

TOWN OF HENRIETTA PLANNING BOARD

May 9, 2017

AGENDA

Peter Minotti, Chairman
Devon Van Vechten, Vice-Chairman
Lawrence Neill
Stephen R. MacIntyre
James Grunert
Patricia Brill
Matthew Borkowski
William Walker, Esquire

MAIN MEETING ROOM

ROLL CALL: 7:00 PM

MINUTES: March 28, 2017 & April 25, 2017

APPLICATIONS:

Application No. 17-005 **Lehigh Station Road/East River Road Development** – For final site plan approval for the development of approximately 489 multi-family rental units (110 units of senior housing on the south side of Lehigh Station Road, 199 market rate units on the north side of Lehigh Station Road and 180 units for the hearing impaired) on the properties located at Lehigh Station Road & East River Road in an Industrial Zoned District. Tax Account Nos. 174.02-1-43 & 174.04-1-21.

Application No. PB-312 **Howlett Farm Subdivision** - For preliminary subdivision approval of a proposed subdivision consisting of 107 residential lots and two exception parcels located at the southeast corner of East River Road & Erie Station Road in a Residential R-1-15 Zoned District. Tax Account Nos. 188.03-1-16.2, 188.02-1-45.1, 188.03-1-16.12 and 188.04-1-40. **(SEQR)**

Application No. PB-221.10 **The Preserve Subdivision – Section 10** - For final subdivision approval of proposed 15 lot subdivision on approximately 6.385 acres of open space connecting to and extending York Bay Trail in a R-2-15 Zoned District. Tax Account No. 160.18-1-99. *(This application was previously approved at the January 28, 2014 Planning Board meeting.)*

<p>Note: Applicants must have a representative available at the time the application is called. If the meeting should run past 12:00 a.m. (midnight), the Chairman may temporarily adjourn the meeting. The meeting will reconvene on May 16, 2017 at 7:00 p.m. in Main Meeting Room</p>
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**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
May 9, 2017**

A regularly scheduled meeting of the Henrietta Planning Board was held on Tuesday, May 9, 2017 at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York 14467. The meeting was called to order at 7:00 p.m. by the Planning Board Chairman, Peter Minotti.

MEMBERS PRESENT: Peter Minotti, Chairman
Devon Van Vechten, Vice Chairman
Lawrence Neill
Stephen R. MacIntyre
James Grunert
Patricia Brill
Matthew Borkowski
William Walker, Esquire

ALSO PRESENT: Christopher Martin, P.E., Director of Engineering & Planning
Terry Ekwel, Fire Marshal/Building Inspector

The first item on the agenda is the approval of the Regular Meeting Minutes of March 28, 2017 as presented.

On motion of
Lawrence Neill

Seconded by
Patricia Brill

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
James Grunert	voting	Abstain
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

The second item on the agenda is the approval of the Regular Meeting Minutes of April 25, 2017 as presented.

On motion of
James Grunert

Seconded by
Patricia Brill

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Abstain
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

Application No. 17-005 Lehigh Station Road/East River Road Development – For final site plan approval for the development of approximately 489 multi-family rental units (110 units of senior housing on the south side of Lehigh Station Road, 199 market rate units on the north side of Lehigh Station Road and 180 units for the Deaf or Hard of Hearing) on the properties located at Lehigh Station Road & East River Road in an Industrial Zoned District. Tax Account Nos. 174.02-1-43 & 174.04-1-21.

Representing Applicant: Betsy Brugg, Woods Oviatt Gilman, LLP
John Clarke, DDS Companies
Tim Harris, P.E., Passero Associates

In regards to the above referenced application, the applicant stated that all staff comments can be addressed. The project consists of developing four hundred and eighty-nine (489) multi-family rental units. There will be one hundred and ten (110) units for senior housing, one hundred and eighty (180) units for the deaf or hard-of-hearing (DePaul Living Center) and one hundred and ninety-nine (199) units for market rate rentals. It was noted that the curb cut to the east of the DePaul units will be open to allow for snow removal and drainage to the swale, which will then flow to the pond. The Board asked that the project include curbing at the throat of the entranceway, south of the Lehigh Station Road entrance into the DePaul section. There is also an area approximately three hundred feet by one hundred feet (300' X 100') that was identified to possibly have archeological sensitive items and therefore will not be touched. This area has been officially identified as a "Cultural Resource Area". Members of the Planning Board were concerned with the appearance of windows as well as garbage collection, to which the applicant stated that the owner, Morgan Management, would be installing window treatments and provide refuse collection.

