction, thus there is no impact.
- c. The proposed use is for a hotel and does not propose any commercial or manufacturing processes that would generate unregulated odors. Thus, there is no impact.
- d. All site lighting will be dark sky compliant LED fixtures installed per Town Code. No light spill will go beyond the property lines which will be indicated on the Lighting Plan for the development. Any proposed illuminated signs will be per Town Code. Moreover, given the distance from and nature of surrounding commercial and industrial uses, the lighting will have no adverse impact to any neighbor. Thus, there is no impact.
- e. The lighting will be dark sky compliant LED fixtures, thus there is no impact.

16. Impact on Human Health:

The project will have no impact on human health as the project will not result in potential impacts from exposure to hazardous substances and contaminants. Sites that have been identified by NYSDEC are not on site or within 2000' of the project site. In addition, the proposed project will not generate any chemicals or contaminants that will threaten human health. All materials used or stored on site will be governed by the NYS Building and Fire Code and NYSDEC. All necessary permits and procedures will be implemented as required by the NYSDEC and the Town Fire Marshal.

17. Consistency with Community Plans:



The proposed project is consistent with the Town's Zoning ordinance and the Town's Comprehensive Plan. The hotel use is an allowed use within the Industrial Zoning district per a Special Use Permit from the Town Board. The project is located within a highly developed area with existing public infrastructure and is not in contrast to the current surrounding office buildings, commercial buildings, industrial and highway networks. The development will be prepared in conformance with the Zoning code, and no variances are anticipated. Thus, there is no impact to Community Plans.

18. Consistency with Community Character:

The proposed project is consistent with the community character within this portion of the Town of Henrietta. The proposed development is along Kenneth Drive in the Calkins Road Professional Business Park. A newly constructed Taco Bell is immediately south of the proposed project including a vacant commercial pad, and 280 Kenneth Drive is to the immediate north which is a 2-story, ±50,000 sf office building and associated 250 space parking lot. To the east is I-390 and the off-ramp, and immediately to the west is Kenneth Drive with an existing gas station and convenience store. The proposed development will not replace or eliminate any existing facilities important to the community or create a demand for additional community services. The proposed hotel will be an asset to the community and those traveling to the community. The construction of the hotel and site improvements is not out of character for this area of the Town. Thus, the proposed use is consistent and should not have an impact on community character.

April 29, 2024

Todd Plouffe  
Vice President Lodging  
Indus Hospitality Group

Dear Todd –

We were delighted to host Indus Hospitality Group on campus again yesterday. The investment of your time to date in speaking with students in three separate classes has increased awareness of the RIT/Indus Hospitality Group Co-Op program. The rotational approach that you have planned for our students in their co-op experience is ideal, giving students an overview of the various business elements that come together to make a lodging operation successful. We are particularly enthusiastic regarding your plans for a new Towneplace Suites property in Henrietta, given its proximity to campus. As you know, we are in a rebuilding phase of our Hospitality and Service Innovation programs, and a growing partnership with Indus Hospitality Group to help expose our students to careers in the field will be most beneficial. We look forward to exploring additional ways to partner, from an expanded co-op program leveraging the proximity of Towneplace Suites as an employer and potential training site, to Indus Hospitality scholarships for students who need additional financial support.

Your co-op positions are up on our system. Please let us know if there are additional ways that we can add value to Indus Hospitality Group.

Sincerely,



Jacqueline R. Mozrall, Ph.D.  
Dean

# RIT | Rochester Institute of Technology

July 6, 2023

Monroe County COMIDA  
Ana Liss, Executive Director  
1150 City Place  
50 W. Main Street  
Rochester, NY 14614

Dear Ms. Liss,

RE: Indus Lehigh Station, LLC DBA TownePlace Suites by Marriott

On behalf of Rochester Institute of Technology (RIT) Certified, please accept this letter of support to Indus Lehigh Station, LLC, an affiliate of Indus Hospitality Group, Inc (IHG) in their application for their Towne Place Suites by Marriott in Henrietta, NY.

The RIT Certified portfolio will include certificate programs in Hospitality Management and General Hospitality. These programs are focused on educating and training the next Hospitality professionals who are moving directly into the workforce. The RIT Certified Hospitality Program works with local hotels, restaurants, hospitality, and tourism employers in connecting students to job opportunities that are both part-time and/or permanent placements.