A motion for final site plan approval was made and is subject to the Applicant addressing all comments received from the Town of Henrietta and other concerned agencies to the satisfaction of the Director of Engineering & Planning, and more specifically:

PLANNING BOARD CONDITIONS:

1. The Project must adhere to the conditions set forth by the Henrietta Town Board via the Special Use Permit that was granted on January 18, 2017 stating the following:
 - a. The Project shall obtain Site Plan Approval and Subdivision Approval from the Town of Henrietta Planning Board, as required by the Town Code, and
 - b. That the Project shall incorporate and include the expansion of the westbound turn lane at Lehigh Station Road, as offered by the applicant and incorporated into the Proposal, and

- c. That the applicant duly file a Protection Covenant as requested by the NY Dept. of Parks, Recreation and Historic Preservation, as offered by the applicant and incorporated into the Proposal, and
 - d. That the Project be developed consistent with the concept most recently submitted prior to approval, subject to any modifications by the Planning Board during its review.
2. The Project must have curbing at the throat of the entranceway, south of the Lehigh Station Road entrance into the DePaul section. The curbing should be added on both sides of the driveway for the first fifty feet (50').

On the Motion of
James Grunert

Seconded by
Stephen MacIntyre

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

Application No. PB-312 Howlett Farm Subdivision - For preliminary subdivision approval of a proposed subdivision consisting of 107 residential lots and two exception parcels located at the southeast corner of East River Road & Erie Station Road in a Residential R-1-15 Zoned District. Tax Account Nos. 188.03-1-16.2, 188.02-1-45.1, 188.03-1-16.12 and 188.04-1-40. **(SEQR)**

Representing Applicant: Bruce Howlett, Howlett Farms
Lucas Bushen, Marathon Engineering
Richard Tiede, Marathon Engineering

In regards to the above referenced application, the applicant stated that all staff comments can be addressed. The project consists of creating a subdivision containing one hundred and seven (107) lots with two (2) exception parcels. It was noted that the sidewalk along the roadway will be extended up to East River Road.

(Town Clerk's Note: Please reference Town Code section 295-60(B) regarding the approval of open space via Town Board resolution. "The Planning Board shall have the powers and duties prescribed by the applicable provisions of the Town Law, including the powers set forth in §278 of the Town Law, provided that, in addition to the conditions set forth in §278, no plat resulting from the application of the §278 procedure which shows lands available for park, recreation, open space or other municipal purposes directly related to the plat shall be approved by the Planning Board unless and until the lands available for such purposes and the uses thereof have been first approved by resolution of the Town Board. The power delegated to the Planning Board herein shall apply to all districts zoned R-1, R-2, and RR.")

With regard to Application No. PB-312, SEQR review indicates the Action under consideration is a

Type I Action as per Section 614.4(b)(8). The Henrietta Planning Board, as Lead Agency, has determined that the proposed Action described below will not have a significant effect on the environment and that a draft Environmental Impact Statement will not be required.

The Action under consideration is a subdivision plan application by HG&H Development, LLC. It is a Type I Action and will not require a conditioned negative declaration. The purpose of this Application is for preliminary subdivision approval of a proposed subdivision consisting of 107 lots and two exception parcels located at the southeast corner of East River Road and Erie Station Road in a Residential R-1-15 Zoned District. Tax Account Nos. 188.03-1-16.2, 188.02-1-45.1, 188.03-1-16.12 and 188.04-1-40.

All relevant areas of environmental concern were identified. Evaluation and examination were carefully made in relation of the existing conditions versus the proposed site improvements. It has been determined that there will be no adverse environmental effect as a result of the proposed Action.

Peter Minotti therefore made the motion that the Henrietta Planning Board make a Negative Declaration and authorize the Planning Board Chairman to sign the Statement of Environmental Significance. Lawrence Neill seconded the motion.

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

A motion for preliminary subdivision approval was made and is subject to the Applicant addressing all comments received from the Town of Henrietta and other concerned agencies to the satisfaction of the Director of Engineering & Planning, and more specifically:

PLANNING BOARD CONDITIONS:

1. There are no conditions from the Henrietta Planning Board at this time.

On the Motion of

Devon Van Vechten

Seconded by

Stephen MacIntyre

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

Application No. PB-221.10 The Preserve Subdivision – Section 10 - For final subdivision approval of proposed 15 lot subdivision on approximately 6.385 acres of open space connecting to and extending York Bay Trail in a R-2-15 Zoned District. Tax Account No. 160.18-1-99. *(This application was previously approved at the January 28, 2014 Planning Board meeting.)*

Representing Applicant: Richard Giraulo, LaDieu Associates, P.C.

In regards to the above referenced application, the applicant stated that the plans have not changed since the original submission. The application for Section 10 was previously approved on January 28, 2014. Planning Board Member Borkowski noted that there are mature trees on the lot that he would like to see remain and the applicant stated that they would be trying to keep as many mature trees as they can on the northwest portion of the project.

A motion for final subdivision approval was made and is subject to the Applicant addressing all comments received from the Town of Henrietta and other concerned agencies to the satisfaction of the Director of Engineering & Planning, and more specifically:

PLANNING BOARD CONDITIONS:

- 1. There are no conditions from the Henrietta Planning Board at this time.

On the Motion of
James Grunert

Seconded by
Lawrence Neill

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

A motion to adjourn was made by Patricia Brill and passed unanimously at 8:27 p.m.

Respectfully submitted,



Heather Voss
Deputy Town Clerk

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 JANUARY 18, 2017 AT 7:00 P.M.

RESOLUTION #2-17/2017

On Motion of
Councilman Page

Seconded by
Councilman Adair

WHEREAS, the Town of Henrietta received an application (the "Application") from Morgan Acquisitions requesting a Special Use Permit for multifamily residential development for a mix of housing types comprising of townhouses and apartments, some of which will be designed to meet the needs of the deaf and hearing impaired, all on two parcels at or about the intersection of East River Road and Lehigh Station Road, Tax Map Nos. 174.04-1-21 and 174.02-1-43, comprising 138 +/- acres in total (the "Property"), and

WHEREAS, the Town Board has carefully reviewed and considered documentary, testimonial, and other evidence presented to the Town Board prior to, at, and subsequent to the Public Hearing, together with any input from Town staff, and any applicable advisory boards and agencies, and

WHEREAS, having considered carefully all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the findings of fact attached as Exhibit "A" hereto, which is made a part hereof and incorporated herein, and

WHEREAS, the Town Board has complied with the requirements of the State Environmental Quality Review Act ("SEQR"), has acted as Lead Agency, and, on January 18, 2017, issued a Negative Declaration, determining that the Project will not have a significant adverse impact on the environment, and

WHEREAS, The Town Board has considered the criteria applicable to the granting of special use permits, as set forth in Section § 295-53 of the Henrietta Town Code, and has determined that the Applicant has addressed and the Project satisfies all of the criteria for the granting of special use permits, as more fully set forth in Exhibit "B" hereto, which is made a part hereof and incorporated herein.

THEREFORE, BE IT RESOLVED, that based on the aforementioned findings and other information reviewed and considered by the Town Board in connection with this Application and Project, the requested Special Use Permit for multiple dwellings is granted subject to the following conditions:

1. The Project shall obtain Site Plan Approval and Subdivision Approval from the Town of Henrietta Planning Board, as required by the Town Code, and
2. That the Project shall incorporate and include the expansion of the westbound turn lane at Lehigh Station Road, as offered by the applicant and incorporated into the Proposal, and
3. That the applicant duly file a Protection Covenant as requested by the NY Dept. of Parks, Recreation and Historic Preservation, as offered by the applicant and incorporated into the Proposal, and
4. That the Project be developed in consistent with the concept most recently submitted prior to approval, subject to any modifications by the Planning Board during its review.