IHG is a locally family-owned hospitality company based out of Rochester, NY with more than 80 locations throughout Greater Rochester, Western New York, and the Finger Lakes Region. They employ more than 1,000 employees throughout the region and are dedicated to offering community support. They have a vast hospitality portfolio, primarily hotels and restaurants, and make it a point to ensure the new businesses encourage not only important business infrastructure but employment opportunities as well. IHG has a variety of properties, from budget to mid-scale to upper mid-scale and extended stay, that offers job-shadowing, training, and internships for current students.

We support this project because they can provide opportunities to students in a variety of hotel operational positions to include Front Office, Housekeeping, Engineering, Leadership, as well as Food and Beverage and Culinary Arts.

If you require additional information about RIT, please contact via email at [axwcert@rit.edu](mailto:axwcert@rit.edu).

Sincerely,



Dennis Di Lorenzo  
Executive Director, RIT Certified





**Robin Cole Jr., D.Sc.**  
**Vice President, Economic & Workforce Development & Career Technical Education**

**MCC VALUES:**  
COMMUNITY.  
INCLUSIVENESS.  
INTEGRITY.  
EXCELLENCE.  
EMPOWERMENT.  
STEWARDSHIP.

July 19, 2023

Monroe County COMIDA  
Ana Liss, Executive Director  
1150 City Place  
50 W. Main Street  
Rochester, NY 14614

RE: Indus Lehigh Station, LLC DBA TownePlace Suites by Marriott

Dear Ms. Liss,

On behalf of Monroe Community College (MCC), please accept this letter of support to Indus Lehigh Station, LLC, an affiliate of Indus Hospitality Group, Inc (IHG), in their application for the Towne Place Suites by Marriott in Henrietta, NY.

The MCC Hospitality department includes certificate and degree programs in both Hospitality Management and Culinary Arts. These programs are focused on educating and training the next Hospitality professionals who are moving directly into the workforce or transferring to a 4-year college. Both the certificate and A.A.S. degree programs require a Hospitality co-op course that includes 180 hours of work experience. The MCC Hospitality Department works with local hotels, restaurants, hospitality, and tourism employers in connecting students to job opportunities that are both part-time and/or permanent placements.

IHG is a local family-owned hospitality company based out of Rochester, NY with more than 80 locations throughout Greater Rochester, Western New York, and the Finger Lakes Region. They employ more than 1,000 employees throughout the region and are dedicated to offering community support. They have a vast hospitality portfolio, primarily hotels and restaurants, and make it a point to ensure the new businesses encourage not only important business infrastructure but employment opportunities as well. IHG has a variety of properties, from budget to mid-scale to upper mid-scale and extended stay, that offer job-shadowing, training, and internships for current students.

We support this project because they can provide opportunities to students in a variety of hotel operational positions to include Front Office, Housekeeping, Engineering, Leadership, as well as Food and Beverage and Culinary Arts. The new 4-story, 89 room, extended stay Towne Place Suites by Marriott will not only offer part-time/full-time employment opportunities to students enrolled in MCC's hospitality program but will also offer permanent job placement to MCC graduate students.

Sincerely,

Robin Cole Jr.  
Vice President, Economic & Workforce Development  
& Career Technical Education

STATE UNIVERSITY OF NEW YORK

321 State Street, 7<sup>th</sup> Floor, Rochester, NY 14608 Phone (585) 685-6183 Email rcole23@monroecc.edu www.monroecc.edu

*Monroe Community College transforms lives and communities, fostering the success of diverse students through affordable and innovative academic, career, technical, and workforce development programs. Our shared work inspires and champions excellence in higher education and builds global engagement and understanding.*





## MODIFICATION SUMMARY

DATE: July 16, 2024

APPLICANT: UltraPhil, LLC  
172 Metro Park  
Rochester, NY 14623

TENANT/PROJECT LOCATION: 250 E Main Street  
Rochester, NY 14604

MODIFICATION REQUEST: Ultra-Phil LLC, a subsidiary of JCS Process & Controls Inc., received board approval in October 2023 for a sales tax exemption for the renovation of 10,000 sq. ft. in the Sibley Square building in the City of Rochester which included office, warehousing, and R&D space. The applicant is seeking an increase in project costs of \$2,420,338 as costs have increased due to structural modifications needed to accommodate the non-traditional layout of the space and an extension of the sales tax exemption through 12/31/2025. The total project cost is now \$6,383,547 and the new sales tax exemption benefit is \$218,214.