Duly put to a vote:

Councilwoman Zinck	voting	Aye
Councilman Page	voting	Aye
Councilman Breese	voting	Abstain
Councilman Adair	voting	Aye
Supervisor Moore	voting	Aye

Carried

Exhibit "A" – Findings of Fact

1. In summary, the Applicant's proposed development (the "Proposal") includes construction of a total of 486 +/- residential units comprising of a mix of housing types including 196 +/- market rate townhome and apartment style residential units, 110 +/- market rate ranch townhome style units meeting the needs of seniors, and 180 +/- apartment units designed to meet the needs of the deaf and hard of hearing, to be built on two existing parcels of vacant land consisting of a 57.55 +/- acre parcel located on the northeast corner of East River Road and Lehigh Station Road, being Tax Parcel ID. No. 174.02-1-43 ("Parcel 1"), and a 79.96 +/- acre parcel located on the southeast corner of East River Road and Lehigh Station Road, being Tax Parcel ID. No. 174.04-1-21 ("Parcel 2"), located in the Town of Henrietta in the Industrial Zoning District ("Property").
2. The Applicant attended a Town Board workshop on or about September, 6, 2016 to discuss the Proposal prior to filing of any application.
3. On or about October 11, 2016, and thereafter, the Applicant submitted an application requesting a Special Use Permit, including an application form, letter of intent, site plan, Full Environmental Assessment Form, engineering reports and information regarding issues such as traffic, drainage, cultural resources, wetlands, and other information (together called the "Application Package"). A revised site plan ("Revised Site Plan") was later submitted reflecting changes to the site plan voluntarily made by the Applicant in response to comments received during the application review process.
5. The Town Board referred the application to the Monroe County Department of Planning and Development, in accordance with the General Municipal Law.
6. On November 10, 2016, the Applicant held a neighborhood meeting at the Town Hall, in which it presented information, solicited feedback and answered questions from the public.
7. On November 16, 2016, Town Board held a public hearing to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard. Information was presented by the Applicant and comments and questions heard from the public. The public hearing was then closed.
8. On November 22, 2016, upon request from the Town Board and from the Applicant, the Planning Board conducted a conceptual review of the Proposal.
9. Information considered by the Town Board includes but is not limited to the Application Package, the Revised Site Plan, oral or written testimony, correspondence, information and descriptions of the Project from the Applicant and its representatives, from Town Staff, the public and interested parties, comments from involved and other agencies, maps and other drawings of the Project, and other information.

Exhibit B – Special Use Permit Criteria Findings

The Applicant addressed the criteria in the Town Code for the granting of Special Use Permits. The Town Board finds that the Proposal satisfies the criteria, making the following findings:

A. The effect of the proposed use on the orderly development and character of the neighborhood of the proposed use and upon the development and conduct of other lawful uses in the vicinity.

The proposed use is consistent with the long established Industrial zoning of this property and no rezoning is required to establish the proposed multiple-dwelling uses. The proposed mix of residential units is consistent with the existing residential and multi-family uses in the neighborhood, which include apartments, student housing, senior townhouses, and single family residential uses. The area is in proximity to RIT and other employers and businesses in the vicinity. The Proposal adds new housing options, which will maintain and is consistent with existing character of the area and existing residential development, and which serves to support the other lawful uses in the vicinity. Further, the proposal is Code compliant and requires no variances.

B. Whether the proposed use will be in harmony with the existing and probable future development of the neighborhood in which the premises are situated.

The Proposal is in harmony with the existing and probable future development in the overall area. The residential communities proposed are consistent with the character of the neighborhood, which includes other residential uses, including multiple dwellings, including student housing, senior owned townhomes, apartments, and single family residential. The Proposal adds to the diversity of housing options, providing options for those who wish to remain or locate in Henrietta as they age and for whom single family home ownership no longer meets their needs, as well as those who are deaf or hard of hearing, and those who are employed or affiliated with RIT and other area businesses. Development of other uses permitted in the area is supported by the availability of housing as proposed.

C. The number and proximity of the same or similar uses in the neighborhood of the premises.

There are a variety of multiple dwelling uses in the area serving different needs and populations, such as senior owner townhouses and student housing, such that the addition of the proposed housing is appropriate for the neighborhood. The Proposal enhances the neighborhood, because of its unique features, adding to the diversity of housing types in the neighborhood. The Proposal includes new residential communities, with quality design, modern amenities, variety in unit size and style, and addressing needs of an aging population and seniors, and the unique needs of the deaf and hard of hearing.