PROJECT AMOUNT	<u>ORIGINAL</u>	<u>REQUESTED</u>	<u>NEW TOTAL</u>
	\$3,963,209	\$2,42 ,33	\$ ,3 3, 4

**Motion By:** \_\_\_\_\_

**Seconded By:** \_\_\_\_\_

## RESOLUTION

(UltraPhil LLC Project Modification)  
OSC Project Code 2602-23-027B

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's offices located at 50 West Main Street, Rochester, New York 14614, on July 16, 2024 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO ULTRAPHIL LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY; (ii) THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT and (iii) THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on October 17, 2023, the Agency appointed **ULTRAPHIL LLC**, a New York limited liability company, for itself or an entity formed or to be formed (collectively, the "Company"), the true and lawful agent of the Agency to undertake a certain project (the "Project") consisting of: (A) the acquisition of a leasehold interest in an approximately 10,000 square-foot portion of the building located at 250 East Main Street in the City of Rochester, New York 14604 and all other lands in the City of Rochester where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"); (B) the renovation of (i) approximately 8,000 square feet of space for use as manufacturing and research and development space and (ii) approximately 2,000 square feet of space will be used as office space (collectively, the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land and the Improvements, the "Facility") to be used by the Company in its beverage processing business; and

WHEREAS, the Agency previously appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax in an amount up to \$1,769,939, which would result in New York State and local sales and use tax exemption benefits not to exceed \$141,595 through December 31, 2024; and

WHEREAS, the Company has requested, by Project Modification Request, dated June 13, 2024, that the Agency authorize the Company to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (i) in an the amount up to **\$2,727,674**, which would result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **\$218,214** (as increased, the "Sales and Use Tax

Exemption Benefits"); and (ii) the extension of the sales tax exemption benefit through December 31, 2025; and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the increase in Sales and Use Tax Exemption Benefits; (ii) the extension of the sales tax exemption benefit through December 31, 2025; and the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves (i) the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to **\$2,727,674**, which result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **\$218,214**; and (ii) the extension of the Sales and Use Tax Exemption Benefits through **December 31, 2025**. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described changes with respect to the Facility.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Jay Popli				
Troy Milne				
Lisa Bolzner				
Joseph Alloco				
Rhett King				
Norman Jones				
Ann L. Burr				

The Resolutions were thereupon duly adopted.



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

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on July 16, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 16<sup>th</sup> day of July, 2024.

\_\_\_\_\_  
Ana J. Liss, Executive Director



**Project Modification Request - Page 2**

**Required when requesting an Increase in Project Costs**

<b>A. Applicant Project Costs</b>	<b>Original/Current Approval</b>	<b>Requested Increase Modification</b>	<b>Revised Approval Requested</b>
<b>Building Construction or Renovation</b>			
a. Materials	\$ 1,224,464	\$ 957,735	\$ 2,182,199
b. Labor	\$ 1,001,834	\$ 1,462,603	\$ 2,464,437
<b>Site Work</b>			
c. Materials	\$ _____	\$ _____	\$ 0
d. Labor	\$ _____	\$ _____	\$ 0
e. Non-Manufacturing Equipment	\$ _____	\$ _____	\$ 0
f. Furniture & Fixtures	\$ 545,475	\$ _____	\$ 545,475
g. Land and/or Building Purchase	\$ _____	\$ _____	\$ 0
h. Manufacturing Equipment	\$ _____	\$ _____	\$ 0
i. Soft Costs (Legal, Architect, Engineer)	\$ 1,191,436	\$ _____	\$ 1,191,436
<b>Other Costs (specify)</b>			
j. _____	\$ _____	\$ _____	\$ 0
k. _____	\$ _____	\$ _____	\$ 0
l. _____	\$ _____	\$ _____	\$ 0
m. _____	\$ _____	\$ _____	\$ 0
<b>Total Project Costs</b>	<b>\$ 3,963,209</b>	<b>\$ 2,420,338</b>	<b>\$ 6,383,547</b>

**Sources of Funds for Project Costs**

a. Tax Exempt Industrial Revenue Bond	\$ _____	\$ _____	\$ 0
b. Taxable Industrial Revenue Bond	\$ _____	\$ _____	\$ 0
c. Tax Exempt Civic Facility Bond	\$ _____	\$ _____	\$ 0
d. Bank Financing (subject to recording tax)	\$ 1,963,209	\$ -1,963,209	\$ 0
e. Public Sources	\$ _____	\$ _____	\$ 0
f. Equity	\$ 2,000,000	\$ 4,383,547	\$ 6,383,547
<b>Total Sources</b>	<b>\$ 3,963,209</b>	<b>\$ 2,420,338</b>	<b>\$ 6,383,547</b>