D. Whether the proposed use will be a nuisance in law or in fact and whether the use will be noxious, offensive or injurious by reason of production of or admission of dust, smoke, refuse, poisonous substances, odors, fumes, noise, radiation, vibration, unsightliness or similar conditions or will contaminate waters.

The Proposal is proposed to be a quality rental residential community comparable to others operated by the Applicant. Trash removal is managed by the Applicant. Tenants are subject to the terms of lease and rules established by the Applicant to maintain quality living. The Proposal includes attractive

architecture, landscaping and design. Storage is provided in garages and inside. The Proposal must comply with applicable regulations and laws, such as storm water regulations and the noise ordinance. The Applicant does not propose to disturb the existing Federal wetlands.

E. Whether the proposed use will create hazards or dangers to the public or persons in the vicinity from fire, explosion, electricity, radiation, traffic congestion, crowds, parking of automobiles or causes.

No such hazards or dangers to the public will result from this Proposal. Adequate parking is provided in the site plan. Much of the parking provided is in garages and inside. There are two separate clubhouses, serving different parts of the development. The Proposal is low density, averaging approximately 3.5 +/-units per acre.

As proposed and reflected in the Revised Site Plan, the development will have no significant adverse impact on traffic, as supported by a Traffic Impact Study ("TIS") prepared and submitted for the Project and reviewed by the Monroe County Department of Transportation. The public has expressed general concerns with traffic along the East River Road corridor, and the Town had commissioned an East River Road Corridor Study, the draft of which was shared with the Applicant and information incorporated into the TIS. The Applicant consulted with the Town Engineer and the Monroe County Department of Transportation ("MCDOT") before and during the application process. In accordance with comments received from the MCDOT (in a letter to the Town Engineer dated November 18, 2016), the applicant has eliminated any point of access from East River Road, and agreed to the extension of the westbound turn lane.

The Proposal includes accommodations for pedestrians and bicycles, including internal walking paths, connectivity to East River Road and adjacent community developments.

F. What conditions, restrictions and safeguards are necessary to protect property values of the vicinity of the proposed use and for the protection of the health, safety, morals, peace and general welfare of the community and of the public.

Outside of those conditions incorporated as part of the design of the project (i.e., as proposed), there are no such conditions, restrictions or safeguards required to protect property values or the health, safety, peace or general welfare of the community, as so such adverse impacts are projected.

Exhibit "B" – Reasoned Elaboration Relating to Negative Declaration

1. Vehicular traffic.

The Project, as proposed, will not have a significant adverse impact on traffic, as supported by the "Traffic Impact Study for the East River Road Housing Development" dated September 23, 2016 prepared by McFarland Johnson ("TIS"). This is consistent with the draft East River Road Corridor Study commissioned by the Town of Henrietta, which was used in preparation of the TIS.

The Applicant was aware of general public concern expressed regarding traffic along the East River Road corridor. The primary public concerns came from residents in nearby neighborhoods concerned with access along East River Road with the proposed development traffic added to the corridor. The TIS incorporated adjacent approved developments in the area to ensure that the cumulative traffic conditions were represented. As confirmed in the TIS, the East River Road corridor will have no decreases in any level of service and will operate similar to the background conditions with negligible increases in delay from traffic generated by the proposed development. The proposed 489-unit development will generate only around half of the traffic that the East River Road Corridor Study is estimating for these parcels, as it assumed 1,000 units could be constructed within the proposed site. If the site was developed for industrial use, also per current zoning code, the resultant traffic could be approximately 3 times that of the proposed housing development.

The proposed site driveways were shifted along Lehigh Station Road throughout the conceptual design process to ensure the maximum the sight distance available. The proposed locations were field measured for sight distance and all meet the AASHTO recommendations.

Prior to and after submission of its Application Package, the Applicant, through its consultants, conferred with the Monroe County Department of Transportation ("MCDOT") and the Town Engineer regarding review of traffic related Proposal. In accordance with input from the MCDOT, the Applicant obtained and submitted the TIS to the Town and MCDOT. MCDOT sent a letter to the Town Engineer dated November 18, 2016, accepting and not requiring changes to the TIS, and stating the following requirements for the Project: (1) Removal of the access to East River Road, as not being warranted, (2) Extension of the Westbound turning lane, as a necessary mitigation. The Applicant voluntarily modified its site plan to provide no access on East River Road and to extend the west bound right turn lane, addressing the comments the MCDOT letter, and as reflected on the Revised Site Plan.

The project includes accommodations for pedestrians and bicycles, including internal walking paths, connectivity to East River Road and adjacent community developments.

2. Stormwater Management.

The Project will include new stormwater management facilities which comply with Town of Henrietta and New York State Department of Environmental Conservation ("NYSDEC") regulations and requirements for green infrastructure, extended detention and water quality. All design and specifications will be subject to review and approval by the Town of Henrietta and NYSDEC.

A SWPPP will be provided to reduce the potential of soil erosion both during and after construction.

The project will not use or impact the groundwater. Nor will it result in contaminants which may be introduced to the groundwater.

3. Wetlands.

Per the National Wetlands Inventory Mapping, the Town of Henrietta Wetland Mapping, federal wetlands exist on the subject parcels. Therefore, wetlands delineation was conducted by Environmental Resources, LLC in September of 2016, as documented on the site plan provided to the Town and review agencies. There are approximately 8.5 acres of wetlands on the two parcels. The site includes Federal Wetlands only, as confirmed by an on-site meeting with Mr. Steven Miller of the NYSDEC in November 2016. The Project does not propose disturbance of the existing Federal Wetlands. Wetlands and streams will be protected during construction from silt runoff by implementing an effective erosion control plan that meets regulatory requirements of the NYSDEC

4. Impact on Geological Features.

There will be no Impact. There are no significant geological features on or adjacent to the site.

5. Flood plain.

There will be no Impact. There are no floodplains present on these parcels.

6. Air. There will be no impact on air quality.

Existing air quality is good. Potential impacts to air quality and mitigation measures include:

Construction equipment- Exhaust emissions during construction are relatively minor as compared to the area receiving the emissions.

Dust-The project will maintain existing vegetation along the property lines to greatest extent possible which will help capture dust particles from construction activities. The proposed erosion control measures to be included with the final Stormwater Pollution Prevention Plan (SWPPP) will include stabilization timeframes and dust control in accordance with the NYS Stormwater Permit regulations.

Traffic- The traffic study indicates relatively low trip generation and satisfactory levels of service. Therefore traffic congestions that could concentrate exhaust emissions will not occur.

7. Plants and Animals.

There will be no impact on plants or animals.

8. Agricultural resources.

The site is in an Agricultural District, per the New York State Agriculture and Markets Law. The application has complied with the applicable requirements, including Agricultural Data Statement and notice requirements. Farming of the Property has been discontinued.

9. Aesthetic Resources.

The Project includes attractive architecture, landscaping, and other improvements to currently vacant land which is zoned for multi-family development. The Project will complement and fit appropriately with other nearby development. There are no particular scenic or aesthetic resources in the vicinity of the site.

10. Historic and Archeological Resources.

There will be no impact on historic or archaeological resources.

Per the New York State Department of Parks, Recreation and Historic Preservation (OPRHP) and the Cultural Resource Information System (CRIS), it appears that both subject parcels fall within areas identified as archeologically sensitive. CRIS requested that a Phase IA and Phase IB Archaeological survey be completed to ensure that no archaeologically sensitive materials are impacted due to this proposed project. HAZExplorations, LLC was retained to perform the required Archaeological Survey. The Phase IA and IB Archaeological Sensitivity Assessment & Survey reports have been completed and have been submitted to CRIS and the Town. The December 2016 report documented archaeological findings in a limited area of the Property identified in the report and shown on the Revised Site Plan. This suspected area is not proposed to be disturbed by construction of the Project. In its letter of December 9, 2016 to DDS Engineers, OPRHP concurs with H.A.Z. Ex.'s recommendation that a 100 foot/30 meter protective buffer encircling the area be established, and accepts the proposed avoidance plan as demonstrated in the amended Project APE/Site Plan Illustrated in Figure 12 of the Phase I report and on the revised site plan. Also recommended in the same letter is that a legally binding in perpetuity commitment to preservation of the site be established. The OPRHP agreed to provide its Effect Finding Letter upon receipt and review of the legally binding Protection Covenant. The Proposal includes the recommended buffer and the Applicant has offered to provide a Protection Covenant.