**B. Reason for Increase:**

The main reason for construction cost increases is related to the final selection of our location at Sibley Square. Initial estimates were done based on a generic building, or 'empty box', with very few structural modifications needed. Sibley Square has presented many challenges to this initial estimate from a more expensive layout due to: an oddly shaped space and existing columns, structural enhancements needed to support equipment, non-standard loading dock, elevation changes within the space, a more costly HVAC configuration due to space challenges and other infrastructure issues not contemplated in the original budget.

**C. Amount of Sale Tax Exemptions Taken to Date:** \$ 725.00





## MODIFICATION SUMMARY

DATE: July 16, 2024

APPLICANT: The Raymond Corporation  
22 S. Canal St.  
Greene, NY 13778

PROJECT LOCATION: 1565 Jefferson Rd, Suite 460  
Henrietta, NY 14623

MODIFICATION REQUEST: The Raymond Corporation, a wholly owned subsidiary of Toyota Industries Corporation located in the Town of Henrietta, received board approval in December 2023 for a sales tax exemption for the renovation of 1565 Jefferson Rd. The applicant is seeking an increase in project costs of \$2,854,000 as project costs have increased due to the decision to increase the scope of renovations to include restrooms, private offices, breakrooms, and customer meeting areas. The total project cost is now \$4,779,000 and the new sales tax exemption is now \$369,120. The applicant is also requesting an extension through December 31, 2025 to accommodate long lead times associated with items included in the project costs.

PROJECT AMOUNT	<u>ORIGINAL</u>	<u>REQUESTED</u>	<u>NEW TOTAL</u>
	\$1,925,000	\$2, 4,	\$4, ,



*Motion By:* \_\_\_\_\_  
*Seconded By:* \_\_\_\_\_

RESOLUTION  
(The Raymond Corporation Project Modification)  
OSC Code: 2602-23-037B

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices located at 50 West Main Street, Rochester, New York 14614, on July 16, 2024, at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO THE RAYMOND CORPORATION (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY AND (ii) THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS (AS HEREINAFTER DEFINED) THROUGH DECEMBER 31, 2025; AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on December 19, 2023 (the "Authorizing Resolution"), the Agency appointed **THE RAYMOND CORPORATION**, a New York corporation for itself or a related entity formed or to be formed (collectively, the "Tenant") have requested that the Agency assist with a certain Project (the "Project"), consisting of the renovation of approximately 23,000 square feet of space in the existing building located at 1565 Jefferson Road, Suite 460, in the Town of Henrietta, New York 14623 (the "Improvements"); and the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Improvements, the "Facility"); all for use by the Company in its business of the design and manufacture of electric warehouse lift trucks; and

WHEREAS, the Agency previously appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") in an amount up to \$1,925,000, which would result in New York State and local sales and use tax exemption benefits not to exceed \$154,000 through December 31, 2024; and

WHEREAS, the Company, by the Project Modification Request, dated June 28, 2024, has requested the Agency approve the increase in purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax in an amount up to \$4,614,000, which would result in New York State and local Sales and Use Tax

Exemption Benefits not to exceed \$369,120 (as increased, the "Sales and Use Tax Exemption Benefits") and that the Agency grant an extension to the Sales and Use Tax Exemption Benefits through December 31, 2025; and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the increase and extension in Sales and Use Tax Exemption Benefits; (ii) the extension of sales tax exemption benefits; and (iii) the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use in an amount up to **\$4,614,000**, which results in New York State and local Sales and Use Tax Exemption Benefits not to exceed **\$369,120** through **December 31, 2025**. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described changes with respect to the Facility.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

*[Remainder of Page Intentionally Left Blank]*

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Jay Popli				
Troy Milne				
Lisa Bolzner				
Joseph Alloco				
Rhett King				
Norman Jones				
Ann L. Burr				

The Resolutions were thereupon duly adopted.

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

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on July 16, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 16<sup>th</sup> day of July, 2024.

\_\_\_\_\_  
Ana J. Liss, Executive Director





## PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 585.753.2000.

Applicant: The Raymond Corporation

Project Address: 1565 Jefferson Road Rochester NY

Contact Name: Jennifer Lupo

Contact Company: Raymond Corporation

Contact Address: 22 S. Canal St. Greene, NY 13778

Contact Email: Jennifer.Lupo@raymondcorp.com Contact Phone: 607.656.2325

**Employment in Monroe County:** 41 0

Full Time                      Part Time                      As of Date

**Modification Requested:** Check all that apply. (Attach additional page if necessary). Legal fees apply.  
\*\*\*A substantial change in project costs or scope may require a new application.\*\*\*

**Increase in Project Costs:** Must complete page 2. (If there is a significant change in Project Scope, an application will be required.)

**Assistance Requested:** Check all that apply.

Property Tax Abatement       Mortgage Tax Exemption       Sales Tax Exemption

**Project Cost Information:** \$ 1,925,000      \$ \$2854000      \$ 4,779,000

Original Project Cost      Increase in Project Costs      New Project Costs

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**Extend or Renew Sales Tax Exemption:** (If exemption date has expired, a \$350 fee applies.)

12/31/2024      12/31/2025      \$ 0.00

Current Expiration Date      Requested Expiration Date      Amount of Exemptions Taken to Date

**Reason for Extension:**

Long lead time on certain items included in project costs.

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**New Tenant:** Include name, business description , and square feet to be occupied.

Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification of the Project.

Signed: by [Signature] Date: 6/25/24

Print Name and Title: Louis J. Callea, Secretary

Staff Use Only: 2/20

Date Received 6/28/2024 Date of Original Approval: 12/19/2023 New Code 2602 23 037B

**Project Modification Request - Page 2**

**Required when requesting an Increase in Project Costs**

<b>A. Applicant Project Costs</b>	<b>Original/Current Approval</b>	<b>Requested Increase Modification</b>	<b>Revised Approval Requested</b>
<b>Building Construction or Renovation</b>			
a. Materials	\$ _____	\$ _____	\$ 0
b. Labor	\$ _____	\$ _____	\$ 0
<b>Site Work</b>			
c. Materials	\$ _____	\$ _____	\$ 0
d. Labor	\$ _____	\$ _____	\$ 0
e. Non-Manufacturing Equipment	\$ 1,900,000	\$ 489,000	\$ 2,389,000
f. Furniture & Fixtures	\$ 25,000	\$ 465,000	\$ 490,000
g. Land and/or Building Purchase	\$ _____	\$ _____	\$ 0
h. Manufacturing Equipment	\$ _____	\$ _____	\$ 0
i. Soft Costs (Legal, Architect, Engineer)	\$ _____	\$ 165,000	\$ 165,000
<b>Other Costs (specify)</b>			
j. GC	\$ _____	\$ 675,000	\$ 675,000
k. Pl'bg / HVAC / Fire Protection	\$ _____	\$ 495,000	\$ 495,000
l. Elect	\$ _____	\$ 225,000	\$ 225,000
m. IT / Security	\$ _____	\$ 340,000	\$ 340,000
<b>Total Project Costs</b>	<b>\$ 1,925,000</b>	<b>\$ 2,854,000</b>	<b>\$ 4,779,000</b>

**Sources of Funds for Project Costs**

a. Tax Exempt Industrial Revenue Bond	\$ _____	\$ _____	\$ 0
b. Taxable Industrial Revenue Bond	\$ _____	\$ _____	\$ 0
c. Tax Exempt Civic Facility Bond	\$ _____	\$ _____	\$ 0
d. Bank Financing (subject to recording tax)	\$ _____	\$ _____	\$ 0
e. Public Sources	\$ _____	\$ _____	\$ 0
f. Equity	\$ 1,925,000	\$ 2,854,000	\$ 4,779,000
<b>Total Sources</b>	<b>\$ 1,925,000</b>	<b>\$ 2,854,000</b>	<b>\$ 4,779,000</b>

**B. Reason for Increase:**

Original project had basic furnishings and functionality, as design was developing a decision was made to upgrade restrooms, private offices, employee breakroom / customer meeting areas, etc. with better quality finishes. Additionally, more work than originally contemplated to be directly contracted for by applicant.