11. Open Space and Recreation.

There will be no impact on open space or recreation. The site is not used nor does it present the opportunity for community open space. The Project site plan proposed a low density development of approximately 3.5 units/acre.

12. Critical Environmental Areas.

There will be no impact. The site does not include any areas that have been designated for preservation as Critical Environmental Areas by NYSDEC or the Town.

13. Public Utilities and Services

Water - The subject parcels fall partially within Town Water District Extension #2. Extension of this district will be required. New water mains will be connected to the existing water mains and will be extended into the development. New water laterals will be run to each of the proposed residential units for domestic and fire protection water service. All layout, sizing and pressure calculations, materials, cross-connection protections and design specifications will be reviewed and approved by the Town of Henrietta, Monroe County Health Department (MCHD) and the Monroe County Water Authority (MCWA).

Analysis of a new water main at the highest and furthest points of the system resulted in acceptable pressures and flows that will meet fire protection and domestic supply requirements.

Sanitary - The subject parcels fall within Town Sanitary Sewer District Extension #75. A new sanitary force main will be connected to the existing main in this area. Using a series of gravity mains and pump stations, new sanitary lateral services can be run to each of the new residential units. All layout, sizing, flow and capacity calculations, materials, pump station designs and design specifications will be reviewed and approved by the Town of Henrietta, Monroe County Health Department (MCHD) and Monroe County Pure Waters (MCPW).

Per coordination with MCPW and the Town of Henrietta it has been determined that adequate capacity exists in the area serve the sanitary sewer needs of this new development.

Gas, Electric, and Telecommunications - New gas, electric and tele-communication utilities will be connected to existing utilities within the East River Road and Lehigh Station Road ROW's. The new utilities will be extended into the development and new services will be run to each of the new residences. All layout, sizing, materials and design specifications will be reviewed and approved by the Town of Henrietta and the utility providers. Adequate capacity exists in the area. The Project will utilize high efficiency appliances.

14. Noise, Odor, and light.

Lighting will be contained on site and appropriate for the proposed multiple dwelling residential use. Lighting will be dark sky compliant and will not impact adjacent properties. The use does not generate any objectionable odors or noise. Any noise will comply with any Town noise ordinance.

15. Human Health.

The site has no environmental conditions which could result in an impact to human health. The proposed use will not generate any particular waste which could impact human health.

16. Consistency with Community Plans.

The Project is consistent with existing community plans, and existing zoning regulations. The Project is consistent with the long-existing zoning, which includes multiple dwellings as a special permit use. The mix of housing types includes different sizes and types of units, including ranch and two level townhouse style units and apartment style units intended for general market rate housing, exclusively ranch units in the section of the community targeting needs of seniors, and

apartments designed to address the unique needs of the deaf and hard of hearing. The Proposal advances the objectives of the 2003 Comprehensive Plan to increase the availability and quality of housing for seniors and physically-challenged persons, and to encourage the diversity in type and cost of new residential development. It is consistent with the 2011 Strategic Update to the Comprehensive Plan in promoting diverse housing opportunities for all residents of the Town.

17. Consistency with Community Character.

The proposed development is consistent with the neighborhood character, which includes a mix of residential uses, including other multiple dwellings, including apartments, senior owner occupied townhomes, student housing, as well as single family residences, which support other uses in the neighborhood and Town, such as RIT and other area employers and businesses. The Proposal adds new housing options for residents, including new, modern housing designed for the needs of active seniors- those who want to downsize, relocate or remain in the community, and who no longer bear the costs and responsibilities of home ownership, and includes housing designed for the deaf and hard of hearing, providing an option to those affiliated with nearby NTID and others. The Project includes quality architecture, landscaping and design. Roads and infrastructure will be private & maintained by the Owner. The Project is consistent with the character of the community in which it is located.