**C. Amount of Sale Tax Exemptions Taken to Date: \$ 0.00**



## MODIFICATION SUMMARY

DATE: July 16, 2024

APPLICANT: 

120 Marina Drive, LLC 5138 W Ridge Road Spencerport, NY 14559
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TENANT/PROJECT LOCATION: 

DiPasquale Construction, Inc. 120 Marina Drive Rochester, NY 14626
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MODIFICATION REQUEST: 

120 Marina Drive, LLC, a real estate holding company, is constructing a 22,000 sq. ft. building for DiPasquale Construction Inc. and related entities. This new location in the Town of Greece will allow all entities to be housed together and will accommodate present and future growth. 120 Marina Drive, LLC was approved for a real property tax abatement, sales tax exemption, and mortgage recording tax exemption in June of 2022. The applicant was previously approved for an increase in project costs and is now seeking an extension of the sales tax exemption through December 31, 2025 as they are in the process of completing a build out on the building's 1 <sup>st</sup> floor to accommodate Burn Boot Camp, a new tenant.
---

PROJECT AMOUNT 

<u>ORIGINAL</u> \$4,900,000
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**Motion By:** \_\_\_\_\_  
**Seconded By:** \_\_\_\_\_

**RESOLUTION**  
(120 Marina Drive LLC Project Modification)  
OSC Project Code 2602-22-020C

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's offices located at 50 West Main Street, Rochester, New York 14614, on July 16, 2024 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS (AS HEREINAFTER DEFINED) GRANTED TO 120 MARINA DRIVE LLC (THE "COMPANY") THROUGH DECEMBER 31, 2025; (ii) THE SUBLEASE OF A PORTION OF THE FACILITY (DEFINED BELOW) TO BURN BOOT CAMP; AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on June 21, 2022, the Agency appointed **120 MARINA DRIVE LLC**, a New York limited liability company, for itself or an entity formed or to be formed (collectively, the "Company"), the true and lawful agent of the Agency to undertake a certain project (the "Project") consisting of: (A) the acquisition of a leasehold interest in an approximately 1.38-acre parcel of vacant land located at 120 Marina Drive in the Town of Greece, New York 14626 (the "Land"); (B) the construction on the Land of an approximately 22,000 square-foot two-story building, the first floor of which will be leased to commercial tenants and the second floor is to be occupied by DiPasquale Construction, Inc. and its related company, Garden Grove Construction Corp. (collectively, the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, the Agency previously appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") in an amount up to \$2,693,200, which would result in New York State and local sales and use tax exemption benefits not to exceed \$215,456; which benefits were to expire on December 31, 2024; and

WHEREAS, by resolution dated September 26, 2023, the Agency approved the Company's Project Modification Request, dated July 24, 2023, requesting an increase in purchases of goods and services relating to the Project that would otherwise be subject to New



York State and local sales and use tax in an amount up to \$3,350,000, which would result in New York State and local Sales and Use Tax Exemption Benefits not to exceed \$268,000 (as increased, the "Sales and Use Tax Exemption Benefits"); and

WHEREAS, the Company, by the Project Modification Request, dated June 28, 2024 (the "2024 Modification Request"), has requested the Agency approve the extension of sales tax benefits through December 31, 2025; and

WHEREAS, by the 2024 Modification Request, the Company also requested the Agency approve the sublease of approximately 7,000 square feet of space on the first floor of the Facility to Burn Boot Camp (the "Proposed Tenant"); and

WHEREAS, the Agency desires to adopt a resolution authorizing the extension of Sales and Use Tax Exemption Benefits to the Company, the approval of the sublease of a portion of the Facility to the above-named Proposed Tenant and the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax through **December 31, 2025**. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Agency hereby approves the sublease of approximately 7,000 square feet of space on the first floor of the Facility to Burn Boot Camp.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described extension.

Section 4. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 5. This resolution shall take effect immediately.

*[Remainder of Page Intentionally Left Blank]*

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Jay Popli				
Troy Milne				
Lisa Bolzner				
Joseph Alloco				
Rhett King				
Norman Jones				
Ann L. Burr				

The Resolutions were thereupon duly adopted.

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

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on July 16, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 16<sup>th</sup> day of July, 2024.

---

Ana J. Liss, Executive Director







July 5, 2024

Ms. Ana J. Liss  
Director, Monroe County Department of Planning & Development  
Executive Director, COMIDA & MCIDC  
1150 City Place  
50 W. Main St.  
Rochester, NY 14614

Dear Ana,

I am writing to request a no-cost extension from the COMIDA board for the NextCorps Service Agreement that is currently supporting the Embark “No Code Software Development Bootcamp” program. The current agreement is set to end on August 31, 2024, and we would like to request a no-cost extension to December 31, 2024, so that we can continue to support the program participants with some of the remaining / unspent funds.

The Embark program has exceeded expectations to date, and has come in under budget. Originally planned to serve at least 50 participants, we actually trained more than 80 participants in Phase 1 of the program (“Intro to No Code software development tools”), and then more than 20 participants in Phase 2 (“Pro No Code Software Development”). These Phase 2 graduates will soon receive their certifications and both Phase 1 and Phase 2 participants will be able to use their new skills to improve their current employment, seek new, higher-paying employment, launch ‘side gig’ consulting jobs, or start their own company. Those interested in learning how to create a new software startup will enter “Phase 3” of the program, where they will receive startup incubation support at the NextCorps incubator in downtown Rochester.

To date, the Embark program has come in slightly more than \$100,000 under budget, as a result of lower than expected training and instructor expenses, and lower than expected costs for tools and subscriptions for the program participants. As a result, we are requesting a no-cost extension of the contract end date, so that we can utilize the existing contract funds to continue supporting the Phase 3 participants with additional training and coaching, as they set out to build their own software applications for their own startup company ideas.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "James S. Senall".

James S. Senall  
President & CEO

# PLAN FORWARD

A Comprehensive Plan for Monroe County

Monroe County formally started the Comprehensive Plan in 2020, releasing a Request for Proposals in November 2020, with Proposals due late December 2020.

We accepted \$200,000 in funding from the County of Monroe Industrial Development Agency (COMIDA) for the Comprehensive Plan, Active Transportation Plan and the Farmland Protection Plan Update and authorized a contract with EDR or Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, DPC for \$184,953 with a term of June 1, 2021 until May 31, 2023.

At the outset, the Plan focused on the following **Guiding Principles**:



Building and Supporting Partnerships



Climate Resilient Environments



Equity and Inclusion

These principles guided us through the process and informed our work in the **five planning themes** that framed the work:



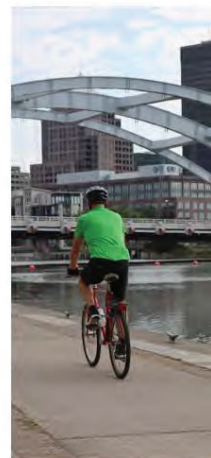
People and Communities



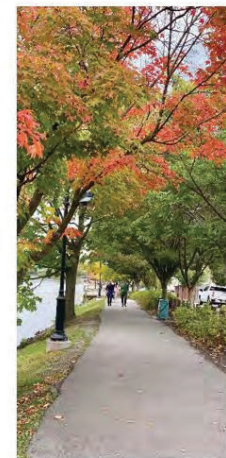
Economic and Workforce Development



Ecology and Environment

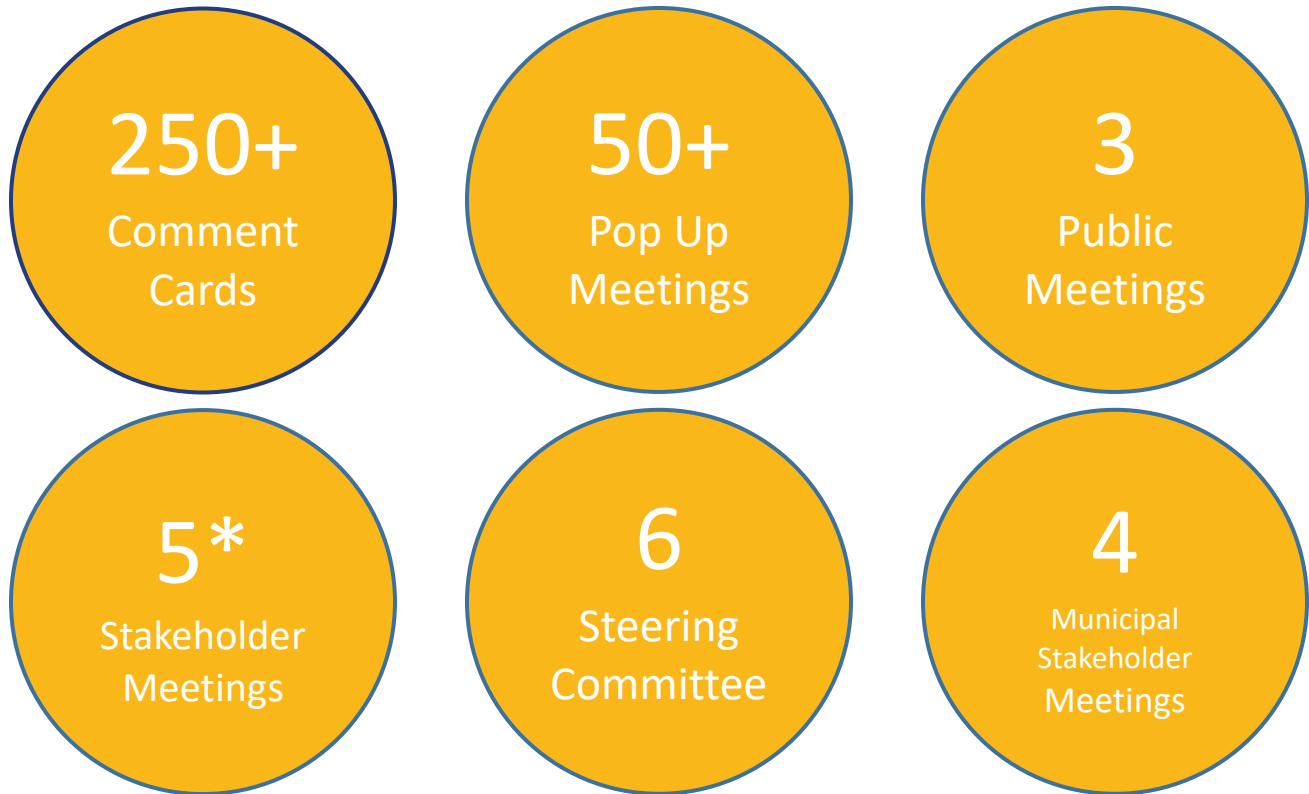


Connected Systems



Community Health

Using these themes, we engaged in the following **outreach and engagement**:



\*The five stakeholder meetings aligned with the five planning themes of People and Communities, Economic and Workforce Development, Ecology and Environment, Connected Systems (Infrastructure), and Community Health.

This work led us to understand that we needed to focus; otherwise, we would have a Comprehensive Plan that was overly broad, lacked focus on topics of concern in the community, and would be longer than the UCC.

We have narrowed down the focus to:

- Economic and Workforce Development,
- Public Safety,
- Public Health and Wellness, and
- Infrastructure.

These focus areas align with the County Executive's Four Pillars and will allow us to have a cohesive message when we have a draft to share with the public. However, it also means we need additional work in some of these areas and refining our work in others.

**We request additional funding of \$150,000 to complete this effort in 2025.** Working with our current consultant, we need to refocus and realign our current work and any additional efforts to complete a Comprehensive Plan that is responsive to community needs and concerns. Additionally, we believe this additional funding will put this effort in line with similar County-wide planning efforts, such as the Monroe County Climate Action Plan which cost approximately \$380,929 (Phase I and Phase II).



COUNTY OF MONROE  
**COMIDA**  
 INDUSTRIAL DEVELOPMENT AGENCY

**Dashboard**

July 2024

Incentives Summary

Sales Tax Exemptions		Mortgage Recording Tax Exemption		PILOTS		Total Company Investment	
Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End
15	30	10	12	10	12	\$184,432,917	\$1,151,621,436

Jobs Summary

Number of Total Projects		Existing Jobs Retained per Application		New Jobs Projected by Applicant		New Jobs Required*	
Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End
15	27	583	321	437	494	157	119

Fees for Approved Projects (includes all app and agency fees)

Total		Paid to Date		Outstanding	
2024 Projects YTD	2023 Projects YE	2024 Projects YTD	2023 Projects YE	2024 Projects YTD	2023 Projects YE
\$1,347,976	\$10,158,340	\$45,463	\$5,654,943	\$1,302,513	\$4,503,397

Workforce Development Fund  
 Beginning Balance \$2, ,

Allocated Fee income		Committed Funds		Fund Balance	
2024 YTD	2023 YE	2024 YTD	2023 YE	2024 YTD	2023 YE
\$29,043	\$1,774,162	\$1,205,000	\$2,970,000	\$1,355,479	\$1,304,162

Solar WD Fund

Fees Approved to Date	Fees Collected to Date	Allocated to Date	Balance
\$75,000	\$50,000	\$0	\$50,000

\*Required jobs are calculated as 10% of the existing jobs, with a minimum of 1 job. Enhanced JobsPlus is 100 jobs with a minimum of \$15,000,000 investment. There is no job creation requirement for projects that only receive sales tax exemptions.